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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,244	04/08/2011	James Mitchell KATES	GNR P1775 DK US	7736

86107 7590 08/23/2011
Vista IP Law Group, LLP (GN Resound)
1885 Lundy Ave. Suite 108
San Jose, CA 95131

EXAMINER

ART UNIT	PAPER NUMBER
2614	

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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Vista IP Law Group, LLP (GN Resound)
1885 Lundy Ave. Suite 108
San Jose CA 95131

In re Application of	
James Mitchell KATES	**: REQUEST TO**
Application No.: 13/083,244	**: PARTICIPATE IN THE PATENT**
Filed: 08 April 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: GNR P1775 DK US	**: PROGRAM AND PETITION**
For: STABILITY IMPROVEMENTS IN	**: TO MAKE SPECIAL UNDER**
HEARING AIDS	**: 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 10 August 2011, to make the above-identified application special.

The request and petition are **DISSMISSED**.

Discussion

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

1. The U.S. application is
    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim;
2. Applicant must submit a copy of:

a. The allowable/patentable claim(s) from the DKPTO application(s);
b. An English translation of the allowable/patentable claim(s) and
c. A statement that the English translation is accurate;

3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has <u>not</u> begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the DKPTO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the DKPTO application is a first action allowance then no office action from the DKPTO is necessary should be indicated on the request/petition form;
   b. An English language translation of the DKPTO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the DKPTO examiner in the DKPTO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the requirements above.

Conditions (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition does not appear to meet condition (3).

Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the DKPTO application. For example, US claim 1 requires "a receiver coupled to the hearing loss processor" but this limitation is not in DKPTO claim 1. The scope of these claims is clearly different. It is applicants responsibility to ensure that all claims in the US application correspond to the allowed/patentable DKPTO claims. Regarding US claim 21, claims of narrower scope are not permitted under this PPH agreement.

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) with Document Description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,244	04/08/2011	James Mitchell KATES	GNR P1775 DK US	7736

86107 7590 11/15/2011
Vista IP Law Group, LLP (GN Resound)
2160 Lundy Avenue
Suite 230
San Jose, CA 95131

EXAMINER

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
11/15/2011	PAPER

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

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

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Vista IP Law Group, LLP (GN Resound)
2160 Lundy Avenue
Suite 230
San Jose CA 95131

In re Application of	
James Mitchell KATES	**: REQUEST TO**
Application No.: 13/083,244	**: PARTICIPATE IN THE PATENT**
Filed: 08 April 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: GNR P1775 DK US	**: PROGRAM AND PETITION**
For: STABILITY IMPROVEMENTS IN	**: TO MAKE SPECIAL UNDER**
HEARING AIDS	**: 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 10 August 2011 and renewed 21 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the DKPTO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the DKPTO application(s);
    b. An English translation of the allowable/patentable claim(s) and
    c. A statement that the English translation is accurate;
3. Applicant must:
    a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DKPTO application(s) and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the DKPTO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the DKPTO application is a first action allowance then no office action from the DKPTO is necessary should be indicated on the request/petition form;
    b. An English language translation of the DKPTO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;
6. Applicant must submit:
    a. An IDS listing the documents cited by the DKPTO examiner in the DKPTO office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Lee W. Young
TQAS - Technology Center 2600

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SoCAL IP LAW GROUP LLP
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WESTLAKE VILLAGE CA 91362

MAILED
AUG 23 2011
OFFICE OF PETITIONS

In re Application of :
YEN and KRESS :
Application No. 13/083,286 : DECISION ON PETITION
Filed: 04/08/2011 :
Docket No. T034-P11011US :
Title: BACKLIT SCENE TYPE DETECTION :

This is in response to the petition under 37 CFR 1.47(b) filed June 24, 2011.

A grantable petition under 37 CFR 1.47(b) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration; (2) an acceptable oath or declaration; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor; (5) proof of proprietary interest; and (6) proof of irreparable damage.

Petitioner lacks item (2) and (6) set forth above.

As to item (2), the Declaration submitted on petition is defective.

Pursuant to MPEP 409.03(b):

> The 37 CFR 1.47(b) applicant must make the oath required by 37 CFR 1.63 and 1.64 or 1.175. Where a corporation is the 37 CFR 1.47(b) applicant, an officer (President, Vice-President, Secretary, Treasurer, or Chief Executive Officer) thereof should normally sign the necessary oath or declaration. A corporation may authorize any person, including an attorney or agent registered to practice before the U.S. Patent and Trademark Office, to sign the application oath or declaration on its behalf. Where an oath or declaration is signed by a registered attorney or agent on behalf of a corporation, either proof of the attorney's or agent's authority in the form of a statement signed by an appropriate corporate officer must be submitted, or the attorney or agent may simply state that he or she is authorized to sign on behalf of the corporation.

> Where the oath or declaration is being signed on behalf of an assignee, see MPEP Section 324. An inventor may not authorize another individual to act as his or her agent to sign the application oath or declaration on his or her behalf. *Staeger v. Commissioner*, 189 USPQ 272 (D.D.C. 1976), *In re Striker*, 182 USPQ 507 (Comm'r Pat. 1973). Where an application is executed by one other than the inventor, the declaration required by 37 CFR 1.63 must state the full name, residence, post office address, and citizenship of the nonsigning inventor. Also, the title or position of the person signing must be stated if signing on behalf of a corporation under 37 CFR 1.47(b).

In this instance, petitioner submitted a DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) signed by Jonathan Pearce, a registered patent attorney. Specifically, the space provided for Inventor one in the Declaration states: "Jonathon Pearce, Reg. No. 60,972 (Attorney of record on behalf of Toshiba Tec Kabushiki Kaisha and Kabushiki Kaisha Toshiba)." However, the Declaration does not identify the full name and citizenship of each inventor. The Office notes that the naming of the inventors and the setting forth of the citizenship of each inventor must be provided in the oath or declaration under 37 CFR 1.63 (as is required by 35 U.S.C 115) even if this information is provided in the application data sheet. MPEP 601.05.

Moreover, the Office reminds petitioner that when a declaration is signed by a registered patent attorney on behalf of a corporation, either proof of the attorney's authority in the form of a statement signed by an appropriate corporate officer must be submitted, or the attorney may simply state that he is authorized to sign on behalf of the corporation. However, petitioner did not provide proof of Mr. Pearce's authority in the form of a statement signed by an appropriate corporate officer nor did Mr. Pearce state that he is authorized to sign on behalf of the corporation.

Accordingly, petitioner must submit a new DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76) setting forth the full name and citizenship of each inventor and signed in accordance with MPEP 409.03(b).

As to item (6), petitioner failed to present a showing that action under 37 CFR 1.47(b) is required to preserve the rights of the parties or to prevent irreparable damage. "Irreparable damage may be established by a showing in the form of a statement that a filing date is necessary to preserve the rights of the party or to prevent irreparable harm." MPEP 403.03(g).

Accordingly, petitioner must provide a statement of irreparable damage with any renewed petition.

In view of the above, the petition under 37 CFR 1.47(b) is **dismissed**.

Petitioner is given TWO (2) MONTHS from the mailing date of this decision to respond, correcting the noted deficiency. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)" and may include an oath or declaration executed by the inventor. **Failure to respond will result in abandonment of the application**. Any extensions of time will be governed by 37 CFR 1.136(a).

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

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

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

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

Correspondence may also be submitted via the Electronic Filing System of the USPTO.

Telephone 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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SoCAL IP LAW GROUP LLP
310 N. WESTLAKE BLVD. STE 120
WESTLAKE VILLAGE CA 91362

MAILED
OCT 19 2011
OFFICE OF PETITIONS

In re Application of :
YEN and KRESS :
Application No. 13/083,286 : DECISION ON PETITION
Filed: 04/08/2011 :
Docket No. T034-P11011US :
Title: BACKLIT SCENE TYPE DETECTION :

This is in response to the renewed petition under 37 CFR 1.47(b) filed October 17, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventors have refused to join in the filing of the above-identified application.

The application and papers have been reviewed and are in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status. As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses 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.

Telephone inquiries should be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Jonathon Yen
1431 Pine Grove Way
San Jose, CA 95129-4733

MAILED
OCT 19 2011
OFFICE OF PETITIONS

In re Application of :
YEN and KRESS :
Application No. 13/083,286 : LETTER
Filed: 04/08/2011 :
Docket No. T034-P11011US :
Title: BACKLIT SCENE TYPE DETECTION :

Dear Mr. Yen:

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(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining 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 (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

SoCAL IP LAW GROUP LLP
310 N. WESTLAKE BLVD. STE 120
WESTLAKE VILLAGE CA 91362

UNITED STATES PATENT AND TRADEMARK OFFICE

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William C. Kress
28475 Pacheco
Mission Viejo, CA 92692-1863

MAILED
OCT 19 2011
OFFICE OF PETITIONS

In re Application of :
YEN and KRESS :
Application No. 13/083,286 : LETTER
Filed: 04/08/2011 :
Docket No. T034-P11011US :
Title: BACKLIT SCENE TYPE DETECTION :

Dear Mr. Kress:

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(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining 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 (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

SoCAL IP LAW GROUP LLP
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
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ALEXANDRIA, VA 22313-1450
www.uspto.gov

MAILED
JUL 07 2011
OFFICE OF PETITIONS

Patent Procurement Services
3200 Coolidge Highway, Suite A
Berkley MI 48072

In re Application of	:	
MARKS, DONALD M.	:	
Application No. 13/083,335	:	DECISION ON PETITION
Filed: April 8, 2011	:	
Attorney Docket No. MHE-10404/38	:	

This is in response to the petition filed June 21, 2011, requesting that the above-referenced application be accorded a filing date of April 8, 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 8, 2011. However, on April 21, 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. Additionally, the Notice stated that an oath or declaration was missing.

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 <u>not</u> 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 8, 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 8, 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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

MAILED

JUL 13 2011

OFFICE OF PETITIONS

In re Application of	:	
Andrew J. Ritter	:	
Application No. 13/083,340	:	DECISION ON PETITION
Filed: April 8, 2011	:	
Attorney Docket No. 32510-712.501	:	

This is a decision on the petition under 37 CFR 1.59(b), filed June 10, 2011, to expunge information from the above identified application.

The petition is **granted**.

Petitioner requests that papers filed as Applicants Response to Pre-Exam Formalities Notice which were filed on June 8, 2011 be expunged from the record. Petitioner states that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public.

The petition fee set forth in 37 CFR 1.17(g) has been paid.

The information in question has been determined by the undersigned to not be material to the examination of the instant application.

Applicant is required to retain the expunged material(s) for the life of any patent which issues on the above-identified application.

The expunged material has been removed from the official file.

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

Carl Friedman
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: Griffin-Generator-USNpr	Application Number (if known): 13083348	Filing date: 04/08/2011
First Named Inventor: Ronald A. Griffin		
Title: Hydraulic Energy Converter		

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

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

1. By filing this petition:

   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: Firm Letter of Transmittal, Electronic Patent Application Fee Transmittal

Signature /Alfred K. Wiedmann Jr./	Date 04/11/2011
Name (Print/Typed) Alfred K. Wiedmann Jr.	Registration Number 48033

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.

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

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

Filed via Electronic Filing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number:	13/083,348
Filed:	04/08/2011
Applicant:	Ronald A. Griffin
Title:	Hydraulic Energy Converter
Assignee:	Griffin Holdings, LLC
Attorney Docket:	Griffin-Generator-USNprov
Customer No.:	33549
Confirmation No.:	7968

STATEMENT OF THE BASIS FOR SPECIAL STATUS

The basis for special status is that the invention materially contributes to development of renewable energy resources or energy conservation. More particularly, the inventive technology claimed herein contributes to energy conservation in that it is particularly adapted to harness and convert hydraulic energy from water flowing in water channels, a renewable energy source. As such, the inventive technology described by the claims reduces emissions as compared with more polluting forms of energy generation (e.g., coal based electricity production) and allows for the conservation of more polluting forms of energy generation (e.g., coal based electricity production). Particularly when used to convert energy from water flowing in channels in agricultural settings (where such hydraulic energy is converted to electrical energy that is used in that particular agricultural setting), use of the inventive technology claimed herein extracts energy from a more local source (as compared with use of electrical power generated at a site off of the agricultural setting), and as such reduces resistive electrical losses encountered during transmission of electricity. Further, in requiring only a rather straightforward assembly and comparatively few components, the inventive technology claimed herein may be more affordable than conventional technologies and encourages a more widespread adoption.

Dated this 11th day of April, 2011.

Respectfully submitted,
SANTANGELO LAW OFFICES, P.C.

By: /Alfred K. Wiedmann Jr./
Alfred K. Wiedmann Jr.
Attorney of Record
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Fort Collins, Colorado 80521
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,348	04/08/2011	Ronald A. Griffin	Griffin-Generator-USNprov	7968

33549 7590 05/25/2011
SANTANGELO LAW OFFICES, P.C.
125 SOUTH HOWES, THIRD FLOOR
FORT COLLINS, CO 80521

EXAMINER

ART UNIT	PAPER NUMBER
3748	

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):

CherylS@idea-asset.com
SallyH@idea-asset.com
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SANTANGELO LAW OFFICES, P.C.
125 SOUTH HOWES, THIRD FLOOR
FORT COLLINS CO 80521

In re Application of	:	
GRIFFIN, RONALD A.	:	DECISION ON PETITION
Application No. 13/083,348	:	TO MAKE SPECIAL UNDER
Filed: April 8, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. Griffin-Generator-USNpr	:	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 **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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,379	04/08/2011	Graham Jones	EXP.409C1	8034

20995 7590 05/24/2011
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EXAMINER
STAMBER, ERIC W

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
05/24/2011	ELECTRONIC

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

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

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

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efiling@kmob.com
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MAY 23 2011

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

In re application of:	:	**DECISION ON PETITION**
JONES, Graham, et al.	:	**TO MAKE SPECIAL FOR**
Application No. 13/083,379	:	**NEW APPLICATION**
Filed: April 8, 2011	:	**UNDER 37 CFR 1.102**
For: RULE-BASED BIDDING PLATFORM		

This is a decision on the petition filed on April 8, 20~~10~~11 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 is patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

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

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

under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

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

REVIEW OF FACTS

The petition in this case fails to comply with Conditions II.6.3.

As to Condition II.5.2, the pre-examination search does not sufficiently encompass all of the features of the claims. Note that many of the patent text searches are either limited by a field type or by classification. While such searches can be useful, they are not sufficient as performed here in that the U.S. classification chosen for the text search does not include 705/14.71 which is specifically directed to auctions in the advertising environment. Moreover, either by classification or keywords, the search performed does not include or allow for other areas outside of advertising that handle analogous auction concepts, e.g. finance and shopping. Also, while applicant has searched features of the dependent claims in the patent databases, it is noted that the non-patent literature searches were not specifically directed to features of the dependent claims. Finally, applicant's search logic should be revised with respect to the keywords chosen for "relative" bidding in that bid "increments" (an adjustment over a base) is a frequently encountered term for this concept.

As to Condition II.6.3, while applicant does explain patentability with regard to independent claim 1, applicant has not provided a detailed explanation as to how or whether dependent claims 2-11 are separately patentable over the prior art cited beyond the dependency on claim 1. Note that applicant may satisfy this requirement by stating that the dependent claims are not separately patentable if the claim(s) from which they depend are not found to be patentable.

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

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

Robert A. Weinhardt,
Business Practice Specialist
Technology Center 3600

RW/5/20/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,379	04/08/2011	Graham Jones	EXP.409C1	8034

20995 7590 08/11/2011
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
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IRVINE, CA 92614

EXAMINER
STAMBER, ERIC W

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
08/11/2011	ELECTRONIC

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

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

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

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

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AUG 10 2011

KNOBBE MARTENS OLSON & BEAR LLP
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IRVINE, CA 92614

In re application of
Jones, et al.
Application No. 13/083,379
Filed: April, 8, 2011
For: RULE-BASED BIDDING PLATFORM

: **DECISION ON PETITION**
: **TO MAKE SPECIAL FOR**
: **NEW APPLICATION**
: **UNDER 37 CFR 1.102**

This is a decision on the petition filed on April 8, 2011 and the supplemental petition documents filed June 21, 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/JP/8/5/11

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THE NOBLITT GROUP, PLLC
4800 NORTH SCOTTSDALE ROAD
SUITE 6000
SCOTTSDALE AZ 85251

MAILED

SEP 06 2011

OFFICE OF PETITIONS

In re Application of :
Gerald CALAMIA et al. : ON PETITION
Application No. 13/083,416 :
Filed: April 8, 2011 :
Atty. Docket No.: 10244.0100

This 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 item (1) and (2).

Item (1) requires that a "diligent effort" has been expended in attempting to find or reach the non-signing inventor (35 U.S.C. § 116) (*see also,* 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 Gerald Calamia. Notably, petitioner fails to show that application papers were mailed to the address of Mr. Calamia, or that he was not available via online searching. Additional evidence should include whether petitioner has access to the inventor's personnel record, and, if so, what does inspection of the record 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? If a forwarding address is provided, petitioner should then mail a complete copy

of the application papers (specification, claims, drawings, oath, etc.) to the unsigning inventor's address, return receipts requested, along with a cover letter of instructions which includes a deadline. 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. 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 evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 application that an omitted inventor's conduct constitutes a refusal, all facts upon which that a 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.

Regarding item (2), the declaration submitted with the instant petition does not include the citizenship or residence information for the non-signing inventor Gerald Calamia.

In accordance with petitioner's instructions, the petition fee of $200 will be charged to deposit account 50-2993.

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

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

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

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

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

Ramesh Krishnamurthy

for Anthony Knight
Director
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

THE NOBLITT GROUP, PLLC
4800 NORTH SCOTTSDALE ROAD
SUITE 6000
SCOTTSDALE AZ 85251

MAILED

NOV 16 2011

OFFICE OF PETITIONS

In re Application of :
Gerald CALAMIA et al. : ON PETITION
Application No. 13/083,416 :
Filed: April 8, 2011 :
Atty. Docket No.: 10244.0100

This in response to the petition under 37 CFR 1.47(a), filed November 4, 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 item (2).

Regarding item (2), the declaration submitted with the instant petition does not include mailing address/residence information for the non-signing inventor Gerald Calamia. *See* 37 CFR 1.63(c).

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

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

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

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

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

Ramesh Krishnamurthy

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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DEC 16 2011

OFFICE OF PETITIONS

THE NOBLITT GROUP, PLLC
4800 NORTH SCOTTSDALE ROAD
SUITE 6000
SCOTTSDALE AZ 85251

In re Application of :
Gerald CALAMIA et al. : ON PETITION
Application No. 13/083,416 :
Filed: April 8, 2011 :
Atty. Docket No.: 10244.0100

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

The petition is **GRANTED**.

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.

Petitioner has shown that non-signing inventor Gerald Calamia cannot be found after diligent effort. The application and papers have been received and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 47 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 that petition. Notice of the filing of this application will be published in the Official Gazette.

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

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

DEC 16 2011

OFFICE OF PETITIONS

Gerald Calamia
3434 W Anthem Way #118 – 372
Anthem, AZ 85086

In re Application of
Gerald Calamia and Ioannis John Narlis
Application No. 13/083,416
Filed: April 8, 2011
For: METHODS AND APPARATUS FOR A SKI POLE RETAINER

Dear Mr. Calamia:

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

As a 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 Robert DeWitty at (571) 272-8427. 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).

Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions

cc: **THE NOBLITT GROUP, PLLC**
4800 NORTH SCOTTSDALE ROAD
SUITE 6000
SCOTTSDALE AZ 85251

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	13083422	Confirmation Number	8129	Filing Date	2011-04-08
Attorney Docket Number (optional)	3558-2-9-2	Art Unit		Examiner	
First Named Inventor	Philip M. Hoyt				
Title of Invention	SPIRAL MAGNETIC FIELD APPARATUS AND METHOD FOR PIPELINE INSPECTION				

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
Philip	M.	Hoyt	

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	/Warren M Pate/	Date (YYYY-MM-DD)	2011-04-08
Name	Warren M. Pate	Registration Number	54364

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

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

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

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

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

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

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

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

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

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

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

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

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

In re Application of
Philip M. Hoyt

Application No. 13083422

Filed:

Attorney Docket No. 3558-2-9-2

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

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

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13083494	Confirmation Number	8280	Filing Date	2011-04-08
Attorney Docket Number (optional)	AL-41	Art Unit		Examiner	
First Named Inventor	Egorov V.				
Title of Invention	METHODS FOR ASSESSMENT OF PELVIC ORGAN CONDITIONS AFFECTING THE VAGINA				

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
Armen	P.	SARVAZYAN	

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	/LESCHINSKY/	Date (YYYY-MM-DD)	2011-04-08
Name	Boris LESCHINSKY	Registration Number	41404

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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Alexandria, VA 22313-1450
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In re Application of
Vladimir Egorov

Application No. 13083494

Filed:

Attorney Docket No. AL-41

: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.

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JUL 11 2011

Raj Abhyanker, P.C.
1580 West, El Camino Real, Suite 8
Mountain View CA 94040

In re Application of: Robert S. Anderson Application No.: 13/083600 Filed: April 11, 2011 Title: ABNORMALITY ERADICATION THROUGH RESONANCE	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 11, 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, 6.1-6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, and 5.2 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 1-13; the "accelerated examination support document" comprising pages 1-36 and in addition Appendices A and B, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 606 subclasses 27-52; class 607 subclasses 96, 98-101 and 113.

It is also noted that applicant indicated that class 607 subclass 97 was searched; however, this class/subclass does not exist. Clarification must be made as to what was actually searched.

Applicant is reminded that an updated AESD is required should closer prior art be discovered in the additional search.

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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SEP 27 2011

Raj Abhyanker, P.C.
1580 West, El Camino Real, Suite 8
Mountain View CA 94040

In re Application of: Robert S. Anderson Application No.: 13/083600 Filed: April 11, 2011 Title: ABNORMALITY ERADICATION THROUGH RESONANCE	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 August 10, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

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

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

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

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,639	04/11/2011	Bing Lou WONG	P2739US02	8596

95527 7590 04/19/2011
Ella Cheong Hong Kong
5001 Hopewell Centre, 183 Queen's Road East,
Wan Chai,
HONG KONG

EXAMINER
DESAI, ANAND U

ART UNIT	PAPER NUMBER
1656	

NOTIFICATION DATE	DELIVERY MODE
04/19/2011	ELECTRONIC

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

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

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

mburke@ellacheong.com
syip@ellacheong.com
ewong@ellacheong.com

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APR 1 9 2011

Ella Cheong Hong Kong
5001 Hopewell Centre, 183 Queen's Road East,
Wan Chai HK HONG KONG

In re Application of:
Wong et al.

Serial No.: 13/083,639

Filed: April 11, 2011

Docket No.: **FDG2010**

Title: **METHOD FOR THE PREPARATION OF A HIGH-TEMPERATURE STABLE OXYGEN-CARRIER-CONTAINING PHARMACEUTICAL COMPOSITION AND THE USE THEREOF**

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

This is a decision on the petition filed on April 11, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

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

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

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

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

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

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

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,650	04/11/2011	Arwyn Thomas	2010P02140US	8631

22116 7590 06/09/2011
SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

ART UNIT	PAPER NUMBER
2839	

MAIL DATE	DELIVERY MODE
06/09/2011	PAPER

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

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

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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of	**: DECISION ON REQUEST TO**
Arwyn THOMAS	**: PARTICIPATE IN THE PATENT**
Application No.: 13/083,650	**: PROSECUTION HIGHWAY PILOT**
Filed: 11 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 2010P02140US	**: TO MAKE SPECIAL UNDER**
For: ELECTRICAL MACHINE AND PERMANENT-MAGNET	**: 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 12 May 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

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

MAILED

AUG 11 2011

OFFICE OF PETITIONS

In re Application of	:	
Carillo et al.	:	
Application No. 13/083,696	:	RESPONSE TO PETITION
Filed: April 11 2011	:	
Attorney Docket No. 09NOR0005-US-DIV	:	

This is a response to the petition under 37 CFR 1.59(b), filed June 20, 2011, to expunge information from the above identified application.

The petition is **granted**.

On June 13, 2011, an Amendment was filed in the above-identified application. The documents were intended for U.S. Application No. 12/495,980 but were matched with the above identified application. Petitioner now requests that these documents be removed from the file of the above identified application.

Since the Office can determine the correct application file for which the erroneously filed papers were intended from the other identifying information on the papers, the papers will be removed as requested in accordance with MPEP 724.05 III.

In a paper file the unintentionally submitted documents could, but not necessarily would, have been physically removed from the file wrapper and returned to applicant; in the IFW realm the corresponding action(s) is to close the documents and also remove such from the listing of "Public[ly available] Documents." It is agreed that it would be appropriate in this instance to close the Amendment filed June 13, 2011, and also remove such from the listing of publicly available documents for this Image File Wrapper (IFW).

Telephone inquiries concerning this communication should be directed to the undersigned at (571) 272-6692.

Christopher Bottorff
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,802	04/11/2011	Zvi Or-Bach	116727-299225	8950

26694 7590 06/24/2011
VENABLE LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

EXAMINER
GHYKA, ALEXANDER G

ART UNIT	PAPER NUMBER
2812	

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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VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

In re Application of: Zvi OR-BACH, *et al.* Serial No.: 13/083802 Filed: 11 April 2011 Title: **METHOD FOR FABRICATION OF A SEMICONDUCTOR DEVICE AND STRUCTURE**	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 11 April 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

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: SAL015	Application Number (if known):	Filing date:

First Named Inventor: Geoffrey Chew

Title: Method and Apparatus for Processing 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: Application Data Sheet including Request for Early Publication

Signature /Tomas Friend/	Date 2011-04-11
Name (Print/Typed) Tomas Friend	Registration Number 54789

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.

Statement of Specifiable Status

Statement of Meeting Eligibility under Pilot Program for Green Technologies Including Greenhouse Gas Reduction:

The invention in the accompanying application materially contributes to the development and production of renewable energy sources, per 74 Fed. Reg. 34666. Specifically, the subject invention will greatly increase the efficiency and speed with which lipids for renewable biofuel production can be extracted from algae biomass.

Sustainable production of biofuels requires the use of nonfood sources and utilization of land areas not conducive for food production. Fresh water and marine microalgae and marine macroalgae are particularly desirable as biomass sources for biofuel production because they can produce relatively high yields of lipid and be cultivated in ponds on non-arable land or harvested from the sea. Additionally, algae cultivation removes carbon from the atmosphere, produces oxygen, and can produce food as a byproduct. Marine microalgae and macroalgae can be grown in salt water, eliminating or minimizing the use of drinkable fresh water.

The isolation of biofuel precursors from algae requires the extraction of lipid components from inside the algae cells. Current processes for lipid extraction from algae involve disrupting the cells using energy intensive high-pressure homogenization, supercritical fluid homogenization, or electroporation or chemical lysis by toxic volatile organic chemicals that are usually distilled or otherwise separated from the lysed biomass in an energy consuming process.

The accompanying application describes methods and apparatus for lysing and processing algae for the production of biofuels and other useful products. Algae lysis is achieved by use of a non-volatile and recyclable lysing reagent. The lysing reagent is separated from the algae lysate by the addition of a salt, which, is also recycled in the

process. Lysis can be accomplished at a range of temperatures from 20ºC to 70ºC, reducing energy consumption relative to existing processes. Lipids released during cell lysis form a layer on top of the lysing reagent and other lysis products, making the isolation of the biofuel precursors efficient and inexpensive. In some embodiments, lysis and processing are performed in a continuous manner, enabling the greatly reduced energy costs of using algae as a source of renewable, carbon-neutral biofuels.

/Tomas Friend/
Tomas Friend, Ph.D.,
Reg. No. 54789

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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.
13/083,844	04/11/2011	Geoffrey Chew	SAL015	9037

53371 7590 05/25/2011
TOMAS FRIEND, LLC
886 Indian Rock Road
Strasburg, VA 22641

EXAMINER
ZALASKY, KATHERINE M

ART UNIT	PAPER NUMBER
1777	

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):

tf@tfpatents.com
hf@tfpatents.com
tfriendprivat@yahoo.com

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TOMAS FRIEND, LLC
886 Indian Rock Road
Strasburg VA 22641

MAY 25 2011

In re Application of	:	
Chew et al.	:	DECISION ON PETITION
Application No. 13/083,844	:	TO MAKE SPECIAL UNDER
Filed: 4/11/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **SAL015**	:	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 1777 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/083,848	04/11/2011	Gal NACHUM	1500.0089	9044

75485 7590 08/24/2011
The Law Office of Michael E. Kondoudis
888 16th Street, N.W.
Suite 800
Washington, DC 20006

EXAMINER
HWANG, JOON H

ART UNIT	PAPER NUMBER
2447	

NOTIFICATION DATE	DELIVERY MODE
08/24/2011	ELECTRONIC

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

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

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

rlynn@mekiplaw.com
elee@mekiplaw.com

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AUG 23 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

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Michael E. Kondoudis
The Law Office of Michael E. Kondoudis
888 16th Street, N.W.
Suite 800
Washington, DC 20006

In re Application of: NACHUM, G.
Application No.: **13/083,848**
Filed: April 11, 2011
For: METHOD AND SYSTEM FOR FILTERING ELECTRONIC MESSAGES

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 **June 6, 2011**, to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
  (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the 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 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 CIPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim.

Where the CIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the CIPO application that contains the allowable/patentable claims and the CIPO priority application claimed in the U.S. application.

(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), if the claims were published in a language other than English); and (c) a statement that the English translation is accurate.

(3) All the claims in the U.S. application must sufficiently correspond to the allowable/patentable claim(s) in the CIPO application(s) and Applicant must submit a claim correspondence table in English.

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

(5) Applicant must submit: (a) a copy of all the office action(s) (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the CIPO application(s) containing the allowable/patentable claim(s), (b) an English language translation of the CIPO office action(s) (if the office action(s) are not in the English language) and (c) a statement that the English translation is accurate.

(6) Applicant must submit: (a) an IDS listing the documents cited by the CIPO examiner in the CIPO office action (unless already filed in this application) and (b) copies of all the documents cited in the CIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application).

(7) The required petition fee under 37 CFR 1.17(h) if the petition was filed before May 25, 2010.

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

Telephone inquiries concerning this decision should be directed to Beatriz Prieto at 571-272-3902. A second point of contact is Hassan Kizou at 571-272-3088.

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

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

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400
Networking, Multiplexing, Cable and Security

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WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206

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NOV 23 2011

OFFICE OF PETITIONS

Applicants: Ohlenbusch et al.
Appl. No.: 13/083,869
Filing Date: April 11, 2011
Title: INTELLIGENT DATA NETWORK WITH POWER MANAGEMENT CAPABILITIES
Attorney Docket: P0663.70015US03
Pub. No.: US 20110188430 A1
Pub. Date: August 4, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on September 19, 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 claim 1 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

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: SAL016	Application Number (if known): TBD	Filing date: TBD

First Named Inventor: Geoffrey Chew

Title: Method and Apparatus for Lysing and Processing 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: Application Data Sheet including Request for Early Publication

Signature /Tomas Friend/	Date 2011-04-11
Name (Print/Typed) Tomas Friend	Registration Number 54789

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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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.
13/083,895	04/11/2011	Geoffrey Chew	SAL016	9127

53371 7590 05/25/2011
TOMAS FRIEND, LLC
886 Indian Rock Road
Strasburg, VA 22641

EXAMINER
ZALASKY, KATHERINE M

ART UNIT	PAPER NUMBER
1777	

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):

tf@tfpatents.com
hf@tfpatents.com
tfriendprivat@yahoo.com

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TOMAS FRIEND, LLC
886 Indian Rock Road
Strasburg VA 22641

MAY 25 2011

In re Application of	:	
Chew et al.	:	DECISION ON PETITION
Application No. 13/083,895	:	TO MAKE SPECIAL UNDER
Filed: 4/11/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **SAL016**	:	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 1777 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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Alexandria, VA 22313-1450
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Decision Date : March 2, 2012

In re Application of :

Yasumasa Nakajima

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 13083914

Filed : 11-Apr-2011

Attorney Docket No : MIPFP036C2

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed March 2, 2012 , to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED.**

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

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

This application file is being referred to Technology Center AU 2625 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web	PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)**
Application Number	13083914
Filing Date	11-Apr-2011
First Named Inventor	Yasumasa Nakajima
Art Unit	2625
Examiner Name	NEGUSSIE WORKU
Attorney Docket Number	MIPFP036C2
Title	UPDATE CONTROL OF IMAGE PROCESSING CONTROL DATA

An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).

A grantable petition requires the following items:
(1) Petition fee; and
(2) One of the following reasons:
(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;
(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or
(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).

Petition Fee

☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

☐ Applicant(s) status remains as SMALL ENTITY.

☒ Applicant(s) status remains as other than SMALL ENTITY

Reason for withdrawal from issue

○ One or more claims are unpatentable

◉ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees)

○ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

RCE request,submission, and fee.

☐ I certify, in accordance with 37 CFR 1.4(d)(4) that : The RCE request ,submission, and fee have already been filed in the above-identified application on

☒ Are attached.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

◉ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application.

○ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity.

○ A sole inventor

○ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors

○ A joint inventor; all of whom are signing this e-petition

○ The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Peter B. Martine/
Name	Peter B. Martine
Registration Number	32043

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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LAW OFFICES OF JAMES E. WALTON, PLLC
1169 N. BURLESON BLVD.
SUITE 107-328
BURLESON TX 76028

MAILED
JUL 06 2011
OFFICE OF PETITIONS

In re Application of	:	
Kenneth J. Kistner et al.	:	
Application No. 13/083,986	:	DECISION ON PETITION
Filed: April 11, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 1298JW-61279	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 17, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by an attorney on behalf of inventor Kenneth J. Kistner, 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 1778 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

SPE RESPONSE FOR CERTIFICATE OF CORRECTION

DATE : March 3, 2012

TO SPE OF : ART UNIT 2617.
SUBJECT : Request for Certificate of Correction for Appl. No.: 13/084000, Patent No.: **8068814**

Co f C mailroom date: 02-24-12.

Please respond to this request for a certificate of correction within 7 days.

FOR IFW FILES:

Please review the requested changes/corrections as shown in the **COCIN** document(s) in the IFW application image. No new matter should be introduced, nor should the scope or meaning of the claims be changed.

Please complete the response (see below) and forward the completed response to scanning using document code **COCX**.

FOR PAPER FILES:

Please review the requested changes/corrections as shown in the attached certificate of correction. Please complete this form (see below) and forward it with the file to:

Certificates of Correction Branch (CofC)
Randolph Square – 9D10-A
Palm Location 7580

Note: Reconsideration

Magdalene Talley
Certificates of Correction Branch

571-272-0423

Thank You For Your Assistance

The request for issuing the above-identified correction(s) is hereby:
Note your decision on the appropriate box.

X Approved	**All** changes apply.
❑ **Approved in Part**	Specify below which changes **do not** apply.
❑ **Denied**	State the reasons for denial below.

Comments: Corrections approved.

/Nick Corsaro/ SPE AU 2617

SPE **2617** **Art Unit**

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WAGNER, ANDERSON & BRIGHT, PC
3541 OCEAN VIEW BLVD
GLENDALE, CA 91208

MAILED
JUN 03 2011
OFFICE OF PETITIONS

In re Application of	:	
Stephen P. Hines	:	
Application No. 13/084,021	:	ON PETITION
Filing Date: April 11, 2011	:	
Attorney Docket No. 01-3644-67CIP	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 11, 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 including a declaration 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 2485 for action on the merits commensurate with this decision.

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,055	04/11/2011	Seigo KASE	27529Z	9418

23389 7590 10/02/2011
SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY, NY 11530

EXAMINER

ART UNIT	PAPER NUMBER
3739	

MAIL DATE	DELIVERY MODE
10/02/2011	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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SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

In re Application of	:	
KASE, SEIGO , et al.	:	DECISION ON REQUEST TO
Application No. 13/084,055	:	PARTICIPATE IN PATENT
Filed: April 11, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 27529Z	:	PROGRAM AND PETITION
For: ENDOSCOPE	:	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 11, 2011 to make the above-identified application special.

The request and petition are granted.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. Upon completion of pre-examination processing, this application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Linda Dvorak, SPE of Art Unit 3739, and 571-272-4764 for Class 600 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,119	04/11/2011	Akira KUDO	149248	9535

7590 08/04/2011
Oliff & Berridge, PLC
Suite 500
277 South Washington Street
Alexandria, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
3739	

MAIL DATE	DELIVERY MODE
08/04/2011	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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Oliff & Berridge, PLC
Suite 500
277 South Washington Street
Alexandria VA 22314

In re Application of: KUDO, AKIRA Serial No.: 13/084119 Filed: April 11, 2011 Attorney Docket No. : 149248 Title: ILLUMINATION UNIT, ENDOSCOPE HAVING ILLUMINATION UNIT AND ILLUMINATION PROBE HAVING ILLUMINATION UNIT WHICH IS INSERTED INTO ENDOSCOPIC CHANNEL	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 26, 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 corresponding application(s) 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 IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

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Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
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ANATOLY S. WEISER
3525 DEL MAR HEIGHTS ROAD, #295
SAN DIEGO, CA 92130

MAILED

AUG 04 2011

OFFICE OF PETITIONS

In re Application of	:	
Dave Leahy et al.	:	
Application Number: 13/084,195	:	DECISION ON PETITION
Filing Date: April 11, 2011	:	
Attorney Docket Number:	:	
Worlds006	:	

This is in response to the petition under 37 CFR 1.47(a) filed on April 11, 2011.

The petition is **DISMISSED AS MOOT**.

In accordance with 37 CFR 1.63(d), petitioner has submitted a copy of the executed oath or declaration filed in Application No. 08/747,420, filed on November 12, 1996, of which the subject application is a continuation. Furthermore, a copy of the decision, mailed on September 19, 2000, granting a petition to accord § 1.47(a) status to the above-identified prior-filed application, has been placed in the file of the present application.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status.

As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is dismissed as moot. No petition fee is necessary.

As provided in Rule 1.47(c), since notice was provided after the grant of Rule 1.47(a) status in the prior application, the Office is dispensing with the notice provision in this continuation application.

After this decision is mailed, the application is referred to Technology Center Art Unit 2629 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,263	04/11/2011	Johnny Yat Ming Chan	EVMED.000GEN	9796

20995 7590 09/22/2011
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
HWANG, JOON H

ART UNIT	PAPER NUMBER
2447	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

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

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

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

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

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Alexandria, VA 22313-1450
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William B. Bunker
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of: CHAN, Johnny Y.M., et al.. Serial No.: **13/084,263** Filed: April 11, 2011 Docket: EVMED.017C2 Title: SYSTEM AND METHOD FOR COMMUNICATING OVER A NETWORK WITH A MEDICAL DEVICE	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on **April 11, 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:

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. **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.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify:

(1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and

(2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds

support under 35 USC 112, first paragraph, in each such application in which such support exists;

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

The application as filed is not eligible for the accelerated examination under 37 C.F.R. 1.102(d) because the application fails to meet the requirement of being complete under 37 C.F.R. 1.51 at the time of filing and in condition for examination, namely, condition I.3 *supra*. (see MPEP §708.02(a) I. (D)).

More specifically, in accordance with MPEP §708.02(a) VIII(C), the application must be complete at the time of filing under 37 CFR §1.51 and in condition for examination. The application was not complete under 37 CFR §1.51 (General requisites of an application) because the application did not contain acceptable drawings (under 37 CFR §1.84 and §1.1.121(d)).

The petition to make special has been **denied** because at the time of filing, it was not complete and in condition for examination, e.g. the application omits an item or includes a paper that causes the Office of Initial Patent Examination (OIPE) to mail a notice during the formality review (e.g., notice of incomplete application, notice to file missing parts, **notice to file corrected application papers**, notice of omitted items, or notice of informal application). The notice to file corrected application papers of nonprovisional application mailed April 14, 2011 and Applicant Response to notice to file corrected application papers filed 06/13/11, serves as evidence that the application was not complete and in condition for examination at the time of filing.

The opportunity to perfect a petition does **not** apply to applications that are not in condition for examination on filing. See MPEP §708.02(a) II.

Applicant is encouraged to visit http://www.uspto.gov/web/patents/accelerated/ for further details and examples of Accelerated Examiner Pre-Examination Search and Accelerated Examination Support documents.

See ACCELERATED EXAMINATION **FAQs** at the above web site:

PD 7. What would cause a petition to be denied?

o The petition to make special will be denied if the application is filed with a preliminary amendment, filed with more than three independent claims, filed with more than twenty total claims, or filed on paper (rather than electronically via EFS-Web).

o The petition to make special will be denied if the application omits an item or includes a paper that causes the Office of Initial Patent Examination (OIPE) to mail a notice during the formality review (*e.g.*, a notice of incomplete application, notice to file missing parts, **notice to file corrected application papers**, notice of omitted items, or notice of informal application).

For the above-mentioned 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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of contact is Chris Grant at (571) 272-7294.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,278	04/11/2011	Johnny Yat Ming Chan	EVMED.017C1	9826

20995 7590 09/22/2011
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
HWANG, JOON H

ART UNIT	PAPER NUMBER
2447	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

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

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

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

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

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William B. Bunker
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of: CHAN, Johnny Y.M., et al.. Serial No.: **13/084,278** Filed: April 11, 2011 Docket: EVMED.017C1 Title: SYSTEM AND METHOD FOR COMMUNICATING OVER A NETWORK WITH A MEDICAL DEVICE	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on **April 11, 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:

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. **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.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify:

(1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and

(2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds

support under 35 USC 112, first paragraph, in each such application in which such support exists;

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

The application as filed is not eligible for the accelerated examination under 37 C.F.R. 1.102(d) because the application fails to meet the requirement of being complete under 37 C.F.R. 1.51 at the time of filing and in condition for examination, namely, condition I.3 *supra*. (see MPEP §708.02(a) I. (D)).

More specifically, in accordance with MPEP §708.02(a) VIII(C), the application must be complete at the time of filing under 37 CFR §1.51 and in condition for examination. The application was not complete under 37 CFR §1.51 (General requisites of an application) because the application did not contain acceptable drawings (under 37 CFR §1.84 and §1.1.121(d)).

The petition to make special has been **denied** because at the time of filing, it was not complete and in condition for examination, e.g. the application omits an item or includes a paper that causes the Office of Initial Patent Examination (OIPE) to mail a notice during the formality review (e.g., notice of incomplete application, notice to file missing parts, **notice to file corrected application papers**, notice of omitted items, or notice of informal application). The notice to file corrected application papers of nonprovisional application mailed April 14, 2011 and Applicant Response to notice to file corrected application papers filed 06/13/11, serves as evidence that the application was not complete and in condition for examination at the time of filing.

The opportunity to perfect a petition does **not** apply to applications that are not in condition for examination on filing. See MPEP §708.02(a) II.

Applicant is encouraged to visit http://www.uspto.gov/web/patents/accelerated/ for further details and examples of Accelerated Examiner Pre-Examination Search and Accelerated Examination Support documents.

See ACCELERATED EXAMINATION **FAQs** at the above web site:

PD 7. What would cause a petition to be denied?

o The petition to make special will be denied if the application is filed with a preliminary amendment, filed with more than three independent claims, filed with more than twenty total claims, or filed on paper (rather than electronically via EFS-Web).

o The petition to make special will be denied if the application omits an item or includes a paper that causes the Office of Initial Patent Examination (OIPE) to mail a notice during the formality review (*e.g.*, a notice of incomplete application, notice to file missing parts, **notice to file corrected application papers**, notice of omitted items, or notice of informal application).

For the above-mentioned 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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of contact is Chris Grant at (571) 272-7294.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400

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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.
13/084,287	04/11/2011	Max DIEM	0067403.00220US2	9845

23483 7590 09/26/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER

ART UNIT	PAPER NUMBER
2884	

NOTIFICATION DATE	DELIVERY MODE
09/26/2011	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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WASHINGTON, D.C. 20231
www.uspto.gov

David A. Chavous
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109

In re Application of:
Diem, Mas, et al.
Serial No.: 13/084287
Filed: 11 April 2011
Attorney Docket No.:**67403.220 US2**

DECISION ON PETITION
FOR USE OF COLOR DRAWINGS UNDER 37
C.F.R 1.84(a)(2)

This is a decision in response to the petition under 37 C.F.R. 1.84(a)(2) filed 11 April 2011. The petition fee has been paid.

The petition is **DENIED**.

The Petition sets forth an explanation regarding why the color drawings are necessary, the required fee, and the petition includes one set of color drawings. But the petition lacks the required paragraph to be provided in the specification.

Accordingly, the color drawings are not accepted as formal drawings in the above-referenced application.

David P. Porta, Supervisor
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

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MAILED
MAR 19 2012
OFFICE OF PETITIONS

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of :
Diem et al. :
Application No. 13/084,287 : ON PETITION
Filed: 04/11/2011 :
Attorney Docket No. 0067403.00220US2 :

This is in response to the Petition Under 37 CFR 1.84(a)(2) to Accept Color Drawings, filed in the United States Patent and Trademark Office (USPTO) on October 25, 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.

A review of Office records reveals that no color drawings have been received.

[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 assert that color drawings are required because Figures 1-3 cannot be properly interpreted by viewing black and white drawings.

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 2884.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,299	04/11/2011	Hiroyuki YUYAMA	378817US41CONT	9863

22850 7590 05/04/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
3726	

NOTIFICATION DATE	DELIVERY MODE
05/04/2011	ELECTRONIC

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

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

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

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

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www.uspto.gov

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

In re Application of	
YUYAMA et al.	**: DECISION ON REQUEST TO**
Application No.: 13/084,299	**: PARTICIPATE IN THE PATENT**
Filed: 11 April 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 378817US41CONT	**: PROGRAM AND PETITION**
For: INSTALLATION/REMOVAL	**: TO MAKE SPECIAL UNDER**
DEVICE, DISPLAY CHANGE DEVICE,	**: 37 CFR 1.102(a)**
AND DOSING SYSTEM	

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 11 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 (if the translation is not a machine translation provided by the JPO);

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

Conditions (2-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (1).

Regarding the requirement of condition (1), applicant has failed to show that the instant application validly claims priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO. Where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application. Applicant must identify the relationship between JP 2008-27406 (containing the allowed/patentable claims) and at least one of the JPO priority applications.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS

submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2800

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,299	04/11/2011	Hiroyuki YUYAMA	378817US41CONT	9863

22850 7590 05/19/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
3726	

NOTIFICATION DATE	DELIVERY MODE
05/19/2011	ELECTRONIC

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

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

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

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

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

In re Application of:
YUYAMA, HIROYUKI et al
Serial No.: 12/084,299
Filed: April 11, 2011
Docket: 378817US41CONT
Title: INSTALLATION/REMOVAL DEVICE, DISPLAY CHANGE DEVICE, AND DOSING SYSTEM

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 13, 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 corresponding application(s) filed in the JPO or to a PCT application that does not contain any priority claim, or the U.S. application must be a national stage entry of a PCT application that does not contain any 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 allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. This application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. All other inquiries concerning the examination or status of the application should be directed to David Bryant, the SPE of Art Unit 3726 and 571-272-4526 for Class 29/775 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,329	04/11/2011	Peter J. Lindholm	LIN-0100US	9921

95421 7590 06/10/2011
Deidre McAuley Davis
McAuley and Associates
11742 Jefferson Avenue Suite 360
Newport News, VA 23606

EXAMINER

ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
06/10/2011	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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Deidre McAuley Davis
McAuley and Associates
11742 Jefferson Avenue Suite 360
Newport News VA 23606

In re Application of: Peter LINDHOLM Serial No.: 13/084329 Filed: 11 April 2011 Title: ILLUMINATION APPARATUS FOR A DRINK HOLDER	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.2

This is a decision on the petition filed on 11 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 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; 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 I.1-4; II.5.1-5.3, 6 and 6.1- 6.6, above are considered to have been met. However, the petition fails to comply with conditions section II, subsection 5, above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirements of section II, subsection 5, it appears the search outlined in the petition omitted critical search areas by not searching in class 362 subclasses 154, 155. In addition, the search logic used "drink holder," and "beverage holder" which is too narrow because it excludes the terms, "cup," "bottle," and "mug." A broader search logic including the terms, "cup," "bottle," and "mug," is suggested. Any renewed petition should include the above outlined additional searching. For the above reason, the petition does not meet the requirements of section II, subsection 5, as set forth above.

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

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

Any inquiries 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.
13/084,329	04/11/2011	Peter J. Lindholm	LIN-0100US	9921

95421 7590 08/10/2011
Deidre McAuley Davis
McAuley and Associates
11742 Jefferson Avenue Suite 360
Newport News, VA 23606

EXAMINER

ART UNIT	PAPER NUMBER
2875	

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.

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Deidre McAuley Davis
McAuley and Associates
11742 Jefferson Avenue Suite 360
Newport News VA 23606

In re Application of: LINDHOLM, Peter J. Application No.: 13/084,329 Filed: April 11, 2011 Title: ILLUMINATION APPARATUS FOR A DRINK HOLDER	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 July 11, 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 Colleen Dunn, Quality Assurance Specialist, at (571) 272-1170.

/Colleen Dunn/

Colleen Dunn
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:	55001	Application Number (if know):	13/084,336	Filing Date	4/11/2011
First Named Inventor:	Long Yang				
Title:	LED Light Source with Direct AC Drive				

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

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

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR1.18(d) accompanies this request.

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

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

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

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

6. Other attachments: _____

Signature		Date	12/08/2011
Name (Print/Typed)	Calvin B. Ward	Registration Number	30,896

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

☐ *Total of _____ forms are submitted.

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

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.
13/084,336	04/11/2011	Long Yang	55001	9938

28241 7590 12/21/2011
THE LAW OFFICES OF CALVIN B. WARD
18 CROW CANYON COURT, SUITE 305
SAN RAMON, CA 94583

EXAMINER

ART UNIT	PAPER NUMBER
2821	

MAIL DATE	DELIVERY MODE
12/21/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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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

DEC 21 2011

In re Application of	:	
YANG, LONG	:	DECISION ON PETITION
Application No. 13/084,336	:	TO MAKE SPECIAL UNDER
Filed: April 11, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 55001	:	PILOT PROGRAM

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

The petition is **GRANTED**.

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

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

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

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

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

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

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

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.
13/084,410	04/11/2011	Yutaka Yoshida	KATOSH.103AUS	1078

20995 7590 10/12/2011
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
YOUNG, WAYNE R

ART UNIT	PAPER NUMBER
2627	

NOTIFICATION DATE	DELIVERY MODE
10/12/2011	ELECTRONIC

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

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

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

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

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

In re Application of	**: DECISION ON REQUEST TO**
YOSHIDA et al	**: PARTICIPATE IN THE PATENT**
Application No.: 13/084,410	**: PROSECUTION HIGHWAY**
Filed: 11 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: KATOSH.103AUS	**: TO MAKE SPECIAL UNDER**
For: RECORDING DEVICE AND METHOD FOR POSITIONING ELECTROMAGNETIC TRANSDUCER	**: 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 16 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is
    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or

ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS, Technology Center 2600

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JAN 31 2012
OFFICE OF PETITIONS

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 924614

In re Application of
NAKAMURA, et al
Application No.: 13/084,461
Filed: April 11, 2011
Attorney Docket No.: KATOSH.102AUS
For: TELEVISION APPARATUS AND ELECTRONIC 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 January 6, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

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

5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

    b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;

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

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

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

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

This application is being forwarded to Technology Center AU 2858 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitioners Examiner
Office of Petitions

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

MAHAMEDI PARADICE KREISMAN LLP
550 Winchester Boulevard
Suite 605
SAN JOSE CA 95128

In re Application of	:	
Thomas A. RIDDLE et. al	:	ON PETITION
Application No. 13/084,502	:	
Filed: April 11, 2011	:	
Atty. Docket No.: SCHN.P011		

This is in response to the petition under 37 CFR 1.47(a), filed August 26, 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(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 present petition lacks item (1).

Item (1) requires that a "diligent effort" has been expended in attempting to find or reach the non-signing inventor (35 U.S.C. § 116) (*see also,* 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 Michael Koster. Notably, the instant petition fails to show Mr. Koster was not available via online searching. If a forwarding address is provided, petitioner should then mail a complete copy of the application papers (specification, claims, drawings, oath, etc.) to the unsigning inventor's address, return

receipts requested, along with a cover letter of instructions which includes a deadline. 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. 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 evidencing that refusal must be made part of the affidavit or declaration.

When it is concluded by the rule 47 application that an omitted inventor's conduct constitutes a refusal, all facts upon which that a 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.

In accordance with petitioner's instructions, the petition fee of $200 will be charged to deposit account 50-1914.

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.**

Application No. 13/084,502

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

Ramesh Krishnamurthy

for Anthony Knight
Director
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAHAMEDI PARADICE KREISMAN LLP
550 Winchester Boulevard
Suite 605
SAN JOSE CA 95128

MAILED
SEP 27 2011
OFFICE OF PETITIONS

In re Application of	:	
Thomas A. RIDDLE et al.	:	ON PETITION
Application No. 13/084,502	:	
Filed: April 11, 2011	:	
Atty. Docket No.: SCHN.P011	:	

Papers filed on September 21, 2011 in response to a "Decision Refusing Status Under 37 CFR 1.47 (a)," mailed September 12, 2011, included a Declaration signed by a previously non-signing inventor, Michael Koster, in compliance with 37 CFR 1.63.

The petition is **DISMISSED AS MOOT**.

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

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

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

Rajneesh Krishnamurthy
for Anthony Knight
Director
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
MAY 05 2011
OFFICE OF PETITIONS

LEMAIRE PATENT LAW FIRM, P.L.L.C.
P.O. BOX 1818
BURNSVILLE, MN 55337

In re Application of	:	
Zalman M. Shapiro	:	
Application No. 13/084,521	:	DECISION ON PETITION
Filed: April 11, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 5056.004US3	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 11, 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 inventor Zalman M. Shapiro stating 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 Irvin Dingle at 571-272-3210.

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

This matter is being referred to the Technology Center Art Unit 1714 for action on the merits commensurate with this decision.

Irvin Dingle
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

MAILED
FEB 27 2012
OFFICE OF PETITIONS

In re Application of
SANAI et al.
Application No.: 13/084,643
Filed: April 12, 2011
Attorney Docket No.: 27523Z
For: MEDICAL APPARATUS AND SURGICAL TREATMENT INSTRUMENT

: 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 27, 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 Burke at 571-272-4584.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
JAN 17 2012
OFFICE OF PETITIONS

SCULLY SCOTT MURPHY &
PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

In re Application of	**: DECISION ON REQUEST TO**
Ryo Ueki	**: PARTICIPATE IN THE PATENT**
Application No.: 13/084,661	**: PROSECUTION HIGHWAY**
Filed: April 12, 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 27524Z	**: TO MAKE SPECIAL UNDER**
For: Insertion Instrument Endoscope	**: 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 7, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the JPO application(s);
    b. An English translation of the allowable/patentable claim(s) and
    c. A statement that the English translation is accurate;
3. Applicant must:
    a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
    b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;
6. Applicant must submit:
    a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

David Buccei
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

SHYAM K. GUPTA
BIODERM RESEARCH
5221 E. WINDROSE DRIVE
SCOTTSDALE AZ 85254

MAILED
MAY 10 2011
OFFICE OF PETITIONS

In re Application of	:	
GUPTA, Shyam K. et al.	:	
Application No. 13/084,709	:	DECISION ON PETITION
Filed: April 12, 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 12, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by Shyam K. Gupta 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 1621 for action on the merits commensurate with this decision.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 83183057	Application Number (if known): 13/084,723	Filing date: April 12, 2011
First Named Inventor: Charles Fabros		
Title: VALVE SYSTEM		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /John D. Russell/	Date June 24, 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*.*

☒ *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	:	Charles Fabros
Application No.	:	13/084,723
Filed	:	April 12, 2011
Title	:	VALVE SYSTEM
Group Art Unit	:	3748
Confirmation No.	:	1660
Docket No.	:	83183057

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:

June 24, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

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

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially contributes to the more efficient utilization and conservation of energy resources; and/or (2) the claimed invention materially contributes to greenhouse gas emission reduction.

II. Statement pertaining to the materiality standard.

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

Regarding basis (1), Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by improving fuel economy (*e.g.*, more efficiently utilizing and conserving fossil fuels). Specifically, the claimed invention improves fuel economy by lowering the spring forces

required (and thus energy spent) to close intake and exhaust valves of an engine. As explained in the Background and Summary of the subject application, cylinder intake and exhaust events may be controlled via poppet valves positioned within the intake and exhaust ports of a cylinder. These poppet valves can be opened by mechanical force provided by cam lobes of a camshaft and close due to spring force from a valve spring coupled to the valve stem. Hydraulic dampening mechanisms are often present to reduce noise and wear to the valvetrain components due to higher valve closing forces. Such dampening mechanisms can include an oil-filled chamber housing the valve stem to provide pressure against the closing force of the valve and to softly seat the valve. However, the required static spring forces necessary to close the valve may exceed the actual force present to close the valve, since spring oscillations and pressure forces due to cylinder head port pressures may reduce the force applied to close the valve. As a result, the valve may remain open when it is intended to be closed.

Traditional solutions to this issue have included increasing spring forces to counteract cylinder port pressures, but this can lead to additional problems. In engines which require high RPM capability, the spring forces may be selected high to control the dynamic forces which increase with the square of the angular velocity. These high spring forces may cause increased and unnecessary driving torques during normal, lower RPM operating range. As a result, fuel economy during the normal operating range may be compromised as energy from fossil fuels is spent generating extra power used in opening the valves. Additionally, for engines which require higher port pressures in either the inlet or exhaust port due to forced induction, the spring forces may be higher yet so as to counteract the higher port pressures and close the valve. Higher spring forces can cause increased and unnecessary driving torques in the low load, low pressure region of the engine operating range. Thus, engine efficiency benefits provided via engine boosting may be offset to some extent when higher spring forces are applied to close poppet valves. The claimed invention addresses this issue by providing a valve system for an engine in which a bidirectional oil passage connecting two or more valves acts to provide additional valve closing forces. For example, claim 1 recites:

> A valve system for an engine, comprising:
>
> a first tappet bore of a first cylinder and a second tappet bore of a second cylinder; and

a bidirectional oil passage in fluid communication with the first tappet bore and the second tappet bore.

In this manner, oil may flow within the bidirectional oil passage between the first and second tappet bores to provide additional closing force to valves in the tappet bores. For example, the first and second cylinders may be a multiple of 180 crankshaft degrees apart in a firing order of the engine. As a result, as a first valve within the first tappet bore opens, a second valve within the second tappet bore closes. Oil may flow through the bidirectional oil passage from the first tappet bore as the first valve opens, to the second tappet bore. The increased oil in the second tappet bore may provide a closing force to close the second valve. Thus, the increased closing force provided by the oil in the bidirectional oil passage can lead to valves with lowered spring forces, reducing the increased and unnecessary driving torques experienced at low load, low speed conditions, and improving fuel economy.

Regarding basis (2), Applicants submit that the claimed invention materially contributes to greenhouse gas emission reduction as follows. CO_2 is a greenhouse gas produced during the combustion of fossil fuels. As explained above and set forth in claim 1, the claimed invention improves fuel economy by lowering required valve spring forces. Thus, fewer fossil fuels are combusted, and CO_2 emissions are reduced.

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
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Attorney/Agent for Applicants/Assignee
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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.
13/084,723	04/12/2011	Charles Fabros	83183057	1660

36865 7590 07/08/2011
ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND, OR 97205

EXAMINER

ART UNIT	PAPER NUMBER
3748	

MAIL DATE	DELIVERY MODE
07/08/2011	PAPER

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

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

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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of	:	
FABROS, CHARLES	:	DECISION ON PETITION
Application No. 13/084723	:	TO MAKE SPECIAL UNDER
Filed: April 12, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83183057	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 24, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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 3748 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

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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.
13/084,736	04/12/2011	Kevin Turner	192-001	1676

27776 7590 08/10/2011
Ward & Zinna, LLC
SUITE 300
382 SPRINGFIELD AVENUE
SUMMIT, NJ 07901

EXAMINER
KRAMER, JAMES A

ART UNIT	PAPER NUMBER
3693	

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.

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AUG 10 2011

WARD & OLIVO
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382 SPRINGFIELD AVENUE
SUMMIT, NJ 07901

In re application of : **DECISION ON PETITION**
Turner et al. : **TO MAKE SPECIAL FOR**
Application No. 13/084,736 : **NEW APPLICATION**
Filed: April 12, 2011 : **UNDER 37 CFR 1.102**
For: METHODS AND SYSTEMS FOR IMPLEMENTING A LOYALTY PROGRAM UTILIZING CUSTOMIZABLE RULES

This is a decision on the petition filed on April 12, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

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

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

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

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

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the application;

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

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

under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

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

REVIEW OF FACTS

The petition in this case fails to comply with conditions II.5.I, II.5.2, II.6.2, and II.6.5.

Regarding Condition II.5.1, it is required that Applicant's search 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. Applicant's search indicated that the entire class of 705 was searched. When a class and subclass is searched, it indicates that ever patent was flipped through. This is a large and laborious search if ever subclass of class 705 was search. The applicant should indicate if the search was done on the entire class 705, or if there was specific subclasses that the applicant searched through in its entirety.

Further, Applicant did not search most of the database files recommended by the search template. Applicant is reminded that search templates, specific to each class/subclass, may be found at http://www.uspto.gov/web/patents/searchtemplates/. For example, the instant application is best classified in 705/14. Looking toward the available search templates and recommended areas of search for class 705/14 some of the more relevant search areas would include a text search in the listed Non-Patent Literature database files. A comprehensive list of recommended database files is found on the 705/14 search template web page as well. Especially relevant to the claimed subject matter are database files such as:

ABI/INFORM
Business & IndustryTM (B&I)
Business Wire
Dialog Global Reporter
EBSCOhost Research Databases
Examiner's Electronic Digest Database
Gale Group Computer DatabaseTM
Gale Group GlobalbaseTM
Gale Group New Product Announcements/Plus (NPA/Plus)
Gale Group Newsletter DatabaseTM
Gale Group PROMT
Gale Group Trade & Industry DatabaseTM
Inside Conferences
Inspec (The Database for Physics, Electronics and Computing)
JSTOR Journals
McGraw-Hill Companies Publications Online

ProQuest Direct
TecInfoSource (formerly SoftBase: Reviews, Companies, and Products)
Wall Street Journal Abstracts

As per Condition II.5.2, the preexamination search must be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation. While Applicant conducted good searches, Applicant's search did not encompass all claimed limitations of the claimed invention, as well as did not search the feature which the applicant has indicated as patentable in the support document. The applicant should search the feature of a "discount" which can be "allocated" and "rules of allocating the discount" and "user selecting the charity or where to donate". The search also fails to address "the user preferences and the "user device". It is important that Applicant more thoroughly search these features in order to make a patentability determination with greater confidence.

Additional guidance regarding the proper manner of performing and documenting a preexamination search may be found on the following web site: http://www.uspto.gov/web/patents/accelerated/ Applicant is expected to perform more supplemental searches than the sample search query listed above.

Regarding Condition II.6.2, Applicant fails to map out each claim limitation to all of the references cited on the submitted Information Disclosure Statements. The IDS submitted includes 24 references, yet the support document only has 19 references. The applicant has also mapped out each claim to the each reference. However, while mapping, the applicant has used the reference language to describe how the references read on the claim, therefore causing it to be unclear. The applicant should use the claim language during the mapping and in parenthesis indicate the wording of the reference with equates to the limitation. This includes dependent claims as well.

As to condition to II.6.5, the showing of where each limitation of each of the claims finds support under 35 USC 112 in the written description of the application is insufficient. For each claimed limitation (including dependent claims) the petition needs to identify specific passages, or at least a single paragraph where each limitation is supported for each claim. Listing broadly a figure does not comply with what is required. Similar support (if any) for the claimed invention must additionally be shown in the provisional applications of 61/401,667 and 61/455,057. The support document gives a group of sections where all the claim limitations can be found. However this is not sufficient. Support must be shown for each limitation of each claim for each application.

The petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

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

Robert Weinhardt
Business Practice Specialist
Technology Center 3600

RW/JP/8/5/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,736	04/12/2011	Kevin Turner	192-001	1676

27776 7590 12/14/2011
Ward & Zinna, LLC
SUITE 300
382 SPRINGFIELD AVENUE
SUMMIT, NJ 07901

EXAMINER
KRAMER, JAMES A

ART UNIT	PAPER NUMBER
3693	

MAIL DATE	DELIVERY MODE
12/14/2011	PAPER

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

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

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DEC 14 2011

Ward & Zinna, LLC
SUITE 300
382 SPRINGFIELD AVENUE
SUMMIT NJ 07901

In re application of: TURNER, Kevin, et al. Application No.: 13/084,736 Filed: April 12, 2011 For: METHODS AND SYSTEMS FOR IMPLEMENTING A LOYALTY PROGRAM UTILIZING CUSTOMIZABLE RULES	: : : :	**DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 CFR 1.102**

This is a decision on the petition filed on April 12, 2011, and the request for reconsideration and revised support document filed September 16, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral

election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Robert Weinhardt
Business Practice Specialist
Technology Center 3600

RW/12/13/11

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

JUN 21 2011

PCT LEGAL ADMINISTRATION

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

In re Application of	:	
ADAMS	:	
Application No.: 13/084,839	:	DECISION
Attorney Docket No.: 2O02.1-011	:	
For: METHOD AND APPARATUS FOR	:	
REDUCING HEAT RELEASE AND SMOKE DENSITY	:	

This decision is in response to applicant's submission filed in the United States Patent and Trademark Office (USPTO) on 12 April 2011.

BACKGROUND

On 08 September 2009, applicant filed international application PCT/US2009/056207 which designated the U.S. and claimed a priority date of 08 September 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 08 March 2011.

On 12 April 2011, applicant filed, *inter alia*, a transmittal letter requesting filing of a continuation-in-part of international application number PCT/US2009/056207, a specification, claims, abstract, drawings, and a petition under 37 CFR 1.137(b).

DISCUSSION

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

(1) The required reply;
(2) The petition fee;
(3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

As to item (1), the filing of the present continuing application under 35 U.S.C. 111(a) on 12 April 2011 is acceptable as an appropriate response under 37 CFR 1.137(b).

As to item (2), the petition fee has not been paid.

As to item (3), a grantable petition has not yet been provided.

CONCLUSION

The petition under 37 CFR 1.137(b) is **DISMISSED**, without prejudice, for the reasons set forth above.

The application remains abandoned.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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SEP 19 2011

PCT LEGAL ADMINISTRATION

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

In re Application of	:	
ADAMS	:	
Application No.: 13/084,839	:	DECISION
Attorney Docket No.: 2O02.1-011	:	
For: METHOD AND APPARATUS FOR	:	
REDUCING HEAT RELEASE AND SMOKE DENSITY	:	

This decision is in response to applicant's renewed petition under 37 CFR 1.137(b) filed in the United States Patent and Trademark Office (USPTO) on 12 July 2011.

BACKGROUND

On 08 September 2009, applicant filed international application PCT/US2009/056207 which designated the U.S. and claimed a priority date of 08 September 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 08 March 2011.

On 12 April 2011, applicant filed, *inter alia*, a transmittal letter requesting filing of a continuation-in-part of international application number PCT/US2009/056207, a specification, claims, abstract, drawings, and a petition under 37 CFR 1.137(b).

On 21 June 2011, a decision was mailed dismissing without prejudice applicant's petition under 37 CFR 1.137(b).

On 12 July 2011, applicant filed the instant renewed petition under 37 CFR 1.137(b).

DISCUSSION

The decision issued 21 June 2011 indicated that the petition fee had not been paid. The renewed petition filed 12 July 2011 indicates that the petition fee was paid in international application number PCT/US2009/056207. The petition fee has been transferred from the international application to the instant application.

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

(1) The required reply;
(2) The petition fee;
(3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

As to item (1), the filing of the present continuing application under 35 U.S.C. 111(a) on 12 April 2011 is acceptable as an appropriate response under 37 CFR 1.137(b).

As to item (2), the petition fee has been paid.

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

CONCLUSION

The petition under 37 CFR 1.137(b) to revive international application PCT/US2009/056207 is hereby **GRANTED** as to the National stage in the United States of America for purposes of continuity only and since continuity has been established by this decision reviving the international application, the international application is again abandoned in favor of the present continuing application number 13/084,839.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

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:	13/084,841	Filing date:	12 April 2011
First Named Inventor:	James R. LOVORN		
Title of the Invention:	WELLBORE PRESSURE CONTROL WITH SEGREGATED FLUID COLUMNS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

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

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

The corresponding PCT application number(s) is/are: PCT/US10/32578

The international date of the corresponding PCT application(s) is/are: 27 April 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)**

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

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

- [x] 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.:	13/084,841
First Named Inventor:	James R. LOVORN

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 July 2011

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-33	1-33	IDENTICAL

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

Signature /Marlin R. Smith/	Date 18 July 2011
Name (Print/Typed) Marlin R. Smith	Registration Number 38310

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.
13/084,841	04/12/2011	James R. LOVORN	2009-IP-028088 US	1888

49431 7590 09/01/2011
SMITH IP SERVICES, P.C.
P.O. Box 997
Rockwall, TX 75087

EXAMINER
ALKER, RICHARD

ART UNIT	PAPER NUMBER
3672	

NOTIFICATION DATE	DELIVERY MODE
09/01/2011	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):

sally@smithipservices.com
mail@smithipservices.com
scrawford@smithipservices.com

UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 0 1 2011

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

SMITH IP SERVICES, P.C.
P.O. Box 997
Rockwall TX 75087

In re application of Lovorn et al. Application No. 13/084,841 Filed: April 13, 2011 For: WELLBORE PRESSURE CONTROL WITH SEGREGATED FLUID COLUMNS	:	**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 July 18, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

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

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the KIPO 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: 8/311

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

MAILED
SEP 06 2011
OFFICE OF PETITIONS

In re Application of	:	
Vito et al.	:	DECISION GRANTING STATUS
Application No. 13/084,866	:	UNDER 37 CFR 1.47(a)
Filed: April 12, 2011	:	
Attorney Docket No. VITO-129US	:	

This is in response to the petition under 37 CFR 1.47(a), filed August 19, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventors, Carmen N. DiMario and Thomas Falone, have constructively 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 inventors at the addresses 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 further pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3230.

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
www.uspto.gov

Decision Date : February 13, 2012

In re Application of :

MENG-KAI SHIH

Application No : 13084879

Filed : 12-Apr-2011

Attorney Docket No : ASEG-075/00US 307632-2108

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

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

The request is **APPROVED.**

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

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

Name	Advanced Semiconductor Engineering, Inc.
Name2	c/o Foley & Lardner
Address 1	975 Page Mill Road
Address 2	
City	Palo Alto
State	CA
Postal Code	94304
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	13084879
Filing Date	12-Apr-2011
First Named Inventor	MENG-KAI SHIH
Art Unit	2811
Examiner Name	LYNNE GURLEY
Attorney Docket Number	ASEG-075/00US 307632-2108
Title	SEMICONDUCTOR PACKAGE WITH INTEGRATED METAL PILLARS AND MANUFACTURING METHODS THEREOF

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

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

10.40(b)(4)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	Advanced Semiconductor Engineering, Inc. c/o Foley & Lardner
Address	975 Page Mill Road
City	Palo Alto
State	CA
Postal Code	94304
Country	US

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/084,899	04/12/2011	Shigeki NISHIMURA	378609US99CONT	1006

7590 01/26/2012
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
SHEWAREGED, BETELHEM

ART UNIT	PAPER NUMBER
1785	

NOTIFICATION DATE	DELIVERY MODE
01/26/2012	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

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

The petition is granted.

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

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

Patent Publication Branch
Office of Data Management

FORM PET651G (Rev. 08/07)

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

PTO/SB/420 (12-09)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: OLI-194	Application Number (if known): 13/084,938	Filing date: April 12, 2011

First Named Inventor: Mioko MATSUDA

Title: WIND TURBINE BLADE PITCH-CONTROL SYSTEM, AND WIND TURBINE ROTOR AND WIND TURBINE GENERATOR PROVIDED WITH 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. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

   If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.

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

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

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

6. Other attachments: _____

Signature /Manabu KANESAKA/	Date November 17, 2011
Name (Print/Typed) Manabu KANESAKA	Registration Number 31,467

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

☐ *Total of_____ forms are submitted.

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

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

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

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see notice "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" available on the USPTO web site at http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.

(2) The application must be classified in one of the U.S. classifications listed in section VI of the notice cited above at the time of examination.

(3) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(4) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice cited above and is classified in one of the U.S. classifications listed in section VI of the notice cited above.

(5) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which will be available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(6) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(7) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/084,938	04/12/2011	Mioko MATSUDA	OLI-194	1105

32628 7590 12/07/2011
KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA, VA 22314-2848

EXAMINER

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
12/07/2011	PAPER

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

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

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

In re Application of	:	
MATSUDA, MIOKO et. al.	:	DECISION ON PETITION
Application No. 13/084,938	:	TO MAKE SPECIAL UNDER
Filed: April 12, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. OLI-194	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 17, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

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

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

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

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

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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OFFICE OF PETITIONS

MICHAEL E. KLICPERA
PO BOX 573
LA JOLLA CA 92038-0573

In re Application of
Segal et al.
Application No. 13/085,008
Filed: April 12, 2011
Attorney Docket No. 70920.DIV

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed February 17, 2012, to revive the above-identified application.

The petition is **GRANTED**.

This above-identified application became abandoned for failure to file a response to a Notice to File Missing Parts, which was mailed on April 25, 2011. The Notice set an extendable two (2) month period for reply. No timely request for extension of time was obtained under the provisions of 37 CFR §1.136(a). Accordingly, this application became abandoned on June 26, 2011. A Notice of Abandonment was mailed January 6, 2012.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of excess claim fees, (2) the petition fee of $930.00, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3215.

This application is being referred to the Office of Patent Application Processing for appropriate action in the normal course of business.

Charlema Grant

Charlema Grant
Attorney Advisor
Office of Petitions

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FULBRIGHT & JAWORSKI L.L.P.
98 SAN JACINTO BOULEVARD
SUITE 1100
AUSTIN TX 78701-4255

In re Application of	:	
HONG, KZ et al.	:	
Application No. 13/085,041	:	NOTICE UNDER 37 CFR. 1.28(c)
Filed: April 12, 2011	:	
Attorney Docket No. **VAC.0937US**	:	

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

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

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

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

Thurman Page
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/085,056	04/12/2011	Leopold Bruckschwaiger	008073-5027-US-02	1348

12139 7590 07/20/2011
MORGAN, LEWIS & BOCKIUS LLP - BAXTER
ONE MARKET, SPEAR STREET TOWER
SAN FRANCISCO, CA 94105

EXAMINER

ART UNIT	PAPER NUMBER
1645	

MAIL DATE	DELIVERY MODE
07/20/2011	PAPER

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

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

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JUL 20 2011

MORGAN, LEWIS & BOCKIUS LLP - BAXTER
ONE MARKET, SPEAR STREET TOWER
SAN FRANCISCO, CA 94105

In re Application of	:	DECISION ON REQUEST TO
BRUCKSCHWAIGER ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/085,056	:	PROSECUTION HIGHWAY
Filed: April 12, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 008073-5027-US-02	:	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 12, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

(1) The U.S. application is (a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims, or (b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim, or (c) a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority under 35 U.S.C. 365(b) to an application filed with IPAU, or (ii) validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or (iii) contains no priority claim;
(2) The IPAU application(s) has at least one claim that was determined by IPAU to be allowable.;
(3) All the claims in each U.S. application for which a request for participation in the PPH pilot program is made must sufficiently correspond or be amended to sufficiently correspond to the allowable claims in the IPAU application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions (which are relevant to patentability) from each of the IPAU application(s) containing the allowable claims that are the basis for the request;
(6) Applicant must submit a copy of the allowable claims from the IPAU application(s);
(7) Applicant must submit a claim correspondence table in English; and

(8) Applicant must submit an information disclosure statement (IDS) listing the documents cited by the IPAU examiner in the IPAU office action (unless such an IDS has already been filed in the U.S. application).

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

Telephone inquiries concerning this decision should be directed to Cecilia Tsang at 571-272-0562.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system at the http://www.uspto.gov/ebc/index.html.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 1600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/085,149	04/12/2011	Yuanyuan Liu	4202-11400	1540

97698 7590 08/04/2011
Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano, TX 75024

EXAMINER

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
08/04/2011	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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Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano TX 75024

In re Application of: LIU, YUANYUAN et al. Serial No.: 13/085,149 Filed: April 12, 2011 Title: **SIGNAL CLASSIFYING METHOD AND APPARATUS**	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 12, 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 filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

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

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

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 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 set forth under section I. above are considered to have been met. However, the petition fails to comply with conditions set forth under section II Items 5.2, 5.3, 6.2, 6.3, and 6.5.

For these reasons cited above, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirement in item 5.2 and 5.3 above, the preexamination search document provided with the instant petition is deficient as follows: The US field of search and database searches which are to be provided under section 8(A) are not sufficient. In addition to the search areas provided, applicant would also need to search in the following class/ subclasses: 370/464, 493, 494, 495 and 521.

If any request for reconsideration is filed, an updated preexamination search must be conducted as per items 5.2 and 5.3 above, and the Preexamination Search Document must be amended to indicate such; a new Information Disclosure Statement should be filed to cite any newly found prior art, and the Accelerated Examination Support Document must also be amended to include the necessary reference and discussion of any newly found and cited prior art in accordance with all of items 6 through 6.6 above; as well as the necessary updated discussion of patentability for each of the dependent claims (or a statement that claims stand or fall together) as set forth above.

Regarding the requirements in items 6.2 and 6.3 above, Petitioner does not provide an identification of claimed limitations and/or a detailed explanation of patentability of each of the claims with respect to each reference cited in the IDS in support of the Accelerated Examination Support Document. Petitioner has not identified nor argued the patentability of the claims in regard to WO 2008/106852 reference in the IDS filed with the Accelerated Examination Support Document. Also, the Accelerated Examination Support Document is deficient because the section titled "Detailed Explanation of Patentability" mentions Yen, Tagawa, Takeuchi and Mizuno references, but fails to discuss Khalil et al (US 2003/0101050) and Yan et al (CN 101256772) as required by 37 CFR 1.111(b) and (c) . Therefore, any request for reconsideration must provide a detailed explanation in regard to the claims with respect to all cited references as set forth in items 6.2 and 6.3 above. In addition, it is also requested that an English translation of reference CN 101256772 be provided.

Regarding the requirement in item 6.5 above, the "Accelerated Examination Support Document", is deficient because it fails to include a showing of where ***each limitation of the claims*** finds support under the first paragraph of 35 USC 112 in the written description of ***each benefit application***. As set forth supra, "*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***". It is noted that the instant application claims benefit to PCT/CN2010/076499. Petitioner has not provided a showing of support for this benefit application. Therefore, an updated accelerated examination support document must be provided which shows where each limitation of the claims finds support in this benefit application as well. It is also requested that Petitioner provides an English translation for each of the references (CN 2009/10110798.4 and PCT/CN2010/076499).

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

Any inquiry regarding this decision should be directed to Doris To, Quality Assurance Specialist, at (571) 272-7629.

/Doris To/

Doris To
Quality Assurance Specialist
Technology Center 2600
Communications

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/085,149	04/12/2011	Yuanyuan Liu	4202-11400	1540

97698 7590 09/09/2011
Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano, TX 75024

EXAMINER
DORVIL, RICHEMOND

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
09/09/2011	PAPER

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

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

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Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano TX 75024

In re Application of: LIU, YUANYUAN et al. Serial No.: 13/085,149 Filed: April 12, 2011 Attorney Docket No: **4202-11400** Title: **SIGNAL CLASSIFYING METHOD AND APPARATUS**	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 September 6, 2011 requesting reconsideration to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

All of the requirements to correct the deficiencies outlined in the petition decision mailed August 4, 2011 have been met.

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 Doris To, Quality Assurance Specialist, at (571) 272-7629.

/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
www.uspto.gov

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
400 INTERSTATE NORTH PARKWAY SE
SUITE 1500
ATLANTA GA 30339

MAILED
JUL 18 2011
OFFICE OF PETITIONS

In re Application of	:	
Hitoshi Nakatsuka	:	DECISION REFUSING STATUS
Application No. 13/085,190	:	UNDER 37 CFR 1.47(b)
Filed: April 12, 2011	:	
Attorney Docket No. 250122-4211	:	

This is in response to the "Petition Under 37 CFR 1.47(b), filed April 12, 2011.

The petition is **DISMISSED**.

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

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

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

Applicant lacks item (5) set forth above.

Petitioner stated that Exhibit A attached to the above petition is a copy of an agreement between Mr. Nakatsuka and AUO, which includes an agreement to assign all inventions arising out of his employment (including the invention of this application) to AUO. However, as the information is critical in deciding the above petition, the Office is requesting that applicant submit the translation in English.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail:	Mail Stop PETITIONS Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450
By hand:	Customer Service Window Mail Stop Petitions Randolph Building 401 Dulany Street Alexandria, VA 22314
By fax:	(571) 273-8300 ATTN: Office of Petitions
By internet:	EFS-Web www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

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

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
400 INTERSTATE NORTH PARK WAY SE
SUITE 1500
ATLANTA GA 30339

MAILED

SEP 08 2011

OFFICE OF PETITIONS

In re Application of	:	
Hitoshi Nakatsuka	:	DECISION GRANTING STATUS
Application No. 13/085,190	:	UNDER 37 CFR 1.47(b)
Filed: April 12, 2011	:	
Attorney Docket No. 250122-4211	:	

This is in response to the renewed petition under 37 CFR 1.47(b), filed August 16, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

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

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to Technology Center AU 2629 for examination in due course.

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

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

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Commissioner for Patents
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MAILED
SEP 08 2011
OFFICE OF PETITIONS

HITOSHI NAKATSUKA
NO. 1, LI-HSIN RD. 2
SCIENCE BASED INDUSTRIAL PARK
HSINCHU 300 TW

In re Application of
Hitoshi Nakatsuka
Application No. 13/085,190
Filed: April 12, 2011
For: LIQUID CRYSTAL DISPLAY AND GATE MODULATION METHOD THEREOF

Dear Mr. Nakatsuka:

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

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

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3208. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of

the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

cc:

THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
400 INTERSTATE NORTH PARKWAY SE
SUITE 1500
ATLANTA GA 30339

MR. HITOSHI NAKATSUKA
TOWNSECOND NO. 12, 3 CHOME,
UCHIHIRANO TOWN, CHUO WARD,
OSAKA CITY, OSAKA PREFECTURE

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED
FEB 13 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Takahashi, et al.	:	ON PETITION
Application No. 13/085,215	:	
Filed: April 12, 2011	:	
Attorney Docket Number: 0879-1281PUS1	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed April 12, 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 a color drawing for Figures 8A, 8B, and 8C 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.

The $130 petition fee has been charged to Deposit Account No. 02-2448, as authorized in the fee transmittal filed on May 26, 2011.

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 2812.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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FISH & RICHARDSON P.C. (DC)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

Applicant: Kazutaka Kuriki et al
Appl. No.: 13/085,234
Filing Date: April 12, 2011
Title: ELECTRODE FOR ENERGY STORAGE DEVICE AND METHOD FOR MANUFACTURING THE SAME
Attorney Docket: 12732-0854001
Pub. No.: US20110254128A1
Pub. Date: October 20, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on December 23, 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 spelling of one of the inventors name.

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 request is untimely, as it is not filed within two months of October 20, 2011, the date of the patent application publication.

Also, it is noted that on January 6, 2012, a Filing Receipt was mailed by the Office, which correctly reflects the desired spelling of the inventor's name.

For reference, 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

[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).

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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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 13 2012

OFFICE OF PETITIONS

In re Application of
Tomoaki Arimura
Application No.: 13/085,245
Filed: April 12, 2011
Attorney Docket No.: 6639P1180
For: Direct Methanol Fuel Cell

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 9, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the 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 conditions (1) and (2) and (6).

Regarding requirement (1), the application number given on the petition (2011-120882), does not match our records for a priority claim.

Regarding requirement (2), a copy of the JPO office action, translation and a statement that the translation of the office action is accurate has not been received.

Regarding requirement (6), until a copy of the office action is received, it cannot be determined if the references listed on the IDS are references cited by the JPO examiner. Applicant should also ensure that a copy of these references, except for US patent/publications are also submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of Nicolas W. SASSOW	:	Group Art No.: *Not Yet Assigned*
Serial No.: 13/085,320	:	Confirmation No.: 1876
Filed: April 12, 2011	:	Examiner: *Not Yet Assigned*
For: RENEWABLE ENERGY MICROGENERATION SYSTEM	:	Attorney Docket No.: 132033.0214

STATEMENTS OF SPECIAL STATUS FOR ELEGIBILITY UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

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

Dear Sir:

Applicant hereby petitions to make the above-identified application (hereinafter "the present application") special under the special examining procedure set forth in 37 C.F.R. §1.102 and MPEP § 708.02, subject to the exceptions set forth in *Pilot Program for Green Technologies Including Greenhouse Gas Reduction*, 74 FR 64666 (November 30, 2009), 1349 OFF. GAZ. PAT. OFFICE 362 (December 8, 2009) (Notice), *The Elimination of Classification Requirement in the Green Technology Pilot Program*, 75 FR 28554 (May 12, 2010), 1355 OFF. GAZ. PAT. OFFICE 188 (May 21, 2010) (Notice), and *Expansion and Extension of the Green Technology Pilot Program*, 75 FR 69049 (October 15, 2010), 1361 OFF. GAZ. PAT. OFFICE 50 (November 10, 2010) (Notice). Applicant respectfully submits that the present application satisfies all of the eligibility requirements for special status under the Green Technology Pilot Program, as set forth below:

1) The present application is a non-provisional utility application filed under 35 U.S.C. § 111;

2) A Preliminary Amendment is submitted herewith in compliance with 27 C.F.R. 1.121 to cancel excess claims and/or multiple dependent claims so the present application will contain three or fewer independent claims and twenty or fewer total claims and will not contain any multiple dependent claims, and Applicant agrees not to separately argue the patentability of any dependent claim during any appeal in the present application;

3) The claims presented in the present application are directed to a single invention and, if the USPTO determines that those claims are not directed to a single invention, Applicant agrees to make an election without traverse in a telephonic interview;

4) A Petition to Make Special Under the Green Technology Pilot Program (Form PTO/SB/420) is filed electronically herewith using the USPTO's electronic filing system;

5) The Petition to Make Special Under the Green Technology Pilot Program (Form PTO/SB/420) was filed at least one day prior to the date that a first Office Action appeared in the Patent Application Information Retrieval (PAIR) system; and

6) The Petition to Make Special Under the Green Technology Pilot Program is accompanied by a request for early publication in compliance with 37 C.F.R. 1.219 and the publication fee set forth in 37 CFR 1.18(d).

In addition to each of the above eligibility requirements being met, Applicant also respectfully submits the following Statements of Special Status in support of the Petition to Make Special Under the Green Technology Pilot Program:

1) The invention of the present application (hereinafter "the present invention") provides "a renewable energy microgeneration system in a single, modular, portable configuration that allows users to convert organic waste into sustainable energy onsite" (see, e.g., The Present Application at ¶ **[0001]**) and, therefore, is directed to alternative energy production (e.g., agricultural waste (USPC 44/589); Biofuel (USPC 44/605; 44/589); fuel from animal waste and crop residues (USPC 44/605); industrial waste anaerobic digestion (USPC 210/605), etc.);

2) The invention of the present application is "particularly suited for processing waste/mulch such as organic and septic waste, including but not limited to various types of farm animal manure (e.g., horse, cow, pig, and chicken manure); meat, blood, and other slaughterhouse waste; garden and agricultural

green waste; food preparation and kitchen waste; wasted/leftover/spoiled food; and septic tank contents" (see, e.g., The Present Application at ¶ **[0084]**) and, therefore, is directed to environmentally friendly farming (e.g., Animal waste disposal or recycling (USPC 210/610–611; 71/11–30); Fertilizer alternative/composting (USPC 71/8–30), etc.);

3) The alternative energy produced with the renewable energy microgeneration system of the present invention is produced with renewable energy resources (e.g., man-made and farm waste); and

4) The "the renewable energy microgeneration system of the present invention also reduces pollution by making the user less dependent on utility companies that generate pollution with their various methods of energy production ... [and] reduces carbon emissions from waste transport to a centralized processing facility, such as a dump or a larger-scale anaerobic digestion system (see, e.g., The Present Application at ¶ **[0007]**).

Accordingly, Applicant respectfully requests that the Petition to Make Special Under the Green Technology Pilot Program be granted and that the present application undergo accelerated examination. Notice that the above-identified application has been made special is earnestly solicited.

Please charge any deficiency in fees, or credit any overpayment thereof, to BLANK ROME LLP, Deposit Account No. 23-2185 (132033.0214).

Respectfully submitted,

Date: May 4, 2011

By: /Michael C. Greenbaum/
Michael C. Greenbaum
Registration No. 28,419
Attorney for Applicant

BLANK ROME LLP
WATERGATE
600 New Hampshire Ave., N.W.
Washington, D.C. 20037
Phone: (202) 772-5800
Fax: (202) 772-5858
Customer Number: 27557

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:	132033.00214	Application Number (if known): 13/085,320- Conf. #1876	Filing date: April 12, 2011
First Named Inventor:	Nicolas W. SASSOW		
Title:	RENEWABLE ENERGY MICROGENERATION 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: Preliminary Amendment and Request for Early Publication

Signature	/Michael C. Greenbaum/ MCG	Date	May 4, 2011
Name (Print/Typed)	Michael C. Greenbaum	Registration Number	28,419

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: May 4, 2011 Electronic Signature for Michael C. Greenbaum: /Michael C. Greenbaum/

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.
13/085,320	04/12/2011	Nicolas W. SASSOW	132033.00214	1876

27557 7590 05/26/2011
BLANK ROME LLP
WATERGATE
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
1772	

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.

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 26 2011

BLANK ROME LLP
WATERGATE
600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON DC 20037

In re Application of	:	
Sassow	:	DECISION ON PETITION
Application No. 13/085,320	:	TO MAKE SPECIAL UNDER
Filed: 4/12/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **132033.00214**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 5/4/2011, 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

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.:	13/085,346	First Named Inventor:	George Burba
Filing Date:	April 12, 2011	Attorney Docket No.:	510248 (010910US)
Title of the Invention:	METHOD AND APPARATUS FOR DETERMINING GAS FLUX		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

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

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

The corresponding PCT application number(s) is/are: PCT/US2011/032180

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 03/27/2012

(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 03/27/2012

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

Under the 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.:	13/085,346	First Named Inventor:	George Burba et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1-7	1-7	Identical

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

Signature		Date	March 27, 2012
Name (Print/Typed)	Gerald T. Gray	Registration Number	41,797

00900 PC

PCT/US2011/032180

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

GRAY GERALD T.

KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER, 8TH FLOOR SAN FRANCISCO CA 94111-3834 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 DECEMBER 2011 (28.12.2011)

Applicant's or agent's file reference
85409-803995

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US2011/032180

International filing date *(day/month/year)*
12 APRIL 2011 (12.04.2011)

Applicant
LI-COR, 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
Facsimile No. 82-42-472-7140

Authorized officer
COMMISSIONER
Telephone No. 82-42-481-8752

* 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 : **XU9MMGL8**

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 85409-803995	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. **PCT/US2011/032180**	International filing date *(day/month/year)* **12 APRIL 2011 (12.04.2011)**	(Earliest) Priority Date *(day/month/year)* 12 APRIL 2010 (12.04.2010)
Applicant **LI-COR, INC. et al**		

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

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

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

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. ☐ **Certain claims were found unsearchable** (See Box No. II)
3. ☐ **Unity of invention is lacking** (See Box No. III)
4. With regard to the **title**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the **drawings**,
   a. the figure of the drawings to be published with the abstract is Figure No. 1
      ☒ as suggested by the applicant.
      ☐ as selected by this Authority, because the applicant failed to suggest a figure.
      ☐ as selected by this Authority, because this figure better characterizes the invention.
   b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2011/032180

A. CLASSIFICATION OF SUBJECT MATTER

G01D 21/02(2006.01)i, G06F 19/00(2011.01)i, G01N 27/12(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)

G01D 21/02; G01N 15/06; G01N 21/49; G01J 5/02; G01N 21/35; G01N 21/39

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

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 : raw, flux, gas, dilution, equivalent, multiplication and similar terms"

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 7365352 B2 (MUTA, K. et al.) 29 April 2008 See the whole document.	1-7
A	US 06121617 A (HIRAYAMA, N. et al.) 19 September 2000 See the whole document.	1-7
A	US 05838008 A (ESLER, M. B. & GRIFFITH, D. W. T.) 17 November 1998 See the whole document.	1-7
A	JP 2008-116263 A (MITSUBISHI HEAVY IND., LTD.) 22 May 2008 See the whole document.	1-7

☐ 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
27 DECEMBER 2011 (27.12.2011)	**28 DECEMBER 2011 (28.12.2011)**
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 Kim, Hye Won Telephone No. 0424815456

Form PCT/ISA/210 (second sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2011/032180

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 7365352 B2	29.04.2008	AU 2004-276842 A1	07.04.2005
		CA 2538416 A1	07.04.2005
		CN 1860360 C0	08.11.2006
		EP 1669736 A2	14.06.2006
		JP 2005-106546 A	21.04.2005
		NO 20061901A	28.04.2006
		RU 2308023 C1	10.10.2007
		US 2006-0262311 A1	23.11.2006
		WO 2005-031275 A2	07.04.2005
US 06121617 A	19.09.2000	JP 10-239235 A	11.09.1998
US 05838008 A	17.11.1998	None	
JP 2008-116263 A	22.05.2008	None	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
GRAY GERALD T.

KILPATRICK TOWNSEND & STOCKTON LLP TWO EMBARCADERO CENTER, 8TH FLOOR SAN FRANCISCO CA 94111-3834 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**28 DECEMBER 2011 (28.12.2011)**
Applicant's or agent's file reference 85409-803995	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2011/032180	**12 APRIL 2011 (12.04.2011)**	12 APRIL 2010 (12.04.2010)

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

G01D 21/02(2006.01)i, G06F 19/00(2011.01)i, G01N 27/12(2006.01)i

Applicant

LI-COR, 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	27 DECEMBER 2011 (27.12.2011)	Kim, Hye Won Telephone No.0424815456

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY	International application No. PCT/US2011/032180

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 additioani 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/US2011/032180

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

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-7	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 7365352 B2 (MUTA, K. et al.) 29 April 2008
D2: US 06121617 A (HIRAYAMA, N. et al.) 19 September 2000
D3: US 05838008 A (ESLER, M. B. & GRIFFITH, D. W. T.) 17 November 1998
D4: JP 2008-116263 A (MITSUBISHI HEAVY IND., LTD.) 22 May 2008

I. Novelty and Inventive Step

1) The subject matter of independent claims 1,6 and their dependent claims 2-5,7 differs from these prior art documents in computing the gas flux of target gas based on the raw flux, water dilution effect, and thermal expansion value, wherein at least one of the raw flux, the water dilution effect, or the thermal expansion value is adjusted by a multiplication factor determined based on an instrument response function of the instrument used to obtain gas density measurement data, the response function relating actual gas density and measured gas density of the target gas as a function of temperature and equivalent pressure.

And it is not obvious to a person skilled in the art by the document, taken alone or in combination. Therefore, claims 1-7 meet the requirements of novelty and inventive step set forth in PCT Article 33(2) and (3)

II. Industrial Applicability

Claims 1-7 are industrially applicable under PCT Article 33(4).

WHAT IS CLAIMED IS:

1. A gas analysis data handling device comprising:

a processor;

a communication interface to receive data from one or more measuring devices; and

a memory store for storing data received by the communication interface,

the processor configured to:

receive a plurality data, the plurality of data including:

a plurality of gas density measurement data for a target gas;

a plurality of wind speed measurement data indicative of speed of movement of the target gas;

a plurality of water vapor density measurement data indicative of water content in the target gas;

a plurality of temperature measurement data; and

a barometric pressure;

determine a raw flux of the target gas based on the gas density data for the target gas and the wind speed measurement data;

determine a water dilution effect based on the water vapor density measurement data;

determine a thermal expansion value based on the temperature measurement data;

determine an equivalent pressure based on the barometric pressure, the temperature measurement data, the water vapor density data, and a water vapor broadening coefficient; and

compute the gas flux of the target gas based on the raw flux, the water dilution effect, and the thermal expansion value, wherein at least one of the raw flux, the water dilution effect, or the thermal expansion value is adjusted by a multiplication factor determined based on an instrument response function of the instrument used to obtain the gas density measurement data, the response function relating actual gas density and measured gas density of the target gas as a function of temperature and equivalent pressure.

2. The device of claim 1, wherein each of the raw flux, the water dilution effect, and the thermal expansion value is adjusted by a respective multiplication factor determined based on an instrument response function of the instrument used to obtain the gas

density measurement data, the response function relating actual gas density and measured gas density of the target gas as a function of temperature and equivalent pressure.

3. The device of claim 1 further comprising a computer-readable memory connected to the processor, the computer-readable memory having stored therein program code, the program code comprising:

computer instructions configured to cause the processor to receive the plurality data;

computer instructions configured to cause the processor to determine the raw flux of the target gas based on the gas density measurement data for the target gas and the wind speed measurement data;

computer instructions configured to cause the processor to determine the water dilution effect based on the water vapor density measurement data;

computer instructions configured to cause the processor to determine the thermal expansion value based on the temperature measurement data;

computer instructions configured to cause the processor to determine the equivalent pressure based on the average barometric pressure, the temperature measurement data, the water vapor density data, and a water vapor broadening coefficient; and

computer instructions configured to cause the processor to compute the gas flux of the target gas based on the raw flux, the water dilution effect, and the thermal expansion value, wherein at least one of the raw flux, the water dilution effect, or the thermal expansion value is adjusted by the multiplication factor.

4. The device of claim 1 wherein the response function includes calibration data of the instrument determined for an operating pressure substantially equal to the pressure at which the gas density measurement data was obtained.

5. The device of claim 1 wherein the barometric pressure is an average barometric pressure.

6. A gas analyzer system comprising:

a gas analyzer having an optical path and operable to produce a plurality of gas density measurements when a target gas flows across the optical path;

a pressure sensor configured to measure barometric pressure;

a wind speed detector disposed in proximity to the gas analyzer;

a temperature sensor disposed in proximity to the gas analyzer and clear of the optical path of the gas analyzer; and

a controller configured to:

receive a plurality of gas density measurement data obtained by the gas analyzer;

receive a plurality of wind speed measurement data obtained by the wind speed detector;

receive a plurality of temperature measurement data obtained by the temperature sensor;

receive a plurality of water vapor density measurement data indicative of water content in the target gas;

receive a barometric pressure;

determine a raw flux term of the target gas based on the gas density measurement data and the wind speed measurement data;

determine a thermal expansion term based on the temperature measurement data;

determine an equivalent pressure based on the barometric pressure, the temperature measurement data, the water vapor density data, and a water vapor broadening coefficient; and

compute the gas flux of the target gas based on the raw flux term and the thermal expansion term, wherein at least one term being adjusted by a multiplication factor determined based on an instrument response function corresponding to the instrument used to obtain the gas density measurement data, the instrument response function relating actual gas density and measured gas density of the target gas as a function of temperature and equivalent pressure.

7. The system of claim 6, wherein the barometric pressure is an average barometric pressure.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Decision Date : January 5, 2012

In re Application of :

Dietrich Charisius

Application No : 13085388

Filed : 12-Apr-2011

Attorney Docket No : BOR-094A1CIPDIVCON1CON1

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR§ 1.36(b), filed January 5, 2012

The request is **APPROVED**

The request was signed by Scott S. Kokka (registration no. 51893) on behalf of all attorneys/agents associated with Customer Number 64107 . All attorneys/agents associated with Customer Number 64107 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 Customer number 47604 .

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	13085388
Filing Date	12-Apr-2011
First Named Inventor	Dietrich Charisius
Art Unit	2192
Examiner Name	
Attorney Docket Number	BOR-094A1CIPDIVCON1CON1
Title	METHODS AND SYSTEMS FOR ACCESSING DISTRIBUTED COMPUTING COMPONENTS THROUGH THE INTERNET

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 64107

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

10.40(b)(4)

10.40(c)(1)(iv)

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 address of the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, associated with Customer Number: 47604

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature	/Scott S. Kokka/
Name	Scott S. Kokka
Registration Number	51893

UNITED STATES PATENT AND TRADEMARK OFFICE

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

ZEBRA/ALSTON & BIRD
101 S. TRYON STREET
SUITE 4000
CHARLOTTE NC 28280-4000

MAILED
MAR 12 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Preliasco, et al.	:	ON PETITION
Application No. 13/085,422	:	
Filed: April 12, 2011	:	
Attorney Docket Number: 054054/403210	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed April 12, 2011, for acceptance of color drawings.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

(1) The fee set forth in 37 C.F.R. 1.17(h);

(2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and

(3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted when the Office "has determined that a color drawing or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Here, the Office has determined that color drawings are not necessary for an understanding of the invention.

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

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

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

The application is being forwarded to Group Art Unit 2854.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

Jose Dees
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Decision Date : January 5, 2012

In re Application of :

Dietrich Charisius

Application No : 13085424

Filed : 12-Apr-2011

Attorney Docket No : BOR-094A1CIPDIVCON1CON3

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR§ 1.36(b), filed January 5, 2012

The request is **APPROVED**

The request was signed by Scot S. Kokka (registration no. 51893) on behalf of all attorneys/agents associated with Customer Number 64107 . All attorneys/agents associated with Customer Number 64107 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 Customer number 47604 .

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	13085424
Filing Date	12-Apr-2011
First Named Inventor	Dietrich Charisius
Art Unit	2192
Examiner Name	
Attorney Docket Number	BOR-094A1CIPDIVCON1CON3
Title	SUPPORTING AND DEPLOYING DISTRIBUTED COMPUTING COMPONENTS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 64107

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

10.40(b)(4)

10.40(c)(1)(iv)

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 address of the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, associated with Customer Number: 47604

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature	/Scott S. Kokka/
Name	Scot S. Kokka
Registration Number	51893

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	13085428
Filing Date	12-Apr-2011
First Named Inventor	Dietrich Charisius
Art Unit	2192
Examiner Name	
Attorney Docket Number	BOR-094A1CIPDIVCON1CON4
Title	METHODS AND SYSTEMS FOR DISPLAYING DISTRIBUTED COMPUTING COMPONENTS USING SYMBOLS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 64107

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

10.40(b)(4)

10.40(c)(1)(iv)

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 address of the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, associated with Customer Number: 47604

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature	/Scott S. Kokka/
Name	Scott S. Kokka
Registration Number	51893

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Decision Date : January 5, 2012

In re Application of :

Dietrich Charisius

Application No : 13085428

Filed : 12-Apr-2011

Attorney Docket No : BOR-094A1CIPDIVCON1CON4

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR§ 1.36(b), filed January 5, 2012

The request is **APPROVED**

The request was signed by Scott S. Kokka (registration no. 51893) on behalf of all attorneys/agents associated with Customer Number 64107 . All attorneys/agents associated with Customer Number 64107 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 Customer number 47604 .

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

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

Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Zebra/Alston & Bird
101 S. Tryon Street
Suite 4000
Charlotte NC 28280-4000

MAILED
MAR 12 2012
OFFICE OF PETITIONS

In re Application of :
Lamontagne et al. :
Application No. 13/085,431 : ON PETITION
Filed: 04/12/2011 :
Attorney Docket No. 054054/403211 :

This is in response to the PETITION TO ACCEPT COLOR DRAWING(S) (37 C.F.R. § 1.84 (2)), filed in the United States Patent and Trademark Office (USPTO) on April 12, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

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 2853.

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
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Zebra/Alston & Bird
101 S. Tryon Street
Suite 4000
Charlotte NC 28280-4000

In re Application of	:	
Corvese et al.	:	
Application No. 13/085,438	:	ON PETITION
Filed: 04/12/2011	:	
Attorney Docket Number: 054054/401339	:	

This is in response to the PETITION TO ACCEPT COLOR DRAWING(S) (37 C.F.R. § 1.84 (2)), filed in the United States Patent and Trademark Office (USPTO) on April 12, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

[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).

> 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.

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 it has been determined that color versions of Figures 1, 2A-2C, 3A-3N, 4, 5, 6, 7, 8A, 8B, 9, 11B, 12A-12C, and 13B are the best medium for disclosing the subject matter to be patented and are necessary for this application.

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. MPEP 608.02, Section IX, DRAWINGS SYMBOLS provide graphic symbols that should be used to indicate various materials where the material is an important feature of the invention.

As color drawings or photographs are not necessary for an understanding of the invention sought to be patented, the petition is 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 2853.

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

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAHAMEDI PARADICE KREISMAN LLP
550 WINCHESTER BOULEVARD
SUITE 605
SAN JOSE CA 95128

MAILED

SEP 02 2011

OFFICE OF PETITIONS

In re Application of	:	
Eckhardt, et al.	:	DECISION ON PETITION
Application No. 13/085,441	:	
Filed/Deposited: 12 April, 2011	:	
Attorney Docket No. SCHN.P014	:	

This is a decision on the petition filed on 26 August, 2011, pursuant to 37 C.F.R. §1.47.

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

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

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

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

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

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

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 12 April, 2011, without, *inter alia*, a fully executed oath/declaration.

On 26 April, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 26 August, 2011, Petitioner Christopher J. Brokaw (Reg. No. 45,620), filed, *inter alia*, request and fee for extension of time, and a petition and fee pursuant to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by averred co-inventor Eckhardt for himself and on behalf of the non-signing inventor Michael Koster (Mr. Koster), with an statement by Petitioner and showing of a transmittal of the entire application (description, claims, abstract and drawings) to an address, but no showing of receipt by Mr. Koster of that transmittal; moreover, the averment of transmittal and delivery at Bridgeville, California, address, but a review of available online records indicate no such Bridgeville, California, address for Mr. Koster.

In view of the conflict and/or incompleteness of the showing, it does not appear as of this writing that Petitioner has satisfied the burden under the Rule. Thus Petitioner failed to make the showing as required under the Rule (37 C.F.R. §1.47(a)) and consistent with the guidance in the Commentary at MPEP §409.03, and §409.03(a).

Petitioners always are reminded:

- *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:

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

[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 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

[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

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P.O. Box 1450
Alexandria, VA 22313-1450
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MAHAMEDI PARADICE KREISMAN LLP
550 WINCHESTER BOULEVARD
SUITE 605
SAN JOSE CA 95128

MAILED

SEP 23 2011

OFFICE OF PETITIONS

In re Application of Eckhardt, et al. Application No. 13/085,441 Filed/Deposited: 12 April, 2011 Attorney Docket No. SCHN.P014	: : : : : :	DECISION ON PETITION

This is a decision on the petition filed on 21 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**.

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 12 April, 2011, without, *inter alia*, a fully executed oath/declaration.

On 26 April, 2011, the Office mailed a Notice of Missing Parts, indicating therein the requirement, *inter alia*, for a fully executed oath/declaration.

On 26 August, 2011, Petitioner Christopher J. Brokaw (Reg. No. 45,620), filed, *inter alia*, request and fee for extension of time, and a petition and fee pursuant to the regulations at 37 C.F.R. §1.47, an oath/declaration executed by averred co-inventor Eckhardt for himself and on behalf of the non-signing inventor Michael Koster (Mr. Koster), with an statement by Petitioner and showing of a transmittal of the entire application (description, claims, abstract and drawings) to an address, but no showing of receipt by Mr. Koster of that transmittal; moreover, the averment of transmittal and delivery at Bridgeville, California, address, but a review of available online records indicate no such Bridgeville, California, address for Mr. Koster. The petition was dismissed on 2 September, 2011.

On 21 September, 2011, Petitioner re-advanced the petition with an averment of joinder by Mr. Koster and inclusion of a copy of the executed oath/declaration in support thereof and in compliance with 37 C.F.R. §1.63—and so evidencing the joinder.

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

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

CONCLUSION

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

In view of the joinder of the inventor, further consideration under 37 C.F.R. §1.47 is not necessary. This application does not have any Rule 1.47 status and no such status should appear 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.

---

[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.

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

[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
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HAROLD W. MILTON, JR.
DICKINSON WRIGHT PLLC
SUITE 2000
38525 WOODWARD AVENUE
BLOOMFIELD HILLS MI 48304-5092

MAILED
JUN 06 2011
OFFICE OF PETITIONS

In re Application of	:	
Van Houten et al.	:	
Application No. 13/085,609	:	ON PETITION
Filed: April 13, 2011		
Attorney Docket No. 650530-25	:	
	:	

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'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 Technology Center Art Unit 3663 for action on the merits commensurate with this decision.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

KEVIN FARRELL
PIERCE ATWOOD
100 DUMMER STREET
SUITE 2250
BOSTON MA 02110

MAILED
SEP 29 2011
OFFICE OF PETITIONS

In re Application of
Nick Harris et al
Application No. 13/085,799
Filed: April 13, 2011
Attorney Docket No. 0153-2008US02

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed September 1, 2011, to change the order of the names of the inventors.

The petition is **GRANTED**.

Office records have been corrected to reflect the change in the order of the named inventors. A corrected Filing Receipt, which sets forth the desired order of the named inventors, accompanies this decision on petition.

As authorized, the $400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

This application is being referred to Technology Center AU 1634 for examination in due course.

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

/KOC/
Karen Creasy
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
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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
13/085,799	04/13/2011	1634	462	0153-2008US02	14	1

CONFIRMATION NO. 2840

CORRECTED FILING RECEIPT

OC000000050066124

27723
KEVIN FARRELL
PIERCE ATWOOD
100 SUMMER STREET
SUITE 2250
BOSTON, MA 02110

Date Mailed: 09/28/2011

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)

Jyotsna S. Shah, Santa Clara, CA;
Danuta Wronska, Raleigh, NC;
Helena Weltman, Los Altos, CA;
Nick Harris, Monterey, CA;
Suzanne Scherini-Ward, Santa Clara, CA;
Oliva Mark, San Jose, CA;

Assignment For Published Patent Application

ID-FISH TECHNOLOGY, INC., SANTA CLARA, CA

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 11/998,251 11/29/2007 PAT 7,927,801

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: 05/11/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/085,799**

Projected Publication Date: 11/24/2011

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****

Title

NUCLEIC ACID PROBES AND METHODS FOR DETECTING PLASMODIUM PARASITES

Preliminary Class

435

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).

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No.:	13/085,829	First Named Inventor:	Ivan Rossi et al.
Filing Date:	April 13, 2011	Attorney Docket No.:	391401
Title of the Invention:	BLOOD RESERVOIR WITH ULTRASONIC VOLUME SENSOR		

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/IB2011/051639

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

I. List of Required Documents:

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

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

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

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

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

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

- ☐ is attached.
- ☑ has already been filed in the above-identified U.S. application on August 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 August 26, 2011

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

Under the 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.:	13/085,829	First Named Inventor:	Ivan Rossi et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	1	Identical correspondence
2	2	Identical correspondence
3	3	Identical correspondence
4	4	Identical correspondence
5	5	Identical correspondence
6	6	Identical correspondence
7	7	Identical correspondence
8	8	Substantial correspondence between US and PCT claims (US claim amended to cure an informality)
9	9	Identical correspondence
10	10	Identical correspondence
11	11	Identical correspondence

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

Signature /Jason R. Kraus/	Date April 11, 2012
Name (Print/Typed) Jason R. Kraus	Registration Number 42765

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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MORRISON & FOERSTER LLP
12531 HIGH BLUFF DRIVE
SUITE 100
SAN DIEGO CA 92130-2040

MAILED
JAN 24 2012
OFFICE OF PETITIONS

In re Application of Larry M. Weisenthal Application No. 13/085,856 Filed: April 13, 2011 Attorney Docket No. 602992000400	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 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 Larry M. Weisenthal, attesting to his/her age. The above-identified application has been accorded "special" status.

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

The application is being forwarded to Technology Center 1651 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
DIW Sep-11

MOSAID TECHNOLOGIES INCORPORATED
11 HINES ROAD
SUITE 203
OTTAWA ON K2K-2X1 CA CANADA

MAILED
SEP 27 2011
OFFICE OF PETITIONS

In re Application of	:	
Jin-Ki Kim et al	:	
Application No.13/085,863	:	
Deposited: April 13, 2011	:	DECISION ON PETITION
Attorney Docket No:1338-02US-000-00	:	

This is a decision on the petition under 37 CFR 1.57(a), requesting that the above-identified application be accorded a filing date of April 13, 2011.

On April 13, 2011, the application was deposited.

Accordingly, on April 25, 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 the specification as required by 35 U.S.C. 112.

On June 22, 2011, the present petition was filed. Petitioner concedes that the missing pages in the specification/drawings at the time of filing the above-identified application occurred as an inadvertent error by the applicant when uploading the document to EFS Web on April 13, 2011, but requests a filing date of April 13, 2011, because the application claims the benefit of prior-filed Provisional Application No. 61/323,401, filed April 13, 2010. Petitioner has also supplied a copy of the inadvertently omitted specification.

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

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)

The petition lacks an amendment including the inadvertently omitted specification as required by 37 CFR 1.57(a)(1).

In this regard, while a copy of the missing specification was supplied, no preliminary amendment to add the inadvertently omitted specification has been filed.

A renewed petition, accompanied by the required amendment, including a copy of the specification as present on filing in the prior-filed application, must be supplied with any renewed petition.

The petition fee has been received, and no additional fee is due.

Any request for reconsideration should be filed within **TWO (2) MONTHS** of the date of this decision in order to be considered timely. This time period may not be extended pursuant to 37 CFR 1.136.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

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

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

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

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

Telephone inquiries specific to this decision should be directed to Karen Creasy at (571) 272-3208.

Anthony Knight
Director
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
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MOSAID TECHNOLOGIES INCORPORATED
11 HINES ROAD
SUITE 203
OTTAWA ON K2K - 2X1 CA CANADA

MAILED
DEC 20 2011
OFFICE OF PETITIONS

In re Application of	:	
Jin-Ki Kim et al	:	DECISION ON PETITION
Application No. 13/085,863	:	
Deposited: April 13, 2011	:	
Atty. Docket No. 1338-02US-000-00	:	

This is a decision on the renewed petition under 37 CFR 1.57(a), filed November 25, 2011, requesting that the above-identified application be accorded a filing date of April 13, 2011.

The petition is **GRANTED**.

The application was deposited on April 13, 2011. On April 25, 2011, the Office of Patent Application Processing (OPAP) mailed a Notice of Incomplete Nonprovisional Aplication,stating the application has not been accorded a filing date because the application was deposited without the specification as required by 35 U.S.C. 112.

The instant renewed petition was filed on November 25, 2011, and is accompanied by a complete copy of the specification as filed for Provisional Application No. 61/323,401 on April 13, 2010, to which the instant application claims priority, and, an amendment requesting entry of the omitted specification, claims, abstract and drawings.

Effective September 21, 2004, 37 CFR 1.57 allows a priority claim to a prior-filed application to be considered an incorporated by reference statement allowing for the incorporation of the prior filed application as to inadvertently omitted portion of the specification or drawings. When using 37 CFR 1.57 , applicant's are required to amend the application to include the inadvertently omitted material, and supply a copy of the prior-filed application and identify where the inadvertently omitted portion of the specification can be found in the prior-filed application.

It is noted that 37 CFR 1.57(a) indicates that if the application is not otherwise entitled to a filing date under 37 CFR 1.53(b),

the amendment must be by way of the petition. This application was determined not to be entitled to a filing date. Accordingly, a petition is required to amend the application pursuant to 37 CFR 1.57.

In view thereof, the petition under § 1.57(a) is **GRANTED**. The amendment will be entered in due course.

This application is being forwarded to the Office of Patent Application Processing (OPAP) for according of a filing date of **April 13, 2011**, using the application papers received in the Office on that date and the specification, including claims, abstract and drawings submitted with the present petition.

The application is referred to the Office of Patent Application Processing for further processing and the issuance of a corrected filing receipt.

Telephone inquiries specific to this decision should be directed to Karen Creasy at (571)272-3208.

Anthony Knight
Director
Office of Petitions

PTO/SB/20PCT-JP (05-10)
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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 PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/085,954	Filing date:	April 13, 2011
First Named Inventor:	Masayuki ENDOU		
Title of the Invention:			

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/JP2009/004217

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.

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.:	13/085,954
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 13, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 13, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	5	same
2	6	same
3	-	depends from claim 1
4	-	depends from claim 3
5	-	depends from claim 3
6	3	same
7	-	depends from 6
8	-	depends from 7
9	-	depends on 7
10	-	depends from 9
11	-	depends from 9
12	1 and 2	same
13	-	depends from 12
14	-	depends from 13
15	-	depends from 14
16	-	depends from 14
17	14	same
18	15	same
19-27 see continuation sheet		

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

Signature		Date	5/24/11
Name (Print/Typed)	MICHAEL FOLKARTI	Registration Number	36,139

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 JPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	

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

☐ Is attached

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

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

☐ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
19	-	depends from 17
20	-	depends from 19
21	12, 16 and 19	same
22	-	depends from 21
23	-	depends from 21
24	10, 11	same
25	-	depends from 24
26	-	depends from 25
27	-	depends from 26

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

Signature	Date May 24, 2011
Name (Print/Typed) Michael E. Fogarty	Registration Number 36,139

CERTIFICATE OF TRANSLATION

I, the undersigned, hereby certify

that I am well acquainted with the English and Japanese languages,

that I prepared the attached document, and

that, to the best of my knowledge and belief, the attached document is an accurate translation of the International Patent Application No. PCT/JP2009/004217.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Konishi

Tomoko Konishi

March 29, 2011

Date

(Translation)
WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2009/004217

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

1. Statement

Novelty (N)	Claims 2-6, 11-15	YES
	Claims 1, 7-10, 16-19	NO
Inventive step (IS)	Claims 2-6, 11-15	YES
	Claims 1, 7-10, 16-19	NO
Industrial applicability (IA)	Claims 1-19	YES
		NO

2. Citations and explanations:

Document 1: JP 2008-085372A (Toshiba Corp.), 2008.04.10
[0051], [0052], [0066]-[0068], FIG. 2, FIG. 3

Claims 1, 7-10, and 16-19 lack novelty and an inventive step in light of Document 1 cited in the International Search Report.

Document 1 describes that a block copolymer composed of polystyrene and polymethylmethacrylate is applied to a semiconductor light-emitting element substrate comprising an electrode and a wiring electrode pattern (corresponding to a "guide pattern") on a current diffusion layer and annealed in a nitrogen atmosphere to cause phase separation of the polystyrene and the polymethylmethacrylate of the block copolymer, and the polymethylmethacrylate is selectively etched to leave the pattern of polystyrene behind.

None of the documents cited in the International Search Report shows the features recited in

claims 2-6 and 11-15, and thus these claims have novelty and an inventive step. None of them teaches that the inert gas is helium, neon, argon, krypton, or xenon, that the first film is annealed under humidified conditions, and that a second film made of a water-soluble polymer is formed on the first film and the first film and the second film are annealed. Furthermore, these features are unobvious to those skilled in the art.

Continuation of IV-3

The invention in claims 1, 2, 7-11, and 16-19, the invention in claims 3, 4, 12, and 13, and the invention in claims 5, 6, 14, and 15 recite as a common matter, forming a first film made of a block copolymer on a substrate, and annealing the first film.

As a result of the search, however, it was found that claims 1, 7-10, and 16-19 is not novel in light of the following Document 1.

Document 1 describes that a block copolymer composed of polystyrene and polymethylmethacrylate is applied to a semiconductor light-emitting element substrate comprising an electrode and a wiring electrode pattern (corresponding to a "guide pattern") on a current diffusion layer and annealed in a nitrogen atmosphere to cause phase separation of the polystyrene and the polymethylmethacrylate of the block copolymer, and the polymethylmethacrylate is selectively etched to leave the pattern of polystyrene behind.

Therefore, since the inventions in claims 1, 7-10, and 16-19 is not novel in light of Document 1 and makes no contribution over the prior art, the common matter is not a special technical feature within the meaning of PCT Rule 13.2, the second sentence.

Claims 2, 3, and 5 will be examined as below.

The special technical feature of the invention in claim 2 is that the inert gas is helium, neon, argon, krypton, or xenon.

The special technical feature of the invention in claim 3 is that the first film is annealed under humidified conditions.

The special technical feature of the invention in claim 5 is that a second film made of a water-soluble polymer is formed on the first film, and the first film and the second film are annealed.

As such, no special technical feature is common to all the inventions in claims 2, 3, and 5. Therefore, this international application lacks unity of invention.

Document 1: JP 2008-085372A (Toshiba Corp.), 2008.04.10
[0051], [0052], [0066]-[0068], FIG. 2, FIG. 3

特許協力条約

前田
09.11.04
特許

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ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

発送日 （日.月.年）	０２．１１．２００９
出願人又は代理人の書類記号　P054216P0	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２００９／００４２１７	（日.月.年）　２８．０８．２００９	（日.月.年）　１２．１１．２００８

国際特許分類（ＩＰＣ）Int.Cl. B29C71/02(2006.01)i, B82B3/00(2006.01)i, C08J7/00(2006.01)i, H01L21/027(2006.01)i

出願人（氏名又は名称）
パナソニック株式会社

１．この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
２３．１０．２００９

名称及びあて先	特許庁審査官（権限のある職員）		
日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関二丁目４番３号	岩本　昌大	４Ｆ	３６３６
	電話番号　０３－３５８１－１１０１　内線　３４３０		

国際調査機関の見解書

国際出願番号 PCT／JP2009／004217

第Ⅰ欄 見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である ＿＿＿＿＿＿ 語に翻訳された、この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

2．☐ この見解書は、ＰＣＴ規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 43 の 2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、以下に基づき見解書を作成した。

a．タイプ ☐ 配列表

☐ 配列表に関連するテーブル

b．フォーマット ☐ 紙形式

☐ 電子形式

c．提出時期 ☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列が出願時に提出した配列と同一である旨、又は、出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／００４２１７

第Ⅳ欄　発明の単一性の欠如

1．☐ 追加手数料の納付命令書（様式ＰＣＴ／ＩＳＡ／２０６）に対して、出願人は、規定期間内に、

☐ 追加手数料を納付した。

☐ 追加手数料及び、該当する場合には、異議申立手数料の納付と共に、異議を申し立てた。

☐ 追加手数料の納付と共に異議を申し立てたが、規定の異議申立手数料を支払わなかった。

☐ 追加手数料を納付しなかった。

2．☑ 国際調査機関は、発明の単一性の要件を満たしていないと判断したが、追加手数料の納付を出願人に求めないこととした。

3．国際調査機関は、ＰＣＴ規則 13.1、13.2 及び 13.3 に規定する発明の単一性を次のように判断する。

☐ 満足する。

☑ 以下の理由により満足しない。

別紙参照

4．　したがって、国際出願の次の部分について、この見解書を作成した。

☑ すべての部分

☐ 請求項 ＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿ に関する部分

国際調査機関の見解書

国際出願番号 PCT／JP2009／004217

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	2-6, 11-15	有
	請求項	1, 7-10, 16-19	無
進歩性（IS）	請求項	2-6, 11-15	有
	請求項	1, 7-10, 16-19	無
産業上の利用可能性（IA）	請求項	1-19	有
	請求項		無

2. 文献及び説明

文献１：JP 2008-085372 A（株式会社東芝）2008.04.10,
【００５１】、【００５２】、【００６６】～【００６８】、図２、図３

請求項１、７－１０、１６－１９に係る発明は、国際調査報告で引用された文献１により、新規性、進歩性を有しない。

文献１には、電流拡散層上に電極と配線電極パターン（「ガイドパターン」に相当）を有する半導体発光素子基板に、ポリスチレンとポリメタクリル酸メチルで構成されたブロックコポリマーを塗布し、窒素雰囲気中でアニールを行い、ブロックコポリマーのポリスチレンとポリメタクリル酸メチルの相分離を行った後、ポリメタクリル酸メチルが選択的にエッチングすると、ポリスチレンのパターンが残る旨記載されている。

請求項２－６、１１－１５に係る発明は、国際調査報告で引用されたいずれの文献にも記載されておらず、新規性、進歩性を有する。

不活性ガスは、ヘリウム、ネオン、アルゴン、クリプトン又はキセノンである点、第１の膜を加湿下でアニーリングする点、第１の膜の上に、水溶性ポリマーからなる第２の膜を形成し、第１の膜と第２の膜とをアニーリングする点は、いずれの文献にも記載されておらず、また、その点は当業者にとって自明なものでもない。

補充欄

いずれかの欄の大きさが足りない場合

第 Ⅳ－3 欄の続き

請求項１、２、７－１１、１６－１９に係る発明、請求項３、４、１２、１３に係る発明、請求項５、６、１４、１５に係る発明は、基板の上にブロックコポリマーからなる第１の膜を形成し、当該第１の膜をアニーリングさせることを共通の事項としたものである。

しかしながら、調査の結果、請求項１、７－１０、１６－１９に係る発明は、下記文献１により、新規でないことが明らかとなった。

文献１には、電流拡散層上に電極と配線電極パターン（「ガイドパターン」に相当）を有する半導体発光素子基板に、ポリスチレンとポリメタクリル酸メチルで構成されたブロックコポリマーを塗布し、窒素雰囲気中でアニールを行い、ブロックコポリマーのポリスチレンとポリメタクリル酸メチルの相分離を行った後、ポリメタクリル酸メチルが選択的にエッチングすると、ポリスチレンのパターンが残る旨記載されている。

よって、請求項１、７－１０、１６－１９に係る発明は、文献１により新規性を有しておらず、先行技術の域を出ないからＰＣＴ規則１３．２の第２文の意味において、上記共通の事項は、特別な技術的特徴でない。

そして、請求項２、３、５について検討する。

請求項２に係る発明は、不活性ガスは、ヘリウム、ネオン、アルゴン、クリプトン又はキセノンであることを特別な技術的特徴としている。

請求項３に係る発明は、第１の膜を加湿下でアニーリングすることを特別な技術的特徴としている。

請求項５に係る発明は、第１の膜の上に、水溶性ポリマーからなる第２の膜を形成し、前記第１の膜と前記第２の膜とをアニーリングすることを特別な技術的特徴としている。

よって、請求項２、３、５に係る発明全てに共通の特別な技術的特徴は存在しないので、この国際出願は発明の単一性の要件を満たしていない。

文献１：JP 2008-085372 A（株式会社東芝）2008.04.10,
【００５１】、【００５２】、【００６６】～【００６８】、図２、図３

CERTIFICATE OF TRANSLATION

I, the undersigned, hereby certify

that I am well acquainted with the English and Japanese languages,

that I prepared the attached document, and

that, to the best of my knowledge and belief, the attached document is an accurate translation of the International Patent Application No. PCT/JP2009/004217.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Konishi

Tomoko Konishi

May 18, 2011

Date

PCT ORIGINAL CLAIMS

2. The method of claim 1, wherein

the inert gas is helium, neon, argon, krypton, or xenon.

3. A method of accelerating self-assembly of a block copolymer comprising:

forming a first film made of a block copolymer on a substrate; and

annealing the first film under humidified conditions.

4. The method of claim 3, wherein

the annealing under the humidified conditions is performed in a humidified atmosphere with humidity of 30% or more.

5. A method of accelerating self-assembly of a block copolymer comprising:

forming a first film made of a block copolymer on a substrate;

forming a second film made of a water-soluble polymer on the first film; and

annealing the first film and the second film.

6. The method of claim 5, wherein

the water-soluble polymer is polyvinyl alcohol, polyvinylpyrrolidone, polyacrylic acid, or polystyrene sulfonate.

11. The method of claim 10, wherein

the inert gas is helium, neon, argon, krypton, or xenon.

12. A method of forming a self-assembled pattern of a block copolymer comprising:

forming on a substrate, a guide pattern having hydrophilic or hydrophobic characteristics and an opening;

forming a first film made of a block copolymer in the opening of the guide pattern on the substrate;

self-assembling the first film by annealing the first film under humidified conditions; and

forming a self-assembled pattern from the self-assembled first film.

13. The method of claim 12, wherein

the annealing under the humidified conditions is performed in a humidified atmosphere with humidity of 30% or more.

14. A method of forming a self-assembled pattern of a block copolymer comprising:

forming on a substrate, a guide pattern having hydrophilic or hydrophobic characteristics and an opening;

forming a first film made of a block copolymer in the opening of the guide pattern on the substrate;

forming a second film made of a water-soluble polymer on the first film;

self-assembling the first film by annealing the first film and the second film; and

forming a self-assembled pattern from the self-assembled first film after removing the second film.

15. The method of claim 14, wherein

the water-soluble polymer is polyvinyl alcohol, polyvinylpyrrolidone, polyacrylic acid, or polystyrene sulfonate.

請求の範囲

[請求項1] 基板の上に、ブロックコポリマーからなる第１の膜を形成する工程と、

前記第１の膜を不活性ガス雰囲気でアニーリングする工程とを備えているブロックコポリマーの自己組織化促進方法。

[請求項2] 請求項１において、

前記不活性ガスは、ヘリウム、ネオン、アルゴン、クリプトン又はキセノンであるブロックコポリマーの自己組織化促進方法。

[請求項3] 基板の上に、ブロックコポリマーからなる第１の膜を形成する工程と、

前記第１の膜を加湿下でアニーリングする工程とを備えているブロックコポリマーの自己組織化促進方法。

[請求項4] 請求項３において、

前記加湿下のアニーリングは、湿度が３０％以上の加湿雰囲気で行うブロックコポリマーの自己組織化促進方法。

[請求項5] 基板の上に、ブロックコポリマーからなる第１の膜を形成する工程と、

前記第１の膜の上に、水溶性ポリマーからなる第２の膜を形成する工程と、

前記第１の膜と前記第２の膜とをアニーリングする工程とを備えているブロックコポリマーの自己組織化促進方法。

[請求項6] 請求項５において、

前記水溶性ポリマーは、ポリビニールアルコール、ポリビニールピロリドン、ポリアクリル酸又はポリスチレンスルフォン酸であるブロックコポリマーの自己組織化促進方法。

[請求項7] 請求項１～６のいずれか１項において、

前記ブロックコポリマーは、親水性ユニットと疎水性ユニットから構成されているブロックコポリマーの自己組織化促進方法。

[請求項8] 請求項７において、

前記親水性ユニットは、メタクリレート、ブタジエン、ビニールアセテート、アクリレート、アクリルアミド、アクリロニトリル、アクリル酸、ビニールアルコール、エチレングリコール又はプロピレングリコールであるブロックコポリマーの自己組織化促進方法。

[請求項9] 請求項７又は８において、

前記疎水性ユニットは、スチレン、キシリエン又はエチレンであるブロックコポリマーの自己組織化促進方法。

[請求項10] 基板の上に、親水性又は疎水性を有し且つ開口部を有するガイドパターンを形成する工程と、

前記基板の上における前記ガイドパターンの前記開口部に、ブロックコポリマーからなる第１の膜を形成する工程と、

前記第１の膜を不活性ガス雰囲気でアニーリングすることにより、前記第１の膜を自己組織化する工程と、

自己組織化された前記第１の膜から自己組織化パターンを形成する工程とを備えているブロックコポリマーの自己組織化パターン形成方法。

[請求項11] 請求項１０において、

前記不活性ガスは、ヘリウム、ネオン、アルゴン、クリプトン又はキセノンであるブロックコポリマーの自己組織化パターン形成方法。

[請求項12] 基板の上に、親水性又は疎水性を有し且つ開口部を有するガイドパターンを形成する工程と、

前記基板の上における前記ガイドパターンの前記開口部に、ブロックコポリマーからなる第１の膜を形成する工程と、

前記第１の膜を加湿下でアニーリングすることにより、前記第１の膜を自己組織化する工程と、

自己組織化された前記第１の膜から自己組織化パターンを形成する工程とを備えているブロックコポリマーの自己組織化パターン形成方

法。

[請求項13] 請求項１２において、

前記加湿下のアニーリングは、湿度が３０％以上の加湿雰囲気で行うブロックコポリマーの自己組織化パターン形成方法。

[請求項14] 基板の上に、親水性又は疎水性を有し且つ開口部を有するガイドパターンを形成する工程と、

前記基板の上における前記ガイドパターンの前記開口部に、ブロックコポリマーからなる第１の膜を形成する工程と、

前記第１の膜の上に、水溶性ポリマーからなる第２の膜を形成する工程と、

前記第１の膜と前記第２の膜とをアニーリングすることにより、前記第１の膜を自己組織化する工程と、

前記第２の膜を除去した後、自己組織化された前記第１の膜から自己組織化パターンを形成する工程とを備えているブロックコポリマーの自己組織化パターン形成方法。

[請求項15] 請求項１４において、

前記水溶性ポリマーは、ポリビニールアルコール、ポリビニールピロリドン、ポリアクリル酸又はポリスチレンスルフォン酸であるブロックコポリマーの自己組織化パターン形成方法。

[請求項16] 請求項１０～１５のいずれか１項において、

前記ブロックコポリマーは、親水性ユニットと疎水性ユニットから構成されているブロックコポリマーの自己組織化パターン形成方法。

[請求項17] 請求項１６において、

前記親水性ユニットは、メタクリレート、ブタジエン、ビニールアセテート、アクリレート、アクリルアミド、アクリロニトリル、アクリル酸、ビニールアルコール、エチレングリコール又はプロピレングリコールであるブロックコポリマーの自己組織化パターン形成方法。

[請求項18] 請求項１６又は１７において、

前記疎水性ユニットは、スチレン、キシリエン又はエチレンであるブロックコポリマーの自己組織化パターン形成方法。

[請求項19] 請求項１６～１８のいずれか１項において、

前記自己組織化パターンを形成する工程において、前記自己組織化パターンは、前記親水性ユニットを含む第１のパターン又は前記疎水性ユニットを含む第２のパターンをエッチングすることにより形成するブロックコポリマーの自己組織化パターン形成方法。

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/085,954	04/13/2011	Masayuki ENDOU	085393-0547	3137

7590 08/09/2011
McDERMOTT WILL & EMERY LLP
600 13th Street, N. W.
Washington, DC 20005-3096

EXAMINER

ART UNIT	PAPER NUMBER
1713	

MAIL DATE	DELIVERY MODE
08/09/2011	PAPER

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

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

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EL

August 9, 2011

In re application of	:	DECISION ON REQUEST TO
Endou et al.	:	PARTICIPATE IN PATENT
Serial No. 13/085954	:	PROSECUTION HIGHWAY
Filed: April 13, 2011	:	PROGRAM AND
For: **METHOD OF ACCELERATING**	:	PETITION TO MAKE SPECIAL
SELF-ASSEMBLY OF BLOCK	:	UNDER 37 CFR 1.102(a)

COPOLYMER AND METHOD OF FORMING SELF-ASSEMBLED PATTERN OF BLOCK COPOLYMER USING THE ACCELERATING METHOD

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 May 24, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH 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, 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 Emily M. Le, Supervisory Patent Examiner at (571) 272-0903.

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

/Emily M. Le/

Emily M. Le
Supervisory Patent Examiner
Technology Center 1700

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: 356935.00016	Application Number (if known): 13085963	Filing date: 04/13/2011

First Named Inventor: Richard Lindner

Title: Method and Apparatus for Determining Proper Curing of Pipe Liners Using Distributed Temperature Sensing

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 Materiality

Signature /Theodore Naccarella/	Date 04/15/2011
Name (Print/Typed) Theodore Naccarella	Registration Number 33023

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 & TRADEMARK OFFICE

In re Application of Lindner et al. Application No.: 13/085,963 Confirmation No.: 3154 Attorney Docket No.: 356935.00016 Filed: April 13, 2011 Title: Method and Apparatus for Determining Proper Curing of Pipe Liners Using Distributed Temperature Sensing	Examiner: (Unknown) Art Unit: (not yet available)

Commissioner for Patents
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Statement of Materiality of Claimed Invention to More Efficient Utilization and Conservation of Energy Resources, and Enhancement in Quality of Environment

The claimed invention is related directly to conserving energy resources, prevention of accidental pollution and environmental contamination, and enhancing the quality of the environment. Specifically, the claims of the present are directed to an apparatus and method for determining whether a cured-in-place pipe liner has been properly cured, which will reduce the energy needed to install such liners as well as reduce instances of structural failure of such liners, which will reduce environmental contamination from leaking gas and sewer pipes.

As pipes age, they begin to leak or fail structurally and require replacement or repair. Replacing pipes, especially underground, can be extremely difficult and expensive. Accordingly, cured-in-place pipe liner technology has been developed to repair pipes in place, rather than replace them. Cured-in-place pipe liners are inserted within old pipes to essentially replace the old pipes. Specifically, a flexible tube comprising a curable resin disposed on a backing sheet is used to line the inner diameter of an old pipe with what will essentially be a new pipe. Typically, a cured-in-place liner is delivered to the site as a hollow tube with the curable resin on the inside of the tube and the polymer backing on the outside. The liner is then

simultaneously placed in the pipe to be repaired while simultaneously being everted (so that the resin ends up on the outside and the backing on the inside of the liner). Then, the liner is pressurized to cause it to expand to conform to the inner wall of the original, old pipe as well as heated to cause an exothermic reaction to cure the liner, thereby forming a new pipe within the old pipe having almost as large a cross-section as the original pipe.

The resin must be maintained at a certain minimum temperature and pressure for a certain minimum period of time in order to properly cure the resin. The temperature in the pipe usually is monitored by a temperature gauge to assure that it remains above the prescribed minimum temperature for a sufficient duration to assure that the exothermic reaction occurs fully to properly cure the resin. However, there can be significant temperature variations over the length of a liner (e,g., due to the pipe running though a plurality of different environments, such as underground, across a river, above ground, etc.) so that a single temperature gauge does not provide sufficient information to assure that the temperature is proper everywhere within the pipe to assure curing over the entire length of the lining. If the liner is not properly cured over its full length, the entire lining operation may have been for naught and the pipe may fail structurally. Accordingly, it is typical to cure for longer times and at higher temperatures than one might select if one had more detailed information about the temperature of the liner over its entire length in order to better assure that the entire liner has been properly cured.

The present invention utilizes distributed temperature sensing (DTS) to continuously (temporally) monitor the temperature continuously along the length of a cured-in-place pipe liner to determine if proper curing temperature and time are achieved. The DTS technique of the present invention involves placing an optical fiber in the pipe between the original pipe and the liner running the entire length of the liner, sending optical signals along the optical fiber during liner curing, and detecting the backscattered light from the fiber and determining the temperature of the liner continuously over its length from the backscattered light. More specifically, in DTS, the characteristics of the backscattered light is indicative of the temperature of the fiber at the location from which the light is backscattered and the time delay between the sending of the light pulse and the detection of any portion of the backscatter signal is indicative of the distance along the fiber from the DTS unit from which that particular backscatter signal portion originated. Hence, the DTS data provides the temperature in the liner continuously over the entire length of the optical fiber.

The invention will lead to curing for shorter times and at lower temperatures since the invention provides actual temperature data over the entire length of the pipe, thereby eliminating the need to guess if proper curing has been achieved and/or the need to cure for longer times and at higher temperatures to assure proper curing in the absence of reliable temperature information of the prior art techniques. Thus, the invention will considerably reduce fuel consumption and air pollution from fuel consumption.

Furthermore, the invention will result in fewer failed installations, wherein a failed installation usually means one form or another of environmental contamination or pollution insofar as cured-in-place liners are commonly used to repair/replace gas pipes and sewer pipes.

Respectfully submitted,

Date: April 15, 2011

/Theodore Naccarella/
Theodore Naccarella
Registration No. 33,023

SAUL EWING LLP
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/085,963	04/13/2011	Richard Lindner	356935.00016	3154

78905 7590 05/06/2011
Saul Ewing LLP (Philadelphia)
Attn: Patent Docket Clerk
Penn National Insurance Plaza
2 North Second Street, 7th Floor
Harrisburg, PA 17101

EXAMINER

ART UNIT	PAPER NUMBER
3679	

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):

patents@saul.com

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MAY - 5 2011

Saul Ewing LLP (Philadelphia)
Attn: Patent Docket Clerk
Penn National Insurance Plaza
2 North Second Street, 7th Floor
Harrisburg PA 17101

In re Application of	:	
RICHARD LINDNER et al.	:	DECISION ON PETITION
Application No. 13/085,963	:	TO MAKE SPECIAL UNDER
Filed: April 13, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 356935.00016	:	PILOT PROGRAM

This is a decision on the petitions under 37 CFR 1.102, filed April 15, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

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

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

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

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

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

The petition lacks item 4.

In regard to item 4, as energy is needed to heat water or to form steam to cure the liner, to maintain the temperature of the water/steam in the pipe and to heat up the old and new pipes for a period of time and to operate the DTS system, it is unclear how the claimed method of curing a cured-in-place liner within a tube segment would reduce energy consumption. Furthermore, energy is not efficiently utilized in this invention because there is substantial heat loss as the water/steam travels some distance into the pipe. When energy is consumed, it produces greenhouse gases so it is unclear how this invention would reduce greenhouse gas emissions or air pollution. The disclosure does not explain how the claimed method of curing a cured-in-place liner within a tube segment would reduce energy consumption or air pollution. Therefore, petitioner's statement of the claimed invention's energy conservation and reduction of air pollution 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 3679 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 Lindner et al. Application No.: 13/085,963 Confirmation No.: 3154 Attorney Docket No.: 356935.00016 Filed: April 13, 2011 Title: Method and Apparatus for Determining Proper Curing of Pipe Liners Using Distributed Temperature Sensing	Examiner: (Unknown) Art Unit: (not yet available)

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

REQUEST FOR RECONSIDERATION OF DISMISSAL OF PETITION UNDER 37 C.F.R. 1.102 TO MAKE APPLICATION SPECIAL UNDER PILOT PROGRAM FOR APPLICATION PERTAINING TO GREEN TECHNOLOGIES (74 FEDERAL REGISTER NOTICE 64666)

Applicant's petition to make special under the Green Technologies initiative was denied on May 5, 2011 based on an alleged failure to meet the fourth requirement of a grantable petition, namely, to explain how the invention materially (i) contributes to the discovery or development of renewable energy resources or (ii) the more efficient utilization and conservation of energy resources. Specifically, the ruling states:

> In regard to item 4, as energy is needed to heat water or to form steam to cure the liner, to maintain the temperature of the water/steam in the pipe and to heat up the old and new pipes for a period of time to operate the DTS system, it is unclear how the claimed method of curing a cured-in-place liner within a tube segment would reduce energy consumption. Furthermore, energy is not efficiently utilized in this invention because there is substantial heat loss as the water/steam travels some distance in the pipe. When energy is consumed, it produces greenhouse gasses so it is unclear how this invention would reduce greenhouse gas emissions or air pollution. The disclosure does not explain how the claimed method of curing a cured-in-place liner within a tube segment would reduce energy consumption of air pollution. Therefore, petitioner's statement of the claimed invention's energy conservation and reduction of air pollution is speculative at best.

Petitioner respectfully submits that the Office has misunderstood the subject matter of the present invention, which has lead to a dismissal of applicant's petition based on reasoning that is inapposite to the invention. Particularly, the petition was denied, according to the Office, because it was not seen how cured-in-place pipe liners conserve energy insofar as the process of installing cured-in-place pipe liners seemed extremely energy intensive.

The Office has misunderstood the nature of the invention, which does not pertain to the actual process of installing cured-in-place pipe liners per se, but rather pertains to a technique and apparatus for reducing the energy consumed in the process of installing cured-in-place pipe liners.

The Office is correct that the process of installing cured-in-place pipe liners (hereinafter "CIPP") is energy intensive. For instance, as set forth in the attached declaration of co-inventor Steven V. Gearhart, a typical replacement of a 360-400 foot pipe segment (the typical manhole-to-manhole distance range in the United States) might require the running of a 200 horsepower boiler (burning roughly 60 gallons of diesel fuel per hour) for several hours. Nevertheless, the use of cured-in-place pipe liners to reconstruct underground pipes in order to circumvent the need to completely dig up, remove, and replace underground pipes is well established because it saves countless millions of dollars every year in the maintenance/replacement of municipal and other pipes, such as sewer pipes. It is an approximately one billion dollar per year business in the United States alone.

As noted in the present application and in the present petition, during curing, the temperature in the pipe usually is monitored by a temperature gauge to assure that it remains above the prescribed minimum temperature for the prescribed minimum duration to assure that the exothermic reaction necessary to cure the pipe occurs. However, there can be significant temperature variations over the length of a liner (e.g., due to the pipe running though a plurality of different environments, such as underground, across a river, above ground, etc.). Thus, the conventional use of one or a few temperature gauges to monitor the temperature at discrete location within the liner is less than ideal because it provides temperature information at only one or a few discrete locations within the liner, whereas it is quite possible that there are significant temperature variations along the entire length of the liner.

If the liner is not properly cured over its entire length, the pipe may fail structurally. Accordingly, in order to assure that the liner is cured over its full length, it is typical to cure for

longer times than one might otherwise select if one could be more certain about the temperature of the liner over its entire length.

The present invention uses DTS temperature sensing technology to provide superior monitoring of the temperature of the liner continuously over the entire length of a cured-in-place pipe liner so as to eliminate or substantially reduce cure times to only that which is actually necessary to cure the liner. For instance, it is not uncommon in the prior art to run a boiler, when curing a 360-400 foot long cured-in-place pipe liner, for four hours longer than necessary in order at approximately 60 gallons of diesel fuel per hour to assure that the liner is fully cured over its entire length.

Hence, the primary environmental benefit of the present invention is that it substantially reduces the duration of cured-in-place pipe liner curing processes, which, in turn, substantially reduces the amount of fuel consumed to cure each cured-in-place pipe liner. Another significant environmental benefit of the present invention is that, by better assuring that the entire length of a cured-in-place pipe liner is properly cured, it materially enhances the environment by reducing the instances of failure of underground and other pipes due to incomplete curing of cured-in-place pipe liners. Cured-in-place pipe liners are very commonly used to repair/replace underground waste pipes, such as household and industrial sewage pipes. Obviously, any failure of a sewage pipe results directly in underground pollution, which could be quite serious depending on what is being transported in the pipe.

The cured-in-place pipe lining (hereinafter "CIPP") business is an approximately one billion dollar a year business in the United States alone. There are approximately 200 CIPP crews operating in the United States performing approximately 2-3 installations per day approximately five days per week. It is conservatively estimated that the enhanced temperature sensing of the present invention would reduce cure times by at least one hour per cure on average. Thus, very conservatively, with 200 crews performing 2-3 CIPP installs per day, five days a week, the present invention could conserve (200 crews x 2 or 3 installs/day x 1 hour/install x 60 gallons of diesel fuel/hour x 5 days/week = 120,000 – 180,000 gallons of diesel fuel per week just on the fuel saving from having to over-cure the CIPP liners due to the lack of temperature knowledge.

These figures do not even include the fuel savings associated with repairs having to be made due to the occurrence of inadequately cured liners that must be excavated and repaired and then patched with asphalt, which is difficult estimate of fuel/oil savings.

Hence, the present invention would reduce a significant carbon footprint from the CIPP industry.

Hence, the present invention materially enhances the quality of the environment by minimizing waste pipe failures and also leads to conservation of energy resources due to the elimination of the need to continue energy-intensive pipe liner curing operations for excessive periods of time in order to assure that the entire liner has been properly cured.

As can be seen from the above quoted reasons for dismissal of the petition, the Office based its denial of the present petition on the grounds that cured-in-place lining is not environmentally beneficial. However, the present invention is not cured-in-place lining per se, but rather is a method for reducing the energy consumed in cured-in-place lining operations. Cured-in-place pipe linings are a fact of life. The cost savings as compared to conventional pipe replacement are too significant to ignore. The present invention, however, substantially reduces the energy consumption of cured-in-place pipe lining operations and reduces the chances of underground pollution from improperly cured liners.

Respectfully submitted,

Date: May 24, 2011

/Theodore Naccarella/
Theodore Naccarella
Registration No. 33,023

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of Lindner et al. Application No.: 13/085,963 Confirmation No.: 3154 Attorney Docket No.: 356935.00016 Filed: April 13, 2011 Title: Method and Apparatus for Determining Proper Curing of Pipe Liners Using Distributed Temperature Sensing	Examiner: (Unknown) Art Unit: (not yet available)

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

DECLARATION IN SUPPORT OF REQUEST FOR RECONSIDERATION OF DISMISSAL OF PETITION TO MAKE APPLICATION SPECIAL UNDER PILOT PROGRAM FOR APPLICATION PERTAINING TO GREEN TECHNOLOGIES

Sir:

I, Stephen Gearhart, hereby declare as follows:

1. I am one of the named inventors in the above-identified patent application.

2. I have worked in the field of cured-in-place pipe liners (hereinafter "CIPP") since the mid 1970s and am very familiar with the process and costs of cured-in-place pipe lining processes as well as the size of the market for CIPP.

3. A copy of my curriculum vitae establishing my experience and expertise in this field is attached hereto as Exhibit A.

4. The use of cured-in-place pipe liners to reconstruct underground pipes in order to circumvent the need to completely dig up, remove, and replace underground pipes is well established and saves countless millions of dollars every year in the maintenance/replacement of municipal and other pipes, such as sewer pipes.

5. The annual market for cured-in-place lining in the United States alone is about

one billion dollars. About half of that market is held by Insituform Technologies, Inc., a publicly held company, which has revenues of approximately $700 million per year of which $500 million is CIPP specifically for sewers.

6. The remaining half of the market for CIPP is serviced by C.I.P.P. Corp (my company), Reynolds Inliner LLC, National Liner LLC, Premier Pipe USA, and a multitude of smaller companies, both in the US and in Europe. India accounts for another approximately $100 million per year in CIPP. The market is just being established in South America, but is likely to be quite large.

5. In my experience, a very large percentage, probably at least half of CIPP installations are performed in connection with sewer pipes and typically involve the installation of liners of between 360-400 feet in length, which is the range of typical distances between manholes in the United States.

6. The process of installing cured-in-place pipe liners is extremely energy intensive. For instance, a typical replacement of a 360-400 foot pipe segment might require the running of a 200 horsepower boiler (burning roughly 60 gallons of diesel fuel per hour) for several hours.

7. Prior to the invention disclosed in this patent application, during curing, the temperature in the pipe usually was monitored by one or a few temperature gauges located at discrete positions within the pipe to assure that it remained above a prescribed minimum temperature for a prescribed minimum duration to assure that the exothermic reaction necessary to cure the pipe occurred. However, there can be significant temperature variations over the length of a liner during such curing (e,g., due to the pipe running though different environments, such as underground, across a river, above ground, etc.). Thus, one or a few temperature gauges does not provide sufficient information to assure that the temperature is proper everywhere within the pipe so as to assure proper curing over the entire length of the lining.

8. If the liner is not properly cured over its entire length, the pipe may fail structurally. Accordingly, it is typical to cure for longer times than one might otherwise select if one had more information about the temperature of the liner over its entire length in order to

better assure that the entire liner has been properly cured.

9. The present invention provides superior monitoring of the temperature of the liner continuously over its entire length using DTS technology so as to eliminate or substantially reduce the cure times for cured-in-place pipe liners. For instance, it is not uncommon in the prior art to run a boiler for curing a 360-400 foot long cured-in-place pipe liner for four hours longer than necessary in order to assure that the liner is fully cured over its entire length.

10. Hence, the primary environmental benefit of the present invention is that it substantially reduces the amount of fuel consumed to cure cured-in-place pipe liners. Another very significant environmental benefit is that it materially enhances the environment by reducing the instances of failure of underground and other pipes due to improper curing of cured-in-place pipe liners. Cured-in-place pipe liners are very commonly used to repair/replace underground waste pipes, such as household and industrial sewage pipes. Obviously, any failure of a sewage pipe results directly in underground pollution, which could be quite serious depending on what is being transported in the pipe.

11. Hence, the present invention materially enhances the quality of the environment by minimizing waste pipe failures and also leads to conservation of energy resources due to the elimination of the need to continue energy-intensive pipe liner curing operations for excessive periods of time in order to assure that the entire liner has been properly cured.

12. As the person signing below, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements 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 statements may jeopardize the validity of the application or any patent issued thereon.

5-23-2011
Dated

Stephen Gearhart

Exhibit A

STEPHEN V. GEARHART

515 5th Street – PO Box 398 – Hudson, IA 50643
Phone: 319-988-4205 Fax: 319-988-3506
Cell 319-239-9910

WORK HISTORY

1967 – Present **Municipal Pipe Tool Co., Inc.** Co-founder / President / Past President

Municipal Pipe Tool Co., Inc. is a company specializing in sewer maintenance, rehabilitation, and sewer maintenance equipment sales. It was started by Steve Gearhart and his father in 1967 and became incorporated December of 1978. Steve has over 35 years of experience in sewer maintenance and rehabilitation. He has assisted in performing more than 1000 sewer system evaluation surveys throughout the United States, including studies done for the Federal government such as Camp Parks at the Presidio Army base in California. Steve is considered to be one of the most knowledgeable individuals in the Midwest on infiltration/inflow studies. He has spoken at many schools and seminars on such studies. He is acknowledged by the State of Iowa Department of Natural Resources as being one of the top authorities in sewer pipeline maintenance and rehabilitation. He has served as a provider of information to the EPA and the Presidents' OMB, for current up to date practices in the industry of Collection System maintenance and Rehabilitation. He has developed many new technologies and methods in identifying, investigating, and rehabilitating both private and public sector infiltration/inflow and rainfall induced infiltration in sanitary sewer systems. Steve initiated the Iowa Water Pollution Control Association's collection systems operator certification program. Currently serving as a consultant to Municipal Pipe Tool Co., LLC.

1985 – Present **Nutri-Ject Systems, Inc.** President/Founder and Originator

Nutri-Ject Systems, Inc. is a biosolids management company specializing in digester cleaning, lagoon dredging, biosolids hauling, and land application of wet and dry biosolids. Sold this company in 2003.

1996 – Present **C.I.P.P. Corporation** Chairman/Founder and Originator

C.I.P.P. Corporation is a cured in place pipelining company made up of 15 contractor firms. Offices are in Hudson, IA; Helena, MT; Cullman, AL; Dublin, OH; and Mt. Dora, FL., Norfolk, VA, Chicago, IL, Peoria, IL, Detroit, MI, Winnipeg, MB, ONT. Can., Buenos Aires, Argentina, Rogers, MN. C.I.P.P. Corporation is currently the second largest company in the cured in place pipelining industry in the United States. They are responsible for the successful rehabilitation of over 6,000,000 feet of Sanitary and Storm sewer and Force Main across the United States, Canada and South America.

AWARDS

2003 - **Awarded 5 US Patents for Equipment and Processes for the Wastewater Industry Including "System for Control of Infiltration and Inflow"**

2001 - **Top Municipal Sewer Equipment Sales United States Super Products**

2000 - **WEF - Quarter Century Award**

1999 - **Blue Chip Enterprise Award** US Chamber of Commerce
State of Iowa Small Business Enterprise First Place Award

1999 - **Golden Manhole Award** Excellence in Wastewater Collection Systems
Water Environment Federation

Arthur Sidney Bedell Award Water Environment Federation

Burke Safety Award Water Environment Federation and IWPCA

1995 - **Super Products United States Sales Equipment Leader Award**

1990 - **Super Products Midwest Sales Equipment Leader Award**

1990 - **IWPCA Select Society Award (5S's)**

1998 - **Directly responsible for EPA Biosolids award**

2002 - **Elected by NASSCO (National Association of Sewer Services) Select Society Sewer Experts**

2003 **Top Distributor for Super Products Eastern Division US Sewer Cleaning Line**

2004 **Top Distributor for Super Products Eastern Division US Sewer Cleaning Line**

2006 **Top US Distributor for Super Products Camel Line Sewer Jet/Vac units**

COMMITTEES/MEMBERSHIPS

Current - **Advisory Council for the Institute for Rehabilitation of Sewer Infrastructure (IRSI).** The IRSI is part of the Department of Civil Engineering within the College of Engineering at Southern University in Baton Rouge, LA

- **NASSCO** (National Association of Sewer Service Companies) Past President, Current Board Member
- **ASCE Committee member Asset Management** pertaining to collection systems
- **ASTM** (American Society of Testing and Materials) voting member
- **Illinois Water Environment Federation Collection Systems Committee**
- **NASTT** (North American Society of Trenchless Technology)
- **ISTT** (International Society of Trenchless Technology)
- **AGC** (Association of General Contractors)
- **American Board of Certification** for Collection System Operator Testing Recently enabled as test administrator for **ABC**
- **Federal "503" rules and regulations, Chapter 67, regarding safe application levels of biosolids**, aided in the development.

1990-Current - **IWPCA Collection Systems Committee Chairman-Started this Committee**
1995-Current - **NASSCO Board of Directors**
1989-1996 - **IWPCA Board of Directors**
1993-1994 - **President of the Iowa Water Pollution Control Association**
1990-1991 - **President of the Distributors Advisory Council** to major sewer cleaning equipment manufacturers in the United States
1972 - **United States EPA Environmental Technology program to the Clean Water Act, Public Law 92-500, 1972**, involved in the preparation
1999-2000 - **President of National Association of Sewer Service Companies NASSCO**
2001-2004 - **Board of Directors National Association of Sewer Service Companies**
2005-2007 - **Appointed committee member of the ASCE** (American Society of Consulting Engineers) Sewage Collection System Asset Management Team
2008-2009 - Co-Author of NASSCO "Styrenated Resin Use in The CIPP Industry"
2010 - Chairman of Collection Systems "Golden Manhole Award" prgram

EDUCATION

1970-1973 Rochester State Junior College; Rochester, Minnesota
1995 American Board of Certification (ABC) Grade IV Collection Systems Operator (highest grade attainable in the United States)

Thousands of Continued Education Units (CEU) earned through a variety of universities and colleges including: University of Iowa; Iowa City, Iowa; Iowa State University; Ames, Iowa; Kirkwood College; Cedar Rapids, Iowa; and Des Moines Area Community College; Ankeny, Iowa

Remains actively educated through both university and international technologies for the reduction of extraneous flows into sanitary sewer systems

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.
13/085,963	04/13/2011	Richard Lindner	356935.00016	3154

78905 7590 05/31/2011
Saul Ewing LLP (Philadelphia)
Attn: Patent Docket Clerk
Penn National Insurance Plaza
2 North Second Street, 7th Floor
Harrisburg, PA 17101

EXAMINER

ART UNIT	PAPER NUMBER
1746	

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):

patents@saul.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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Saul Ewing LLP (Philadelphia)
Attn: Patent Docket Clerk
Penn National Insurance Plaza
2 North Second Street, 7th Floor
Harrisburg PA 17101

MAY 3 1 2011

In re Application of	:	
Richard Lindner et al.	:	DECISION ON PETITION
Application No. 13/085,963	:	TO MAKE SPECIAL UNDER
Filed: April 13, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 356935.00016	:	PILOT PROGRAM

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 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

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:	13086035	Filing date:	2011-04-13
First Named Inventor:	Robert Doyle		
Title of the Invention:	Coenzyme Q10 Production Using Sporidiobolus JohnsonII		

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/US2011/032275

The international filing date of the corresponding PCT application(s) is/are: 13 April 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)**

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

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

- [x] 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.:	13086035
First Named Inventor:	Robert Doyle

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 2012-01-17

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

☐ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	claim has novelty, inventive step and industrial applicability
2	2	claim has inventive and industrial applicability
3	3	claim has novelty, inventive step and industrial applicability
4-16	4-16	claims have novelty and industrial applicability
17	17	claim has novelty, inventive step and industrial applicability
18-20	18-20	claims have novelty and industrial applicability

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

Signature /David L. Nocilly/	Date 2012-01-17
Name (Print/Typed) David L. Nocilly	Registration Number 48259

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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BOND SCHOENECK & KING, PLLC
ONE LINCOLN CENTER
SYRACUSE NY 13202

MAILED
MAR 29 2012
OFFICE OF PETITIONS

In re Application of:
Doyle et al.
Application No. 13/086,035
Filed: April 13, 2011
Attorney Docket No. 156P215A

: 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 January 17, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

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

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

(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.

Currently, requirements (1), (5), and (6) – (8) are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (2), (3) and (4).

Regarding the requirement of conditions (2)-(4), all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims(s) that have novelty, inventive step, and industrial applicability in the PCT application(s). However, claim 16 and dependent claims 18-20 are indicated as not having inventive step on the December 26, 2011 PCT Written Opinion.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Petitions Examiner Joan Olszewski at (571)-272-7751.

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

/dab/
David Bucci
Petitions Examiner
Office of Petitions

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Name: Robert Doyle

Docket No. 156P215A

Filed: April 13, 2011

Ser. No. 13/086035

For: Coenzyme Q10 Production Using Sporidiobolus JohnsonII

Confirmation No. 3305

REQUEST FOR RECONSIDERATION OF DISMISSED REQUEST TO PARTICIPATE IN PCT-PPH PROGRAM

Office of Petitions
Commissioner For Patents
PO Box 1450
Alexandria VA 22313-1450

Dear Sir:

In response to the Decision on Request to Participate in PCT-PPH Program and Petition to make Special Under 37 CFR 1.102(a), transmitted herewith for filing in the above-identified application is an appropriately labeled PCT claims list listing corresponding US Claims which have novelty, inventive step, and industrial applicability. Applicant has thus complied with all requirements and respectfully requests that the Petition to Participate in PCT-PPH Program and Petition to make Special Under 37 CFR 1.102(a) be granted.

Respectfully submitted,

Date: April 18, 2012

David L. Nocilly
Reg. No. 48,259
Attorneys for Applicant
BOND, SCHOENECK & KING, PLLC
One Lincoln Center
Syracuse, NY 13202
Telephone: 315.218.8530
Telefax: 315.218.8100

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WINSTON & STRAWN LLP
PATENT DEPARTMENT
1700 K STREET, N.W.
WASHINGTON DC 20006

MAILED
AUG 25 2011
OFFICE OF PETITIONS

In re Application of :
Kritzman et al. :
Application No. 13/086,062 : ON PETITION
Filed: April 13, 2011 :
Attorney Docket No. 81435-495 :
For: DIAGNOSTIC COMPOSITION AND ARTICLE FOR MONITORING INTRAVAGINAL INFECTIONS

This is a decision on the petition under 37 CFR 1.47(a), filed August 15, 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. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)" and may include an oath or declaration executed by the inventor. **Failure to respond will result in abandonment of the application.**

A grantable petition under 37 CFR 1.47(a) requires

(1) a petition including proof of the pertinent facts establishing that the joint inventor(s) refuses to join, or cannot be found or reached after diligent effort,
(2) a proper oath or Declaration executed by the available joint inventor(s),
(3) the petition fee of $200, and
(4) the last known address of the omitted inventor(s).

This petition lacks item (1) above.

As to item (1), Applicants have failed to establish that Amnon Kritzman has refused to sign the declaration.

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

When there is an express oral refusal, that fact along with the time and place of the refusal must

be stated in the statement of facts. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. When it is concluded by the 37 CFR 1.47 applicant that a nonsigning inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in the statement of facts in support of the petition or directly in the petition. If there is documentary evidence to support facts alleged in the petition or in any statement of facts, such evidence should be submitted.

Menashe Terem does not appear to have first hand knowledge of the efforts made to obtain Mr. Kritzman's cooperation. It appears that Bat Chen Yakir has first hand knowledge of the pertinent events.

The Office would like Bat Chen Yakir's statement regarding her efforts to obtain Mr. Kritzman's signature on the declaration. The translation of the June 20, 2011 letter to the inventor does not explicitly state that the application papers were enclosed. Bat Chen Yakir should explain what was enclosed in the June 20, 2011 mailing.

Mr. Terem's states that after receiving the document, Dr. Kritzman replied he wouldn't sign any documents unless the company financially compensated him for doing so. The Office requires more details of the refusal. To whom was the refusal made? What was the time and place?

In short, the Office possesses insufficient information to ascertain whether Dr. Kritzman refused to join in the filing of the application. Any statement of facts must be signed by persons having *firsthand knowledge* of the facts recited therein. Statements based on hearsay will not normally be accepted. MPEPE 409.03(d)

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail:	Mail Stop PETITIONS Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450
By hand:	Customer Service Window Mail Stop Petitions Randolph Building 401 Dulany Street Alexandria, VA 22314
By fax:	(571) 273-8300 ATTN: Office of Petitions
By internet:	EFS-Web www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

Telephone inquiries should 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
www.uspto.gov

WINSTON & STRAWN LLP
PATENT DEPARTMENT
1700 K STREET, N.W.
WASHINGTON DC 20006

MAILED
SEP 19 2011
OFFICE OF PETITIONS

In re Application of :
Kritzman et al. :
Application No. 13/086,062 :
Filed: April 13, 2011 :
Attorney Docket No. 81435-495 :
For: DIAGNOSTIC COMPOSITION AND ARTICLE FOR MONITORING INTRAVAGINAL INFECTIONS

ON PETITION

This is a decision on the renewed petition under 37 CFR 1.47(a), filed September 8, 2011.

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventor, Amnon Kritzman, 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 further pre-examination processing.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/086,099	04/13/2011	Zhe Wang	4202-11600	3435

97698 7590 06/13/2011
Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano, TX 75024

EXAMINER
RIDER, JUSTIN W

ART UNIT	PAPER NUMBER
2626	

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
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Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano TX 75024

In re Application of: **WANG, ZHE** et al.
Serial No.: **13/086,099**
Filed: **April 13, 2011**

Title: **METHOD AND APPARATUS FOR VOICE ACTIVITY DETECTION, AND ENCODER**

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 13, 2011 requesting to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

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

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an

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

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

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

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

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

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

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

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

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

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

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

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

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

A Notice of Allowance for this application was mailed on June 9, 2011.

Any inquiry regarding this decision should be directed to Daniel Swerdlow, Quality Assurance Specialist, at (571) 272-7531.

/Daniel Swerdlow/

Daniel Swerdlow
Quality Assurance Specialist
Technology Center 2600
Communications

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:	13/086,115	Filing date:	April 13, 2011
First Named Inventor:	Martin Fornage		
Title of the Invention:	TRANSFORMER		

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/US2011/032298

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

April 13, 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.:	13/086,115
First Named Inventor:	Martin Fornage

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on January 18, 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 18, 2012

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-5	-	No corresponding claims in PCT Application for US claims 1-5
6	1	Claims are same
7	2	Claims are same except for dependency
8	3	Claims are same except for dependency
9	4	Claims are same except for dependency
10	5	Claims are same except for dependency
11	6	Claims are same except for dependency
12	7	Claims are same except for dependency
13	8	Claims are same except for dependency
14	9	Claims are same except for dependency
15	10	Claims are same except for dependency
16	11	Claims are same except for dependency
17	12	Claims are same except for dependency
18	13	Claims are same except for dependency
19	14	Claims are same except for dependency
20	15	Claims are same

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

Signature /Sherry Bergmann/	Date January 23, 2012
Name (Print/Typed) Sherry Bergmann	Registration Number 68,187

EE041
227241-1

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
FEB 13 2012
OFFICE OF PETITIONS

MOSER TABOADA
1030 BROAD STREET
SUITE 203
SHREWSBURY NJ 07702

In re Application of
Martin FORNAGE et al.
Application No. 13/086,115
Filed: April 13, 2011
Atty. Docket No.: EE041
For: TRANSFORMER

: DECISION ON REQUEST TO
: PARTICIPATE IN PCT-PPH PROGRAM
: AND PETITION TO MAKE SPECIAL
: UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed January 23, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

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

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

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

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

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

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

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

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

Requirements (1) to (5) and (7) to (8) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirement (6).

Regarding requirement (6), applicant has failed to submit a copy of the latest work product. Whereas applicant has indicated it was previously submitted, it is not apparent in the file.

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

MAILED
MAR 21 2012
OFFICE OF PETITIONS

MOSER TABOADA
1030 BROAD STREET
SUITE 203
SHREWSBURY NJ 07702

In re Application of
Martin FORNAGE et al.
Application No. 13/086,115
Filed: April 13, 2011
Atty. Docket No.: EE041
For: TRANSFORMER

: DECISION ON REQUEST TO
: PARTICIPATE IN PCT-PPH PROGRAM
: AND PETITION TO MAKE SPECIAL
: UNDER 37 CFR 1.102(a)

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed March 5, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

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

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

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

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

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

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

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

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

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

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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

This application will be forwarded to Technology Center Art Unit 2832 for action commensurate with this decision.

Thurman K Page

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

SPRINKLE IP LAW GROUP / ZIMMER
1301 W. 25TH STREET
SUITE 408
AUSTIN, TX 78705

MAILED

APR 17 2012

OFFICE OF PETITIONS

In re Application of
Brian J. Bergeron, et al.
Application No. 13/086,149
Filed: April 13, 2011
Attorney Docket No. ZIMM1370-1

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 February 24, 2012.

The request is **DISMISSED** as moot.

A review of the file record indicates that the power of attorney to Sprinkle IP Law Group / Zimmer has been revoked by the assignee of the patent application on February 16, 2012. 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

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 13 2012
OFFICE OF PETITIONS

In re Application of
Iwasaki et al.
Application No.: 13/086,240
Filed: April 13, 2011
Attorney Docket No. KATOSH.109AUS
For: MEMORY CONTROL DEVICE, MEMORY DEVICE, AND SHUTDOWN 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 November 8, 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 Petitions Examiner Liana Walsh at (571) 272-3206.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/086,285	04/13/2011	Norman R. Relkin	87153-798930	3878

44183 7590 04/18/2011
Townsend and Townsend and Crew LLP
Two Embarcadero Center
Eighth Floor
San Francisco, CA 94111-3834

EXAMINER

ART UNIT	PAPER NUMBER
1646	

MAIL DATE	DELIVERY MODE
04/18/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APR 1 8 2011

Townsend and Townsend and Crew LLP
Two Embarcadero Center
Eighth Floor
San Francisco CA 94111-3834

In re Application of:
Norman R, Relkin

Serial No.: 13/086,285

Filed: April 13, 2011

Docket No.: **87153-798930**

Title: **USE OF VENTRICULAR ENLARGEMENT RATE IN INTRAVENOUS IMMUNOGLOBULIN TREATMENT OF ALZHEIMER'S DISEASE**

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

This is a decision on the petition filed on April 13, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election

without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

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

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

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

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

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

6. Information Disclosure Statement (IDS):

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

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist

Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Paper No.

KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center
Eighth Floor
San Francisco CA 94111-3834

MAILED
DEC 20 2011
OFFICE OF PETITIONS

In re Patent No. 8,066,993	:	
Norman Relkin	:	
Issue Date: November 29, 2011	:	
Application No. 13/086,285	:	ON PETITION
Filed: April 13, 2011	:	
Attorney Docket No. 87153-798930	:	

This is in response to the "Request for Certificate of Correction Under § 1.323" filed November 29, 2011 and "REQUEST TO CORRECT THE ASSIGNEE UNDER 37 CFR § 3.81(b)" filed November 30, 2011, which is properly treated as a request to correct the name of the assignee on the front page of the above-identified patent by way of a Certificate of Correction.

The request is **GRANTED**.

Pursuant to the issue fee transmittal filed October 10, 2011, the patent issued with no assignee named. Patentee files this request, requesting that the name of the assignee be corrected to "Baxter International Inc." and "Baxter Healthcare S.A.," and submits a certificate of correction for this purpose.

Patentee's evidence and Office records show that the assignment of the above-identified application to "Baxter International Inc." and "Baxter Healthcare S.A.," was recorded on November 16, 2011. The recording of the assignment (Reel/Frame 027235/0442) occurred before issuance of the patent on November 29, 2011.

Receipt of the required $100 certificate of correction fee is acknowledged. The required $130 processing fee has been charged to Deposit Account No. 20-1430, as authorized.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3219. Inquiries regarding the issuance of a certificate of correction should be directed to the Certificate of Correction Branch at (571) 272-4200.

The Certificates of Correction Branch has been notified of this decision granting the petition under 37 CFR 3.81(b) and directing issuance of the requested Certificate of Correction to correct the Assignee data.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

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MAY 16 2011

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE, SUITE 140
TUCSON AZ 85718

In re Application of: Lisa Frank Application No.: 13/086288 Filed: April 13, 2011 Title: MULTI-PURPOSE TOY OVEN	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 13, 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 fails to comply with item 3 above as the application was filed with a preliminary amendment. See MPEP 708.02(a)VIII(C)(11).

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 J. Sholl, Special Program Examiner, at (571) 272-4391.

/Linda Sholl/
Linda J. Sholl, Special Program Examiner
Technology Center 3700

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MAILED
JUL 29 2011
OFFICE OF PETITIONS

ALLISON JOHNSON, P.A.
3500 AMERICAN BLVD. W., SUITE 690
MINNEAPOLIS MN 55431

In re Application of Laknath Anslem Gootenilleke, David Michael and Kyle Johnson Application No. 13/086,298 Filed: April 13, 2011 Attorney Docket No. 208-050US2 For: EFFERVESCENT TABLET WITH IMPROVED DISSOLUTION TIME AND METHOD OF USING THE SAME	DECISION GRANTING STATUS UNDER 37 CFR 1.47(a)

This is in response to the petition under 37 CFR 1.47(a), filed June 17, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor Gootenilleke 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.

It is noted that the declaration executed by Fred Wehling is not appropriate and will not be used for processing purposes. All the available joint inventors must (1) make oath or declaration on their own behalf as required by 37 CFR 1.63 or 1.175 (see MPEP § 602, § 605.01, and § 1414) and (2) make oath or declaration on behalf of the nonsigning joint inventor as required by 37 CFR 1.64. An oath or declaration signed by all the available joint inventors with the signature block of the nonsigning inventor(s) left blank may be treated as having been signed by all the available joint inventors on behalf of the nonsigning inventor(s), unless otherwise indicated. See MPEP 409.03(a).

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

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Petitions Attorney
Office of Petitions

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MAILED
JUL 29 2011
OFFICE OF PETITIONS

Laknath Anselm Gootnilleke
Natenhoeher Strasse
31718 Pollhagen
Pollhagen, Germany

In re Application of
Laknath Anslem Gootenilleke, David Michael and Kyle Johnson
Application No. 13/086,298
Filed: April 13, 2011
Attorney Docket No. 208-050US2
For: EFFERVESCENT TABLET WITH IMPROVED DISSOLUTION TIME AND METHOD OF USING THE SAME

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: ALLISON JOHNSON, P.A.
3500 AMERICAN BLVD. W., SUITE 690
MINNEAPOLIS MN 55431

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MAILED
AUG 18 2011
OFFICE OF PETITIONS

Laknath Anselm Gootnilleke
4440 Glacier Lane
Plymouth, MN 55446

In re Application of
Laknath Anslem Gootenilleke, David Michael and Kyle Johnson
Application No. 13/086,298
Filed: April 13, 2011
Attorney Docket No. 208-050US2
For: EFFERVESCENT TABLET WITH IMPROVED DISSOLUTION TIME AND METHOD OF USING THE SAME

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: ALLISON JOHNSON, P.A.
3500 AMERICAN BLVD. W., SUITE 690
MINNEAPOLIS MN 55431

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	13/086,351	Confirmation Number	4012	Filing Date	2011-04-13
Attorney Docket Number (optional)	300047-0002CIP1	Art Unit	2817	Examiner	
First Named Inventor	Forrest James Brown				
Title of Invention	Improvements in and Relating to Radio Frequency Combiners/Splitters				

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
Forrest	James	Brown	

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	/Timothy D. Casey/	Date (YYYY-MM-DD)	2011-05-24
Name	Timothy D. Casey	Registration Number	33124

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
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In re Application of
Forrest James Brown

Application No. 13086351

Filed: April 13,2011

Attorney Docket No. 300047-00002CIP1

: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-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.

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RG PATENT CONSULTING, LLC
8275 E. BELL RD.
APT. 2134
SCOTTSDALE AZ 85260

MAILED
APR 25 2011
OFFICE OF PETITIONS

In re Application of	:	
Joseph Dolcimascolo	:	
Application No. 13/086,353	:	ON PETITION
Date Deposited: April 13, 2011		
Attorney Docket No. DOLC.001U_CIP	:	
	:	

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

The petition is **GRANTED**.

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

The instant petition includes a statement (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.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Paper No.

WELSH FLAXMAN & GITLER LLC
2000 DUKE STREET, SUITE 100
ALEXANDRIA VA 22314

MAILED

AUG 12 2011

OFFICE OF PETITIONS

In re Application of	:	
Heil et al.	:	
Application No. 13/086,465	:	LETTER REGARDING
Filed: April 14, 2011	:	FEE DEFICIENCY PAYMENT
Atty Docket No. A-10274-DIV	:	

This is in response to the "DEFICIENCY PAYMENT IN ACCORDANCE WITH 37 CFR 1.28" filed July 1, 2011, which is properly treated as a notification of loss of entitlement to small entity status.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

This letter includes an itemization of the fee deficiencies and payment as required by 37 CFR 1.28(c)(2)(ii).

Your notification of a loss of entitlement to small entity status is made of record and your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3219.

Nancy Johnson
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: IBI-P0024	Application Number (if known): 13/086,541	Filing date: April 14, 2011

First Named Inventor: MUTHU, Milburn Ebenezer Jacob

Title: POLYMER ACIDS AS PH-REDUCING BINDER OR AGENT FOR AQUEOUS LITHIUM-ION BATTERIES

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 /Damon A. Neagle/	Date November 18, 2011
Name (Print/Typed) Damon A. Neagle	Registration Number 44964

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.

Attorney Docket No.: IBI-P0024

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

STATEMENT OF SPECIAL STATUS		
	Application No.	13/086,541
	Filing Date	April 14, 2011
	First Named Inventor	MUTHU, Milburn Ebenezer Jacob
	TITLE	POLYMER ACIDS AS PH REDUCING BINDER OR AGENT FOR AQUEOUS LITHIUM-ION BATTERIES
	Confirmation No.	4380
	Group Art Unit	1762
	Examiner Name	Not Yet Known

The invention claimed in the present application materially enhances the quality of the environment and materially contributes to more efficient utilization and conservation of energy resources.

The present invention features the use of polymer acids as a pH reducing binder or agent for lithium-ion batteries. The invention provides the apparatus of a positive electrode manufactured according to the process of forming a slurry. Further, the invention provides the method of forming the slurry and using the slurry to form an electrode. In an exemplary embodiment, as shown in Figure 4, the slurry comprises an active material, a water soluble binder, and water.

The claimed invention materially contributes to more efficient utilization of energy resources by improving battery performance. Specifically, energy use is improved because of better battery performance. Aqueous processing of lithium transition metal oxide cathodes has been historically been problematic due to high pH levels of the resulting slurry. The claimed invention addresses this issue this issue by reducing metal dissolution. Such reduction not only yields more energy efficient use of energy by lessening degradation of cathode material performance, but also results in less metal waste being released from the battery, which improves environmental safety and quality. As noted in paragraph [0046] of the present application, charge and discharge of half cells are not negatively affected by the pH adjustment. The charge and discharge data thereby confirms effective performance and optimized energy use.

Further, the present invention materially enhances the quality of the environment by enabling broader use of water-based electrode slurries. Water-based slurries degrade more easily and are less toxic than solvent-based slurries, which are widely used in the prior art.

Applicants wish to note that the application originally contained 23 claims. The total number of claims has been reduced to 20 by virtue of the Preliminary Amendment submitted herewith.

Thus, for all reasons above, Applicant hereby submits this petition indicating that this technology should be accorded eligibility under the Pilot Program for Green Technologies.

If the USPTO determines that the claims of the present application are directed to multiple inventions, Applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements listed in section II or III of the Federal Register Notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction."

The Examiner is invited to contact the undersigned by telephone if a telephone interview would advance prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application, or credit any overpayment, to Deposit Account No. 50-3841. If proper payment is not enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-3841.

Respectfully submitted,

By: */Damon A. Neagle/*

Date: November 18, 2011

Damon A. Neagle
Attorney for Applicant(s)
Reg. No. 44,964

DESIGN IP, P.C.
Telephone: (610) 395-4900
Facsimile: (610) 680-3312

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/086,541	04/14/2011	Milburn Ebenezer Jacob Muthu	IBI-P0024	4380

35775 7590 12/14/2011
DESIGN IP, P.C.
5100 W. TILGHMAN STREET
SUITE 205
ALLENTOWN, PA 18104

EXAMINER
HAN, KWANG S

ART UNIT	PAPER NUMBER
1727	

MAIL DATE	DELIVERY MODE
12/14/2011	PAPER

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

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

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12/14/2011

DESIGN IP, P.C.
5100 W. TILGHMAN STREET
SUITE 205
ALLENTOWN PA 18104

In re Application of	:	
Muthu et al.	:	DECISION ON PETITION
Application No. 13/086,541	:	TO MAKE SPECIAL UNDER
Filed: 4/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **IBI-P0024**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/18/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

Telephone inquires concerning this decision should be directed to 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

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Brinks Hofer Gilson & Lione/Ann Arbor
524 South Main Street
Suite 200
Ann Arbor MI 48104

MAILED
JUN 15 2011
OFFICE OF PETITIONS

In re Application of	:	
Horst Kutschat	:	
Application No. 13/086,592	:	NOTICE
Filed: April 14, 2011	:	
Attorney Docket No. **12787-010**	:	

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 June 01, 2011.

The Office no longer investigates or rejects original or reissue patent under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

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

Inquiries related to this communication should be directed to the undersigned at (571) 272-2783.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

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

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MAR 14 2012

OFFICE OF PETITIONS

In re Application of Charles J. Flynn Application No. 13/086,650 Filed: April 14, 2011 Attorney Docket No. QMPR-008/01US 311294-2028	: : : : :	DECISION ON PETITION TO WITHDRAW FROM RECORD

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

The request is **APPROVED**.

The request was signed by William S. Galliani on behalf of himself and all the attorneys/agents associated with Customer Number 58249. Therefore, William S. Galliani and all the attorneys/agents associated with Customer Number 58249 have been withdrawn.

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

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

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

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

cc: QM POWER, INC.
441 Marlborough Street – Unit 2
Boston, MA 02115

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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
Yusuke SUGIURA et al.	: PARTICIPATE IN PPH PROGRAM
Application No. 13/086,653	: AND PETITION TO MAKE SPECIAL
Filed: April 14, 2011	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: SUTOSH.804AUS	:
For: ELECTRONIC APPARATUS	

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 6, 2011 to make the above-identified application special.

The request and petition 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 JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "bypass application" filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

(2) applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

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

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

(5) applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowability/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

(6) applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

Requirements (1) to (2), (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 (3) and (5).

Regarding the requirement of condition (3), claim 17 of the U.S. application does not sufficiently correspond to claim 2 of the JPO application because claim 17 does not include the limitation of a "palm rest".

Regarding the requirement of condition (5), the translated JPO office action dated December 6, 2011 does not explicitly indicate the disposition on claim 10. The office action only refers to claims 1 – 9. Further, applicant has failed to include the statement that no rejection has been made in the office action regarding that claim, and therefore the claim is deemed allowable.

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.

Thurman K Page

David Bucci
Petitions Examiner
Office of Petitions

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In re Application of	: DECISION ON REQUEST TO
Yusuke SUGIURA et al.	: PARTICIPATE IN PPH PROGRAM
Application No. 13/086,653	: AND PETITION TO MAKE SPECIAL
Filed: April 14, 2011	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: SUTOSH.804AUS	:
For: ELECTRONIC APPARATUS	

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 29, 2012 to make the above-identified application special.

The request and petition are **DENIED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) the U.S. application is a Paris Convention application which either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "bypass application" filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

(2) applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

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

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

(5) applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowability/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

(6) applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

Requirements (1) to (2), (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 (3) and (5).

Regarding the requirement of condition (3), applicant has provided an amended correspondence table in the renewed request. However, the amended correspondence table fails to state whether or not claims 10 through 15 and 18 sufficiently correspond to claims in the JPO application. Merely listing the claims as being dependent claims is not sufficient.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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

Anthony Knight
Director
Office of Petitions

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OFFICE OF PETITIONS

DEFILLO & ASSOCIATES, INC.
P.O. Box 14104
Clearwater FL 33766

In re Application of : DECISION ON REQUEST TO
Paul James GRAHAM et al. : PARTICIPATE IN PPH PROGRAM
Application No. 13/086,665 : AND PETITION TO MAKE SPECIAL
Effective Date: April 14, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 1015.012 :
For: METHOD AND APPARATUS FOR PREHEATING IN WELDING OPERATIONS

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 24, 2012 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 UKIPO (United Kingdom 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 filed in the UKIPO that contains no priority claims;

(2) applicant must submit a copy of the allowable/patentable claim(s) from the UKIPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

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

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

(5) applicant must submit a copy of all the office actions from each of the UKIPO application(s) containing the 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 UKIPO examiner in the UKIPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

Requirement (1) to (2) and (4) to (6) are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirements (3).

Regarding requirement (3), the claims of the U.S. application do not sufficiently correspond to the claims of the UKIPO 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.

Thurman K Page

David Bucci
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/086,774	04/14/2011	Chen Hu	4202-11900	4858

97698 7590 07/11/2011
Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano, TX 75024

EXAMINER
ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
2819	

MAIL DATE	DELIVERY MODE
07/11/2011	PAPER

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

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Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano TX 75024

In re Application of:	:	
Chen HU, *et al.*	:	DECISION ON PETITION TO
Serial No.: 13/086774	:	MAKE SPECIAL FOR NEW
Filed: 14 April 2011	:	APPLICATION UNDER 37
Title: **ENCODING AND DECODING METHOD**	:	C.F.R. § 1.102 & M.P.E.P. § 708.2
AND DEVICE	:	

This is a decision on the petition filed on 14 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;

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

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

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

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

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

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

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

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-5) are considered to have been met. However, the petition fails to comply with the

all the conditions set forth in section II, subsection 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 6.2, the petition is required to identify all the limitations in the claims that are disclosed by the reference, and specifying where the limitation is disclosed in the cited reference. The Accelerated Examination Support Document should identify the relevant teachings of the prior art cited, preferably with reference to the relevant reference numeral, and column and line number(s), or paragraph number(s) where appropriate. For example, in reference to independent claim 7, and in reference to Publication No. US 2007/0043575, by Onuma *et al.*, the petition failed to identify that Onuma discloses an encoding device (see FIG. 5) comprising: a first encoding unit (lossy-core encoder unit 11) configured to encode each sample of an input signal to generate an encoded signal of a core layer (see paragraph [0037], core stream); a second encoding unit (lossless-enhanced encoder unit 16) configured to generate an encoded signal of an enhanced layer (see paragraph 0042] enhanced stream); and a generating unit (stream-combining unit 17) configured to write the encoded signal of the core layer generated by the first encoding unit (lossy-core encoder unit 11) and the encoded signal of the enhanced layer generated by the second encoding unit (lossless-enhanced encoder unit 16) into a bitstream to generated an encoded signal of the input signal (see paragraph [0043], scalable lossless stream). 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.

DECISION

For the above-stated reasons, the petition is **dismissed**.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/086,774	04/14/2011	Chen Hu	4202-11900	4858

97698 7590 09/12/2011
Huawei Technologies Co., Ltd.
c/o Conley Rose, P.C.
5601 Granite Parkway
Plano, TX 75024

EXAMINER
ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
2819	

MAIL DATE	DELIVERY MODE
09/12/2011	PAPER

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Huawei Technologies Co., Ltd.
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5601 Granite Parkway
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In re Application of: Chen HU, *et al.* Serial No.: 13/086774 Filed: 14 April 2011 Title: **ENCODING AND DECODING METHOD AND DEVICE**	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed 14 April 2011, and request for reconsideration of petition decision filed 9 August 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/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of
Chien-Hsing Chang

Application No. 13086786

Filed: April 14,2011

Attorney Docket No. IBC127US1

: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 29-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.

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	13086786	Confirmation Number	4885	Filing Date	2011-04-14
Attorney Docket Number (optional)	IBC127US1	Art Unit	1644	Examiner	tba
First Named Inventor	Chien-Hsing Chang				
Title of Invention	Multiple Signaling Pathways Induced by Hexavalent, Monospecific and Bispecific Antibodies for Enhanced Toxicity to B-Cell Lymphomas and Other Diseases				

Attention: Office of Petitions

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

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

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

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

Given Name	Middle Name	Family Name	Suffix
David	M.	Goldenberg	

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

Select (1) or (2) :

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

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

Signature	/Richard A. Nakashima/	Date (YYYY-MM-DD)	2011-07-29
Name	Richard A. Nakashima	Registration Number	42023

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Liu, Da
Serial No.:
Filed:
Confirmation No.:
Title: CIRCUITS AND METHODS FOR POWERING LIGHT SOURCES

Examiner:
Group Art Unit:
Docket: O2-0678

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

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

Dear Sir:

BASIS FOR SPECIAL STATUS

Special status under the Green Technology Pilot program is sought because the claimed subject matter of this Application materially contributes to the more efficient utilization and conservation of energy resources. Further, the claimed subject matter of this Application materially enhances the quality of the environment through energy conservation.

HOW THE MATERIALITY STANDARD IS MET

The claimed subject matter of this Application is directed to circuits and methods for powering light sources such as light emitting diodes (LEDs). The circuits and methods materially improve power efficiency and materially reduce heat dissipation compared to existing LED technology and compared to non-LED technology. Additionally, the claimed subject matter may be employed in industrial equipment, commercial equipment, and household appliances to materially contribute to the more efficient utilization and conservation of energy resources.

An example of a household appliance is a display system. In a display system, one or more light sources are driven by a driving circuit for illuminating a display panel. For example, in a liquid crystal display (LCD) display system with light emitting diode (LED) backlight, an LED array is used for illuminating an LCD panel. An LED array may comprise two or more LED strings, and each LED string may comprise a group of LEDs connected, for example, in series. For each LED string, the forward voltage required to achieve a desired light output can vary with LED die sizes, LED die material, LED die lot variations, and temperature. Therefore, in order to generate desired light outputs with a uniform brightness, the claimed subject matter may be employed herein.

Another example of a household appliance is an LED lamp. In an LED lamp, one or more LEDs are driven by a driving circuit to generate light output. In order to

generate different levels of light output through dimming, the claimed subject matter may be employed herein.

LEDs have a multitude of environmental advantages. Unlike incandescent and fluorescent bulbs, an LED light source does not utilize a filament or any type of luminary gas. LEDs contain no harmful chemicals such as mercury which is found in fluorescent lights. LEDs are manufactured from materials that can be fully recycled. Most energy used by the LED is converted into light, not heat. Traditional lighting is relatively inefficient due to the large amounts of heat generated in the production of light. Moreover, LEDs have a longer lifespan.

The Commissioner is hereby authorized to charge fees associated with this communication or credit any overpayment to Deposit Account No.: 50-4245.

Please direct all correspondence concerning the above-identified application to the following address:

O2MICRO, INC.
3118 Patrick Henry Dr.
Santa Clara, California 95054
(408) 987-5920
71271

Respectfully submitted,

Date: April 14, 2011

By: /Yue Li/
Yue Li
Reg. No. L0346

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

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0678	Application Number (if known):	Filing date:

First Named Inventor: Da LIU

Title: Circuits and Methods for Powering Light Sources

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /Yue Li/	Date 2001-04-14
Name (Print/Typed) Yue Li	Registration Number L0346

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

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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

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.
13/086,822	04/14/2011	Da LIU	0678	4946

71271 7590 07/06/2011
PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

EXAMINER

ART UNIT	PAPER NUMBER
2821	

MAIL DATE	DELIVERY MODE
07/06/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

In re Application of	:	
Da LIU	:	DECISION ON PETITION
Application No. 13/086,822	:	TO MAKE SPECIAL UNDER
Filed: April 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0678	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 2821 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

PTO/SB/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:	13/086,889	Filing date:	April 14, 2011
First Named Inventor:	BAN et al.		
Title of the Invention:	Paper Making Processes And System Using Enzyme And Cationic Coagulant Combination		

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/US2011/032475

The international filing date of the corresponding PCT application(s) is/are: 14 April 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.:	13/086,889
First Named Inventor:	BAN et al.

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on January 3, 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 3, 2012

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1 and 14	Dependent claim 14 was considered novel and to have inventive step in PCT Written Opinion
2	2	Considered novel and inventive
3-5	3-5	Now dependent on amended claim 1
6	6	Considered novel and inventive
7-9	7-9	Now dependent on amended claim 1
10-11	10-11	Considered novel and inventive
12	12	Now dependent on amended claim 1
13	13	Considered novel and inventive
14	14	Now canceled and combined with claim 1; considered novel and inventive
15-20	15-20	Considered novel and inventive

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

Signature /luke a kilyk/	Date 2012-02-14
Name (Print/Typed) Luke A. Kilyk	Registration Number 33251

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.
13/086,890	04/14/2011	William D. Denison	001065 P0013	5065

7590 10/26/2011
Bishop & Diehl, Ltd.
1750 East Golf Road
Suite 390
Schaumburg, IL 60173

EXAMINER
SYED, NABIL H

ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
10/26/2011	PAPER

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

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

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☑ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☐ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

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

Nioni Farmer

Patent Publication Branch
Office of Data Management

FORM PET651D (Rev. 08/07)

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.
13/086,892	04/14/2011	Carl Edward Wischmeyer	P09898US01	5067

22885 7590 06/14/2011
MCKEE, VOORHEES & SEASE, P.L.C.
801 GRAND AVENUE
SUITE 3200
DES MOINES, IA 50309-2721

EXAMINER

ART UNIT	PAPER NUMBER
2612	

NOTIFICATION DATE	DELIVERY MODE
06/14/2011	ELECTRONIC

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

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

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

patatty@ipmvs.com

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MCKEE, VOORHEES & SEASE, P.L.C.
801 GRAND AVENUE
SUITE 3200
DES MOINES IA 50309-2721

In re Application of: **WISCHMEYER, CARL EDWARD** Serial No.: **13/086,892** Filed: **April 14, 2011** Attorney Docket Number: **P09898US01** Title: **SYSTEM, METHOD, AND APPARATUS FOR RFID, EMULATED RFID AND RFID-LIKE BASED ENABLEMENT AND PRIVILEGE ALLOCATION**	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 14, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

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

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

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

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

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

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

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

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 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 set forth under section I. above are considered to have been met. However, the petition fails to comply with conditions set forth under section II. Items 5.2 and 5.3.

Regarding the requirement in item 5.2 and 5.3 above, the preexamination search document provided with the instant petition is deficient as follows: The US field of search and database searches which are to be provided under section 8(A) are not sufficient. In addition to the search areas provided, applicant would also need to search in the following class/ subclasses: 340/572.1 through 370/572.3, 340/572.5 through 340/572.9, 340/10.1 through 340/10.6 and 235/435.
If any request for reconsideration is filed, an updated preexamination search must be conducted as per items 5.2 and 5.3 above, and the Preexamination Search Document must be amended to indicate such; a new Information Disclosure Statement should be filed to cite any newly found prior art, and the Accelerated Examination Support Document must also be amended to include the necessary reference and discussion of any newly found and cited prior art in accordance with all of items 6 through 6.6 above; as well as the necessary updated discussion of patentability for each of the dependent claims (or a statement that claims stand or fall together) as set forth above.

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

Any inquiry regarding this decision should be directed to Daniel Swerdlow, Quality Assurance Specialist, at (571) 272-7531.

/ Daniel Swerdlow /

Daniel Swerdlow
Quality Assurance Specialist
Technology Center 2600
Communications

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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.
13/086,892	04/14/2011	Carl Edward Wischmeyer	P09898US01	5067

22885 7590 07/28/2011
MCKEE, VOORHEES & SEASE, P.L.C.
801 GRAND AVENUE
SUITE 3200
DES MOINES, IA 50309-2721

EXAMINER

ART UNIT	PAPER NUMBER
2612	

NOTIFICATION DATE	DELIVERY MODE
07/28/2011	ELECTRONIC

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

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patatty@ipmvs.com

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MCKEE, VOORHEES & SEASE, P.L.C.
801 GRAND AVENUE
SUITE 3200
DES MOINES IA 50309-2721

In re Application of: **WISCHMEYER, CARL EDWARD** Serial No.: **13/086,892** Filed: **April 14, 2011** Attorney Docket Number: **P09898US01** Title: **SYSTEM, METHOD, AND APPARATUS FOR RFID, EMULATED RFID AND RFID-LIKE BASED ENABLEMENT AND PRIVILEGE ALLOCATION**	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 14, 2011 and the subsequent request for reconsideration with replacement documents, filed July 13, 2011 requesting to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

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

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

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

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

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

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

7. Post-Allowance Processing:

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Daniel Swerdlow, Quality Assurance Specialist, at (571) 272-7531.

/Daniel Swerdlow/

Daniel Swerdlow
Quality Assurance Specialist
Technology Center 2600
Communications

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,043	04/14/2011	Shufeng Shi	HW 81314657AE	5384

74365 7590 05/10/2011
Slater & Matsil, L.L.P.
17950 Preston Road, Suite 1000
Dallas, TX 75252

EXAMINER
KIZOU, HASSAN

ART UNIT	PAPER NUMBER
2472	

NOTIFICATION DATE	DELIVERY MODE
05/10/2011	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.

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docketing@slater-matsil.com

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MAY 10 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Slater & Matsil, L.L.P.
17950 Preston Road, Suite 1000
Dallas TX 75252

In re Application of: SHI, SHUFENG Serial No.: 13/087,043 Filed: April 14, 2011 Docket Number: HW 81314657AE Title: METHOD AND DEVICE FOR PROVIDING SERVICES FOR USER	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102

This is a decision on the petition filed on April 14, 2011, to make the above-identified application special for accelerated examination procedure in accordance with 37 C.F.R. § 1.102(c)(2).

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 M.P.E.P. §708.02(a) and 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 M.P.E.P. §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 C.F.R. §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 C.F.R. §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 C.F.R. §1.181, §1.182 or §1.183), 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. However, the application retains its special status after the filing of an RCE.

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 the undersigned at (571) 272-3126.

/Chau Nguyen/

Chau T. Nguyen
Quality Assurance Specialist
Technology Center 2400
Network, Multiplexing, Cable and Security

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

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FEB 13 2012

OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Hideo KATAOKA et al.	: PARTICIPATE IN PPH PROGRAM
Application No. 13/087,046	: AND PETITION TO MAKE SPECIAL
Filed: April 14, 2011	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: SUTOSH.801AUS	:

For: USER TERMINAL AND METHOD OF MANAGING APPLICATION OF THE TERMINAL

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) the U.S. application is a Paris Convention application which either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "bypass application" filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

(2) applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

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

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

(5) applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowability/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

(6) applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

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

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

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

This application will be forwarded to Technology Center Art Unit 2447 for action commensurate with this decision.

Thurman K Page

David Bucci
Petitions Examiner
Office of Petitions

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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 :
Andrew J. GRAHAM, et *al.* :
Application No. 13/087,083 :
Filed: April 14, 2011 :
Attorney Docket No. **2483.098000F/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

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-013/05US 314670-2025	Application Number (if known): Not Yet Assigned	Filing date: Herewith
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: Preliminary Amendment

Signature /J. Dean Farmer/	Date April 14, 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.

American LegalNet, Inc.
www.FormsWorkFlow.com

Under the 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).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,108	04/14/2011	James W. Bohlig	RECM-013/05US 314670-2025	5529

58249 7590 05/25/2011
COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER

ART UNIT	PAPER NUMBER
1771	

MAIL DATE	DELIVERY MODE
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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777 - 6th Street, NW
WASHINGTON DC 20001

MAY 25 2011

In re Application of	:	
Bohlig et al.	:	DECISION ON PETITION
Application No. 13/087,108	:	TO MAKE SPECIAL UNDER
Filed: 4/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RECM-013/05US 314670-2025**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/14/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

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

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PTO/SB/420 (11-10)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: RECM-013/06US 314670-2026	Application Number (if known): Not Yet Assigned	Filing date: Herewith
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: Preliminary Amendment

Signature /J. Dean Farmer/	Date April 14, 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.**

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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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,111	04/14/2011	James W. Bohlig	RECM-013/06US 314670-2026	5537

58249 7590 05/26/2011
COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
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EXAMINER

ART UNIT	PAPER NUMBER
1771	

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MAY 26 2011

In re Application of	:	
Bohlig et al.	:	DECISION ON PETITION
Application No. 13/087,111	:	TO MAKE SPECIAL UNDER
Filed: 4/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RECM-013/06US 314670-2026**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/14/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

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

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: RECM-013/07US 314670-2027	Application Number (if known): Not Yet Assigned	Filing date: Herewith
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: Preliminary Amendment

Signature /J. Dean Farmer/	Date April 14, 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.

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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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,115	04/14/2011	James W. Bohlig	RECM-013/07US 314670-2027	5543

58249 7590 05/26/2011
COOLEY LLP
ATTN: Patent Group
Suite 1100
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EXAMINER

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MAY 26 2011

In re Application of	:	
Bohlig et al.	:	DECISION ON PETITION
Application No. 13/087,115	:	TO MAKE SPECIAL UNDER
Filed: 4/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RECM-013/07US 314670-2027**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/14/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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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

PTO/SB/420 (11-10)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: RECM-013/08US 314670-2028	Application Number (if known): Not Yet Assigned	Filing date: Herewith
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: Preliminary Amendment

Signature /J. Dean Farmer/	Date April 14, 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*.*

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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.

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(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).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,117	04/14/2011	James W. Bohlig	RECM-013/08US 314670-2028	5546

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

EXAMINER

ART UNIT	PAPER NUMBER
1771	

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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Alexandria, VA 22313-1450
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MAY 25 2011

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

In re Application of	:	
Bohlig et al.	:	DECISION ON PETITION
Application No. 13/087,117	:	TO MAKE SPECIAL UNDER
Filed: 4/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RECM-013/08US 314670-2028**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/14/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

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

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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: RECM-013/09US 314670-2029	Application Number (if known): Not Yet Assigned	Filing date: Herewith
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: Preliminary Amendment

Signature /J. Dean Farmer/	Date April 14, 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.

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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).

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,120	04/14/2011	James W. Bohlig	RECM-013/09US 314670-2029	5552

58249 7590 05/27/2011
COOLEY LLP
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WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
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MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

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777 - 6th Street, NW
WASHINGTON DC 20001

MAY 27 2011

In re Application of	:	
James W. Bohlig et al.	:	DECISION ON PETITION
Application No. 13/087,120	:	TO MAKE SPECIAL UNDER
Filed: April 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. RECM-013/09US314670-2029	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

Telephone inquires concerning this decision should be directed to 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

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: RECM-013/10US 314670-2030	Application Number (if known): Not Yet Assigned	Filing date: Herewith
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: Preliminary Amendment

Signature /J. Dean Farmer/	Date April 14, 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.**

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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).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,126	04/14/2011	James W. Bohlig	RECM-013/10US 314670-2030	5559

58249 7590 05/25/2011
COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER

ART UNIT	PAPER NUMBER
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MAY 25 2011

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WASHINGTON DC 20001

In re Application of	:	
Bohlig et al.	:	DECISION ON PETITION
Application No. 13/087,126	:	TO MAKE SPECIAL UNDER
Filed: 4/14/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RECM-013/10US 314670-2030**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/14/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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	13087245
Filing Date	14-Apr-2011
First Named Inventor	Dietrich Charisius
Art Unit	2192
Examiner Name	
Attorney Docket Number	BOR-094A1CIPDIVCON1CON2
Title	SUPPORTING AND DEPLOYING DISTRIBUTED COMPUTING COMPONENTS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 64107

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

10.40(b)(4)

10.40(c)(1)(iv)

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 address of the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, associated with Customer Number: 47604

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature	/Scott S. Kokka/
Name	Scott S. Kokka
Registration Number	51893

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Decision Date : January 5, 2012

In re Application of :

Dietrich Charisius

Application No : 13087245

Filed : 14-Apr-2011

Attorney Docket No : BOR-094A1CIPDIVCON1CON2

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR§ 1.36(b), filed January 5, 2012

The request is **APPROVED**

The request was signed by Scott S. Kokka (registration no. 51893) on behalf of all attorneys/agents associated with Customer Number 64107 . All attorneys/agents associated with Customer Number 64107 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 Customer number 47604 .

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,246	04/14/2011	Tsutomu Iwaki	6639P1183	5812

8791 7590 10/11/2011
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER
TUNG, KEE M

ART UNIT	PAPER NUMBER
2628	

MAIL DATE	DELIVERY MODE
10/11/2011	PAPER

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

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Commissioner for Patents
United States Patent and Trademark Office
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**BLAKELY SOKOLOFF TAYLOR &
ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040**

In re Application of	**: DECISION ON REQUEST TO**
IWAKI et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/087,246	**: PROSECUTION HIGHWAY**
Filed: 14 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 6639P1183	**: TO MAKE SPECIAL UNDER**
For: GRAPHICS PROCESSING UNIT AND INFORMATION PROCESSING APPARATUS	**: 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 16 September 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 (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (3).

Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the JPO application. For example only, US claim 9 requires "a processor including a plurality of processing cores, the processor being coupled to the memory" while JP claim 1 requires "a plurality of processing cores coupled to the memory." Accordingly, the scope of US claim 9 is different from the scope of JP claim 1.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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.
13/087,246	04/14/2011	Tsutomu Iwaki	6639P1183	5812

8791 7590 11/16/2011
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER
TUNG, KEE M

ART UNIT	PAPER NUMBER
2628	

MAIL DATE	DELIVERY MODE
11/16/2011	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
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**BLAKELY SOKOLOFF TAYLOR &
ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE CA 94085-4040**

In re Application of	**: DECISION ON REQUEST TO**
IWAKI et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/087,246	**: PROSECUTION HIGHWAY**
Filed: 14 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 6639P1183	**: TO MAKE SPECIAL UNDER**
For: GRAPHICS PROCESSING UNIT	**: 37 CFR 1.102(a)**
AND INFORMATION PROCESSING	
APPARATUS	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 16 September 2011 and renewed on 11 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.

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

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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Alexandria, VA 22313-1450
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MORRISON & FOERSTER, LLP
555 WEST FIFTH STREET
SUITE 3500
LOS ANGELES, CA 90013-1024

MAILED
JAN 04 2012
OFFICE OF PETITIONS

In re Application of	:	
Tetsuya Kume, et. al.	:	
Application No. 13/087,264	:	DECISION ON PETITION
Filed: April 14, 2011	:	TO WITHDRAW FROM
Attorney Docket No. 285032009101	:	RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR §§ 1.36(b) or 37 CFR 10.40, filed November 23, 2011.

The request is **APPROVED**.

The request was signed by Mehran Arjomand on behalf of himself and all the attorneys/agents associated with Customer Number 25224. Therefore, Mehran Arjomand and all the attorneys/agents associated with Customer Number 25224 have been withdrawn.

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

There is an outstanding Office action mailed on November 14, 2011, that requires a reply from the applicant.

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

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

Andrea Smith
Petitions Examiner
Office of Petitions

cc: Cataler Corporation
7800, Chihama
Kakegawa-Shi, Shizuoka
JAPAN

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/087,264	04/14/2011	Tetsuya Kume	285032009101

CONFIRMATION NO. 5850

POWER OF ATTORNEY NOTICE

25224
MORRISON & FOERSTER, LLP
555 WEST FIFTH STREET
SUITE 3500
LOS ANGELES, CA 90013-1024

OC000000051548613

Date Mailed: 12/19/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/23/2011.

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

/amsmith/

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: FINOT et al.	Attorney Docket No.: SKY1P008D1
Application No.: Unassigned	Examiner: Unassigned
Filed: Herewith	Group: Unassigned
Title: REFLECTIVE SURFACE FOR SOLAR ENERGY COLLECTOR	Confirmation No.: Unassigned

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on April 14, 2011.

Signed: _____/Dawn Wold/_____
Dawn Wold

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

Dear Sir:

Applicant hereby requests to participate in the Green Technology Pilot Program for the above-identified application.

Applicant hereby requests early publication under 37 CFR 1.219. The Commissioner is hereby authorized to Charge Deposit Account No. 50-4481 (Order No.: SKY1P008D1) for the amount of $300 in payment of the publication fee.

By filing this petition, Applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.

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

The application does not contain any multiple dependent claims.

Respectfully Submitted,
BEYER LAW GROUP LLP

/Eric Yoon/
Eric Yoon
Registration No.: 60,611

Date: April 14, 2011

P.O. Box 1687
Cupertino, CA 95015-1687
(408) 255-8001

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,309	04/14/2011	Marc A. Finot	SKY1P008D1	5940

58766 7590 05/05/2011
Beyer Law Group LLP
P.O. BOX 1687
Cupertino, CA 95015-1687

EXAMINER

ART UNIT	PAPER NUMBER
2878	

NOTIFICATION DATE	DELIVERY MODE
05/05/2011	ELECTRONIC

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

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

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

USPTOmail@beyerlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Beyer Law Group LLP
P.O. BOX 1687
Cupertino CA 95015-1687

In re Application of	:	
FINOT et al.	:	DECISION ON PETITION
Application No. 13/087,309	:	TO MAKE SPECIAL UNDER
Filed: April 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. VWS-232US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 14, 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 3

In regard to item 3, applicant has failed to include a statement identifying 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

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 2878 for action in its regular turn.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Finot et al.

Application No.: 13/087,309

Filed: April 14, 2011

Title: REFLECTIVE SURFACE FOR SOLAR ENERGY COLLECTOR

Attorney Docket No.: SKY1P008D1

Examiner: Unassigned

Art Unit: 2878

Confirmation No.: 5940

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on May 25, 2011.

Signed: _____/Dawn Wold/_____
Dawn Wold

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

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

It is hereby requested that the dismissal of the petition filed on April 14, 2011 in the above-referenced case be reconsidered and that the petition for entrance into the Green Technology Pilot Program be granted.

In the Decision mailed May 5, 2011, it was indicated that the following requirement was not met by the petition: "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."

It is respectfully submitted that the invention as claimed in the above-referenced application materially contributes to the development of renewable energy resources. More specifically, various embodiments of the claimed invention relate to the collection of solar energy. By way of example, claim 1 relates to a solar energy collector that includes a solar receiver and a reflective surface. The reflective surface is spatially and angularly continuous and is configured to direct light to the

receiver in a non-imaging manner. As discussed in para. [0035] of the above-referenced application, various implementations of these features can "reduce solar energy losses by helping to direct rays from portions of the reflective surface that have lower tolerance to portions of the receiver that can tolerate misaligned rays with minimal impact on cell performance."

Applicant hereby requests early publication under 37 CFR 1.219. The publication fee set forth in 37 CFR 1.18(d) was previously paid with the submission of the petition filed on April 14, 2011. However, should the Commissioner determine that additional fees are required, the Commissioner is hereby authorized to charge any such fees to our Deposit Account Number 50-4481 (Order No. SKY1P008D1).

By filing this petition, Applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.

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

The application does not contain any multiple dependent claims.

Respectfully submitted,

BEYER LAW GROUP LLP

/Eric Yoon/
Eric Yoon
Registration No.: 60,611

P.O. Box 1687
Cupertino, CA 95015-1687
408-255-8001

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.
13/087,309	04/14/2011	Marc A. Finot	SKY1P008D1	5940

58766 7590 06/01/2011
Beyer Law Group LLP
P.O. BOX 1687
Cupertino, CA 95015-1687

EXAMINER

ART UNIT	PAPER NUMBER
2878	

NOTIFICATION DATE	DELIVERY MODE
06/01/2011	ELECTRONIC

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

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

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

USPTOmail@beyerlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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Beyer Law Group LLP
P.O. BOX 1687
Cupertino CA 95015-1687

In re Application of	:	
FINOT et al.	:	DECISION ON PETITION
Application No. 13/087,309	:	TO MAKE SPECIAL UNDER
Filed: April 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. SKY1P008D1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 14 and renewed on May 25, 2011, 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 2878 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
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,372	04/14/2011	Lawrence J. Shapiro		6093

7590 05/24/2011

William R. Trueba, Jr.
Espinosa I Trueba, PL.
3001 SW 3rd Avenue
Miami, FL 33129

EXAMINER

ART UNIT	PAPER NUMBER
1616	

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.

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAY 24 2011

CST

In re application of Lawrence Shapiro Serial No. 13/087,372 Filed: April 14, 2011 For: INGESTIBLE HAIR AND FINGER NAIL GROWTH PROMOTER AND METHOD	:	DECISION ON PETITION TO MAKE SPECIAL

This is a decision on the petition filed on April 14, 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.

It appears that the search is incomplete. Note that a search in Class 426, subclasses 2 and 34 is also required.

Only two of the references listed on the 4 page Information Disclosure Statement (IDS) have been discussed. However, there is a presumption that each of the cited references is considered most relevant to the claimed invention and that an identification of where all of the limitations in the claims that are disclosed in the references is required.

Applicant is encouraged to review the Frequently Asked Questions concerning the Accelerated Examination Program posted on www.uspto.gov. Specifically, note the question and answer reproduced below:

IDS 3. Will the Office accept an accelerated examination support document (AESD) that contains a list of references in the information disclosure statement (IDS) of the AESD, but does not include any identification and explanation for those references that are not required to be submitted in the IDS of the AESD (*i.e.*, references that are not most closely related to the subject matter of each of the claims)?

No, the AESD will be deemed insufficient for lack of identification and explanation. The applicant will be notified of the defects and the application will remain in the status of a new application awaiting action in its regular turn. The applicant will be given a time period of one month, without any extension of time under 37 CFR §1.136(a), to perfect the petition.

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.

It is noted that applicant has indicated relevant passages from each reference cited on the IDS (the relevant passages of the reference are actually listed on the IDS, not the AESD), however applicant has not mapped the limitations of each of the claims to the cited references.

It is also 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 the present specification. Merely stating that support for the claims as a whole, is found in Table 6, is not sufficient.

Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

For the above-stated reasons, the petition is dismissed. The application will therefore be taken up by the examiner in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/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
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,372	04/14/2011	Lawrence J. Shapiro		6093

7590 07/01/2011

William R. Trueba, Jr.
Espinosa I Trueba, PL.
3001 SW 3rd Avenue
Miami, FL 33129

EXAMINER

ART UNIT	PAPER NUMBER
1616	

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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JUL 01 2011

CST

In re application of Lawrence Shapiro Serial No. 13/087,372 Filed: April 14, 2011 For: INGESTIBLE HAIR AND FINGER NAIL GROWTH PROMOTER AND METHOD	:	DECISION ON PETITION TO MAKE SPECIAL

This is a decision on the Request for Reconsideration of Petition to Make Special under the Accelerated Examination Program filed on June 24, 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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JUL 15 2011

DICKINSON WRIGHT PLLC
38525 WOODWARD AVENUE
SUITE 2000
BLOOMFIELD HILLS MI 48304-2970

In re Application of: Lyons et al.
Application No.: 13/087410
Filed: April 15, 2011
Title: POKER TOURNAMENT SYSTEM AND METHOD

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 15, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **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, 3 and 4, II: 1-5, 5.3, 6, 6.1, 6.3, 6.4, 6.5, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions I: 2, II : 5.1, 5.2, and 6.2 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 1-14, and an Information Disclosure Statement including form PTO/SB/08A.

Intially, section I element 2 is not met as the petition fee has not been submitted.

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 463 subclasses 13, 22, 25, 29, and 42 and class 273 subclasses 274 and 303.

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 all the claims 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.

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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SEP 27 2011

DICKINSON WRIGHT PLLC
2600 WEST BIG BEAVER ROAD
SUITE 300
TROY MI 48084-3312

In re Application of: Lyons et al. Application No.: 13/087410 Filed: April 15, 2011 Title: POKER TOURNAMENT SYSTEM AND METHOD	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 August 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 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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LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD FL 33022-2480

MAILED
MAY 19 2011
OFFICE OF PETITIONS

In re Application of	:	
Paul Heltai	:	
Application No. 13/087,420	:	DECISION ON PETITION
Filed: April 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. F-9653	:	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 an attorney by inventor Paul Heltai 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 3738 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

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

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
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Under the 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: 0465-2840PUS1	Application Number (if known): 13/087,421	Filing date: April 15, 2011
First Named Inventor: Kum Tae LEE		
Title: BACKLIGHT UNIT AND DISPLAY 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 set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

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

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

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

6. Other attachments: Preliminary Amendment

Signature	Date June 13, 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.: 0465-2840PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:	Kum Tae LEE et al.		
Application No.:	13/087,421	Confirmation No.:	6203
Filed:	April 15, 2011	Art Unit:	2629
For:	BACKLIGHT UNIT AND DISPLAY DEVICE	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 backlight unit or display device illuminated by light emitting diodes.

A backlight unit or display device illuminated by light emitting diodes according to the present invention has a much longer life-span than conventional light sources such as fluorescent tubes or other traditional backlight illumination sources. Also, a backlight unit or display device illuminated by light emitting diodes according to the present invention uses less energy or power to operate than other traditional backlight illumination 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: June 13, 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,421	04/15/2011	Kum Tae LEE	0465-2840PUS1	6203

2292 7590 07/07/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
07/07/2011	ELECTRONIC

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

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

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

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
Lee et al.	:	DECISION ON PETITION
Application No. 13/087,421	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0465-2840PUS1	:	PILOT PROGRAM

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

The petition is **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 2619 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: HI-0649	Application Number (if known): 13/087,487	Filing date: April 15, 2011

First Named Inventor: Sun Kyung KIM

Title: LIGHT EMITTING DEVICE, 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 for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

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

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

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

6. Other attachments: _____

Signature	Date May 18, 2011
Name (Print/Typed) Daniel Y.J. Kim	Registration Number 36,168

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

☐ *Total of 2 forms are submitted.

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

Docket No.: **HI-0649** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of		Confirmation No.:	**6349**
Sun Kyung KIM		Group Art Unit:	**2811**
Serial No.:	**13/087,487**	Examiner:	**To Be Assigned**
Filed:	**April 15, 2011**	Customer No.:	**34610**

For: **LIGHT EMITTING DEVICE, LIGHT EMITTING DEVICE PACKAGE, AND LIGHTING SYSTEM**

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

U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP PETITIONS**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Special status is sought under 37 CFR §1.102 because the invention materially contributes to the more efficient utilization and conservation of energy resources.

Respectfully submitted,
KED & ASSOCIATES, LLP

Daniel Y.J. Kim
Registration No. 36,186

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK/dak

Date: May 18, 2011

Please direct all correspondence to Customer Number 34610

Q:\Documents\2019-1208\280415

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.
13/087,487	04/15/2011	Sun Kyung KIM	HI-0649	6349

34610 7590 05/25/2011
KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER

ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
05/25/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
Sun Kyung KIM	:	DECISION ON PETITION
Application No. 13/087,487	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. HI-0649	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on May 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 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
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MAILED
NOV 09 2011
OFFICE OF PETITIONS

Gray Robinson
ATTN: STEFAN V. STEIN/ IP DEPT.
201 N. Franklin Street, Suite 2200
Post Office Box 3324
TAMPA FL 33601-3324

In re Application of	:	
Daniel M. Doyle	:	
Application No. 13/087,525	:	DECISION ON PETITION
Filed: April 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 375815.00026	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 17, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by inventor Daniel M. Doyle, attesting to his/her age. The above-identified application has been accorded "special" status.

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

The application is being forwarded to Technology Center 2625 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
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	13087540
Filing Date	15-Apr-2011
First Named Inventor	Brian Russell
Art Unit	3735
Examiner Name	
Attorney Docket Number	ZEP-101-US
Title	System Method and Device for Performing Heat Stress Tests

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 64713

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	Zephyr Technology Corporation
Address	1 Annapolis Street, Suite 200
City	Annapolis
State	MD
Postal Code	21401
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Melvin Barnes/
Name	Melvin Barnes
Registration Number	38375

UNITED STATES 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 : March 20, 2012

In re Application of :

Brian Russell

Application No : 13087540

Filed : 15-Apr-2011

Attorney Docket No : ZEP-101-US

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 March 20, 2012

The request is **APPROVED.**

The request was signed by Melvin Barnes (registration no. 38375) on behalf of all attorneys/agents associated with Customer Number 64713 . All attorneys/agents associated with Cusotmer Number 64713 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	Zephyr Technology Corporation
Name2	
Address 1	1 Annapolis Street, Suite 200
Address 2	
City	Annapolis
State	MD
Postal Code	21401
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.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: GIP-0034	Application Number (if known): 13/087,623	Filing date: April 15, 2011

First Named Inventor: Kyung-il KONG

Title: LAMP 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: Preliminary Amendment

Signature	Date June 1, 2011
Name (Print/Typed) Joanna K. Mason	Registration Number 56,408

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

☐ *Total of 3 forms are submitted.

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

Docket No.: **GIP-0034** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of		Confirmation No.:	**6625**
Kyung-il KONG		Group Art Unit:	**2875**
Serial No.:	**13/087,623**	Examiner:	**To Be Assigned**
Filed:	**April 15, 2011**	Customer No.:	**34610**

For: **LAMP DEVICE**

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

U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP PETITIONS**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Special status is sought under 37 CFR §1.102 because the invention materially contributes to the more efficient utilization and conservation of energy resources.

Respectfully submitted,
KED & ASSOCIATES, LLP

Daniel Y.J. Kim
Registration No. 36,186
Joanna K. Mason
Registration No. 56,408

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK:JKM:lhd

Date: June 1, 2011

Please direct all correspondence to Customer Number 34610

Q:\Documents\2343-034\282254

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.
13/087,623	04/15/2011	Kyung-il KONG	GIP-0034	6625

34610 7590 06/13/2011
KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

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

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
Kyung-Il KONG	:	DECISION ON PETITION
Application No. 13/087,623	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GIP-0034	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on June 01, 2011 and renewed June 01, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 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.
13/087,656	04/15/2011	Yvonne Uranga	101920.0001US1	6708

24392 7590 05/06/2011
FISH & ASSOCIATES, PC
ROBERT D. FISH
2603 Main Street
Suite 1000
Irvine, CA 92614-6232

EXAMINER

ART UNIT	PAPER NUMBER
3636	

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):

rfish@fishiplaw.com
patents@fishiplaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

MAY - 5 2011

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

Fish & Associates, PC
Robert D. Fish
2603 Main Street
Suite 1000
Irvine, CA 92614-6232

In re application of Yvonne Uranga Application No. 13/087,656 Filed: April 15, 2011 For: CANOPY FOR UMBRELLAS	: : : :	**DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 CFR 1.102**

This is a decision on the petition filed on April 15, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

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

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

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

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each

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

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

REVIEW OF FACTS

The petition in this case fails to comply with conditions II.5.2, and II.6.3.

As to condition II.5.2, the petition lacks an indication of a preexamination search that encompasses all of the features of the claims. Specifically, it is unclear if an adequate classification search has been performed. A proper classification search needs to look at all the references located in the subclasses deemed relevant for search. The listing of subclasses in class 135 on page 1 of the AESD would be acceptable as a complete classification search for the claimed invention, but it is not clear if all the references contained therein have been reviewed as applicant has only indicated that "searches have been directed to patent literature, especially those relating to the following technological classes and subclasses that were deemed relevant to the claims". Page 35 of the AESD indicates a text search of the listed subclasses, but it is not clear if these 3379 references were reviewed or just used to limit further searches. Please confirm that each and every reference in the listed subclasses has been reviewed and considered in order to show that a proper classification search has been completed.
Furthermore, it appears that the text search needs to be expanded to include additional terms relating to the claimed subject matter. Search logic encompassing the "broadest reasonable interpretation" of the claimed invention is required. The USPTO website has an example of the proper manner of performing and documenting a preexamination search for Accelerated Examination petitions at:
http://www.uspto.gov/web/patents/accelerated/. Additionally, an example of sample search logic is provided below:

L1: ((connect* OR coupl* OR attach* OR exten* OR expan*)<NEAR/30> (two OR multi*)<NEAR/30> (umbrella* OR canop*))
L2: ((((canop* OR shelter OR tent OR cover*))<NEAR/10> ((connect*) OR (attach*) OR exten* OR attach* OR expan* OR coupl*) <NEAR/10>(umbrella*)<NEAR/30> (fasten*)))
L3: (((two OR (multi*)) AND (umbrella* OR canop*) AND (connect* OR coupl* OR attach* OR exten* expan*)

The sample search logic is not meant to be the sole search logic that can or should be employed in this application, but is meant solely as an example for applicant's assistance.

The same examples shown above for the text search can also be used in the search of foreign databases and any NPL search.

Many of the more common limitations present in the independent and dependent claims are apparently not found in any of the cited references. Some of the claims or portions thereof, for example, but not limited to, limitations 2, 14, 16, and 20, appear to contain limitations that the examiner of record believe are quite common and it strains credulity to assert that nowhere in the prior art are located these additional claimed limitations. The lack of finding art on what appears to be limitations quite common in the art is an indication that a search of the 'broadest reasonable interpretation" of the invention has not been properly completed. While a reference containing a specific limitation of any one claim may not result in a rejection of the claim, not finding the structure at all calls into question the sufficiency of the search. It appears that the search may have been completed on the concept of the disclosed invention of the independent claims rather than the specifics of the "claimed invention" as is required. Specifically, the examiner of record believes: Regarding Limitations 2 and 16, you could use a clip-type fastener in place of the Velcro (shown in the DeMars reference). Regarding Limitation 14, the term "substantial" would have to be considered, but any more than a minor overlap would be considered "substantial" and I think DeMars teaches this too. Regarding Claim 20, there are also plenty of other "side-curtain" devices to make a 103 rejection.

As to item II.6.3, there is not a satisfactory detailed explanation of claim patentability over each of the references. The explanation needs to clearly specify how each of the claims are patentable over each of the cited references, which includes the need to specify whether each of the dependent claims are separately patentable beyond the limitations contained in the independent claims, and if so how, or a statement made that the dependent claims are not separately patentable. This is certainly not clear for the dependent claims because applicant has indicated that some of the dependent claims "appear to lack separate patentability". A positive statement that the claims "lack separate patentability" is needed to satisfy the requirement of the detailed explanation of claim patentability. Any explanation also needs to consider combinations of references under 35 USC 103.

The petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

Any inquiry regarding this decision should be directed to Steven N. Meyers at (571) 272-6611.

Steven N. Meyers
Quality Assurance Specialist
Technology Center 3600

Snm:5/5/11

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,656	04/15/2011	Yvonne Uranga	101920.0001US1	6708

24392 7590 06/10/2011
FISH & ASSOCIATES, PC
ROBERT D. FISH
2603 Main Street
Suite 1000
Irvine, CA 92614-6232

EXAMINER
HAWK, NOAH CHANDLER

ART UNIT	PAPER NUMBER
3636	

NOTIFICATION DATE	DELIVERY MODE
06/10/2011	ELECTRONIC

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

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

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

rfish@fishiplaw.com
patents@fishiplaw.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
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JUN 0 9 2011

Fish & Associates, PC
Robert D. Fish
2603 Main Street
Suite 1000
Irvine, CA 92614-6232

In re application of Yvonne Uranga Application No. 13/087,656 Filed: April 15, 2011 For: CANOPY FOR UMBRELLAS	: : : :	**DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 CFR 1.102**

This is a decision on the renewed petition filed on June 6, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

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

(invention defined by claim 1) as having being constructively elected without traverse for examination.

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

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

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

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

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

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

7. Post-Allowance Processing:

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Steven N. Meyers, at (571) 272-6611.

Steven N. Meyers,
Quality Assurance Specialist
Technology Center 3600

Sm/sm: 6/8/11

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P.O. Box 1450
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HAYNES BEFEL & WOLFELD LLP
P.O. BOX 366
HALF MOON BAY, CA 94019

MAILED

JUL 05 2011

OFFICE OF PETITIONS

In re Application of	:	
Jerry A. Speasl, et al.	:	
Application No. 13/087,685	:	DECISION ON PETITION
Filed: April 15, 2011	:	TO WITHDRAW
Attorney Docket No. JMZ 1000-3	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed May 31, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Warren S. Wolfeld on behalf of all attorneys of record. All attorneys/agents have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the first named inventor Jerry A. Speasl at the address indicated below.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

cc: **Jerry A. Speasl**
2747 Paradise Road, Suite 2003
Las Vegas, NV 89109

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/087,685	04/15/2011	JERRY A. SPEASL	JMZ 1000-3

CONFIRMATION NO. 6776

POWER OF ATTORNEY NOTICE

22470
HAYNES BEFFEL & WOLFELD LLP
P O BOX 366
HALF MOON BAY, CA 94019

OC000000048579549

Date Mailed: 07/05/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 05/31/2011.

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

/tsjohnson/

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

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,695	04/15/2011	Robert C. Hochtritt	1517-1034-4	6794

466 7590 03/05/2012
YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER
THOMAS, ALEXANDER S

ART UNIT	PAPER NUMBER
1783	

NOTIFICATION DATE	DELIVERY MODE
03/05/2012	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):

DocketingDept@young-thompson.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Mailed: 3/5/12

In re application of	:	
Hochtritt et al.	:	DECISION ON
Serial No. 13/087,695	:	PETITION
Filed: 04/15/2011	:	
For: **STACK OF INTERFOLDED ABSORBENT SHEET PRODUCTS**		

This is a decision on a PETITION filed November 23, 2011, which has been accepted as a timely petition under 1.59(b) and MPEP 724.02 and is before the Group Director of Technology Center 1700 for consideration.

DECISION

Petitioner requests that the documents filed on September 9, 2011 be expunged. The petition is **GRANTED.**

Section 1.59 has been amended to eliminate references to returning documents that have been expunged to recognize that, with electronic Official files, there will be nothing to return when a paper is expunged.

The Office is capturing electronic images of all documents that form the Official file. Where the image is generated from a physical source document, the originating document may be disposed of once the electronic image accuracy is verified. The paper source document will eventually be destroyed under a United States National Archives and Records Administration (NARA) approved schedule. Therefore, if a document is to be expunged from the record, the only operation that will be required will be removal of the image from the Official file.

Paragraph (a)(1) of §1.59 has been amended by deleting the phrase "and returned " from the first sentence, and deleting the second sentence. Paragraph (b) of §1.59 has been amended by deleting the phrase "and return " from each of the first and second sentences. The Office will continue to provide notice in the Official file that a paper has been expunged and the Office will send a decision to the applicant notifying the applicant that the paper has been expunged.

The images will be removed from the Official file.

/Gladys JP Corcoran/
Director, Technology Center 1700

Gladys J. Corcoran, Director
Technology Center 1700
Chemical and Materials Engineering

wk

YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria VA 22314

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Alexandria, VA 22313-1450
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HAYES, SOLOWAY P.C.
175 CANAL STREET
MANCHESTER NH 03101

MAILED

MAR 14 2012

OFFICE OF PETITIONS

In re Application of
Gary T. Dane, et al.
Application No.: 13/087,722
Filed: April 15, 2011
Attorney Docket No.: Polyvac 09.04
For: CORNER PROTECTOR
APPARATUS FOR A MEDICAL.....

: 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 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
Petitions Examiner

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: 248962-1	Application Number (if known): 13/087,726	Filing date: 04-15-2011

First Named Inventor: Vishal Bansal

Title: UTILIZATION OF POWDERED SORBENT FOR MERCURY CONTROL FROM COAL-FIRED POWER PLANTS

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 17, 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: Vishal Bansal	)
Confirmation No.: 6865	)
	)
Serial No.: 13/087,726	)
	)
Filing Date: 04-15-2011	)
	)
Atty Docket No.: 248962-1	)

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 enhances the quality of the environment.

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

Respectfully submitted,

General Electric Company

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

Dated: May 17, 2011

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,726	04/15/2011	Vishal Bansal	GEEP-47563	6865

15118 7590 07/14/2011
Pearne & Gordon LLP
1801 East 9th Street
Suitw 1200
Cleveland, OH 44114-3108

EXAMINER

ART UNIT	PAPER NUMBER
1776	

NOTIFICATION DATE	DELIVERY MODE
07/14/2011	ELECTRONIC

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

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

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

patdocket@pearne.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

PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND OH 44114-3108

JUL 14 2011

In re Application of	:	
BANSAL, VISHAL et al	:	DECISION ON PETITION
Application No. 13/087,726	:	TO MAKE SPECIAL UNDER
Filed: 04/15/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GEEP-47563	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 17, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1776 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: 248892-1	Application Number (if known): 13/087,773	Filing date: 04-15-2011

First Named Inventor: Vishal Bansal

Title: ENHANCED MERCURY CAPTURE FROM COAL-FIRED POWER PLANTS IN THE FILTRATION BAGHOUSE USING FLUE GAS TEMPERATURE AS PROCESS CONTROL KNOB

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 17, 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: Vishal Bansal	)
Confirmation No.: 6981	)
	)
Serial No.: 13/087,773	)
	)
Filing Date: 04-15-2011	)
	)
Atty Docket No.: 248892-1	)

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 enhances the quality of the environment.

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

Respectfully submitted,

General Electric Company

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

Dated: May 17, 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.
13/087,773	04/15/2011	Vishal Bansal	GEEP-47564	6981

116 7590 05/26/2011
PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND, OH 44114-3108

EXAMINER

ART UNIT	PAPER NUMBER
1736	

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.

Best Available Copy

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PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND OH 44114-3108

MAY 26 2011

In re Application of	:	
Bansal et al.	:	DECISION ON PETITION
Application No. 13/087,773	:	TO MAKE SPECIAL UNDER
Filed: 4/15/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **GEEP-47564**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 5/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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	13087825
Filing Date	15-Apr-2011
First Named Inventor	Vahid SAADAT
Art Unit	3779
Examiner Name	
Attorney Docket Number	USGINZ01911
Title	APPARATUS AND METHODS FOR PERFORMING TRANSLUMINAL GASTROINTESTINAL PROCEDURES

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 40518

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

10.40(b)(4)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	USGI Medical, Inc.
Address	1140 Calle Cordillera
City	San Clemente
State	CA
Postal Code	92673
Country	US

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Johney U. Han/
Name	Johney U. Han
Registration Number	45565

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Decision Date : October 7,2011

In re Application of :

Vahid SAADAT

Application No : 13087825

Filed : 15-Apr-2011

Attorney Docket No : USGINZ01911

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 October 7,2011

The request is **APPROVED.**

The request was signed by Johney U. Han (registration no. 45565) on behalf of all attorneys/agents associated with Customer Number 40518 . All attorneys/agents associated with Cusotmer Number 40518 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	USGI Medical, Inc.
Name2	
Address 1	1140 Calle Cordillera
Address 2	
City	San Clemente
State	CA
Postal Code	92673
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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,849	04/15/2011	Mohamed Aboulkassem	21334-2007(E-GI-00619US)	7138

29450 7590 06/02/2011
BARLEY SNYDER, LLC
1000 WESTLAKES DRIVE, SUITE 275
BERWYN, PA 19312

EXAMINER

ART UNIT	PAPER NUMBER
2833	

NOTIFICATION DATE	DELIVERY MODE
06/02/2011	ELECTRONIC

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

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

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

berwynipdocket@barley.com
hsalamone@barley.com
sanastasi@barley.com

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BARLEY SNYDER, LLC
1000 WESTLAKES DRIVE, SUITE 275
BERWYN PA 19312

In re Application of
ABOULKASSEM et al.
Application No.: 13/087,849
Filed: 15 April 2011
Attorney Docket No.: 21334-2007(E-GI-00619US)
For: CONTACT ARRANGEMENT FOR CONNECTION WITH A POLYGONAL SOCKET

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 15 April 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 DPMA, or
      ii. validly claims priority to a PCT application that contains no priority claims,

   or

   b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
      i. validly claims priority to an application filed in the DPMA, or
      ii. validly claims priority to a PCT application that contains no priority claims, or
      iii. contains no priority claim,

   or

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
      i. validly claims priority to an application filed in the DPMA, or

ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the DPMA application(s), and
   b. An English translation of the allowable/patentable claim(s), and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DPMA application(s), and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has <u>not</u> begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of all office actions from each of the DPMA application(s) containing the allowable/patentable claim(s), and
      ii. a copy of any office action which is relevant to patentability from the DPMA application(s) issued after grant of the request to participate in the PPH pilot program, and
   b. An English language translation of the DPMA office action from (5)(a)(i)-(ii) above, and
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the DPMA examiner in the DPMA office action (unless already submitted in this application), and
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

Conditions (1) and (4) above are considered to have been met. However, the request to participate in the PPH pilot program and petition does not appear to meet conditions (2-3) and (5-6).

Regarding the requirement of condition (2), applicant has failed to submit a German language copy of the allowed/patentable claims.

Regarding the requirement of condition (5), the DPMA office action provided does not appear to have any indication of any allowed/patentable claims. It is not clear on the record which claims have been allowed in the DPMA application.

Regarding the requirement of condition (3), it cannot be determined whether the US claims sufficiently correspond to the allowed/patentable claims from the DPMA application since the record is not clear which claims have been indicated as allowable in the DPMA application. For example, if only DPMA claim 10 was allowed then at least US claims 2-9 do not correspond to allowed claims in the DPMA application. US claims 2-9 would be narrower in scope than

DPMA claims 2-9. Additionally, US claim 6 does not correspond to DPMA claim 6 since US claim 6 lacks "in the rest position of the deflectable contact arm."

Regarding the requirement of condition (6), applicant has failed to provide an IDS listing all the documents cited by the DPMA examiner and provided copies as needed. Specifically, WO 86/07201 has not been cited and a copy provided. Applicant has cited WO 88/07201.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) with 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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BARLEY SNYDER, LLC
1000 WESTLAKES DRIVE, SUITE 275
BERWYN PA 19312

In re Application of
ABOULKASSEM et al.

Application No.: 13/087,849	**: DECISION ON REQUEST TO**
Filed: 15 April 2011	**: PARTICIPATE IN THE PATENT**
Attorney Docket No.: 21334-2007(E-GI-00619US)	**: PROSECUTION HIGHWAY**
For: CONTACT ARRANGEMENT	**: PROGRAM AND PETITION**
FOR CONNECTION WITH A	**: TO MAKE SPECIAL UNDER**
POLYGONAL SOCKET	**: 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 and renewed 01 July 2011, to make the above-identified application special.

The request and petition are **DENIED**.

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 DPMA, or
      ii. validly claims priority to a PCT application that contains no priority claims,

   or

   b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
      i. validly claims priority to an application filed in the DPMA, or
      ii. validly claims priority to a PCT application that contains no priority claims, or
      iii. contains no priority claim,

   or

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
      i. validly claims priority to an application filed in the DPMA, or

ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the DPMA application(s), and
   b. An English translation of the allowable/patentable claim(s), and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the DPMA application(s), and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has <u>not</u> begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of all office actions from each of the DPMA application(s) containing the allowable/patentable claim(s), and
      ii. a copy of any office action which is relevant to patentability from the DPMA application(s) issued after grant of the request to participate in the PPH pilot program, and
   b. An English language translation of the DPMA office action from (5)(a)(i)-(ii) above, and
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the DPMA examiner in the DPMA office action (unless already submitted in this application), and
   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 is deficient as follows:

Petitioner has not complied with condition (3) above since US claim 15 does not sufficiently correspond to DPMA claim 1. Specifically, US claim 15 lacks the limitation "and characterized in that the curved resilient member (18) comprises a plurality of resilient arms, at least three of which extend substantially in the insertion direction (S) in the assembly state and are in the form of complementary resilient arms (24, 24', 24"), two of the complementary resilient arms (24, 24', 24") being arranged upstream and downstream of the resiliently deflectable contact arm (2") in the transverse direction (Q) in the assembly state, and one of the complementary resilient arms (24, 24', 24") being arranged between the other two contact arms (2, 2')." Further DPMA claim 10 is cancelled, but is said to correspond to claim 24.

As examination of the US application has begun, no further consideration will be undertaken on this matter.

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

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

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Danian Zheng	)
Confirmation No.: 7184	)
	)
Serial No.: 13/087,874	)
	)
Filing Date: 04-15-2011	)
	)
Atty Docket No.: 247850-1/22113-0032-01	)

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: June 8, 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: 247850-1/22113-0032-01	Application Number (if known): 13/087,874	Filing date: 04-15-2011

First Named Inventor: Danian Zheng

Title: APPARATUS, COMPOSITE SECTION, AND METHOD FOR ON-SITE TOWER FORMATION

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 06-08-2011
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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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.
13/087,874	04/15/2011	Danian Zheng	247850-1/22113-0032-01	7184

13152 7590 06/14/2011
McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

EXAMINER

ART UNIT	PAPER NUMBER
3633	

MAIL DATE	DELIVERY MODE
06/14/2011	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
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JUN 14 2011

McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg PA 17108-1166

In re Application of	:	
DANIAN ZHENG et al.	:	DECISION ON PETITION
Application No. 13/087,874	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247850-1/22113-0032-01	:	PILOT PROGRAM

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

The petition is **DISMISSED**.

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

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

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

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

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

The petition lacks item(s) 4.

In regard to item 4, the claims are directed to a system and method for forming a composite section of a tower which can be used to support a wind turbine. Since the wind turbine is not claimed, the claimed composite section of a tower in and by itself would not ordinarily contribute to the development of renewable energy resources – a composite section/a tower cannot generate energy or convert the mechanical energy into electrical energy. There is no evidence in the present application that the claimed composite section/tower materially contributes to the development of renewable energy resources. In addition, as the claimed composite section/tower would not necessarily result in a tower used to support a wind turbine, petitioner's assertion of the claimed method's contribution to the development of renewable energy resources or energy conservation is entirely speculative. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI).* Accordingly, it is not agreed that the application on its face meets that materiality standard.

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

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3633 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Danian Zheng	)
Confirmation No.: 7184	)
	)
Serial No.: 13/087,874	)
	)
Filing Date: 04-15-2011	)
	)
Atty Docket No.: 247850-1/22113-0032-01	)

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 14 June 2011, in the above-referenced application.

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

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that since the wind turbine is not claimed, the claimed composite section of a tower in and by itself would not ordinarily contribute to the development of renewable energy or convert the mechanical energy into electrical energy. The Decision also alleges that there is no evidence in the present application that the claimed composite section/tower materially contributes to the development of renewable energy resources. In addition, the Decision states that as the claimed composite section/tower would not necessarily result in a tower used to support a wind turbine, petitioner's assertion

of the claimed method's contribution to the development of renewable energy resources or energy conservation is entirely speculative. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention is generally directed to wind turbines and, more particularly, to composite tower sections in a wind turbine and method of on-site assembly of these sections.

Large utility wind turbines are getting higher and higher. However, it has been demonstrated that beyond certain height, the standard steel tubular tower is not economical, i.e., the cost of constructing additional height will outweigh the benefit of better wind conditions at higher altitude. This prompts people to look into alternative tower technologies to achieve greater tower heights. (see at least paragraph [0002]).

Modularized or panelized concrete towers have become a new trend in the wind turbine tower industry because of the low material cost and field/local fabrication potential. While concrete is known as a good choice for compression, concrete requires special treatment to resist tension force. Typically rebar and post tension cables are used to reinforce the concrete. Furthermore, when forming concrete sections, to meet the necessary tolerance, a steel mold is used. The steel mold has to keep tight tolerance within 2 mm. As a result, steel molds require replacement after 50-100 castings of the module or panel for the composite sections of the towers. An additional drawback is that concrete is typically heavy, about 4 to 5 times greater than steel towers, which requires the

construction of a heavy foundation to support the tower. (see at least paragraph [0003]).

Embodiments disclosed herein provide an apparatus, composite sections, and a method for on-site tower formation that does not suffer from the drawbacks in the prior art. The tower is formed on-site by stacking and joining a plurality of composite sections. The plurality of composite sections are also formed on-site. The tower is formed by joining adjacent composite sections by a plurality of tension members and/or a plurality of connecting means. (see at least paragraphs [0017] and [0020]).

Each composite section of the tower includes a concentric arrangement of an inner laminate and an outer laminate. The inner and outer laminates and include a matrix material and a fabric layer. The concentric arrangement of the inner and outer laminates and includes a length and an interstice. The composite section also includes a plurality of tubes each having an inner cavity. The plurality of tubes are situated in the interstice along the length of the concentric arrangement of the composite section created by the inner and outer laminates and. After the matrix material and fabric layer are cured, a reinforcing material is disposed in the interstice of the concentric arrangement unoccupied by the plurality of tubes, thereby allowing the composite section to be formed on-site. (see at least paragraph [0021]).

Advantages of an embodiment in accordance with the present disclosure include a method for on-site formation of towers in remote locations and readily and easily transported items for on-site tower formation. Further, the tower

composite sections have high mechanical strength and are able to withstand compressive and tensile stresses of a tower that is subject large cyclic loading. Another advantage of an embodiment of the present disclosure is that it provides a lightweight scalable tower that uses less material than conventional tower formation, constructed without the requirement of tight tolerances required in convention tower formation and is formed using inexpensive and replaceable molds. Overall, an embodiment of the present disclosure provides a tower that that decreases cost in manufacturing, installation, and transportation of the tower, while still maintaining the high mechanical strength needed to withstand large cyclic loads, and compressive and tensile stresses. (see at least paragraphs [0017] and [0037]-[0043]).

Embodiments of the present invention materially contribute to the development of renewable energy by providing composite sections and an assembly method for on-site tower assembly. These measures aid in lighter, less costly, and more transportable tower sections. The composite sections and assembly method described herein facilitate the construction of taller wind turbine towers that take advantage of the benefits of better wind conditions at higher altitudes. This in turn promotes increased energy production.

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

Respectfully submitted,

General Electric Company

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

Dated: July 13, 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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MAILED
JUL 29 2011
OFFICE OF PETITIONS

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

In re Application of	:	
David J. Trettin and	:	DECISION REFUSING STATUS
Corey Ritter	:	UNDER 37 CFR 1.47(a)
Application No.: 13/087,881	:	
Filed: April 15, 2011	:	
Attorney Docket No.: 17904.0001	:	

This is a decision on the petition filed, June 28, 2011, under the provisions of 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.** Extensions of time may be obtained in accordance with 37 CFR 1.136(a).

The above-identified application was filed on April 15, 2011, without an executed oath or declaration. Accordingly, on April 28, 2011, a Notice to File Missing Parts of Nonprovisional Application was mailed, requiring an executed oath or declaration, including a surcharge for its late filing. A two (2) month period for reply was set. In response, on June 28, 2011, applicant filed a partially executed declaration and the present petition under 37 CFR 1.47(a). The $65 surcharge is being charged to counsel's deposit account as authorized.

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 $200 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 items (1).

Before a refusal to sign an oath or declaration can be alleged, it must be demonstrated that a *bona fide* effort has been made to present a complete copy of the application papers (specification, including claims, drawings, and oath or declaration) to the non-signing inventor at the non-signing inventor's last know address.

Petitioner indicates that complete application papers were sent to the non-signing inventor via certified mail on June 17, 2011, preceded by an e-mails on April 14, 2011 and June 1, 2011 and thereafter by e-mail on June 27, 2011 requesting, inter alia, execution of the declaration, but that the non-signing inventor did not thereafter sign the declaration. Refusal by inventor Corey Ritter cannot be inferred as the evidence submitted does not indicates that the application was actually received by him at his last known address. Similarly, while the transmission of documents via e-mail is common practice, it can be problematic. Transmission and receipt of documents-whether in image, word-processing, spreadsheet or other form-can be effected by differences in software generation between the sender and recipient(s), and other interferences include but are not limited to sender's and recipient's Internet service provider's (ISP) and/or office/personal security firewall systems.

Thus, in the absence of an express statement from a non-signing inventor(s) that he has received, opened and read a document, unlike a printed page in the language of the recipient there is as of this writing no basis <u>to presume</u> that an Emailed document was in a form that can be read <u>and</u> comprehended.

Therefore, at the very least, petitioner should mail correspondence to the last known address of joint inventor, 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 that 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.

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 should be set forth in an affidavit or declaration of facts by a person having first-hand knowledge of the details.

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.

If repeated attempts to contact the non-signing inventor are unsuccessful, petitioners will have demonstrated that the inventors cannot be reached, despite diligent efforts, or have refused to sign the declaration.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

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

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

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

By Internet: EFS-Web[1]

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[1] www.uspto.gov/ebc/efs help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

Any questions concerning this matter may be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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

MAILED

OCT 18 2011

OFFICE OF PETITIONS

In re Application of David J. Trettin and Corey Ritter Application No. 13/087,881 Filed: April 15, 2011 Attorney Docket No.: 17904.0001	: : : : :	DECISION ACCORDING STATUS UNDER 37 CFR 1.47(a)

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

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor, Corey Ritter, 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 further pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MR. COREY RITTER
1427 OLD VIRGINIA COURT
MARIETTA, GA 30067 USA

MAILED
OCT 18 2011
OFFICE OF PETITIONS

In re Application of :
David J. Trettin and Corey Ritter :
Application No. 13/087,881 :
Filed: April 15, 2011 :
For: EXERCISE APPARATUS WITH HOOKS :
FOR ATTACHING RESISTANCE BANDS :

LETTER

Dear Mr. Ritter:

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

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

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3204. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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

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-032C1	Application Number (if known):	Filing date: Herewith
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 15, 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.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/087,936	04/15/2011	Benjamin Bollinger	SUS-032C1/7301183001	7330

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.

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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. 13/087,936	:	TO MAKE SPECIAL UNDER
Filed: 4/15/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **SUS-032C1/7301183001**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/15/2011, 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

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

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

MAILED
JAN 31 2012
OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Koji ABE	: PARTICIPATE IN PPH PROGRAM
Application No. 13/087,949	: AND PETITION TO MAKE SPECIAL
Filed: April 15, 2011	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: SUTOSH.807AUS	:
For: ELECTRONIC APPARATUS	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 1, 2011 to make the above-identified application special.

The 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; 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 2835 for action commensurate with this decision.

Thurman K Page

David Bucci
Petitions Examiner
Office of Petitions

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Patent Administrator
Greenberg Traurig, LLP
One International Place
Boston MA 02110

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OFFICE OF PETITIONS

In re Application of	:
Popadic et al.	:
Application No. 13/088,068	: DECISION ON PETITION
Filed: April 15, 2011	: UNDER 37 CFR 1.78(a)(6)
Attorney Docket No. 095583-010103/CON	:

This is a decision on the petition under 37 CFR 1.78(a)(6), filed March 9, 2012, to accept an unintentionally delayed claim under 35 U.S.C. § 119(e) for the benefit of priority to a prior-filed provisional application.

The petition is **DISMISSED.**

A petition under 37 CFR 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after expiration of the period specified in 37 CFR 1.78(a)(5)(ii) and must be filed during the pendency of the nonprovisional application. In addition, the petition must be accompanied by:

(1) the reference required by 35 U.S.C. § 119(e) and 37 CFR 1.78(a)(5)(i) to the prior-filed application, unless previously submitted;
(2) the surcharge set forth in § 1.17(t); and
(3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

This petition lacks compliance with (1) and (3) above.

Regarding (1): This pending nonprovisional application was filed on October 17, 2005. Application No.11/581,705, an application in the priority chain, was filed within twelve months of the filing date of the prior-filed provisional application, Application No. 60/727,533, which was filed on October 17, 2005, and for which priority is claimed. However, Application No. 11/581,705 does **not** contain a benefit claim to Application No. 60/727,533. Application No. 11/581,705 contains a benefit claim to Application No. 60/727,535. Application No. 11/581,705 matured into U.S. Patent No. 7,950,698 on May 31, 2011.

As stated in MPEP 1481.03 Correction of 35 U.S.C. 119 and 35 U.S.C. 120 Benefits: Under no circumstances can a Certificate of Correction be employed to correct an applicant's mistake by adding or correcting a priority claim under 35 U.S.C. 119(e) for an application filed on or after November 29, 2000.

Section 4503 of the American Inventors Protection Act of 1999 (AIPA) amended 35 U.S.C. 119(e)(1) to state that:

> No application shall be entitled to the benefit of an earlier filed provisional application under this subsection unless an amendment containing the specific reference to the earlier filed provisional application is submitted at such time during the pendency of the application as required by the Director. The Director may consider the failure to submit such an amendment within that time period as a waiver of any benefit under this subsection. The Director may establish procedures, including the payment of a surcharge, to accept an unintentionally delayed submission of an amendment under this section during the pendency of the application. (emphasis added)

A Certificate of Correction is NOT a valid mechanism for adding or correcting a priority claim under 35 U.S.C. 119(e) after a patent has been granted on an application filed on or after November 29, 2000. Reissue is an option to correct the priority claim in Application No. 11/581,705.

Because Application No. 11/581,705 does not contain a priority claim to Application No. 60/727,533, the present petition cannot be granted.

Even if both links in the benefit chain were acceptable, there is still the issue of an improper incorporation by reference statement with respect to the provisional application. An incorporation by reference statement added after an application's filing date is not effective because no new matter can be added to an application after its filing date (*see* 35 U.S.C. § 132(a)). If an incorporation by reference statement is included in an amendment to the specification to add a benefit claim under 35 U.S.C. § 119(e) after the filing date of the application, the amendment would not be proper. When a benefit claim under 35 U.S.C. § 119(e) is submitted after the filing of an application, the reference to the prior application cannot include an incorporation by reference statement of the prior application. *See* Dart Industries v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980). Note MPEP §§ 201.06(c) and 608.04(b).

Regarding (2): 37 CFR § 1.78(a)(6) requires a statement that the entire delay between the date the claim was due under 37 CFR § 1.78(a)(5)(ii) and the date the claim was filed was unintentional. Since the statement appearing in the petition varies from the required language, the statement is being construed as the statement required by 37 CFR §1.78(a)(6). If this is not a correct reading of the statement appearing in the petition, petitioner should promptly notify the Office.

The Office acknowledges receipt of the $1,410.00 fee required by 37 CFR 1.78(a)(6)(ii).

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

By internet: EFS-Web
www.uspto.gov/ebc/efs_help.html
(for help using EFS-Web call the
Patent Electronic Business Center
at (866) 217-9197)

Any questions 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

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P.O. BOX 747
FALLS CHURCH, VA 22040-0747

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OFFICE OF PETITIONS

In re Application of	:
Gerald S. Rourke	:
Application No. 13/088,121	:DECISION ON PETITION
Filed: April 15, 2011	:TO MAKE SPECIAL UNDER
Attorney Docket No. 1908-0104PUS4	: 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 18, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the attorney of record that the sole inventor is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

This application file is being referred to Technology Center Art Unit 2839 for examination 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 Technology Center 2800 (571) 272-2800.

Andrea Smith
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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Hemingway & Hansen, LLP
1700 Pacific Avenue
Suite 4800
Dallas TX 75201

MAILED
MAR 29 2012
OFFICE OF PETITIONS

In re Application of	:	
Lawrence G. Ryckman et al.	:	
Application No. 13/088,164	:	DECISION ON PETITION
Filed: April 15, 2011	:	TO WITHDRAW
Attorney Docket No. RYCK-D1US (P-7)	:	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 7, 2012.

The request is **NOT APPROVED.**

The Office will no longer accept address changes to a new practitioner or 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, 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.

Accordingly, the request to withdraw from record cannot be approved because a proper forwarding address was not provided. 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 with a renewed request.

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 571-272-4618.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Suite 4800
Dallas TX 75201

MAILED

APR 16 2012

OFFICE OF PETITIONS

In re Application of	:	
Lawrence G. Ryckman et al.	:	
Application No. 13/088,164	:	DECISION ON PETITION
Filed: April 15, 2011	:	TO WITHDRAW
Attorney Docket No. RYCK-D1US (P-7)	:	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 April 10, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by D. Scott Hemingway on behalf of all attorneys/agents associated with customer number 64458. All attorneys/agents associated with customer number 64458 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address has been changed and is copied below.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/
Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: Lawrence G. Ryckman
7650 E. Evans Road, Suite C
Scottsdale, AZ 85260

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/088,164	04/15/2011	Lawrence G. Ryckman	RYCK-D1US (P-7)

CONFIRMATION NO. 7852

POWER OF ATTORNEY NOTICE

OC000000053734977

64458
Hemingway & Hansen, LLP
1700 Pacific Avenue
Suite 4800
Dallas, TX 75201

Date Mailed: 04/16/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/10/2012.

- 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.

/kainabinet/

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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In re Application of
Lawrence E. Tannas, Jr.

Application No. 13088186
Filed:

Attorney Docket No. TNS-012.1

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 19-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13088186	Confirmation Number	7893	Filing Date	2011-04-15
Attorney Docket Number (optional)	TNS-012.1	Art Unit		Examiner	
First Named Inventor	Lawrence E. Tannas, Jr.				
Title of Invention	APPARATUS AND METHODS FOR CUTTING ELECTRONIC DISPLAY DURING RESIZING				

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
Lawrence	E.	Tannas	Jr.

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	/william a english/	Date (YYYY-MM-DD)	2011-04-19
Name	William A. English	Registration Number	42515

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.

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	13088186	Confirmation Number	7893	Filing Date	2011-04-15
Attorney Docket Number (optional)	TNS-012.1	Art Unit		Examiner	
First Named Inventor	Lawrence E. Tannas, Jr.				
Title of Invention	APPARATUS AND METHODS FOR CUTTING ELECTRONIC DISPLAY DURING RESIZING				

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
Lawrence	E.	Tannas	Jr.

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	/william a english/	Date (YYYY-MM-DD)	2011-04-19
Name	William A. English	Registration Number	42515

PTO/SB/130 (07-09)
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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

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In re Application of
SEYMOUR SACKS

Application No. 13088196

Filed:

Attorney Docket No. 31014.01

: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 15-APR-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13088196	Confirmation Number	7912	Filing Date	2011-04-15
Attorney Docket Number (optional)	31014.01	Art Unit		Examiner	
First Named Inventor	SEYMOUR SACKS				
Title of Invention	COMPUTERIZED METHOD FOR OPEN-ENDED INVESTMENTS				

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
SEYMOUR		SACKS	

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)	2011-04-15
Name	ROBERT B. LYONS	Registration Number	40708

PTO/SB/130 (07-09)
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Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: 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: 12956-112-999	Application Number (if known): Not yet assigned	Filing date: Herewith
First Named Inventor: Anthony P. Burgard		
Title: MICROORGANISMS FOR THE PRODUCTION OF ADIPIC ACID AND OTHER COMPOUNDS		

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 /Micheal L. Hebert/	Date 2011-04-15
Name (Print/Typed) Micheal L. Hebert (for David A. Gay, Reg. No. 39,200)	Registration Number 63,329

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.

Under the 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.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Burgard, *et al.*	Confirmation No.:	Not yet assigned
Serial No.:	Not yet assigned	Art Unit:	Not yet assigned
Filed:	Herewith	Examiner:	Not yet assigned
For:	MICROORGANISMS FOR THE PRODUCTION OF ADIPIC ACID AND OTHER COMPOUNDS	Attorney Docket No.: CAM:	12956-112-999 871943-999112

STATEMENT OF SPECIAL STATUS FOR PETITION TO MAKE SPECIAL UNDER GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of EFS-Web 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 April 15, 2011.
/Micheal L. Hebert/
Signature

Sir:

Pursuant to the Notice of the Pilot Program for Green Technologies set forth in the Federal Register, Vol. 74, No. 234, pages 64666-64669 (December 8, 2009) and extended pursuant to the Expansion and Extension of the Green Technology Pilot Program set forth in the Federal Register, Vol. 75, No 217, pages 69049-69050 (November 10, 2010), Applicants submit herewith a Petition to Make Special that satisfies the requirements set forth in the Notice. Pursuant to the requirements of the Green Technology Pilot Program, Applicants hereby state that the invention relates to bioproduction of chemicals with reduced need for petroleum-based products, enhanced energy conservation, and reduced greenhouse gas emissions. In particular, the claimed invention relates to microbial organisms and methods of use of such organisms for the production of an adipate thioester. Applicants submit that the claims appear to substantially fall under the Classification Requirements set forth in section VI of the Notice as (A) alternative energy production, (10) genetically engineered organism.

Attorney Docket No.: 12956-112-999
(CAM: 871943-999112)

As required in the Notice, please charge the publication fee under 37 CFR 1.18(d) of $300.00 to Deposit Account No. 503013 (Ref: 871943-999112). Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 503013 (Ref: 871943-999112) and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: April 15, 2011

/Micheal L. Hebert/ 63,329

By: Micheal L. Hebert (Reg. No.)

For: David A. Gay 39,200
12265 El Camino Real, Suite 200
San Diego, CA 92130

JONES DAY
222 East 41st Street
New York, New York 10017-6702
(858) 314-1200

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.
13/088,256	04/15/2011	Anthony P. Burgard	12956-112-999	8043

20583 7590 05/31/2011
JONES DAY
222 EAST 41ST ST
NEW YORK, NY 10017

EXAMINER
NASHED, NASHAAT T

ART UNIT	PAPER NUMBER
1656	

MAIL DATE	DELIVERY MODE
05/31/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAY 3 1 2011

JONES DAY
222 EAST 41ST ST
NEW YORK NY 10017

In re Application of	:	
BUGARD, Anthony *et al.*	:	DECISION ON PETITION
Application No. 13/088256	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 12956-112-999	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 15, 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

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: 461834-000005	Application Number (if known): N/A	Filing date: Herewith

First Named Inventor: John Swift

Title: BUILDING-INTEGRATED SOLAR THERMAL MICRO-CHANNEL ABSORBER AND METHOD OF MANUFACTURING THEREOF

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Fee Transmittal; Statement for the Petition for the Green Technology Pilot Program.

Signature /Suvashis Bhattacharya/	Date April 15, 2011
Name (Print/Typed) Suvashis Bhattacharya	Registration Number 46,554

***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 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).

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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.
13/088,295	04/15/2011	John Swift	461834-000005	8121

11951 7590 05/04/2011
LeClairRyan
290 Linden Oaks
Suite 310
Rochester, NY 14625

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

LeClairRyan
290 Linden Oaks
Suite 310
Rochester NY 14625

In re Application of		
SWIFT, JOHN et al	:	DECISION ON PETITION
Application No. 13/088,295	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 461834-000005	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 15, 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 items #1 and # 4.

In regard to item 1, petitioner should note that a review of the application claims has been made for the purposes of determining the number of claims contained therein. This application contains more than 3 independent claims and/or more than 20 total claims. As set forth in the Notice, if the application contains more than 3 independent claims or more than 20 total claims, it will not be eligible to participate in the "Pilot Program for Green Technologies Including Greenhouse Gas Reduction."

In regard to item 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 insulated channeled panel 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 1 and 9 have nothing to do with solar energy collector as stated in the statement.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to 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

Docket No.: 461834-000005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	John Swift et al.	CONF NO: 8121
SERIAL NO.:	13/088,295	
FILING DATE:	04/15/2011	
TITLE:	BUILDING-INTEGRATED SOLAR THERMAL MICRO-CHANNEL ABSORBER AND METHOD OF MANUFACTURING THEREOF	
EXAMINER:	N/A	
ART UNIT:	3749	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO DISMISSAL FOR APPLICANTS' PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir:

This is in response to the dismissal stated in the "Decision on Petition To Make Special Under the Green Technology Pilot Program" (hereinafter "Decision") mailed May 4, 2011. Within the Decision, it was stated that Applicants' Petition was not grantable because 1.) the filed application apparently has more than 3 Independent Claims and/or more than 20 total claims; and 2.) Applicants have not provided a statement that meets the materiality standard that the claimed subject matter materially contributes to development of renewable energy resources or energy conservation.

With regard to the Preliminary Amendment filed herewith, the number of claims pending in the above captioned application contains 20 total claims, wherein three of these claims are Independent. In particular, Claims 1, 6 and 9 are Independent Claims, whereas Claims 2-5 and 19 are dependent on Independent Claim 1; Claims 7, 8 and 20 are dependent on Independent Claim 6; and Claims 10-18 are dependent on Independent Claim 9. Accordingly, the present application contains 3 Independent Claims and 20 total claims. Reconsideration is respectfully requested.

With regard to the materiality statement, Applicants file herewith a Supplemental Statement along with a Preliminary Amendment. Applicants respectfully request reconsideration of the amended/new claims in the Preliminary Amendment along with the Supplemental Statement, and respectfully request approval for the present application to be considered special under the Green Technology Pilot Program.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-5409.

Respectfully submitted,

Dated: June 5, 2011

/Suvashis Bhattacharya/
Suvashis Bhattacharya
Reg. No. 46,554

LeClairRyan
44 Montgomery Street
Suite 1800
San Francisco, CA 94104
Phone: 415.391.7111
Fax: 415.391.8766

Docket No. 461834-00005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	John Swift et al.	
SERIAL NO.:	13/088,295	
FILING DATE:	April 15, 2011	CONFIRMATION NO.: 8121
TITLE:	BUILDING-INTEGRATED SOLAR THERMAL MICRO-CHANNEL ABSORBER AND METHOD OF MANUFACTURING THEREOF	
EXAMINER:	N/A	
TELEPHONE:	N/A	
FAX:	N/A	
ART UNIT:	3749	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL STATEMENT FOR THE PETITION FOR THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir:

In Response to the dismissal stated in the "Decision on Petition To Make Special Under the Green Technology Pilot Program" (hereinafter "Decision") mailed May 4, 2011, Applicants hereby provide a supplemental statement on the basis that the presently claimed subject matter qualifies for special status under the Green Technology Pilot Program.

The present claimed subject matter is directed to a solar thermal absorber which contains one or more panels including at least an active plate and a parallel back plate which is directly or indirectly mounted to a building structure. The one or more panels include microchannel walls which are configured to define fluid transport micro-channels that allow fluid to flow through the panels. Solar energy striking the active plate passes through the active plate and into the fluid flowing through the one or more panels. By the solar energy being transferred to the fluid, and that heated fluid being output from the assembly, the assembly thereby serves to at least remove heat from the building structure, thereby effectively cooling the building structure. It is also claimed, as shown in the included Preliminary Amendment, that a storage element receives and stores the heated fluid output from the assembly, whereby a pump coupled to the storage element can deliver the heated fluid to one or more outlet ports interior or exterior to the building

structure. In an example where the heated fluid is water, the heated water that is stored may be pump the stored hot water to sinks, showers, laundry, swimming pools, etc. For at least these reasons, the claimed assembly serves to conserve energy in at least cooling the building structure and thereby reduces the amount of energy and money spent on cooling the interior of the building by traditional means (i.e. HVAC systems, fans, etc.). Also, the claimed subject matter recites storing the heated fluid received from the assembly and pumping the heated fluid to fluid outlets, thereby significantly reducing the reliance on traditional means of heating water (i.e. hot water boilers and other water heating devices).

For at least these reasons, the claimed subject matter materially contributes to energy conservation and even greenhouse gas reduction (by reducing reliance on HVAC and water heater systems). Applicants respectfully request reconsideration of this Supplement Statement and the Response to the Petition in general. Therefore, Applicants respectfully submit that the present application qualifies for special status under the Green Technology Pilot Program.

Respectfully submitted,

Dated: June 5, 2011

/Suvashis Bhattacharya/
Suvashis Bhattacharya
Reg. No. 46,554

LeClairRyan
44 Montgomery Street
Suite 1800
San Francisco, CA 94104
Phone: 415.913.4909
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,295	04/15/2011	John Swift	461834-000005	8121

11951 7590 07/01/2011
LeClairRyan
290 Linden Oaks
Suite 310
Rochester, NY 14625

EXAMINER

ART UNIT	PAPER NUMBER
3749	

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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LeClairRyan
290 Linden Oaks
Suite 310
Rochester NY 14625

7/1/11

In re Application of	:	
Swift et al.	:	DECISION ON PETITION
Application No. 13/088,295	:	TO MAKE SPECIAL UNDER
Filed: 4/15/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **461834-000005**	:	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 3749 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: GHYRI-1068758	Application Number (if known): 13/088,310	Filing date: April 15, 2011
First Named Inventor: Cyrous Gheyri		
Title: BUILDING HEATING AND COOLING SYSTEM		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement of Eligibility For Green Technology Pilot Program

Signature	Date April 15, 2011
Name (Print/Typed) David R. Heckadon	Registration Number 50184

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 Patent Application of:	Customer No.: 27111
GHEYRI, Cyrous	Confirmation No.: 8163
Serial No.: 13/088,310	Group Art Unit: Not Yet Assigned
Filed: April 15, 2011	Examiner: Not Yet Assigned
For: BUILDING HEATING AND COOLING SYSTEM	Docket No.: GHYRI-1068758

CERTIFICATE OF MAILING OR TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER IS BEING FILED ELECTRONICALLY ON THE USPTO EFS-WEB E-FILING SYSTEM ON APRIL 15, 2011

David R. Heckadon

STATEMENT OF ELIGIBILITY FOR

GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The present invention is directed to a system for ***more efficient utilization and conservation of energy resources***. Specifically, the present invention provides a system for moving heated and cooled air throughout a building so as to decrease the energy required both to heat and to cool the building. In addition, the present invention further describes heat absorption and release systems that moderate temperature extremes in the building over the day-night cycle, further reducing the energy required to both heat and cool the building.

CONCLUSION

If the Examiner believes that it would facilitate prosecution, the Examiner is requested to contact Applicants' Attorney, David R. Heckadon at (415) 875-3266.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1990 referencing **GHYRI-1068758** and please credit any excess fees to such deposit account.

Respectfully submitted,

Dated: April 15, 2011

By: _____
David R. Heckadon
Registration No. 50,184

Please recognize our Customer Number 27111 as our correspondence address.

David R. Heckadon
GORDON & REES, LLP
101 West Broadway, Suite 1600
San Diego, California 92101-8217
Phone: (415) 875-3266 (direct)
Phone: (415) 986-5900 (main)
Facsimile: (415) 986-8054
E-mail Address: ipdocket@gordonrees.com

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,310	04/15/2011	Cyrous Gheyri	GHYRI-1068758	8163

27111 7590 07/29/2011
GORDON & REES LLP
101 WEST BROADWAY
SUITE 1600
SAN DIEGO, CA 92101

EXAMINER

ART UNIT	PAPER NUMBER
3749	

NOTIFICATION DATE	DELIVERY MODE
07/29/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocket@gordonrees.com
cworthem@gordonrees.com

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GORDON & REES LLP
101 WEST BROADWAY
SUITE 1600
SAN DIEGO CA 92101

In re Application of	:	
GHEYRI, CYROUS	:	DECISION ON PETITION
Application No. 13/088310	:	TO MAKE SPECIAL UNDER
Filed: April 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GHYRI-1068758	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 15, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3749 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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JAMES EDWARD LEDBETTER
1875 EYE STREET
SUITE 1200
WASHINGTON, DC 20006

MAILED
FEB 02 2012
OFFICE OF PETITIONS

In re Application of	:	
Masahiro Oshikiri	:	
Application No.: 13/088,389	:	ON PETITION
Filed: April 17, 2011	:	
Attorney Docket No.: 009289-61431	:	

This is a decision on the petition, filed February 1, 2012, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on January 25, 2012, cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.[1]

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2611 for further processing of the request for continued examination and for consideration of the concurrently filed Information Disclosure Statement (IDS).

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

[1] *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form* ***must*** *be completed and timely submitted to avoid abandonment of the application.*

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,503	04/18/2011	Norio Minouchi	22952-0083001	8582

26211 7590 06/17/2011
FISH & RICHARDSON P.C. (NY)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

ART UNIT	PAPER NUMBER
1762	

NOTIFICATION DATE	DELIVERY MODE
06/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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JUN 17 2011

CST

In re application of	:	DECISION ON REQUEST TO
Norio Minouchi et al	:	PARTICIPATE IN PATENT
Serial No. 13/088,503	:	PROSECUTION HIGHWAY
Filed: April 18, 2011	:	PROGRAM AND
For: RUBBER WET MASTER BATCH	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed May 11, 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

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KOHN & ASSOCIATES, PLLC
30500 NORTHWESTERN HWY.
SUITE 410
FARMINGTON HILLS MI 48334-3179

JUL 18 2011

In re Application of: Marc E. Richelsoph
Application No.: 13/088560
Filed: April 18, 2011
Title: POLYAXIAL SCREW ASSEMBLY

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 18, 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, 6.2, 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, 6.3, 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 1-5; the "accelerated examination support document" comprising pages 1-68, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 606 subclasses 270, 271, 273, 274, 275, 276, 277, 300, 301, 305, 306, 307, and 308.

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, there is no discussion of how the claims are obvious over the references. Applicant remarks are directed to how the claims are not anticipated by the reference. The obviousness discussion must include the dependent claims.
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 <u>each limitation</u> 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 has not clearly identified, where in the written description of the specification the structure, materials or acts that correspond to each means-(or step) plus function claim element are located. Most of the pages and paragraphs referred to

together do not match, for example page 13 does not have a paragraph [00001] as identified for the internal load dampening means. In others, the page and paragraphs for the means are not included such as for the slidable rod retaining means. The referral to reference number and figures is not sufficient as is not clearly indicate the structure, material or acts that correspond are located in the written 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

Patent
Attorney Case No. 1011.14219.20

MEMORY ARRAY WITH READ REFERENCE VOLTAGE CELLS

CROSS-REFERENCE

now, U.S. Patent No. 7,936,58

/TL/ **[01]** This application is a continuation of Application No. 12/789,691 filed May 28, 2010 and which is a divisional of Application No. 12/212,798, filed September 18, 2008 which is now U.S. Patent No. 7,755,923 issued July 13, 2010, the contents of each is hereby incorporated by reference in its entirety.

BACKGROUND

[02] Fast growth of the pervasive computing and handheld/communication industry generates exploding demand for high capacity nonvolatile solid-state data storage devices. It is believed that nonvolatile memories, especially flash memory, will replace DRAM to occupy the biggest share of memory market. However, flash memory has several drawbacks such as slow access speed (~ms write and ~50-100ns read), limited endurance (~10^3-10^4 programming cycles), and the integration difficulty in system-on-chip (SoC). Flash memory (NAND or NOR) also faces significant scaling problems at 32nm node and beyond.

[03] Magneto-resistive Random Access Memory (MRAM) is another promising candidate for future nonvolatile and universal memory. MRAM features non-volatility, fast writing/reading speed (<10ns), almost unlimited programming endurance (>10^{15}cycles) and zero standby power. The basic component of MRAM is a magnetic tunneling junction (MTJ). Data storage is realized by switching the resistance of MTJ between a high-resistance state and a low-resistance state. MRAM switches the MTJ resistance by using a current induced magnetic field to switch the magnetization of MTJ. As the MTJ size shrinks, the switching magnetic field amplitude increases and the switching variation becomes severer. Hence, the incurred high power consumption limits the scaling of conventional MRAM.

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: 247652	Application Number (if known): 13088618	Filing date: April 18, 2011

First Named Inventor: Brent Alden Junge

Title: APPLIANCE REFRIGERATION SYSTEM WITH FINAL CONDENSER

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 15, 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: Brent Alden Junge	)
Confirmation No.: 8838	)
	)
Serial No.: 13/088618	)
	)
Filing Date: April 18, 2011	)
	)
Atty Docket No.: 247652-1 (US)	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

[0001] The present subject matter relates generally to refrigeration systems, and more particularly to a refrigeration system with a final condenser. (See [0001])

Government regulations and consumer demand strongly encourage more energy-efficient appliances, including refrigerators. Compressor-type refrigeration systems typically include a compressor, a condenser, a metering device, and an evaporator. Since these systems generally operate at relatively high ambient temperatures, a significant amount of energy is required to raise the pressure of the gas from the low-pressure side of the evaporator to the high-pressure side of the condenser. (See [0002])

Household refrigeration appliances, including refrigerators and freezers, typically utilize a relatively simple capillary tube type of expansion device. These tubes function as metering/restriction devices by forcing refrigerant that enters

the tube to be mostly liquid, with an occasional vapor bubble. When a vapor bubble enters the capillary tube, refrigerant mass flow is greatly reduced while the bubble travels the length of the tube. The two-phase liquid/vapor refrigerant cannot be sub-cooled. Sub-cooling would provide the benefit of increasing cooling capacity by increasing the liquid fraction of the refrigerant entering the evaporator. (See [0003])

Sub-cooling is a common technique used in larger commercial refrigeration systems to reduce the enthalpy of the liquid refrigerant flowing from the condenser into the evaporator, thereby increasing heat absorption and overall efficiency of the system. Sub-coolers, however, are more suited for the expansion valve-type of metering/restriction devices used in the larger commercial systems and are not useful in a capillary tube-type system because the refrigerant entering the capillary tube is typically slightly two-phase. Also, sub-coolers are relatively expensive and, thus, not attractive for household consumer appliance applications. (See [0004])

Accordingly, it would be desirable to provide the benefits of sub-cooling to capillary tube system in a cost effective and energy efficient manner. (See [0005])

In accordance with aspects of the invention, a refrigeration appliance is provided with a compression stage, a condenser stage, and an evaporation stage. The condenser stage further comprises a first condenser, for example a tube/fin condenser, and a water-cooled final condenser. The final condenser is operatively configured between the first condenser and the evaporation stage

and is in communication with a water source to cool the condenser and reduce the temperature (at saturation pressure) of the refrigerant entering the evaporation stage to ambient temperature or lower. (See [0007])

The final condenser may be cooled by the water source in various ways. For example, in a particular embodiment, a water bath is configured to receive water from the water source and the final condenser, which may be a tubular configuration, is at least partially submerged in the water bath. In another embodiment, water or water vapor may be sprayed or otherwise applied directly onto the final condenser. In still a further embodiment, water from the water source may be used to wet an absorbent pad or other material that is placed near or in contact with the final condenser, wherein evaporation of the water from the pad serves to cool the final condenser. (See [0009])

Therefore, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the more efficient utilization and conservation of 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: November 15, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,618	04/18/2011	Brent Alden Junge	247652/GECA-106	8838

99491 7590 12/09/2011
Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3744	

MAIL DATE	DELIVERY MODE
12/09/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville SC 29602

:

In re Application of		
JUNGE, BRENT ALDEN	:	DECISION ON PETITION
Application No. 13/088,618	:	TO MAKE SPECIAL UNDER
Filed: April 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247652/GECA/106	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Nov. 15, 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 technology. This is not convincing. For example, it is not clear how the claimed conventional refrigeration system with water cooled condenser will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. e application will be forwarded to the Technology Center Art Unit 3752 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Brent Alden JUNGE	)
Confirmation No.: 8838	)
	)
Serial No.: 13/088,618	)
	)
Filing Date: 04-18-2011	)
	)
Atty Docket No.: 247652-1 /GECA-106	)

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 9 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 more efficient utilization and conservation of energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") states that it is not agreed that the application on its face meets the materiality standard. The Decision alleges that Applicant's assertion that the claimed invention relates to green technology is not convincing. The Decision alleges that it is not clear how the claimed conventional refrigeration system with water cooled condenser will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate to refrigeration systems, and more particularly to a refrigeration system with a final condenser. (see at least paragraph [0001]).

Government regulations and consumer demand strongly encourage more energy-efficient appliances, including refrigerators. Compressor-type refrigeration systems typically include a compressor, a condenser, a metering device, and an evaporator. Since these systems generally operate at relatively high ambient temperatures, a significant amount of energy is required to raise the pressure of the gas from the low-pressure side of the evaporator to the high-pressure side of the condenser. (see at least paragraph [0002]).

Household refrigeration appliances, including refrigerators and freezers, typically utilize a relatively simple capillary tube type of expansion device. These tubes function as metering/restriction devices by forcing refrigerant that enters the tube to be mostly liquid, with an occasional vapor bubble. When a vapor bubble enters the capillary tube, refrigerant mass flow is greatly reduced while the bubble travels the length of the tube. The two-phase liquid/vapor refrigerant cannot be sub-cooled. Sub-cooling would provide the benefit of increasing cooling capacity by increasing the liquid fraction of the refrigerant entering the evaporator. (see at least paragraph [0003]).

Sub-cooling is a common technique used in larger commercial refrigeration systems to reduce the enthalpy of the liquid refrigerant flowing from the condenser into the evaporator, thereby increasing heat absorption and overall efficiency of the system. Sub-coolers, however, are more suited for the expansion valve-type of metering/restriction devices used in the larger commercial systems and are not useful in a capillary tube-type system because the refrigerant entering the capillary tube is typically slightly two-phase. Also,

sub-coolers are relatively expensive and, thus, not attractive for household consumer appliance applications. (see at least paragraph [0004]).

In accordance with aspects of the invention, a refrigeration appliance is provided with a compression stage, a condenser stage, and an evaporation stage. The condenser stage further comprises a first condenser, for example a tube/fin condenser, and a water-cooled final condenser. The final condenser is operatively configured between the first condenser and the evaporation stage and is in communication with a water source to cool the condenser and reduce the temperature (at saturation pressure) of the refrigerant entering the evaporation stage to ambient temperature or lower. (see at least paragraph [0007]).

The embodiments disclosed in the present application provide a refrigeration appliance that can reduce the enthalpy of the liquid refrigerant flowing from the condenser into the evaporator, thereby increasing heat absorption and overall efficiency of the system. Accordingly, embodiments of the present invention reduce the consumption by a refrigeration appliance of energy associated with expansion devices of such appliances. As such, the present invention promotes the more efficient utilization of and conservation of energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/

Allison Weiner Mages
Reg. No. 57,275

Dated: January 4, 2012

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,618	04/18/2011	Brent Alden Junge	247652/GECA-106	8838

99491 7590 01/31/2012
Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3744	

MAIL DATE	DELIVERY MODE
01/31/2012	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

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville SC 29602

In re Application of	:	
Junge et al.	:	DECISION ON PETITION
Application No. 13/088,618	:	TO MAKE SPECIAL UNDER
Filed: 4/18/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **247652/GECA-106**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 1/4/2012, 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) 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 3744 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

Decision Date : March 28, 2012

In re Application of :

Greg McKNIGHT

Application No : 13088636

Filed : 18-Apr-2011

Attorney Docket No : 100327np

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 March 28, 2012

The request is **APPROVED.**

The request was signed by Cynthia A. Bolden (registration no. 64704) on behalf of all attorneys/agents associated with Customer Number 35501 . All attorneys/agents associated with Cusotmer Number 35501 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	Erin McCloy
Name2	Accute Holdings, LLC
Address 1	3701 Port Union Road
Address 2	
City	Fairfield
State	OH
Postal Code	45014
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	13088636
Filing Date	18-Apr-2011
First Named Inventor	Greg McKNIGHT
Art Unit	2856
Examiner Name	LISA CAPUTO
Attorney Docket Number	100327np
Title	MEDICAL TESTING DEVICE HAVING MULTIPLE TESTING PARAMETERS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 35501

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	Erin McCloy Accute Holdings, LLC
Address	3701 Port Union Road
City	Fairfield
State	OH
Postal Code	45014

Country	US
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/C.A. Bolden/
Name	Cynthia A. Bolden
Registration Number	64704

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

Patent Law Group: Atkins & Associates P.C.
605 W. Knox Road, Suite 104
Tempe AZ 85284

MAILED
MAR 27 2012
OFFICE OF PETITIONS

In re Application of	:	
Pendse	:	
Application No. 13/088,647	:	DECISION DISMISSING PETITIONS
Filed: April 18, 2011	:	UNDER 37 CFR 1.78(a)(3) AND (a)(6)
Attorney Docket No. 2515.0037 CON3	:	

This is a decision on the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6), filed March 5, 2012, to accept an unintentionally delayed claim under 35 U.S.C. §§ 120 and 119(e) for the benefit of priority to prior-filed nonprovisional and provisional applications.

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 and 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 where there is a question whether the delay was unintentional.

The petition does not comply with item (1).

The amendment as drafted is unacceptable and, therefore, is not considered a proper reference under 37 CFR 1.78(a)(2)(i). In this regard, the amendment is physically part of the petition and, as such, does not comply with 37 CFR 1.121, 1.52, or 1.4(c). Note that 37 CFR 1.121 states that amendments are made by filing a paper, in compliance with § 1.52, directing that specified amendments be made. The pertinent section of 37 CFR 1.52 states that the claim (in this case, the claim for priority), must commence on a separate physical sheet. 37 CFR 1.4(c) states that each distinct subject must be contained in a separate paper since different matters may be considered by different branches of the United States Patent and Trademark Office.

The application data sheet referenced in the petition is not found among the documents filed March 5, 2012.

It is also noted that review of the claim reveals that it is not fully supported by the prior applications to which priority is claimed. A proper benefit claim to a chain of prior applications must include proper references to each prior application in order to establish copendency throughout the entire chain of prior applications. Appropriate references must have been made in each intermediate application in the chain of prior applications. In other words, a benefit claim to a chain of prior applications will only be effective if each prior application actually includes a proper benefit chain. Review of the benefit claims in the prior applications is recommended.

Before the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) can be granted, a renewed petition and either an Application Data Sheet or a substitute amendment (complying with the provisions of 37 CFR 1.121 and 37 CFR 1.76(b)(5)) to correct the above matters are required.

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

This application is being directed to the Office of Data Management to await reply to the Notice of Allowance and Issue Fee Due mailed January 26, 2012.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

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:	13/088,654	Filing date:	April 18, 2011
First Named Inventor:	Takayuki Takeuchi		
Title of the Invention:	Light-Emitter, Method of Manufacturing the Same and Light Emitting Device		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/000785

The international date of the corresponding PCT application(s) is/are: February 9, 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.:	13/088,654
First Named Inventor:	Takayuki Takeuchi

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 21, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on July 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Independent claim 1 of the present application is submitted to "sufficiently
		correspond to claim 1 of the corresponding PCT application.
2	1	Dependent claim 2 is submitted to be a dependent claim narrower
		in scope than claim 1 of the corresponding PCT application.
3-13	2-12	Dependent claims 3-13 are submitted to "sufficiently correspond" to claims
		2-12, respectively, of the corresponding PCT application and/or be dependent
		claims narrower in scope than claim 1 of the corresponding PCT application.
14	13	Independent claim 14 is submitted to "sufficiently correspond" to claim
		13 of the corresponding PCT application.
15-20	14-19	Dependent claims 15-20 are submitted to "sufficiently correspond" to claims
		14-19, respectively, of the corresponding PCT application and/or be dependent
		claims narrower in scope than claim 13 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			Date 12/12/2011
Name (Print/Typed)	Bruce H. Bernstein	William Pieprz Reg. No. 33,630	Registration Number 29027

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.

P39017.A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Takayuki TAKEUCHI et al.	Art Unit	: 2811
Appl. No.	: 13/088,654 (Continuation of PCT/JP2010/000785)	Examiner	: Not yet assigned
I.A. Filed	: February 9, 2010	Conf. No.	: 8912
For	: LIGHT-EMITTER, METHOD OF MANUFACTURING THE SAME AND LIGHT EMITTING DEVICE		

STATEMENT IN SUPPORT OF REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE AND THE USPTO

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PPH
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In support of the concurrently filed Request for Participation in the PCT-PPH Program between the JPO and the USPTO, Applicants bring the following information to the attention of the U.S. Patent and Trademark Office:

1. The present application is a national application claiming foreign/domestic priority to PCT/JP2010/000785. That is, the present application is a continuation of PCT/JP2010/000785 (and claims priority of JP 2009-199300).

2. A copy of the latest international work product in PCT/JP2010/000785, and an English language translation thereof, are submitted concurrently with this Request. Applicant notes that no observation is described in Box VIII.

3. A copy of the claims in PCT/JP2010/000785 having novelty, an inventive step, and industrial applicability, and a verified English language translation thereof, are submitted concurrently with this Request.

4. Copies of the documents cited in the latest international work product were submitted in an Information Disclosure Statement filed on July 21, 2011.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Takayuki TAKEUCHI et al.

William Pieprz
Reg. No. 33,630

Bruce H. Bernstein
Reg. No. 29027

December 12, 2011
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

Shiro NAKAJIMA
6F, Yodogawa 5-Bankan, 2-1,
Toyosaki 3-chome, Kita-ku
Osaka-shi, Osaka 531-0072
JAPAN

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(Implementing Regulation 40.2)

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*: 23.03.2010
Applicant's or agent's file reference: P055395P0B95
FOR FURTHER ACTION: See paragraph 2 below
International application No.: PCT/JP2010/000785
International filing date *(day/month/year)*: 09/02/2010
Priority date *(day/month/year)*: 31/08/2009

International Patent Classification (IPC):	H05B	36/26 (2006.01)i
	H01L	51/50 (2006.01)i
	H05B	33/10 (2006.01)i
	H05B	33/12 (2006.01)i
	H05B	33/22 (2006.01)i

Applicant (name of person or organization): Panasonic Corporation

1. This opinion contains indications relating to the following items:

☒ Box No. I Basis of the opinion

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Date of completion of this opinion: 10.03.2010

Name and mailing address of the ISA/Authorized officer:

Takashi HAMANO
Japan Patent Office (ISA/JP)
3-4-3 Kasumigaseki, Chiyoda-ku, Tokyo-to 100-8915

JPO Examiner (Authorized Officer)
2O 4749
Telephone No.: 03-3581-1101 Extension 3271

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.: PCT/JP2010/000785

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into _____

which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (format) ☐ on paper
☐ in electronic form

b. (time) ☐ in the international application as filed
☐ together with the international application in electronic form
☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International Application No.: PCT/JP2010/000785

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations:

Document 1: Japanese Patent Application Publication No. 2005-268099A (Mitsubishi Electric Corporation.) 2005.09.29, Paragraphs 0012, 0028-0029, 0033, 0040, 0058-0067, 0083-0092, Fig. 1 and Fig. 12

Document 2: Japanese Patent Application Publication No. 2009-4347A (Toppan Printing Co., Ltd.) 2009.01.08, Abstract, Paragraphs 0019, 0023, 0025-0026, and Fig. 3

Document 3: Japanese Patent Application Publication No. 2006-294261A (Fuji Electric Holdings Co., Ltd.) 2006.10.26, Abstract and Paragraphs 0006-0009, 0020

Document 4: Japanese Patent Application Publication No. 2002-75661 A (Fujitsu Limited) 2002.03.15, Paragraphs 0029-0031 and Fig. 4

The inventions pertaining to claims 1-19 are not recited in any of the documents cited in the International Search Report, and are not self-evident to a person skilled in the art.

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
中島司朗

様

あて名
〒531-0072
日本国大阪府大阪市北区豊崎三丁目２番１号淀川５番館６Ｆ

ナカシマ知的財産事務所 受領 22.3.24

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
［ＰＣＴ規則43の2.1］

発送日（日.月.年）	２３．０３．２０１０
出願人又は代理人の書類記号　P055395P0B95	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日（日.月.年）	優先日（日.月.年）
ＰＣＴ／ＪＰ２０１０／０００７８５	０９．０２．２０１０	３１．０８．２００９

国際特許分類（ＩＰＣ）Int.Cl. H05B33/26(2006.01)i, H01L51/50(2006.01)i, H05B33/10(2006.01)i, H05B33/12(2006.01)i, H05B33/22(2006.01)i

出願人（氏名又は名称）
パナソニック株式会社

１．この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
１０．０３．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	２０	４７４９
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	濱野　隆 電話番号　０３－３５８１－１１０１　内線　３２７１		

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／JP2010／000785

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／JP2010／000785

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	1-19	有
	請求項		無
進歩性（IS）	請求項	1-19	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-19	有
	請求項		無

2. 文献及び説明

文献1：JP 2005-268099 A（三菱電機株式会社）2005.09.29,
段落【0012】,【0028】-【0029】,【0033】,【0040】,【0058】-【0067】,【0083】-【0092】,【図1】及び【図12】

文献2：JP 2009-4347 A（凸版印刷株式会社）2009.01.08,
【要約】,段落【0019】,【0023】,【0025】-【0026】及び【図3】

文献3：JP 2006-294261 A（富士電機ホールディングス株式会社）2006.10.26,
【要約】,【0006】-【0009】,【0020】

文献4：JP 2002-75661 A（富士通株式会社）2002.03.15,
段落【0029】-【0031】及び【図4】

請求項1-19に係る発明は、国際調査報告で引用する上記いずれの文献にも記載されておらず、新規性を有し、また、当業者が容易になし得るものでなく進歩性を有する。

VERIFICATION OF TRANSLATION

I, Natalie Arnold, translator at Nakajima & Associates IP Firm, 6th floor, Yodogawa 5-Bankan, 3-2-1 Toyosaki, Kita-Ku, Osaka, Japan, hereby declare that I am conversant with the English and Japanese languages and am a competent translator thereof. I further declare that to the best of my knowledge and belief the following is a true and correct translation made by me of the claims of International Application No. PCT/JP2010/000785 found as patentable by the International Searching Authority.

Date: December 12, 2011

Natalie Arnold

CLAIMS

1. A light-emitter, comprising:

a first electrode;

a layered body disposed on the first electrode, the layered body including a charge injection layer and a light-emitting layer;

a second electrode disposed on the layered body; and

a bank that defines a position of the light-emitting layer,

wherein the charge injection layer is formed by oxidation of an upper portion of a metal,

the first electrode includes a metal layer that is a lower portion of the metal,

an inner portion of the charge injection layer is depressed to define a recess, and

a portion of the bank is on an outer portion of the charge injection layer.

2. The light-emitter of Claim 1, wherein

the bank is formed by a solution, and

the solution is erosive to the charge injection layer formed by oxidation of the upper portion of the metal.

3. The light-emitter of Claim 1, wherein

the portion of the bank that is on the outer portion of the charge injection layer is adjacent the recess, and

an inner side wall of the bank slopes upwardly with respect to a bottom surface of the recess.

4. The light-emitter of Claim 1, wherein the portion of the bank that is on the outer portion of the charge injection layer is displaced from a bottom surface of the recess.

5. The light-emitter of Claim 1, wherein the first electrode has one of a monolayer structure and a layer structure.

6. The light-emitter of Claim 5, wherein the first electrode has the layer structure including the metal layer over a lower layer having a visible light reflectance of at least approximately 60%.

7. The light-emitter of Claim 5, wherein

the first electrode has the layer structure including the metal layer over a lower layer,

the metal layer comprises at least one of molybdenum, chrome, vanadium, tungsten, nickel and iridium, and

the lower layer is an alloy that comprises at least one of aluminum and silver.

8. The light-emitter of Claim 1, wherein the metal layer has a thickness of at most approximately 20 nm.

9. The light-emitter of Claim 1, wherein the light-emitting layer is an organic EL layer.

10. The light-emitter of Claim 1, wherein the outer portion of the charge injection layer protrudes along a base of the bank.

11. The light-emitter of Claim 1, wherein the portion of the bank that is on the outer portion of the charge injection layer is defined by an angle formed between two surfaces, one of the two surfaces being a top surface of the outer portion of the charge injection layer and the other of the two surfaces being a side wall of the bank.

12. A light-emitting device including a plurality of the light-emitter of any one of Claims 1 through 11.

13. A method of manufacturing a light-emitter including a first electrode; a layered body that is over the first electrode and includes a charge injection layer and a light-emitting layer, a second electrode over the layered body; and a bank that defines a position of the light-emitting layer, the method comprising:

forming a metal layer;

forming a first metal oxide layer by oxidizing an upper portion of the metal layer;

forming a bank material layer on the first metal oxide layer;

removing a portion of the bank material layer and a portion of the first metal oxide layer to expose an exposed surface of an unoxidized portion of the metal layer and to define an area from which the portion of the bank material layer and the portion of the first metal oxide layer have been removed;

forming a second metal oxide layer by oxidizing an upper portion of the unoxidized portion of the metal layer around the exposed surface to form the charge injection layer, the charge injection layer including the second metal oxide layer and an unremoved portion of the first metal oxide layer, the first electrode including a portion of the metal layer that has not been oxidized;

thermally treating an unremoved portion of the bank material layer, the unremoved portion of the bank material layer being on the unremoved portion of the metal oxide layer; and

forming a light-emitting layer in the area after thermally treating the unremoved portion of the bank material layer, the light-emitting layer being on the charge injection layer,

wherein the charge injection layer comprises a material that is erosive by a solution used for removing the portion of the bank material layer,

an inner portion of the charge injection layer is eroded by the solution to define a recess having a bottom surface corresponding to the exposed surface so that the exposed surface is lower than a bottom surface of a portion of the unremoved portion of the bank material layer, and

when thermally treating the unremoved portion of the bank material layer, the unremoved portion of the bank material layer is fluid to extend the bank to a peripheral edge of the recess.

14. The method of manufacturing the light-emitting element of Claim 13, wherein the first metal oxide layer and the second metal oxide layer are formed by one of natural oxidization by air exposure and oxidization in an oxidizing process.

15. The method of manufacturing the light-emitter of Claim 13, wherein the first metal oxide layer and the second metal oxide layer are formed by natural oxidization by air exposure.

16. The method of manufacturing the light-emitter of Claim 13, wherein the first electrode has one of a monolayer structure and a layer structure.

17. The method of manufacturing the light-emitter of Claim 13, wherein

the metal layer is formed on a lower layer having a visible reflectance of at least approximately 60%, and

the first electrode has a layer structure including the metal layer over the lower layer.

18. The method of manufacturing the light-emitter of Claim 13, wherein

the metal layer is formed on a lower layer that is an alloy including at least one of aluminum and silver,

the metal layer includes at least one of molybdenum, chrome, vanadium, tungsten, nickel and iridium, and

the first electrode has a layer structure including the metal layer over the lower layer.

19. The method of manufacturing the light-emitter of Claim 13, wherein the portion of the metal layer included in the first electrode has a film thickness of at most approximately 20 nm.

請求の範囲

[請求項1] 第１電極と第２電極との間に、少なくとも電荷注入輸送層と発光層との積層体が介挿され、且つ、前記発光層の形状を規定するバンクを有する発光素子であって、

前記第１電極は、酸化されてなる一方の表面側部分と、酸化されずに残る部分とを含む層中の、前記酸化されずに残る金属層であり、

前記電荷注入輸送層は、前記酸化されてなる金属酸化物層であり、前記バンクで規定された領域においては上面が沈下した凹入構造に形成され、

前記電荷注入輸送層の凹部の縁は、前記バンクの一部で被覆されている

ことを特徴とする発光素子。

[請求項2] 前記金属酸化物層は、前記バンクを形成するときに用いられる液体により浸食される

ことを特徴とする請求項１に記載の発光素子。

[請求項3] 前記バンクの一部は、前記電荷注入輸送層の凹入構造における凹部の底面まで達し、

前記バンクの側面は、前記凹部の底面への到達点から頂点にかけて上り斜面になっている

ことを特徴とする請求項１に記載の発光素子。

[請求項4] 前記バンクの一部は、前記電荷注入輸送層の凹入構造における凹部の底面まで達していない

ことを特徴とする請求項１に記載の発光素子。

[請求項5] 前記第１電極は、少なくとも前記金属層を含む単層構造または積層構造である

ことを特徴とする請求項１に記載の発光素子。

[請求項6] 前記第１電極は、可視光の反射率が６０％以上である下層と、前記下層上に設けられた前記金属層である上層とを有する積層構造である

ことを特徴とする請求項５に記載の発光素子。

[請求項7] 前記第１電極は、アルミニウムおよび銀のうち少なくとも１つを含む合金である下層と、前記下層上に設けられ、モリブデン、クロム、バナジウム、タングステン、ニッケル、イリジウムのうち少なくとも１つを含む前記金属層である上層とを有する積層構造である

ことを特徴とする請求項５に記載の発光素子。

[請求項8] 前記第１電極における前記金属層の膜厚は、２０ｎｍ以下である

ことを特徴とする請求項１に記載の発光素子。

[請求項9] 前記発光層は、有機ＥＬ層である

ことを特徴とする請求項１に記載の発光素子。

[請求項10] 前記電荷注入輸送層は、前記バンクの底面に沿って前記バンクの側方に延出している

ことを特徴とする請求項１に記載の発光素子。

[請求項11] 前記電荷注入輸送層における凹部の縁は、前記電荷注入輸送層の上面において凹入されていない領域と前記凹部の側面とで形成された凸角部分である

ことを特徴とする請求項１に記載の発光素子。

[請求項12] 請求項１から１１の何れかに記載の発光素子を複数備えた発光装置。

[請求項13] 第１電極と第２電極との間に、少なくとも電荷注入輸送層と発光層との積層体が介挿され、且つ、前記発光層の形状を規定するバンクを有する発光素子の製造方法であって、

金属層を形成する第１工程と、

前記金属層における一方の表面側部分を酸化することにより金属酸化物層を形成する第２工程と、

前記金属酸化物層上にバンクを構成する材料からなるバンク材料層を形成する第３工程と、

前記バンク材料層の一部を除去することにより、対応する領域の金

属酸化物層を除去し、前記第２工程で酸化されずに残った金属層の一部を露出させる第４工程と、

前記金属層における前記露出した表面を酸化することにより、前記対応領域に金属酸化物層からなる電荷注入輸送層を形成し、酸化されずに残る金属層を第１電極とする第５工程と、

前記電荷注入輸送層上の前記バンク材料層の残留部に熱処理を施す第６工程と、

前記第６工程後、前記対応領域に形成した前記電荷注入輸送層上に発光層を形成する第７工程と、

を含み、

前記電荷注入輸送層は、前記バンク材料層の一部を除去するときに用いられる液体により浸食される材料からなり、

前記電荷注入輸送層の前記対応領域における露出面は、前記液体の浸食により前記バンク材料層の残留部底面のレベルから沈下した凹入構造に形成され、

前記第６工程では、前記バンク材料層の残留部に流動性を与えることにより、前記残留部から前記バンクを構成する材料を前記凹入構造の凹部の縁まで延出させる

ことを特徴とする発光素子の製造方法。

[請求項14] 前記酸化は、大気に晒すことによる自然酸化、または、酸化処理による酸化の何れかである

ことを特徴とする請求項１３に記載の発光素子の製造方法。

[請求項15] 前記酸化は、大気に晒すことによる自然酸化である

ことを特徴とする請求項１３に記載の発光素子の製造方法。

[請求項16] 前記第１電極は、単層構造または積層構造である

ことを特徴とする請求項１３に記載の発光素子の製造方法。

[請求項17] 前記第１工程では、

可視光の反射率が６０％以上である下層を準備し、

前記下層上に、前記金属層を形成し、

前記第５工程の実行により、前記下層と、前記下層上に積層された前記金属層からなる上層とを有する積層構造の前記第１電極が形成される

ことを特徴とする請求項１３に記載の発光素子の製造方法。

[請求項18] 前記第１工程は、

アルミニウムおよび銀のうち少なくとも１つを含む合金である下層を準備し、

前記下層上に、モリブデン、クロム、バナジウム、タングステン、ニッケル、イリジウムのうち少なくとも１つを含む前記金属層を形成し、

前記第５工程の実行により、前記下層と、前記下層上に積層された前記金属層部分からなる上層とを有する積層構造の前記第１電極が形成される

ことを特徴とする請求項１３に記載の発光素子の製造方法。

[請求項19] 前記第１電極における前記金属層の膜厚は、２０ｎｍ以下である

ことを特徴とする請求項１３に記載の発光素子の製造方法。

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON VA 20191

MAILED
FEB 07 2012
OFFICE OF PETITIONS

In re Application of
Takayuki Takeuchi et al.
Application No.: 13/088,654
Filed: April 18, 2011
Attorney Docket No.: P39017
For: Light-Emitter, Method of Manufacturing the Same and Light Emitting Device

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 13, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-5), and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding requirement (6), a statement that the English translation of the international work product is accurate was not submitted with the petition.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to 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

P39017.A03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Takayuki TAKEUCHI et al.	Art Unit	: 2811
Appl. No.	: 13/088,654 (Continuation of PCT/JP2010/000785)	Examiner	: Lynne Ann Gurley
Filed	: April 18, 2011	Conf. No.	: 8912
For	: LIGHT-EMITTER, METHOD OF MANUFACTURING THE SAME AND LIGHT EMITTING DEVICE		

RESPONSE TO DECISION ON THE REQUEST TO PARTICIPATE IN THE PCT PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM AND THE PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(A)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

On February 7, 2012, the U.S. Patent and Trademark Office issued a Decision on Applicants' Request to Participate in the PCT Patent Prosecution Highway (PCT-PPH) Pilot Program and Petition to Make Special under 37 CFR 1.102(a) (hereinafter "Request and Petition"), which was filed on December 13, 2011. The Decision sets forth a thirty day period for response that expires on March 8, 2012.

Initially, Applicants note that the Decision inadvertently indicates that the Request and Petition fail to meet **requirement (3)**. That is, the Decision indicates that the Request and Petition fail to meet requirement (3), but further indicates that, "Regarding **requirement (6)**, a

statement that the English language translation of the international work product is accurate was not submitted with the petition."

In this regard, Applicants' representative contacted Petitions Examiner Kimberly Inabinet to confirm the reasons for which the Decision dismissed the Request and Petition. Petitions Examiner Inabinet confirmed that the Decision dismissed the Request and Petition as failing to meet **requirement (6)**, not requirement (3). In other words, Applicants did submit a copy of the claims from the PCT application that have novelty, inventive step, and industrial applicability along with an English language translation thereof and a statement that the English language translation is accurate.

Thus, the Decision inadvertently indicates that the Request and Petition fail to meet requirement (3), and should indicate that the Request and Petition fail to meet requirement (6).

As for the reasoning regarding the failure to meet requirement (6), the Decision indicates that, "a statement that the English language translation of the international work product is accurate was not submitted with the petition." In this regard, Applicants respectfully submit that a statement that the English language translation of the international work product is accurate is <u>not</u> required. That is, as discussed and acknowledged by Petitions Examiner Inabinet, the Request for Participation in the Patent Cooperation Treaty – Patent Prosecution Highway (PCT-PPH) Pilot Program only requires that a statement that the English language translation of the claims indicated as having novelty, inventive step, and industrial applicability be submitted.

Section I.C. of Form PTO/SB/20PCT-JP clearly indicates that a statement that the English language translation of the international work product is accurate is <u>not</u> required. Moreover, Patent and Trademark Office Notice 1351 OG 209 states, in pertinent part and with emphasis added:

> (6) Unless already filed in the U.S. application for which participation in the PCT-PPH pilot program is requested, applicant must submit a copy of the latest international work product, WO/ISA, or WO/IPEA or IPER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language. ***A statement that the English translation is accurate is not required.*** Where the required documents have been previously filed in the U.S. application, applicant may simply refer to these documents and indicate in the request for participation in the PCT-PPH pilot program when these documents were previously filed in the U.S. application. Where the U.S. application and the corresponding PCT application satisfy the relationship noted in B.(1)(a) above, applicant need not submit a copy of the latest international work product along with an English translation thereof since a copy of these documents is already contained in the file wrapper of the U.S. application.

At least in view of the above and as acknowledged by Petitions Examiner Inabinet, Applicants respectfully submit that requirement (6) does not require a statement that the English language translation is accurate be submitted. Thus, it is submitted that the Request and Petition do not fail to meet requirement (6), and submitted that the dismissal of the Request and Petition by the Decision was made in error and should be withdrawn.

In view of the above, Applicants submit that all of the requirements for participating in the PCT-PPH Pilot Program have been met, and thus respectfully request that the Examiner reconsider and grant Applicants' Request and Petition. Such action is respectfully requested and believed to be appropriate.

While no fee is believed to be due, should the Commissioner determine that any fee is required in order to render this paper timely and/or complete, the Commissioner is authorized to charge any additional fee to Deposit Account No. 19-0089.

If there should be any questions concerning this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Takayuki TAKEUCHI et al.
/James P. Bonnamy/
Reg. No. 63,649
James P. Bonnamy

_____
Bruce H. Bernstein
Reg. No. 29027

March 7, 2012
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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON VA 20191

In re Application of
Takayuki Takeuchi et al.
Application No.: 13/088,654
Filed: April 18, 2011
Attorney Docket No.: P39017
For: Light-Emitter, Method of Manufacturing the Same and Light Emitting 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 renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on March 7, 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 Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Thurman K Page

Thurman Page
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Joseph Tobbe	)
Confirmation No.: 8944	)
	)
Serial No.: 13/088670	)
	)
Filing Date: 2011-04-18	)
	)
Atty Docket No.: 249457-1 (US)	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present application relates generally to consumer appliances, such as refrigerators, and more particularly to a method for injecting an expandable insulation material into the appliance cabinet. (See [0001])

It is a common manufacturing practice to inject an expandable foam material, such as a polyurethane foam, into the double wall cabinet of a refrigeration appliance, such as a refrigerator or freezer, to provide a desired degree of thermal insulation to the appliance. The prior foaming techniques often result in uneven distribution of the foam within the various contours and spaces of the double-wall cabinet, as well as the formation of air pockets, resulting in decreased insulation performance. Accordingly, an improved method for filling the cabinet of a consumer appliance with expandable foam is desirable. (See [0002]-[0004])

In accordance with aspects of the invention, a method is provided for filling the internal cavity of an appliance cabinet with an expanding foam insulation material. The method includes defining a pattern of fill holes in an outer wall of the appliance cabinet at defined locations for injecting foam into identified sections of the cavity (which may overlap). For example, particular fill holes may be provided for filling the back panel section of the cabinet, while other holes are provided for filling the side panel sections and the top and bottom panel sections. Measured quantities of the foam material are injected into the fill holes in a sequential manner starting at one end of the cabinet and working towards an opposite end of the cabinet. In this manner, measured amounts of the foam material are sequentially deposited into the cavity against previously deposited sections of foam along the length of the cabinet while driving air within the cabinet towards a last section of the cabinet to be filled or out of vent holes in the cabinet. (See [0006])

Since the invention results in better insulation performance, less energy is required to maintain a particular temperature in an appliance. Therefore, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the more efficient utilization and conservation of 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: November 9, 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 (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: 249457	Application Number (if known): 13/088670	Filing date: 2011-04-18
First Named Inventor: Joseph Tobbe		
Title: METHOD FOR INSULATING AN APPLIANCE WITH AN EXPANDING INSULATING 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: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 2011-11-09
Name (Print/Typed) Allison W .Mages	Registration Number 57,275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

☐ *Total of ..... forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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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

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,670	04/18/2011	Joseph Anthony Tobbe	249457/GECA-113	8944

99491 7590 11/17/2011
Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
greenville, SC 29602

EXAMINER
FLETCHER III, WILLIAM P

ART UNIT	PAPER NUMBER
1717	

MAIL DATE	DELIVERY MODE
11/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Dority and Manning, P.A and General
Electric-Appliance and Lighting
PO Box 1449
Greenville SC 29602

NOV 17 2011

In re Application of	:	
Tobbe et al.	:	DECISION ON PETITION
Application No. 13/088,670	:	TO MAKE SPECIAL UNDER
Filed: 4/18/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **249457/GECA-113**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/9/2011, to make the above-identified application special 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 1717 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: XIC018 US	Application Number (if known): TBD	Filing date: Herewith
First Named Inventor: Gerard Harbers		
Title: Led-Based Illumination Module Attachment To A Light Fixture		

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: App, Figs, Decl./POA, SB0014 (w/Req. for Early Pub), Statement

Signature /Michael J. Halbert/	Date April 18, 2011
Name (Print/Typed) Michael J. Halbert	Registration Number 40633

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 5 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.
13/088,710	04/18/2011	Gerard Harbers	XIC018 US	9046

34036 7590 05/04/2011
Silicon Valley Patent Group LLP
18805 Cox Avenue
Suite 220
Saratoga, CA 95070

EXAMINER

ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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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Silicon Valley Patent Group LLP
18805 Cox Avenue
Suite 220
Saratoga CA 95070

In re Application of	:	
HARBERS et al.	:	DECISION ON PETITION
Application No. 13/088,710	:	TO MAKE SPECIAL UNDER
Filed: April 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. XIC018 US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13088730	Confirmation Number	9093	Filing Date	2011-04-18
Attorney Docket Number (optional)	075200.23	Art Unit	NA	Examiner	
First Named Inventor	Gholam A. Peyman				
Title of Invention	METHODS TO REGULATE POLARIZATION OF EXCITABLE CELLS				

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
Gholam	A.	Peyman	

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	/Beverly A. Lyman/	Date (YYYY-MM-DD)	2011-04-18
Name	Beverly A. Lyman, Ph.D.	Registration Number	41961

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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Alexandria, VA 22313-1450
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In re Application of
Gholam A. Peyman

Application No. 13088730

Filed:

Attorney Docket No. 075200.23

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 18-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

October 26, 2011

O"Shea Getz P.C.
1500 MAIN ST. SUITE 912
SPRINGFIELD MA 01115

In re Application of	:	
Stephen C. Wardlaw et al.	:	**DECISION ON PETITION**
Application No. 13088853	:	
Filed: 4/18/2011	:	***ACCEPTANCE OF COLOR***
Attorney Docket No. 7564-0028-1-1	:	***DRAWINGS***

This is a decision on the Petition to Accept Color Drawings under 37 C.F.R 1.84 (a) (2), received in the United States Patent and Trademark Office (USPTO) April 18, 2011.

The petition is **GRANTED**.

A grantable petition under 37 C.F.R. 1.84(a) (2) must be accompanied by the following.

1. The fee set forth under 37 C.F.R. 1.17(h),
2. Three (3) sets of the color drawings in question, or (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.

The petition was accompanied by all of the required fees and drawings. The specification contains the appropriate language. Therefore, the petition is GRANTED.

Telephone inquires relating to this decision may be directed to the undersigned in the Office of Data Management at 571-272-4200.

/Don Fairchild/
Office of Data Management
Publications Branch

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: K-1164	Application Number (if known):	Filing date: April 18, 2011
First Named Inventor: Dongki PAIK		
Title: LIGHTING DEVICE AND A METHOD OF ASSEMBLING 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	Date April 18, 2011
Name (Print/Typed) Paul H. Kang	Registration Number 66,545

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

[X] *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: **K-1164** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Customer No.: **34610**

Dongki PAIK and Hyunha KIM

Serial No.: **New U.S. Patent Application**

Filed: **April 18, 2011**

For: **LIGHTING DEVICE AND METHOD OF ASSEMBLING THE SAME**

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP PATENT APPLICATION**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Special status is sought under 37 CFR 1.102 because the invention materially contributes to the more efficient utilization and conservation of energy resources.

Respectfully submitted,
KED & ASSOCIATES, LLP

Daniel Y.J. Kim
Registration No. 36,186
Paul H. Kang
Registration No. 66,545

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK/PHK:tmd

Date: March 29, 2011

Please direct all correspondence to Customer Number 34610

2016-1408\276513

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/088,920	04/18/2011	Dongki Paik	K-1164	9484

34610 7590 05/10/2011
KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER

ART UNIT	PAPER NUMBER
2875	

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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KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
PAIK et al.	:	DECISION ON PETITION
Application No. 13/088,920	:	TO MAKE SPECIAL UNDER
Filed: April 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. K-1164	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2875 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SUTHERLAND ASBILL
& BRENNAN LLP
999 PEACHTREE STREET, N.E.
ATLANTA GA 30309

MAILED
JUL 05 2011
OFFICE OF PETITIONS

In re Application of	:	
Portillo, et al.	:	
Application No. 13/088,925	:	DECISION
Filed/Deposited: 13 May, 2011	:	
Attorney Docket No. 26466-0068	:	

This is a decision on the petition filed on 20 May, 2001, properly considered pursuant to 37 C.F.R. §1.57, seeking to have accorded a filing date of 18 April, 2011, for the above-identified application based upon a showing that the omitted drawing/figures were present in the prior-filed application to which this application claimed benefit (pursuant to 37 C.F.R. §1.78 and/or §1.55) on deposit.

For the reasons stated herein, the petition is **DISMISSED**.

Application papers in the above-identified application were deposited on 18 April, 2011.

On 4 May, 2011, the Office mailed a Notice of Incomplete Nonprovisional Application (the Notice) and indicated therein that the application had not been accorded a filing date because it had been deposited without a specification as required pursuant to 35 U.S.C. §112.

Thus, the application was not granted a filing date.

OPAP indicated that Petitioner might:

- contend via petition that the specification was submitted (and evidence same with a copy of a date-stamped receipt card (see: MPEP §503)); or that a priority claim pursuant to pursuant to 37 C.F.R. §1.55 or. §1.78 was present on deposit and that petition pursuant to 37 C.F.R. §1.57 was proper to add inadvertently omitted material to the instant application; or

- submit the specification and accept the later date of submission as the filing date.

OPAP set a two- (2-) month period for reply.

In response, on 13 May, 2011, Petitioner filed, *inter alia*:

- a "response" to the 4 May, 2011, Notice, averring incorporation by reference of Application No. 09/604,525, filed on 27 June, 2000 (and pending on deposit of the instant application) to which priority is claimed;
- a copy of what appears to have been Application No. 09/604,525, but no statement that it was a true copy; and
- petition fee authorization;

however, Petitioner did not file an actual petition or an amendment under the Rule (37 C.F.R. §1.57) and did not submit an application data sheet (ADS). Instead, Petitioner appears to have indicated acceptance of the 13 May, 2011, filing date.

On 20 May, 2011, Petitioner filed a petition pursuant to 37 C.F.R. §1.57 "to Add Inadvertently Omitted Material."[1]

On 23 May, 2011, the Office mailed a filing receipt stating 13 May, 2011, as the filing date and a Notice to File Corrected Application Papers

(Application No. 09/604,525 issued as Patent No. 7,949,600, on 24 May, 2011.)

The regulations at 37 C.F.R. §1.57 provide that:

> (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

[1] Petition of 20 May, 2011.

> 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).

The instant application was filed after September 21, 2004, and thus, the provisions of 37 C.F.R. §1.57(a) are applicable.

ANALYSIS

The problem in this matter is that Petitioner's intent here is unclear.

Following deposit of some application materials on 18 April, 2011, and mailing by the Office of a Notice of Incomplete Nonprovisional Application on 4 May, 2011, Petitioner:

- filed a "response" on 13 May, 2011, indicating acceptance of that date as a filing date
- filed on 20 May, 2011, a petition pursuant to 37 C.F.R. §1.57 and sought "to Add Inadvertently Omitted Material"—however, a petition is not required for submission of an amendment timely and properly filed and which includes no new matter;
- seemed to seek a filing date earlier than that presently accorded and one contemporaneous with the 18 April, 2011, date of deposit of the incomplete application; and
- did not state in the papers filed May 20, 2011 that the papers filed May 13, 2011 were being withdrawn.

Petitioner has not been clear in this matter. The Office will not seek to interpret Petitioner's intent.

On 23 May, 2011, the Office mailed a filing receipt stating 13 May, 2011, as the filing date, and included therewith a Notice to File Corrected Application Papers.

(Determination as to entry of any amendment filed thereafter is made by the Examiner, and is not made in the Office of Petitions.)

CONCLUSION

Accordingly, the petition as considered pursuant to 37 C.F.R. § 1.57 is **dismissed as moot**. The fee is not waived in that the petition was not prompted by Office error.

The application is released to the Office of Patent Application Processing (OPAP) for further processing in due course with the previously granted filing date of 13 May, 2011, with the papers submitted on that date.

Telephone inquiries concerning this matter should be directed to John J Gillon, Jr., attorney, at (571) 272-3214. Inquiries regarding initial patent application processing should be directed to OPAP at (703) 308-9210.

Anthony Knight
Director
Office of Petitions

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FEB 13 2012

OFFICE OF PETITIONS

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 924614

In re Application of
ABE, et al
Application No.: 13/089,003
Filed: April 18, 2011
Attorney Docket No.: KATOSH.110AUS
For: TELEVISION APPARATUS AND ELECTRONIC 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 January 6, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;

4. Examination of the U.S. application has not begun;

5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

    b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;

6. Applicant must submit:
    a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application is being forwarded to the Technology Center for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitioners 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
MAR 29 2012
OFFICE OF PETITIONS

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

In re Application of
Tomotaka Ida
Application No.: 13/089,021
Filed: April 18, 2011
Attorney Docket No.: SUTOSH.808AUS
For: INFORMATION PROCESSING APPARATUS AND CONTROL METHOD USED FOR THE SAME

: 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 27, 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 (4)(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.

Inquiries concerning this decision should be directed to Karen Creasy at 571-272-3208.

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.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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PROCOPIO, CORY, HARGREAVES & SAVITCH, LLP
525 B STREET
SUITE 2200
SAN DIEGO, CA 92101

MAILED
MAY 06 2011
OFFICE OF PETITIONS

In re Application of
Kenneth L. Stanwood, et. al.
Application No. 13/089,024
Filed: April 18, 2011
Attorney Docket No. 112174-001DIV

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 18, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the attorney of record, Peter Clevenger, that joint inventor James F. Mollenauer 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

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,047	04/18/2011	Nobuhiro SAIJO	379272US8DIV	9708

22850 7590 05/27/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
05/27/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of	:	
SAIJO, NOBUHIRO	:	DECISION ON REQUEST TO
Application No. 13/089,047	:	PARTICIPATE IN PATENT
Filed: April 18, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **379272US8DIV**	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 20, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must 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 Doris To at 571-272-7629.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

/Doris To/

Doris To
Quality Assurance Specialist
Technology Center 2600
Communications

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0777	Application Number (if known):	Filing date:

First Named Inventor: Wei Zhang

Title: CIRCUITS, SYSTEMS AND METHODS FOR BALANCING BATTERY CELLS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yue. Li/	Date 2011-04-18
Name (Print/Typed) Yue. Li	Registration Number L0346

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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.
13/089,051	04/18/2011	Wei ZHANG	0777	9717

71271 7590 07/13/2011
PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

EXAMINER

ART UNIT	PAPER NUMBER
2858	

MAIL DATE	DELIVERY MODE
07/13/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

JUL 13 2011

In re Application of	:	
ZHANG, WEI	:	DECISION ON PETITION
Application No. 13/089,051	:	TO MAKE SPECIAL UNDER
Filed: 04/18/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0777	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1726 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

Toni-Junell Herbert
Patton Boggs LLP
9th Floor
8484 Westpark Drive
McLean VA 22102

MAILED

FEB 27 2012

OFFICE OF PETITIONS

In re Application of	:	
Joseph Albert Teichert et al.	:	
Application No. 13/089,055	:	DECISION ON PETITION
Filed: May 12, 2008	:	TO WITHDRAW
Attorney Docket No. **TS/PIE 1110 US-PAT**	:	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** as moot.

A review of the file record indicates that the power of attorney to attorneys/agents associated with Customer Number 24203 has been revoked by the assignee who has intervened on February 23, 2012. Accordingly, the request to withdraw under 37 CFR § 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 the undersigned at 571-272-4584.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

cc: VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-9998

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/089,055	04/18/2011	Joseph Albert Teichert	026179.0110PTUS

CONFIRMATION NO. 9721

POWER OF ATTORNEY NOTICE

Toni-Junell Herbert
Patton Boggs LLP
9th Floor
8484 Westpark Drive
McLean, VA 22102

OC000000052805947

Date Mailed: 02/27/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/02/2012.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/jlburke/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/089,055	04/18/2011	Joseph Albert Teichert	026179.0110PTUS

CONFIRMATION NO. 9721

POA ACCEPTANCE LETTER

26694
VENABLE LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

OC000000052806038

Date Mailed: 02/27/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/02/2012.

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.

/jlburke/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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PROCOPIO, CORY, HARGREAVES & SAVITCH, LLP
525 B STREET
SUITE 2200
SAN DIEGO, CA 92101

MAILED
MAY 06 2011
OFFICE OF PETITIONS

In re Application of	:
Kenneth L. Stanwood, et. al.	:
Application No. 13/089,075	:DECISION ON PETITION
Filed: April 18, 2011	:TO MAKE SPECIAL UNDER
Attorney Docket No. 112174-001DV2	: 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 18, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the attorney of record, Peter Clevenger, that joint inventor James F. Mollenauer 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
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,132	04/18/2011	Maxwell O. Drukman	18602-18633 (P9283US1)	9877

61520 7590 05/13/2011
APPLE/FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER

ART UNIT	PAPER NUMBER
3663	

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):

ptoc@fenwick.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 13 2011

APPLE/FENWICK
SILICON VALLEY CENTER
801California Street
Mountain View, CA 94041

In re Application of Maxwell O. Drukman et al Application No. 13/089,132 Filed: April 18, 2011 For: COLLAPSIBLE STACK TRACE	: : : :	PETITION TO ACCEPT COLOR DRAWINGS/PHOTOGRAPHS

This is a decision on applicant's petition under 37 CFR 1.184(A)(2) filed April 18, 2011 to accept color drawings/photographs.

For the acceptance of color drawings in accordance with 37 CFR 1.184(A)(2), a petition is required which fulfills the following requirements:

(i) The appropriate fee set forth in 1.17(h),
(ii) three (3) sets of color drawings/photographs, and
(iii) amending the specification 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 photography. Copies of this patent with color photographs will be provided by the Patent and Trademark Office upon request and payment of necessary fee."

Having met the requirements of 37 CFR 1.184(A)(2), the petition is **GRANTED**.

Any questions or comments with respect to the decision should be forwarded to Supervisory Patent Examiner, Jack Keith at the number listed below.

Jack Keith
Supervisory Patent Examiner
Art Unit 3663
(571) 272-6878

jwk: 5/12/11

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.:	13/089,231	Filing Date:	April 18, 2011
First Named Inventor:	Susan French		
Title of the Invention:	Method And System For Determining Fees And Foreign Exchange Rates For A Value Transfer Transaction		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT_PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/033113

The international date of the corresponding PCT is/are: April 19, 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/IOEA, 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 _____

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/089,231
First Named Inventor:	Susan French

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	Exact correspondence

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/Girish M. Basarkar/	Date	01/03/12
Name (Print/Typed)	Girish M. Basarkar	Registration Number	64,508

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Commissioner for Patents
United States Patent and Trademark Office
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KILPATRICK TOWNSEND & STOCKTON LLP/VISA
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO CA 94111

MAILED
MAR 19 2012
OFFICE OF PETITIONS

In re Application of
Susan FRENCH et al.
Application No.: 13/089,231
Filed: April 18, 2011
Attorney Docket No.: 79900-791990
For: METHOD AND SYSTEM FOR DETERMINING FEES AND FOREIGN EXCHANGE RATES FOR A VALUE TRANSFER TRANSACTION

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 03, 2012 to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (2-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (1).

Regarding the requirement of condition (1), the U.S. application must have an eligible relationship to one or more PCT applications. A claim for priority to the KIPO application has not been made in the U.S. application.

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 PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to 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.

Thurman K. Page

Thurman K. Page
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: XIC019 US1	Application Number (if known): TBD	Filing date: Herewith
First Named Inventor: Gerard Harbers		
Title: Flexible Electrical Connection Of An Led-Based Illumination Device To A Light Fixture		

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: App, Figs, Decl./POA, SB0014 (w/Req. for Early Pub), Statement

Signature /Michael J. Halbert/	Date April 18, 2011
Name (Print/Typed) Michael J. Halbert	Registration Number 40633

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 5 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,316	04/19/2011	Gerard Harbers	XIC019 US1	1191

34036 7590 05/04/2011
Silicon Valley Patent Group LLP
18805 Cox Avenue
Suite 220
Saratoga, CA 95070

EXAMINER

ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
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Silicon Valley Patent Group LLP
18805 Cox Avenue
Suite 220
Saratoga CA 95070

In re Application of	:	
HARBERS et al.	:	DECISION ON PETITION
Application No. 13/089,316	:	TO MAKE SPECIAL UNDER
Filed: April 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. XIC019 US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 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 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 (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: XIC019 US2	Application Number (if known): TBD	Filing date: Herewith
First Named Inventor: Gerard Harbers		
Title: Flexible Electrical Connection Of An Led-Based Illumination Device To A Light Fixture		

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: App, Figs, Decl./POA, SB0014 (w/Req. for Early Pub), Statement

Signature /Michael J. Halbert/	Date April 18, 2011
Name (Print/Typed) Michael J. Halbert	Registration Number 40633

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 5 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,317	04/19/2011	Gerard Harbers	XIC019 US2	1194

34036 7590 05/04/2011
Silicon Valley Patent Group LLP
18805 Cox Avenue
Suite 220
Saratoga, CA 95070

EXAMINER

ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
05/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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Silicon Valley Patent Group LLP
18805 Cox Avenue
Suite 220
Saratoga CA 95070

In re Application of	:	
HARBERS et al.	:	DECISION ON PETITION
Application No. 13/089,317	:	TO MAKE SPECIAL UNDER
Filed: April 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. XIC019 US2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 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 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

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CYPRESS SEMICONDUCTOR CORPORATION
198 CHAMPION COURT
SAN JOSE CA 95134-1709

MAILED
MAR 15 2012
OFFICE OF PETITIONS

Applicant: Zupcau	:
Application No. 13/089,464	: Decision On
Filed: April 19, 2011	: Nonpublication Request
For: ESD TRIGGER FOR SYSTEM	:
LEVEL ESD EVENTS	:

This is a decision in response to the petition entitled "Petition to The Commissioner Pursuant to 37 CFR 1.181", received on June 3, 2011.

The petition is dismissed.

Petitioner asserts that he filed a non-publication request at the time of filing the application but that the U.S. Patent & Trademark Office is improperly stating that he did not file a proper non-publication request. Petitioner requests that the Office recognize the non-publication request submitted on April 19, 2011 along with the application. Petitioner argues that the non-publication Request filed with the application is a valid Nonpublication.

On April 19, 2011, the above identified application was filed in the Office with a paper titled "United States Utility Patent Nonpublication Request" including the statement "[i] hereby certify that the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing".

On May 3, 2011, the Office mailed a Notice stating that the nonpublication request received on April 19, 2011 has not been recognized because it does not contain the proper certification as required by 37 CFR 1.213(a)(3).

On June 3, 2011, the instant petition was received by the Office.

On October 27, 2011, the Office published the application.

35 U.S.C. 122(b) requires the United States Patent and Trademark Office to publish utility and plant applications filed on or after November 29, 2000, unless, on filing, applicant requested nonpublication with the required certification under 35 U.S.C. 122(b)(2)(B)(i).

> 35 U.S.C. 122(b)(2)(B)(i) provides that "[i]f an applicant makes a request upon filing, certifying that the invention disclosed in the application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing, the application shall not be published as provided in paragraph (1)." (Emphasis added.)

The nonpublication request filed by the petitioner is not in compliance with 37 CFR 1.213(a)(3) because the request does not contain the required certification .

Applicant did not include the required certification contained in 35 U.S.C. 122(b)(2)(B)(i) and 37 CFR 1.213. Applicant's statement clearly does not include the language that "*the invention disclosed in the application* has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires eighteen- month publication". The nonpublication request filed by the petitioners is not in compliance with the statute or the rule because his "certification" states "I hereby certify that the application has not and will . . .", which a much more limited "certification" because it only excludes filing a copy of the application in another country or under a multilateral international agreement, that requires eighteen month publication and does not address "the invention disclosed".

Petitioner did not file the application with a nonpublication request in compliance with the statute and the rule and the application published on October 27, 2011, as US 2011/0261489 A1.

The Office has no statutory authority to withdraw a properly published patent application publication or to accept a nonpublication request that is not in compliance with 35 U.S.C. 122(b) and 37 CFR 1.213.

Petitioner did not file the application with a compliant nonpublication request and the application is not subject to a secrecy order, so therefore the application was properly published in accordance with established procedure. The Office is without authority to grant Petitioner's request.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-7709.

Mark O. Polutta
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination

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ONE AT&T WAY
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BEDMINSTER NJ 07921

MAILED

JUL 20 2011

OFFICE OF PETITIONS

In re Application of
Tischer, et al.
Application No. 13/089,577
Filed/Deposited: 27 January, 2011
Attorney Docket No.
02121CON10/60027.5004USC1

DECISION ON PETITION

This is a decision on the petition filed on 1 July, 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 19 April, 2011, without, *inter alia*, a fully executed oath/declaration

On 3 May, 2011, the Office mailed a Notice of Missing Parts requiring, *inter alia*, a fully executed oath/declaration.

On 1 July, 2011, Petitioner Michael J. Baldauff, Jr. (Reg. No. 55,251) filed, *inter alia*, a petition (with fee) pursuant to the regulations at 37 C.F.R. §1.47, with an oath/declaration executed by co-inventors Messrs. Tischer and Zellner for themselves and on behalf of non-signing co-inventor Robert Starr (Mr. Starr), with a statement by Petitioner attesting to the attachment of an correspondence that evidences transmission of the entire application (description, claims, abstract, drawings) to Mr. Starr at an address believed upon diligent inquiry to be valid/current/reasonably believed to be last known addresses for the non-signing inventor and received by the nonsigning inventor and that thereafter Mr. Starr failed to answer and so constructively refused to sign.

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).)

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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).

As provided in 37 C.F.R. §1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The instant application is released to the Office of Patent Application Processing (OPAP) for such processing as required in due course.

Telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214—it is noted, however, that all practice before the Office is in writing (see: 37 C.F.R. §1.2[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

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Alexandria, VA 22313-1450
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ROBERT J. STARR
2804 MOUNT OLIVE DRIVE
DECATUR, GA 30033

JUL 20 2011

OFFICE OF PETITIONS

In re Application of
Tischer, et al.
Application No. 13/089,577
Filed/Deposited: 27 January, 2011
Attorney Docket No.
02121CON10/60027.5004USC1

COMMUNICATION

Dear Robert J. Starr:

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:
AT&T LEGAL DEPARTMENT - HBH
ATTN: PATENT DOCKETING
ONE AT&T WAY
ROOM 2A-207
BEDMINSTER NJ 07921

[1] The regulations at 37 C.F.R. §1.2 provide:
§1.2 Business to be transacted in writing.
All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt

Doc code : PET.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	13089607	Confirmation Number	1782	Filing Date	2011-04-19
Attorney Docket Number (optional)	DES69A-47610US1	Art Unit		Examiner	
First Named Inventor	Robert H. Brecht				
Title of Invention	SWING AWAY MAILBOX SUPPORT				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Robert	H.	Brecht	

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	/joseph j corso/	Date (YYYY-MM-DD)	2011-04-19
Name	Joseph J. Corso	Registration Number	25845

PTO/SB/130 (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
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www.uspto.gov

In re Application of
Robert H. Brecht

Application No. 13089607

Filed:

Attorney Docket No. DES69A-47610US1

: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 19-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	13089645	Confirmation Number	1850	Filing Date	2011-04-19
Attorney Docket Number (optional)	IMM176US3	Art Unit	1643	Examiner	Duffy, Bradly
First Named Inventor	Hans J. Hansen				
Title of Invention	Multivalent Carriers of Bi-Specific Antibodies				

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
Hans	J.	Hansen	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

● (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/Richard A. Nakashima/	Date (YYYY-MM-DD)	2011-08-09
Name	Richard A. Nakashima	Registration Number	42023

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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In re Application of
Hans J. Hansen

Application No. 13089645

Filed: April 19,2011

Attorney Docket No. IMM176US3

: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-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.

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HOGAN LOVELLS US LLP

JUN 13 2011

IP DOCKETING DEPT.

HOGAN LOVELLS US LLP
IP GROUP, COLUMBIA SQUARE
555 THIRTEENTH STREET, N.W.
WASHINGTON DC 20004

MAILED

JUN 09 2011

OFFICE OF PETITIONS

SBG

In re Application of	:	
Cartledge et al.	:	
Application No. 12/692399	:	DECISION GRANTING
Filing or 371(c) Date: 01/22/2010	:	PETITION UNDER
MAGNETIC DOCKING SYSTEM AND	:	37 CFR 1.47(b)
METHOD FOR THE LONG TERM	:	
ADJUSTMENT OF AN IMPLANTABLE DEVICE	:	

This is in response to the "Request for Reconsideration of Petition Under 37 C.F.R. § 1.47(b)," filed June 8, 2011, to allow a person to whom an inventor has assigned or agreed in writing to assign the invention, or who otherwise shows sufficient proprietary interest in the matter justifying such action, to make application on behalf of and as agent for all inventors.

The petition is **granted**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

Petitioner has shown that the non-signing inventors, Richard J. Cartledge and Leonard Y. Lee, refuse to join in the application.

As provided in Rule 1.47, this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the Petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being referred to Technology Center Art Unit 3773 for examination in the normal course of business.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

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: 244734_1	Application Number (if known): 13/089,797	Filing date: 04-19-2011

First Named Inventor: Jonathan Mack Frey

Title: METHODS OF TEMPORALLY VARYING THE LASER INTENSITY DURING SCRIBING A PHOTOVOLTAIC 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: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 10/6/11
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of..... forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jonathan Mack Frey	)
Confirmation No.: 1155	)
	)
Serial No.: 13/089,797	)
	)
Filing Date: April 19, 2011	)
	)
Atty Docket No.: 244734_1	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to the field of laser scribing a photovoltaic module to form individual cells in the module. More particularly, the subject matter is related to methods and apparatus for varying the intensity of a laser for scribing a cadmium telluride-based thin film photovoltaic (PV) device. (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 6, 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
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,797	04/19/2011	Jonathan Mack Frey	244734_1	1155

93081 7590 10/26/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
2812	

MAIL DATE	DELIVERY MODE
10/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Jonathan Mack FREY	:	DECISION ON PETITION
Application No. 13/089,797	:	TO MAKE SPECIAL UNDER
Filed: April 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 244734_1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 06, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2812 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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.
13/089,817	04/19/2011	Kevin R. Imes	39285-00038	1191

59582 7590 06/27/2011
DICKINSON WRIGHT PLLC
38525 WOODWARD AVENUE
SUITE 2000
BLOOMFIELD HILLS, MI 48304-2970

EXAMINER

ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
06/27/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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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.: 13/089,817
Filed: April 19, 2011
Docket: **39285-00038**
Title: **ENERGY MANAGEMENT SYSTEM AND METHOD**

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 19, 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 Applications3 to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:
1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. At the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. Be filed with the application;

2. Include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. Include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. Include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. Include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 Involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. Be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation;

5.3. Encompass the disclosed features that may be claimed.

6. Must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. An information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. An identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. A detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. A concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. A showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. An identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions I1-I4, II1-II4 and II6.1- II6.6 above are considered to have been met.

However, the petition fails to comply with the conditions of items II5 and II5.1-II5.3 above, for the reasons provided below. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

ANALYSIS

Items II5-II5.2 requires that the search "be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation." Upon carefully reviewing the Pre-Examination Search Document filed on April 19, 2011, relevant class and subclasses were not searched. For instance, Class 700, Subclasses 12 and 13 should have been search due to their relevance to the claimed invention. Class 700/12 relates to "Sate of condition or parameter (e.g., on/off) and Class 700/13 relates to "Position responsive" of "Generic Control Systems, Apparatus or Process." Additionally, a review of the search logic reveals that only a few generic terms, specifically, "GPS," "controlled," "thermostat," "mobile phone," location," "zone," and "initiate or action," formed the basis of the text search. However, none of these terms even exists in language of the claims. In fact, the terms used in the search logic are narrower than the terms recited in the claims. Furthermore, the claimed invention, such as claim 1, encompasses significantly more features than the search performed the by the search logic. For instance, claim 1 recites "acquiring a network device data from a network device joined to a wireless energy network; translating the network device data into device report data comprised of at least one Java based object; detecting an interval to generate a site report of the wireless energy network; translating the device report data comprised of the Java Based object into site report data comprised of XML formatted data; generating the site report including the site report data at the interval." As a result, the search report does not "encompass all the features of the claims." Lastly, it can not be determined what if any relationship exists between each line of the logic search.

Item II5.3 requires that the search "encompass the disclosed features that may be claimed." It is unclear how or in what manner the "pre-examination search was directed to the disclosed features that may be claimed," as stated in the search document.

DECISION

For the above-stated reasons, the petition is **DISMISSED**.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

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.
13/089,817	04/19/2011	Kevin R. Imes	39285-00038	1191

59582 7590 08/17/2011
DICKINSON WRIGHT PLLC
2600 WEST BIG BEAVER ROAD
SUITE 300
TROY, MI 48084-3312

EXAMINER

ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
08/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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DICKINSON WRIGHT PLLC
2600 WEST BIG BEAVER ROAD
SUITE 300
TROY MI 48084-3312

In re Application of IMES, Kevin et al. Appl. No.: 13/089,817 Filed: April 19, 2011 For: **ENERGY MANAGEMENT SYSTEM AND METHOD**	**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 July 26, 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" issued 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 Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 247978 -1	Application Number (if known): 13/089825	Filing date: April 19, 2011

First Named Inventor: Jonathan Frey

Title: METHODS AND APPARATUS FOR REDUCING VARIATIONS IN THE LASER INTENSITY DURING SCRIBING A PHOTOVOLTAIC 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: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 9/26/11
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of..... forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jonathan Frey	)
Confirmation No.: 1203	)
	)
Serial No.: 13/089825	)
	)
Filing Date: April 19, 2011	)
	)
Atty Docket No.: 247978-1	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to the field of laser scribing a photovoltaic module (also referred to as "solar panels") to form individual cells in the module. More particularly, the subject matter is related to methods and apparatus for reducing speckle of the laser intensity during scribing a cadmium telluride-based thin film photovoltaic (PV) device. (See [0001])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: September 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,825	04/19/2011	Jonathan Mack Frey	247978/PRSS-66	1203

93081 7590 10/05/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER
YUEN, HENRY C

ART UNIT	PAPER NUMBER
3742	

MAIL DATE	DELIVERY MODE
10/05/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

:

In re Application of		
FREY, JONATHAN MACK	:	DECISION ON PETITION
Application No. 13/089,825	:	TO MAKE SPECIAL UNDER
Filed: April 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247978/PRSS-66	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Sep. 26, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

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 energy conservation or greenhouse gas reduction. This is not convincing. For example, it is not clear how the claimed method of reducing speckle of a leaser beam will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application will be forwarded to the Technology Center Art Unit 3742 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Jonathan Mack FREY	)
Confirmation No.: 1203	)
	)
Serial No.: 13/089,825	)
	)
Filing Date: 04-19-2011	)
	)
Atty Docket No.: 247978-1 (PRSS-66)	)

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 5 October 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") states that it is not agreed that the application on its face meets the materiality standard. The Decision alleges that it is not convincing that the claimed invention relates to energy conservation or greenhouse gas reduction. The Decision states that it is not clear how the claimed method of reducing speckle of a laser beam will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to the field of laser scribing a photovoltaic module to form individual cells in the module. More particularly, the subject matter is related to methods and apparatus for reducing speckle of the laser intensity during scribing a cadmium telluride-based thin film photovoltaic (PV) device. (see at least paragraph [0001]).

Speckle is intensity non-uniformity, characterized as spikes and/or dips, within the output of a laser (or other light source) guided through a multimode optical waveguide, such as an optical fiber. Speckle is generally caused due to the interference between the many modes of the multimode optical waveguide. During laser scribing of thin film materials, optical waveguides, such as an optical fiber, can be used to spatially and/or temporarily condition a laser pulse prior to being used for micromachining the thin films. However, speckle induced from such waveguides can cause significant, localized variations in laser intensity during the laser scribing. In particular, speckle induced in the final spot of the laser scribing can result in significant variations in the micromachined or scribed thin films. Thus, speckle can lead to depth variations of the laser scribe in the thin films. As such, a need exists for reducing the influence of speckle on a laser spot delivered through an optical wave guide, particularly in the field of laser scribing thin films (e.g., in the formation of photovoltaic modules). (see at least paragraphs [0002]-[0004]).

Photovoltaic (PV) or solar cells are material junction devices which convert sunlight into direct current (DC) electrical power. When exposed to sunlight, the

electric field of solar cell p-n junctions separates pairs of free electrons and holes, thus generating a photo-voltage. Thin-film solar devices typically consist of multiple thin layers of material deposited on sheet glass. These glass panels are typically subdivided into a large number (between 100 and 200) of individual solar cells by scribing processes that also define the electrical interconnects for adjacent cells, which are electrically connected in series to produce power with a current. Laser scribing enables high-volume production of next-generation thin-film devices, and laser scribing outperforms mechanical scribing methods in quality, speed, and reliability.

The laser-material interaction involves complex processes of heating, melting, vaporization, ejection of atoms, ions and molecules, shock waves, plasma initiation and plasma expansion. The resulting crater and laser-induced plasma are dependent on the laser beam parameters (e.g., duration, energy, and wavelength), the solid target properties, and the surrounding environment's conditions. The laser scribes are desirably controlled to control the properties of the individual cells and resulting module formed. However, non-uniformities in the output of the laser, such as speckling, can lead to variations in the individual cells and the formed module, which in turn, lead to variations in performance of the resulting PV module.

Embodiments of the present invention provide methods and apparatus for laser scribing a film stack utilizing a fiber optic laser system. Specifically, the fiber optic laser system has improved uniformity of intensity through reduced speckle caused by vibrating the optical waveguide (e.g., an optical fiber) at a desired

frequency (e.g., ultrasonic). Introducing these vibrations to the optical waveguide helps to uniformly distribute the laser intensity distribution within the optical waveguide, allowing for the laser beam exiting the fiber optic laser system through its lens to have a reduced speckle (e.g., having a substantially uniform intensity). (see at least paragraph [0022]). This reduction in speckle and enhanced uniformity reduces variations in the individual cells and the formed module, which in turn improves performance of the resulting PV module in converting sunlight into direct current (DC) electrical power. As such, embodiments of the present invention contribute to the development of renewable energy resources.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: November 3, 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.
13/089,825	04/19/2011	Jonathan Mack Frey	247978-1/PRSS-66	1203

93081 7590 11/17/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER
YUEN, HENRY C

ART UNIT	PAPER NUMBER
3742	

MAIL DATE	DELIVERY MODE
11/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

NOV 17 2011

In re Application of	:	
Frey	:	DECISION ON PETITION
Application No. 13/089,825	:	TO MAKE SPECIAL UNDER
Filed: 4/19/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **247978-1/PRSS-66**	:	PILOT PROGRAM

This is a decision on the request for reconsideration filed 11/3/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3742 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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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.
13/089,848	04/19/2011	Florian PREUSS	080437.63445US	1239

7590 12/08/2011
CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON, DC 20044-4300

EXAMINER
TRAMMELL, JAMES P

ART UNIT	PAPER NUMBER
3667	

MAIL DATE	DELIVERY MODE
12/08/2011	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.

Mimi Jarmes

Patent Publication Branch
Office of Data Management

FORM PET651G (Rev. 08/07)

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
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0756	Application Number (if known):	Filing date:

First Named Inventor: Zhimou Ren

Title: Controllers, Systems and Methods for Controlling Power of Light Sources

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yue Li/	Date 2011-04-19
Name (Print/Typed) Yue Li	Registration Number L0346

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: REN, Zhi-mou, et al. Examiner:
Serial No.: Group Art Unit:
Filed: Docket: O2-0756
Confirmation No.:
Title: CONTROLLERS, SYSTEMS AND METHODS FOR CONTROLLING POWER OF LIGHT SOURCES

STATEMENT OF SPECIAL STATUS FOR PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

BASIS FOR SPECIAL STATUS

Special status under the Green Technology Pilot program is sought because the claimed subject matter of this Application materially contributes to the more efficient utilization and conservation of energy resources. Further, the claimed subject matter of this Application materially enhances the quality of the environment through energy conservation.

HOW THE MATERIALITY STANDARD IS MET

The claimed subject matter of this Application is directed to controllers, systems and methods for controlling power of light sources such as light emitting diodes (LEDs). The claimed subject matter promotes development of increased applications for LED light sources because the claimed subject matter decreases the electromagnetic interference in the applications for LED light sources compared to existing technology employed in the applications for LED light sources. Additionally, the claimed subject matter may be employed in various applications such as industrial equipment, commercial equipment, and household appliances to materially contribute to the more efficient utilization and conservation of energy resources.

For example, the claimed subject matter may be employed to power an LED lamp. In an LED lamp, one or more LEDs are powered by a circuit to generate light output. In order to generate a substantially constant light output, the claimed subject matter may be employed herein.

LEDs have a multitude of environmental advantages. Unlike incandescent and fluorescent bulbs, an LED light source does not utilize a filament or any type of luminary gas. LEDs contain no harmful chemicals such as mercury which is found in fluorescent lights. LEDs are manufactured from materials that can be fully recycled. Most energy used by the LED is converted into light, not heat. Traditional lighting is relatively inefficient due to the large amounts of heat generated in the production of light. Moreover, LEDs have a longer lifespan.

The Commissioner is hereby authorized to charge fees associated with this communication or credit any overpayment to Deposit Account No.: 50-4245.

Please direct all correspondence concerning the above-identified application to the following address:

O2MICRO INC.
3118 Patrick Henry Dr.
Santa Clara, California 95054
(408) 987-5920
71271

Respectfully submitted,

Date: April 19, 2011

By: /Yue Li/
Yue Li
Reg. No. L0346

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/089,907	04/19/2011	Zhimou Ren	0756	1342

71271 7590 06/21/2011
PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

EXAMINER	
ART UNIT	PAPER NUMBER
2838	

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

PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

In re Application of	:	
REN et al	:	DECISION ON PETITION
Application No. 13/089,907	:	TO MAKE SPECIAL UNDER
Filed: April 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0756	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 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 2838 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2293-117	Application Number (if known): 13/089,949	Filing date: April 19, 2011

First Named Inventor: Craig P. Mowry

Title: DISPLAY SYSTEM AND DEVICE WITH SUSTAINABLE POWER GENERATION

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 October 28, 2011
Name (Print/Typed) Keith J. Barkaus	Registration Number 51,431

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

P/2293-117 (V19956)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Craig P. Mowry, et al.

Serial No.: 13/089,949

Filed: April 19, 2011

Confirmation No.: 1429

Date: October 28, 2011

Group Art Unit: Unassigned

Examiner: Unassigned

For: DISPLAY SYSTEM AND DEVICE WITH SUSTAINABLE POWER GENERATION

VIA EFS-WEB
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Sir:

In support of the concurrently Filed Petition To Make Special Under The Green Technology Pilot Program, Applicant submits the present Statement of Special Status.

The present application includes claims related to both the development of renewable energy resources and to the more efficient utilization and conservation of energy resources, and thus is believed to be eligible for special status under the Green Technology Pilot Program. For example, claim 4 requires the use of a photovoltaic element to provide solar power.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON October 28, 2011.

Keith J. Barkaus
Registration No.: 51,431
OSTROLENK FABER LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

DAM/KJB:dlg

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.
13/089,949	04/19/2011	Craig P. Mowry	P/2293-117 (V19168)	1429

2352 7590 11/01/2011
OSTROLENK FABER LLP
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-8403

EXAMINER

ART UNIT	PAPER NUMBER
2629	

MAIL DATE	DELIVERY MODE
11/01/2011	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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OSTROLENK FABER LLP
1180 AVENUE OF THE AMERICAS
NEW YORK NY 10036-8403

In re Application of	:	
MOWRY et al.	:	DECISION ON PETITION
Application No. 13/089,949	:	TO MAKE SPECIAL UNDER
Filed: April 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. P/2293-117 (V19168)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone 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 2629 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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.
13/090,027	04/19/2011	Makoto Yamaguchi	6639P1188	1569

7590 01/13/2012
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
01/13/2012	PAPER

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Mimi Jarnes

Patent Publication Branch
Office of Data Management

FORM PET651G (Rev. 08/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FOUNTAINHEAD LAW GROUP, PC
CHAD R. WALSH
900 LAFAYETTE STREET
SUITE 301
SANTA CLARA CA 95050

MAILED
FEB 29 2012
OFFICE OF PETITIONS

In re Application of Hunter, Jim Application No. 13/090,030 Filed: April 19, 2011 Attorney Docket No. 000089-000101US	: : : : :	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 February 3, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office will require the practitioner(s) to certify that he, she or they have: (1) given reasonable notice to the client, prior to the expiration of the reply period, which the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any replies that may be due and the time frame within which the client must respond, pursuant to 37 CFR 10.40 (c).

The request was signed by Brian N. Young on behalf of all attorneys/agents of record who are associated with Customer Number 68155. All attorneys/agents associated with Customer Number 68155 have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the first-named inventor, Jim Hunter, at the address indicated below.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-3206. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

cc: JIM HUNTER
5929 KILARNEY CIRCLE
SAN JOSE CA 95138

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	13090053	Confirmation Number	1621	Filing Date	2011-04-19
Attorney Docket Number (optional)	A-75294	Art Unit	1736	Examiner	Stuart L Hendrickson
First Named Inventor	Ben Wade Oakes Dickinson III				
Title of Invention	Process for the Production of Carbon Nanospheres and Sequestration of Carbon				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Robert	Wayne	Dickinson	

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	/Edward S. Wright/	Date (YYYY-MM-DD)	2012-03-23
Name	Edward S. Wright	Registration Number	24903

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Ben Wade Oakes Dickinson

Application No. 13090053

Filed: April 19,2011

Attorney Docket No. A-75294

: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 23-MAR-2012 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.

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

Attorney Docket No.: 5132-0146PUS2

Application No:	NEW	Filing date:	April 19, 2011
First Named Inventor:	Yohsuke AKIMOTO		
Title of the Invention:	WIRELESS COMMUNICATION SYSTEM, BASE STATION APPARATUS AND MOBILE STATION APPARATUS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2008/067161

The international date of the corresponding PCT application(s) is/are: September 24, 2008

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [✔] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [✔] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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.:	NEW
First Named Inventor:	Yohsuke AKIMOTO

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
US Claim 1	JP Claim 1	US Claim 1 and JP Claim 1 are substantially the same
US Claim 2	JP Claim 2	US Claim 2 and JP Claim 2 are substantially the same
US Claim 3	JP Claim 3	US Claim 3 and JP Claim 3 are substantially the same
US Claim 4	JP Claim 4	US Claim 4 and JP Claim 4 are substantially the same
US Claim 5	JP Claim 5	US Claim 5 and JP Claim 5 are substantially the same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date April 19, 2011
Name (Print/Typed) for Charles Gorenstein Michael Cammarata #39,491	Registration Number 29271

VERIFICATION OF TRANSLATION

I, Takeo FUKUCHI of 3-1, Sakuragaoka-cho, Shibuya-ku, Tokyo 150-0031 JAPAN, verify that the following document is a true and complete translation of the JPO office action dated 21 September 2010 to the best of my knowledge and belief.

Takeo Fukuchi

(Signature) Takeo FUKUCHI

DATED this 6th day of April, 2011

SHA019-08US

Reference No.:

Dispatch No.: 121284

Dispatch Date: September 21, 2010

NOTICE OF REASONS FOR REJECTION

Appeal No.	Appeal 2010-18501
(Patent Application No.)	(JP-A-2009-173262)
Drafting Date	September 14, 2010
Appeal Examiner in Charge	Examiner of the Patent Office Mr. Kiyohito EJIMA
Requester	Sharp Kabushiki Kaisha
Agent of Patent Applicant	Mr. Takeo FUKUCHI

This application concerning this appeal case is to be rejected for the reasons given below as a result of collegial examination. If you have any argument about that, you are expected to turn in Argument in writing within 60 days from the dispatch date of this Notice.

REASONS

The inventions according to the following claims of this application could easily be made prior to the application by a person having ordinary knowledge in the technical field to which the inventions belong, based on the inventions as described in the following distributed publication in Japan

or a foreign country prior to the application, and are unpatentable under the provisions of Patent Law Section 29(2).

· Claims 1, 3, 5, 7, and 9

· Publication 1

· Remarks

In Publication 1 (particularly see FIG. 8 and pages 21 to 27), in feedback such that a mobile station transmits an inter-group antenna control amount with a high frequency and an intra-group antenna control amount with a low frequency to a base station based on a sequence of common pilot signals transmitted from the base station, it is described that the mobile station gives feedback of either of the control amounts in each slot to transmit i.e. that the mobile station transmits feedback of the control amount of different transmission timing in the same resources, it is obvious in Publication 1 that resource allocation is performed in the base station, it is further suggested that the base station gives instructions for the transmission period because the period of feedback of each control amount is based on the common pilot signal from the base station, and therefore, the inventions according to Claims 1, 3, 5, 7 and 9 of this application could easily be conceived by a person skilled in the art based on the invention as described Publication 1.

List of Publication

1. International Publication No. 03/049322

<Claims not finding Reasons for Rejection>

As to the inventions according to Claims (2, 4, 6, 8, 10), no reason for rejection is found at this point in time. When any new reasons for rejection are found, a notice of reasons for rejection is to be issued.

<Suggestion for Amendment, etc.>

The above-mentioned reasons for rejection can be resolved by the draft of Amendment by facsimile dated September 13, 2010.

Address and telephone number for further information about this notice.

Department of Appeal 27th Section
Appeal Examiner AOKI
TEL. 03-3581-1101 Extension 3727
FAX. 03-3584-1982

整理番号　　発送番号　１２１２８４
発送日　平成２２年　９月２１日　頁:　1/　2

拒絶理由通知書

審判請求の番号	不服２０１０－　１８５０１
(特許出願の番号)	(特願２００９－１７３２６２)
起案日	平成２２年　９月１４日
審判長　特許庁審判官	江嶋 清仁
請求人	シャープ株式会社　様
代理人弁理士	福地 武雄　様

この審判事件に関する出願は、合議の結果、以下の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から６０日以内に意見書を提出してください 。

理　由

本件出願の下記の請求項に係る発明は、その出願前日本国内または外国において頒布された下記の刊行物に記載された発明に基づいて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第２９条第２項の規定により特許を受けることができない。

・請求項　１，３，５，７，９
・刊行物　１
・備考

刊行物１（特に図８、２１頁～２７頁参照）には、基地局から送信される共通パイロット信号の系列に基づいて、グループ間アンテナ制御量は高い頻度で、グループ内アンテナ制御量は低い頻度で移動局から基地局にフィードバックするものにおいて、移動局が送信する各スロットでどちらかの制御量をフィードバックすること、すなわち、送信タイミングの異なる制御量のフィードバックを同一のリソースで送信することが記載されており、刊行物１においてリソースの割り当ては基地局が行っていることは明らかであり、また、各制御量のフィードバックの周期は基地局からの共通パイロット信号に基づいているから、基地局が送信周期を指示しているといえるので、本願の請求項１，３，５，７，９に係る発明は、刊行物１に記載された発明に基づいて当業者が容易に想到し得たものである。

刊行物一覧
１．国際公開第０３／０４９３２２号

＜拒絶の理由を発見しない請求項＞

請求項（２，４，６，８，１０）に係る発明については、現時点では、拒絶の理由を発見しない。拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

＜補正等の示唆＞

平成２２年９月１３日付けファクシミリ補正案により上記拒絶の理由は解消できる。

この通知に関するお問い合わせがございましたら、下記までご連絡ください。
審判部第２７部門　審判官　青木　健
電話03(3581)1101　内線3727　ファクシミリ03(3584)1982

VERIFICATION OF TRANSLATION

I, Takeo FUKUCHI of 3-1, Sakuragaoka-cho, Shibuya-ku, Tokyo 150-0031 JAPAN, verify that the following document is a true and complete translation of the claims allowed in the corresponding JP patent application to the best of my knowledge and belief.

Takeo Fukuchi

(Signature) Takeo FUKUCHI

DATED this 6th day of April, 2011

1. A wireless communication system in which a mobile station apparatus transmits feedback information that is generated based on a signal received from a base station apparatus to the base station apparatus,

wherein the base station apparatus allocates the same resources to a group obtained by combining pieces of feedback information with different transmission timings, and

transmits information to the mobile station apparatus, the information for indicating the mobile station apparatus to transmit the feedback information at transmission periods determined based on the types of the feedback information,

the mobile station apparatus transmits the feedback information according to the information, and

the feedback information includes reception quality information generated based on reception quality measured from the received signal, transmission signal precoding information to perform precoding on a transmission signal in the base station apparatus, and transmission signal sequence information indicative of the number of transmission sequences communicable with the base station apparatus.

2. A base station apparatus applied to a wireless communication system in which a mobile station apparatus transmits feedback information that is generated based on a signal received from a base station apparatus to the base station apparatus,

wherein the base station apparatus allocates the same resources to a group obtained by combining pieces of feedback information with different transmission timings, and

transmits information to the mobile station apparatus, the information for indicating the mobile station apparatus to transmit the feedback information at transmission periods determined based on the types of the feedback information, and

the feedback information includes reception quality information generated based on reception quality measured from the received signal, transmission signal precoding information to perform precoding on a transmission signal in the base station apparatus, and transmission signal sequence information indicative of the number of transmission sequences communicable with the base station apparatus.

3. A mobile station apparatus applied to a wireless communication system in which a mobile station apparatus transmits feedback information that is generated based on a signal received from a base station apparatus to the base station apparatus,

wherein the mobile station apparatus receives information transmitted from the base station apparatus, the information for indicating the mobile station apparatus to transmit the feedback information at transmission periods corresponding to a kind of the feedback information with the same resources allocated to a group obtained by combining pieces of feedback information with different transmission timings, and

transmits the feedback information according to the information, and

the feedback information includes reception quality

information generated based on reception quality measured from the received signal, transmission signal precoding information to perform precoding on a transmission signal in the base station apparatus, and transmission signal sequence information indicative of the number of transmission sequences communicable with the base station apparatus.

4. A transmission control method in a base station apparatus applied to a wireless communication system in which a mobile station apparatus transmits feedback information that is generated based on a signal received from a base station apparatus to the base station apparatus,

wherein the base station apparatus combines pieces of feedback information with different transmission timings, allocates the same resources to the combination, and

transmits information to the mobile station apparatus, the information for indicating the mobile station apparatus to transmit the feedback information at transmission periods determined based on the types of the feedback information, and

the feedback information includes reception quality information generated based on reception quality measured from the received signal, transmission signal precoding information to perform precoding on a transmission signal in the base station apparatus, and transmission signal sequence information indicative of the number of transmission sequences communicable with the base station apparatus.

5. A transmission control method in a mobile station apparatus applied to a wireless communication system in which

a mobile station apparatus transmits feedback information that is generated based on a signal received from a base station apparatus to the base station apparatus,

wherein the mobile station apparatus transmits feedback information according to information transmitted from the base station apparatus, the information for indicating the mobile station apparatus to transmit the feedback information at transmission periods determined based on the types of the feedback information with the same resources allocated to a group obtained by combining pieces of feedback information with different transmission timings, and

the feedback information includes reception quality information generated based on reception quality measured from the received signal, transmission signal precoding information to perform precoding on a transmission signal in the base station apparatus, and transmission signal sequence information indicative of the number of transmission sequences communicable with the base station apparatus.

【書類名】　手続補正書
【提出日】　平成22年 9月28日
【あて先】　特許庁審判長　江嶋　清仁　殿
【事件の表示】
　【審判番号】　不服2010- 18501
　【出願番号】　特願2009-173262
【補正をする者】
　【識別番号】　000005049
　【氏名又は名称】　シャープ株式会社
【代理人】
　【識別番号】　100114258
　【弁理士】
　【氏名又は名称】　福地　武雄
【手続補正1】
　【補正対象書類名】　特許請求の範囲
　【補正対象項目名】　全文
　【補正方法】　変更
　【補正の内容】
　　【書類名】特許請求の範囲
　　【請求項１】
　移動局装置が、基地局装置から受信した信号に基づいて生成したフィードバック情報を前記基地局装置に送信する無線通信システムであって、
　前記基地局装置は、送信タイミングの異なるフィードバック情報を組み合わせた組に対して同一のリソースを割り当て、
　フィードバック情報をその種類に応じた送信周期で送信するように指示する情報を前記移動局装置に送信し、
　前記移動局装置は、前記情報に従いフィードバック情報を送信し、
　前記フィードバック情報は、前記受信した信号から測定した受信品質に基づいて生成された受信品質情報、前記基地局装置で送信信号に対する前処理を行なうための送信信号前処理情報および前記基地局装置と通信可能な送信系列数を示す送信信号系列情報を含むことを特徴とする無線通信システム。
　　【請求項２】
　移動局装置が、基地局装置から受信した信号に基づいて生成したフィードバック情報を前記基地局装置に送信する無線通信システムに適用される基地局装置であって、
　送信タイミングの異なるフィードバック情報を組み合わせた組に対して同一のリソースを割り当て、
　フィードバック情報をその種類に応じた送信周期で送信するように指示する情報を前記移動局装置に送信し、
　前記フィードバック情報は、前記受信した信号から測定した受信品質に基づいて生成された受信品質情報、前記基地局装置で送信信号に対する前処理を行なうための送信信号前処理情報および前記基地局装置と通信可能な送信系列数を示す送信信号系列情報を含むことを特徴とする基地局装置。
　　【請求項３】
　移動局装置が、基地局装置から受信した信号に基づいて生成したフィードバック情報を前記基地局装置に送信する無線通信システムに適用される移動局装置であって、
　前記基地局装置から送信される、送信タイミングの異なるフィードバック情報を組み合わせた組に対して同一のリソースを割り当て、フィードバック情報をその種類に応じた送信周期で送信するように指示する情報を受信し、
　前記情報に従いフィードバック情報を送信し、
　前記フィードバック情報は、前記受信した信号から測定した受信品質に基づいて生成さ

れた受信品質情報、前記基地局装置で送信信号に対する前処理を行なうための送信信号前処理情報および前記基地局装置と通信可能な送信系列数を示す送信信号系列情報を含むことを特徴とする移動局装置。

【請求項４】

移動局装置が、基地局装置から受信した信号に基づいて生成したフィードバック情報を前記基地局装置に送信する無線通信システムに適用される基地局装置における送信制御方法であって、

送信タイミングの異なるフィードバック情報を組み合わせ、その組み合わせに対して同一のリソースを割り当て、

フィードバック情報をその種類に応じた送信周期で送信するように指示する情報を前記移動局装置に送信し、

前記フィードバック情報は、前記受信した信号から測定した受信品質に基づいて生成された受信品質情報、前記基地局装置で送信信号に対する前処理を行なうための送信信号前処理情報および前記基地局装置と通信可能な送信系列数を示す送信信号系列情報を含むことを特徴とする送信制御方法。

【請求項５】

移動局装置が、基地局装置から受信した信号に基づいて生成したフィードバック情報を前記基地局装置に送信する無線通信システムに適用される移動局装置における送信制御方法であって、

前記基地局装置から送信される、送信タイミングの異なるフィードバック情報を組み合わせた組に対して同一のリソースを割り当て、フィードバック情報をその種類に応じた送信周期で送信するように指示する情報に従い、フィードバック情報を送信し、

前記フィードバック情報は、前記受信した信号から測定した受信品質に基づいて生成された受信品質情報、前記基地局装置で送信信号に対する前処理を行なうための送信信号前処理情報および前記基地局装置と通信可能な送信系列数を示す送信信号系列情報を含むことを特徴とする送信制御方法。

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,061	04/19/2011	Yosuke Akimoto	5132-0146PUS2	1637

2292 7590 06/14/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
CEHIC, KENAN

ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
06/14/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Birch Stewart Kolasch & Birch
PO Box 747
Falls Church VA 22040-0747

In re Application of: Akimoto et al.
Application No. 13/090,061
Filed: April 19, 2011
For: Wireless Communication System, Base Station Apparatus and Mobile Station 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 PCT- Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed April 19, 2011, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PCT PPH program and petition to make special require:

(1) The relationship between the corresponding U.S. application for which participation in the PCT-PPH pilot program is requested and the PCT application satisfies one of the following:

(a) The U.S. application is a national stage entry of the corresponding PCT application.

(b)The U.S. application is a national application which forms the basis for the priority claim in the corresponding PCT application.

(c) The U.S. application is a national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application.

(d) The U.S. application is a national application claiming foreign/domestic priority to the corresponding PCT application.

(e) The U.S. application is a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) to (d) scenarios.

(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability. In case any observation is described in Box VIII of the WO/ISA, or WO/IPEA, or IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII.

(3) All the claims in each U.S. application for which a request for participation in the PCT-PPH pilot program is made must sufficiently correspond to or be mended 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) Substantive examination of the U.S. application for which participation in the PCT-PPH pilot program is requested has not begun.

(5) Applicant must submit a copy of the latest international work product 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 a copy of the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product of the PCT application along with an English translation thereof and a statement that the English translation is accurate if the claims are not in the English language. Applicant is required to submit a claims correspondence table in English. The claims correspondence table must indicate how all the claims in the U.S. application sufficiently correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

(7) Applicant must submit an information disclosure statement (IDS) listing the documents cited in the international work products (ISR, WOIISA, WOIIPEA, PER) of the PCT.

(8) Applicant must submit a petition fee under 37 CFR 1.17(h) for the petition to make special under 37 CFR 1.102(d) if filed before May 2010.

(9) The request for participation in the PCT-PPH pilot program and all the supporting documents must be submitted to the USPTO via EFS-Web and indexed with the following document description: "Petition to make special under PCT-Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PCT-PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

The request to participate in the PCT-PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-36128

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

__/Tod Swann/_____
Tod Swann
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Brian S. Boyer, Ph.D.
493 Seaport Ct.
Suite 105
Redwood City CA 94063

MAILED
JUL 27 2011
OFFICE OF PETITIONS

Applicant: Francis	:
Application No. 13/090,133	:
Filed: April 19, 2011	: Decision on
For: System For An Incentive-Based	: Petition
Distribution Of A Marketing Material	:

This is a decision in response to the letter received on May 13, 2011, which is being treated as a petition under 37 CFR 1.181 entitled "Response to Notice regarding Nonpublication Request", for the above identified application.

The request is dismissed.

Petitioner asserts that the Nonpublication Request filed with the application is a valid Nonpublication Request even in light of the priority claim to the Australian Provisional Application No. 201090641, because the invention disclosed in Australian Provisional Application will not be published at eighteen months after filing. Petitioner asserts that Australian Patent Law permits the filing of a provisional patent application and that such provisional patent applications are not published. Furthermore, Petitioner asserts that two separate parties in the USPTO Legal Department concurred with his conclusion. As a result, Petitioner asserts that the Nonpublication Request is valid and that the application should not be scheduled for publication.

Applicable Statute and Regulation

35 U.S.C. § 122(b)(2)(B) states:

> (i) If an applicant makes a request upon filing, certifying that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing, the application shall not be published as provided in paragraph (1).

37 CFR 1.213(a) implements the provisions of 35 U.S.C. § 122(b)(2)(B).

> (a) If the invention disclosed in an application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement,

that requires publication of applications eighteen months after filing, the application will not be published under 35 U.S.C. 122(b) and § 1.211 provided:
(1) A request (nonpublication request) is submitted with the application upon filing;
(2) The request states in a conspicuous manner that the application is not to be published under 35 U.S:C. 122(b);
(3) The request contains a certification that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing; and
(4) The request is signed in compliance with § 1.33(b).

Opinion

In order to request nonpublication, applicants must certify that "the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement that requires publication at eighteen months after filing." This application was filed with a priority claim to a provisional patent application that was filed in Australia and a nonpublication request with a certification that the application had not be filed in a country that requires publication 18 months after filing. Australia is a country that requires publication of patent applications 18 months after filing. Due to this inconsistency, the Office has not accepted the Nonpublication Request.

Petitioner's argument that the Request is proper is not persuasive because the statutory language clearly provides that a Nonpublication Request is not appropriate so long as an application, which includes provisional applications has been filed in a country (or under a multilateral agreement) that requires publication 18 months after filing. Where a patent application or even a provisional patent application is filed and subsequently abandoned or withdrawn and which does not actually publish, such an application still is an application for patent. See MPEP 1122.

Accordingly, the statute clearly provides that where applicant has filed such an application for patent in a foreign country, applicant cannot later allege that no such application was filed in a Nonpublication Request.

This application was filed with a priority claim to a provisional patent application that was filed in Australia with a certification that the application had not be filed in a country that requires publication 18 months after filing. Australia is a country that requires publication of patent applications 18 months after filing, thus the nonpublication request with a certification that the application had not been filed in a country that requires publication of applications 18 months after filing has not been accepted.

Petitioner assertion that two separate parties in the USPTO Legal Department concurred with his conclusion that he could file a nonpublication request is not persuasive. The Office does not have the authority to waive the statute. In accordance with 37 CFR 1.4, the action of the Office will be based exclusively on the written record in the Office.

The application remains scheduled for publication on October 27, 2011.

Inquiries regarding this communication should be directed the undersigned at (571) 272-7709.

Mark Polutta
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
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Pearl Cohen Zedek Latzer, LLP
1500 Broadway
12th Floor
New York NY 10036

MAILED
AUG 19 2011
OFFICE OF PETITIONS

In re Application of	:	
Paterson et al.	:	
Application No. 13/090159	:	
Filing or 371(c) Date: 04/19/2011	:	
Title of Invention:	:	DECISION
IMMUNOTHERAPEUTIC, ANTI-	:	ON PETITION
TUMORIGENIC COMPOSITIONS	:	
AND METHODS OF USE THEREOF	:	

This is a decision on the Response to Incomplete Nonprovisional Application," filed July 13, 2011. The response is properly treated as a petition under 37 CFR 1.53(e).

The petition is granted.

The application was filed on April 19, 2011. On May 13, 2011, the Office of Patent Application Processing mailed a Notice of Incomplete Provisional Application (hereinafter "Notice"), informing Applicant, inter alia, that the application had NOT been accorded a filing date because the application had been deposited without drawings.

Applicant responds with the instant petition, Preliminary Amendment and executed oath/declaration.

A review of the file reveals that the specification contains method claims. As stated in MPEP § 601.01(f), it is the practice of the PTO to treat an application that contains at least one process, method or composition claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

MPEP § 601.01(f) also states that:

> A nonprovisional application having at least one claim, or a provisional application having at least some disclosure, directed to the subject matter discussed above for which a drawing is usually not considered essential for a filing date, describing drawing figure(s) in the specification, but filed without drawings will be treated as an application filed without all of the drawing figures referred to in the specification as discussed in

MPEP § 601.01(g), so long as the application contains something that can be construed as a written description.

This application contains method claims; therefore, the application should have been treated as an application filed without all of the drawing figures referred to in the specification as discussed in MPEP § 601.01(g).

In applications filed without all of the drawing figure(s) referred to in the specification, the MPEP § 601.01(g) states that 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.

In view of the above, the Notice mailed May 13, 2011, was mailed in error and is hereby withdrawn.

This application is being referred to the Office of Patent Application Processing, Customer Corrections, for processing of the reply, and for further processing,

- with the filing date of April 19, 2011, and
- an indication that no drawings were present or required on filing.

No petition fee has been charged, and none is due.

Telephone inquiries concerning this matter should be directed to the undersigned at (571-272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

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MAILED
MAR 12 2012
OFFICE OF PETITIONS

REED SMITH LLOP
2500 ONE LIBERTY PLACE
1650 MARKET STREET
PHILADELPHIA PA 19103

Applicant: H. Andrew Strong et al
Appl. No.: 13/090,215
Filing Date: April 19, 2011
Title: THERAPEUTIC REGIMEN AND METHODS FOR TREATING OR AMELIORATING VISUAL DISORDERS ASSOCIATED
Attorney Docket: 11-40063-US
Pub. No.: US 20110257266 A1
Pub. Date: October 20, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on December 20, 2011 for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error on the front page of the application.

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 on the front page of the publication in the title of the invention 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 1130(B).

[1] Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

On July 14, 2011, a Filing Receipt was mailed by the Office, which improperly listed the title. To avoid this type of problem in the future, applicant's representative should correct the error, if applicable and make a request for a corrected filing receipt prior to export of the application to the publisher and publication of the application.

Applicants are encouraged to use and submit an **eADS** (PTO/SB/14) as an EFS-Web Fillable Form, rather than a scanned PDF image, to benefit from having the data loaded directly into USPTO electronic systems. For questions contact the Patent EBC (Electronic Business Center):
Telephone: 1-866-217-9197 (toll-free) or E-mail: ebc@uspto.gov
571-272-4100 (local)

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,317	04/20/2011	Thyge Skovbjerg Thomsen	2010P02251US	2212

22116 7590 06/02/2011
SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER
THOMPSON, TIMOTHY J

ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
06/02/2011	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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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of	
Thyge THOMSEN	**: DECISION ON REQUEST TO**
Application No.: 13/090,317	**: PARTICIPATE IN THE PATENT**
Filed: 20 April 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 2010P02251US	**: PROGRAM AND PETITION**
For: AUTOMATED MECHANICAL	**: TO MAKE SPECIAL UNDER**
DISCONECTION OF AN	**: 37 CFR 1.102(a)**
ELECTRICAL CONVERTER ...	

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 20 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,329		Bastian Lewke	2010P07250US	2233

22116 7590 04/26/2011
SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
04/26/2011	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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SIEMENS CORPORATION
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170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re Application of LEWKE, BASTIAN Application No. 13090,329 Filed: April 20, 2011 Attorney Docket No. 2010P07250US For: ARRANGEMENT FOR LIGHTNING DETECTION	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed April 20, 2011 to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH program and petition to make special require:
(1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the JPO, EPO, KIPO or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

All other inquiries concerning the examination or status of the application should be directed to Ed Look, the SPE of Art Unit 3745 and (571)272-4820 for Class 416/146 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

The application is currently undergoing pre-examination processing. Upon completion, this application will be forwarded and docketed to an examiner for action on the merits commensurate with this decision.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **granted.**

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

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	13090437	Confirmation Number	2467	Filing Date	2011-04-20
Attorney Docket Number (optional)	11-7820CIP	Art Unit		Examiner	
First Named Inventor	Norton C. Sims				
Title of Invention	DEVICE AND METHOD FOR CALIBRATING RETINOSCOPES				

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
Norton	C.	Sims	

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)	2011-05-12
Name	Bryan L. Loeffler	Registration Number	61810

PTO/SB/130 (07-09)
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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In re Application of
Clinton N. Sims

Application No. 13090437

Filed: April 20,2011

Attorney Docket No. 11-7820

: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 12-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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,499	04/20/2011	Shinichi KANNO	379089US2SRD CONT	2596

22850 7590 06/13/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2117	

NOTIFICATION DATE	DELIVERY MODE
06/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of: KANNO et al.
Application No. 13/090499
Attorney Docket #: 379089US2SRD CONT
Filed: April 20, 2011
For: SEMICONDUCTOR MEMORY DEVICE AND METHOD OF CONTROLLING THE SAME

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 20, 2011 to make the above-identified application special.

The petition is **DISMISSED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims,

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
b. An English translation of the allowable/patentable claim(s) and
c. A statement that the English translation is accurate;

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
a. Documentation of prior office action:
i. a copy of the office action(s)just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the

"Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

(6) Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition fails to meet item 1 of the requirements listed above.

Specifically, the priority JPO application is listed as 2010-171096, whereas the application Declaration claims priority to **PCT/JP2008/063344 , filed 07/17/2008** and **claims foreign priority to 2007-225996 , filed 08/31/2007.**

The two citations are inconsistent.

The Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,499	04/20/2011	Shinichi KANNO	379089US2SRD CONT	2596

22850 7590 07/08/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2117	

NOTIFICATION DATE	DELIVERY MODE
07/08/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of: KANNO et al.
Application No. 13/090499
Attorney Docket #: 379089US2SRD CONT
Filed: April 20, 2011
For: SEMICONDUCTOR MEMORY DEVICE AND METHOD OF CONTROLLING THE SAME

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

A Dismissal of the Petition to Participate in the PPH program was mailed to Applicants on June 13, 2011 for failing to provide proper priority to the JPO documents. In response, Applicants called the undersigned on June 27, 2011 to point out that the "Letter of Explanation of Claim Priority" was indeed filed by applicants with the original petition. Hence the previous decision is replaced by this current decision.

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed April 20, 2011 to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims,

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the JPO, or

(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
b. An English translation of the allowable/patentable claim(s) and
c. A statement that the English translation is accurate;

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
a. Documentation of prior office action:
i. a copy of the office action(s)just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the

DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the "Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

(6) Applicant must submit:
a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED.**

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

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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.
13/090,529	04/20/2011	Atsushi YOSHIMOTO	P40055	2658

7590 08/19/2011
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER
DONOVAN, LINCOLN D

ART UNIT	PAPER NUMBER
2816	

NOTIFICATION DATE	DELIVERY MODE
08/19/2011	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)

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
JUN 08 2011
OFFICE OF PETITIONS

LACKENBACH SIEGEL, LLP
LACKENBACH SIEGEL BUILDING
1 CHASE ROAD
SCARSDALE, NY 10583

In re Application of	:	
Gal et al.	:	
Application No. 13/090,535	:	ON PETITION
Filed: April 20, 2011	:	
Attorney Docket No. ADINT.P018	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 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 (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 3735 for action on the merits commensurate with this decision.

A. Kelley-Collier

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,539	04/20/2011	Shinichi KANNO	379102US2SRD CONT	2673

22850 7590 06/13/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2117	

NOTIFICATION DATE	DELIVERY MODE
06/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

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1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of: KANNO et al.
Application No. 13/090539
Attorney Docket #: 379102US2SRD CONT
Filed: April 12, 2011
For: SEMICONDUCTOR MEMORY DEVICE AND METHOD OF CONTROLLING THE SAME

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 April 20, 2011, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims,

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the

JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
b. An English translation of the allowable/patentable claim(s) and
c. A statement that the English translation is accurate;

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
a. Documentation of prior office action:
i. a copy of the office action(s)just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the "Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that

are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

(6) Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The petition is **GRANTED.**

The request to participate in the PPH pilot program and petition are found to comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

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HAYNES AND BOONE, LLP
IP SECTION
2323 VICTORY AVENUE
SUITE 700
DALLAS TX 75219

MAILED
APR 02 2012
OFFICE OF PETITIONS

In re Application of
Denis Kulgavin
Application No. 13/090,579
Filed: April 20, 2011
Attorney Docket No. 43807.2

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 15, 2012.

The request is **APPROVED**.

The request was signed by Michael Shenker on behalf of the practitioners of record associated with Customer Number 27683.

Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to inventor Denis Kulgavin 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: Denis Kulgavin
610 Arcadia Ter. #203
Sunnyvale CA 94085

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/090,579	04/20/2011	Denis Kulgavin	43807.2

CONFIRMATION NO. 2757

POWER OF ATTORNEY NOTICE

OC000000053475142

27683
HAYNES AND BOONE, LLP
IP Section
2323 Victory Avenue
Suite 700
Dallas, TX 75219

Date Mailed: 04/02/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/15/2012.

- 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

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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
13/090,579	04/20/2011	Denis Kulgavin	43807.2

CONFIRMATION NO. 2757

POA ACCEPTANCE LETTER

Denis Kulgavin
610 Arcadia Ter. #203
Sunnyvale, CA 94085

OC000000053475143

Date Mailed: 04/02/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/15/2012.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,697	04/20/2011	Matthew W. Davis	MPC0242USC2	3023

23413 7590 04/28/2011
CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford, CT 06103

EXAMINER
MCMILLIAN, KARA RENITA

ART UNIT	PAPER NUMBER
1627	

NOTIFICATION DATE	DELIVERY MODE
04/28/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

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APR 28 2011

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of:
Matthew W, Davis

Serial No.: 13/090,697

Filed: April 20, 2011

Docket No.: **MPC0242USC2**

Title: **METHODS FOR CONCOMITANT ADMINISTRATION OF COLCHICINE AND MACROLIDE ANTIBIOTICS**

DECISION ON REQUEST FOR CONSIDERATION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on April 20, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:
    If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600

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United States Patent and Trademark Office
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CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

MAILED
OCT 17 2011
OFFICE OF PETITIONS

In re Application of	:	
Matthew W. Davis, et al.	:	
Application No. 13/090,697	:	DECISION GRANTING PETITION
Filed: April 20, 2011	:	UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. MPC0242USC2	:	

This is a decision on the petition under 37 CFR 1.313(c)(2), filed, October 13, 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 12, 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 Terri Johnson at (571) 272-2991.

This application is being referred to Technology Center AU 1627 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.

/Terri Johnson/
Terri Johnson
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.*

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,731	04/20/2011	Eberhard Körner	7535-721US (RWP 2110 US)	3090

EXAMINER

7590 01/20/2012
PANITCH SCHWARZE BELISARIO & NADEL LLP
ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA, PA 19103

ART UNIT	PAPER NUMBER
3739	

NOTIFICATION DATE	DELIVERY MODE
01/20/2012	ELECTRONIC

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

FORM PET651G (Rev. 08/07)

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MAILED
APR 16 2012
OFFICE OF PETITIONS

JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
SUITE 4000
NEW YORK NY 10168

In re Application of	:	
Wolfschwenger et al.	:	
Application No. 13/090,767	:	DECISION ON PETITION
Filed: April 20, 2011	:	
Attorney Docket No. F-10598	:	
For: NOVEL PROPYLENE POLYMER	:	
BLENDS	:	

This is a decision on the petition, filed March 21, 2012, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition to withdraw the holding of abandonment is **GRANTED**.

This above-identified application was held abandoned for failure to timely file a reply to a non-final Office action mailed August 25, 2011. The Office Action set a three (3) month shortened statutory period for reply. Accordingly, this application was held abandoned on November 26, 2011. A Notice of Abandonment was mailed on March 15, 2012.

Petitioner contends that the response including an amendment and request for three month extension of time were submitted on February 27, 2012. The response included a certificate of mailing dated February 27, 2012. In support of the petition, petitioner has provided a copy of a post card receipt with stamp dated March 1, 2012.

Pursuant to 37 CFR 1.8, correspondence will be considered timely if the party who forwarded such correspondence:

> 1) Correspondence will be considered as being timely filed if:
> (i) The correspondence is mailed or transmitted prior to expiration of the set period of time by being:
> (A) Addressed as set out in § 1.1(a) and deposited with the U.S. Postal Service with sufficient postage as first class mail;
> (B) Transmitted by facsimile to the Patent and Trademark Office in accordance with § 1.6 (d); or
> (C) Transmitted via the Office electronic filing system in accordance with § 1.6(a)(4); and
> (ii) The correspondence includes a certificate for each piece of correspondence stating the date of deposit or transmission. The person

> signing the certificate should have reasonable basis to expect that the correspondence would be mailed or transmitted on or before the date indicated.

The petition satisfies the above requirements of 37 CFR 1.8. Accordingly, the holding of abandonment for failure to timely file a reply to the Office action of August 25, 2011 is hereby withdrawn and the application restored to pending status.

The amendment submitted on February 25, 2012 has not been located in the Office. The copy submitted with the petition will be used for processing purposes. As such the reply is deemed timely.

This application is being referred to Technology Center AU 1767 for appropriate action in the normal course of business on the reply received on March 21, 2012.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charlema Grant

Charlema Grant
Attorney Advisor
Office of Petitions

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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
JAN 12 2012
OFFICE OF PETITIONS

In re Application of	**: DECISION ON REQUEST TO**
Satoshi AZUCHI	**: PARTICIPATE IN THE PATENT**
Application No.: 13/090,791	**: PROSECUTION HIGHWAY**
Filed: April 20, 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: SUTOSH.820AUS	**: TO MAKE SPECIAL UNDER**
For: ELECTRONIC APPARATUS	**: 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 9 December 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

DISCUSSION

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
      i. validly claims priority to an application filed in the JPO, or
      ii. validly claims priority to a PCT application that contains no priority claims, or
      iii. contains no priority claim;
2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

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

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PATTON BOGGS LLP
8484 WESTPARK DRIVE
SUITE 900
MCLEAN, VA 22102

MAILED
MAR 09 2012
OFFICE OF PETITIONS

In re Application of	:	
LEVIT, et al	:	
Application No. 13/090,842	:	DECISION ON PETITION
Filed: April 20, 2011	:	TO WITHDRAW
Attorney Docket No. 026413.0101D1US	:	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 February 9, 2012.

The request is **NOT APPROVED** because it is moot.

A review of the file record indicates that the power of attorney to Scott A. Chambers, has been revoked by the assignee of the patent application on February 21, 2012. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

Telephone inquires concerning this decision should be directed to undersigned at (571) 272-6735.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

cc: ENDOCROSS LTD.
NEW INDUSTRIAL PARK
BUILDING 1
YOKNEAM 20692 ISRAEL

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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.
13/090,856	04/20/2011	Shuai ZHAO	HW707944	3376

77399 7590 06/30/2011
Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER
THOMPSON, TIMOTHY J

ART UNIT	PAPER NUMBER
2835	

NOTIFICATION DATE	DELIVERY MODE
06/30/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com
uspatent@huawei.com

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Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
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180 North Stetson Avenue
Chicago IL 60601

In re Application of: Shuai ZHAO Serial No.: 13/090856 Filed: 20 April 2011 Title: **DATA CARD**	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 20 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 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 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions I.1-4; II.5.1-5.3, 6 and 6.1- 6.6, above are considered to have been met. However, the petition fails to comply with conditions section II, subsection 5, above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

In order to meet the requirement of section II, subsection 5, the reexamination search provided appears to be lacking. The following class and subclass should also be included in the search: class 361, subclasses 730, 736, 737; and class 710, subclasses 63, 100, 304. For the above reason, the petition does not meet the requirements of section II, subsection 5, as set forth above.

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 Michael Day, TC 2800 Quality Assurance Specialist (QAS), 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.
13/090,856	04/20/2011	Shuai ZHAO	HW707944	3376

77399 7590 08/10/2011
Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER
CHEN, XIAOLIANG

ART UNIT	PAPER NUMBER
2835	

NOTIFICATION DATE	DELIVERY MODE
08/10/2011	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):

Chgpatent@leydig.com
uspatent@huawei.com

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Leydig, Voit & Mayer, Ltd
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180 North Stetson Avenue
Chicago IL 60601

In re Application of: ZHAO, Shuai. Application No.: 13/090,856 Filed: April 20, 2011 Title: DATA CARD	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 July 28, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed 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 Colleen Dunn, Quality Assurance Specialist, at (571) 272-1170.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,874	04/20/2011	Weixin WANG	HW707945	3419

77399 7590 06/01/2011
Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER
YAO, KWANG BIN

ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
06/01/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com
uspatent@huawei.com

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TECHNOLOGY CENTER 2400

LEYDIG, VOIT & MAYER, LTD.
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago IL 60601

In re Application of: WANG, Weixin et al.
Serial No.: **13/090,874**
Filed: April 20, 2011
Attorney Docket No: HW707945
Title: METHOD AND APPARATUS FOR DETERMINING TRANSMIT POWER

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on **April 20, 2011** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims is patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions I.1 to II.4 above are considered to have been met. However, the petition fails to comply with conditions II.5 and II.6 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirement of MPEP §708.02(a)(I)(H)(1) and item II. 5.1 above, Petitioner's Accelerated Examination Support Document (AESD) provides a classification search, which indicates the following classes and subclasses were searched on March 14-17, 2011:

455/522, 455/452.2, 455/452.1, 455/450, 455/439, 455/127.1, 455/126, 455/115.1, 455/103, 455/69, 455/13.4;

370/479, 370/465, 370/464, 370/441, 370/342, 370/328, 370/322, 370/320, 370/318;

375/296, 375/260, 375/220, 375/147, 375/146, 375/141, 375/140.

Based upon the claimed subject matter of instant application, a search in the following additional class and/or subclasses should be included in order to provide full coverage of where the most pertinent references are most likely to be found:

U.S. Field of Search:

370/252 DIAGNOTIC TESTING (OTHER THAN SYNCHRONIZATION):
. Determination of communication parameters.

370/335 COMMUNICATION OVER FREE SPACE:
...Combining or distributing information via code word channels using multiple access techniques (e.g. CDMA)

Due to the deficiencies identified above, Petitioner should review the search document and update the search to rectify the deficiencies and/or provide any clarification if deemed necessary.

DECISION

For the above-stated reasons, the petition is **DISMISSED**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed the undersigned whose telephone number is (571) 272-3126.

If attempts to reach the undersigned by telephone are unsuccessful, Beatriz Prieto, Quality Assurance Specialist, can be reached at (571) 272-3902.

/Beatriz Prieto/ for

Chau T. Nguyen,
Quality Assurance Specialist
Technology Center 2400
Computer Architecture, Software and Information Security

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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.
13/090,874	04/20/2011	Weixin WANG	HW707945	3419

77399 7590 07/15/2011
Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER
YAO, KWANG BIN

ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
07/15/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com
uspatent@huawei.com

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JUN 14 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

LEYDIG, VOIT & MAYER, LTD.
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago IL 60601

In re Application of: WANG, Weixin et al.
Serial No.: **13/090,874**
Filed: April 20, 2011
Attorney Docket No: HW707945
Title: METHOD AND APPARATUS FOR DETERMINING TRANSMIT POWER

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on **June 30, 2011** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). The original petition, submitted upon filing of the application on April 20, 2011, was dismissed in the decision mailed on May 31, 2011.

The petition to make the application special is **GRANTED** as the revised Preexamination Search Statement now meets the requirements of condition II.5.2.

The application is eligible for accelerated examination and the renewed petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election

without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.
7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference. Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above. On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition. If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Chau T. Nguyen, Quality Assurance Specialist, at (571) 272-3126. Beatriz Prieto may also be reached at (571) 272-3902.

/Beatriz Prieto/ for

Chau T. Nguyen,
Quality Assurance Specialist
Technology Center 2400
Computer Architecture, Software and Information Security

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: 83175637	Application Number (if known): 13/090,940	Filing date: April 20, 2011
First Named Inventor: Thomas Lorenz		
Title: METHOD AND SYSTEM FOR PRE-IGNITION CONTROL		

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 June 24, 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	:	Thomas Lorenz, et al.
Application No.	:	13/090,940
Filed	:	April 20, 2011
Title	:	METHOD AND SYSTEM FOR PRE-IGNITION CONTROL
Group Art Unit	:	3747
Confirmation No.	:	3558
Docket No.	:	83175637

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:

June 24, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially contributes to the more efficient utilization and conservation of energy resources; and/or (2) the claimed invention materially contributes to greenhouse gas emission reduction; and/or (3) the claimed invention materially enhances the quality of the environment.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Regarding basis (1), Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by

improving fuel economy (*e.g.*, more efficiently utilizing and conserving fossil fuels). Specifically, the claimed invention reduces the thermal load of an engine to reduce pre-ignition events. As explained in the Background and Summary of the subject application, under certain operating conditions, engines that have high compression ratios, or are boosted to increase specific output, may be prone to low speed pre-ignition combustion events. The early combustion due to pre-ignition can cause very high in-cylinder pressures, and can result in combustion pressure waves similar to combustion knock, but with larger intensity. Strategies have been developed for prediction and/or early detection of pre-ignition based on engine operating conditions. Additionally, following detection, various pre-ignition mitigating steps may be taken that can degrade fuel economy. Furthermore, to avoid or reduce the dangers of pre-ignition, engines may be designed to operate with less boost and/or less spark advance than is optimal for fuel economy.

The risk of pre-ignition may be reduced by lowering the thermal loading of a vehicle engine. For example, a liquid cooling system including a coolant jacket coupled to a cylinder head may be used to dissipate large quantities of heat. Further, fuel enrichment may be carried out for a duration during conditions when high exhaust gas temperatures are expected. The heating and evaporation of the excess fuel injected during the enrichment may act to cool the engine and reduce the thermal loading. However, the amount of heat dissipated by the cooling system may not be adequate to reduce the risk of engine thermal overloading, in particular, in the region where exhaust lines from different cylinders converge to form a common exhaust line. Thermal overloading issues may be exacerbated in boosted engines. As another example, the engine enrichment used to address thermal overloading may degrade fuel economy and exhaust emissions. Specifically, the enrichment may interfere with lean, or stoichiometric, exhaust conditions required for the operation of various exhaust emission control devices. Likewise, prolonged enrichment may lead to soot accumulation and coking of spark plugs, which in turn can generate misfires, and increase the propensity for pre-ignition.

The claimed invention addresses the above issues by alternately operating cylinders rich and lean in response to an indication of pre-ignition. For example, claim 1 recites:

> A method of operating an engine, comprising:
> in response to an indication of pre-ignition,
> operating a first cylinder rich while operating a second cylinder lean for a first duration; and
> after the first duration, rich operating the second cylinder while lean operating the first cylinder for a second duration.

In this way, a combination of enrichment and enleanment may be used to reduce cylinder overheating, thereby reducing the likelihood of cylinder pre-ignition events. By alternating enrichment with enleanment in a given cylinder over consecutive engine cycles, soot accumulation and spark plug coking in the cylinder can be reduced, thereby reducing the occurrence of cylinder misfires and reducing engine emissions. Further, by reducing pre-ignition, the engine can be operated more aggressively with regard to engine boost pressure, spark timing, air-fuel ratio, etc. such that the engine can be operated more efficiently over a larger operating range, without experiencing pre-ignition. As such, fossil fuels may be conserved.

Regarding basis (2), Applicants submit that the claimed invention materially contributes to greenhouse gas emission reduction as follows. CO_2 is a greenhouse gas produced as a product of fuel combustion. As explained above and set forth in claim 1, alternately operating cylinders rich and lean in response to an indication of pre-ignition can lead to increased fuel economy, reducing the amount of fuel combusted and thus reducing emissions of CO_2.

Regarding basis (3), Applicants submit that the claimed invention materially enhances the quality of the environment by lowering vehicle emissions, such as NOx, which negatively impact the quality of the environment. As explained above, by adjusting the enleanment of some cylinders to match the enrichment of other cylinders, a stoichiometric exhaust gas air-to-fuel ratio may be maintained near a downstream emission control device, even when responding to pre-ignition. As such, this allows abnormal cylinder combustion events to be reduced without degrading exhaust emissions, 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,940	04/20/2011	Thomas Lorenz	83175637	3558

36865 7590 07/08/2011
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
07/08/2011	PAPER

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The time period for reply, if any, is set in the attached communication.

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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of	:	
LORENZ, THOMAS	:	DECISION ON PETITION
Application No. 13/090940	:	TO MAKE SPECIAL UNDER
Filed: April 20, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83175637	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 24, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

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

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: 83188227	Application Number (if known): 13/090,955	Filing date: April 20, 2011
First Named Inventor: Chris Paul Glugla		
Title: METHOD AND SYSTEM FOR PRE-IGNITION CONTROL		

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 June 24, 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.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Chris Paul Glugla, et al.
Application No.	:	13/090,955
Filed	:	April 20, 2011
Title	:	METHOD AND SYSTEM FOR PRE-IGNITION CONTROL
Group Art Unit	:	3747
Confirmation No.	:	3583
Docket No.	:	83188227

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Alexandria, VA 22313-1450

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June 24, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially contributes to the more efficient utilization and conservation of energy resources; and/or (2) the claimed invention materially contributes to greenhouse gas emission reduction.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Regarding basis (1), Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by improving fuel economy (*e.g.*, more efficiently utilizing and conserving fossil fuels).

Specifically, the claimed invention improves fuel economy by reducing pre-ignition while improving air-fuel mixing. As explained in the Background and Summary of the subject application, under certain operating conditions, engines that have high compression ratios, or are boosted to increase specific output, may be prone to low speed pre-ignition combustion events. The early combustion due to pre-ignition can cause very high in-cylinder pressures, and can result in combustion pressure waves similar to combustion knock, but with larger intensity. Strategies have been developed for prediction and/or early detection of pre-ignition based on engine operating conditions. Additionally, following detection, various pre-ignition mitigating steps may be taken that while addressing pre-ignition, degrade fuel economy. Furthermore, to avoid or reduce the dangers of pre-ignition, engines may be designed to operate with less boost and/or less spark advance than is optimal for fuel economy.

For example, a fuel injection timing may be adjusted (e.g., advanced) to mitigate pre-ignition. In one example, by injecting at least some of the fuel relatively early, cylinder charge cooling may be achieved, which reduces the likelihood of abnormal cylinder combustion events. However, the early injection timing can cause the injected fuel to impinge on the cylinder walls and cause wall wetting. Fuel droplets coming off the cylinder walls can in turn generate a low octane species in the combustion mixture that acts as an ignition source for cylinder pre-ignition. Consequently, the desired pre-ignition mitigation may not be achieved. Furthermore, the fuel impinging on the cylinder walls leads to poor air-fuel mixing, resulting in inefficient combustion and wasting fuel. The claimed invention addresses these issues by adjusting a spray angle of a fuel injection based on pre-ignition. For example, claim 1 recites:

> A method of operating an engine including a fuel injector, comprising,
> adjusting a spray angle of fuel injection to a cylinder based on an indication of pre-ignition.

In this way, a spray pattern can be manipulated for each engine cylinder to reduce fuel impingement on the cylinder wall, and improve charge cooling, thereby reducing the occurrence of pre-ignition in the cylinder without wasting excess fuel on the walls. By reducing pre-ignition, the engine can be operated more aggressively with regard to engine boost pressure, spark timing, air-fuel ratio, etc. such that the engine can be operated more

efficiently over a larger operating range, without experiencing pre-ignition. As such, fossil fuels may be conserved. Additionally, fuel-air mixing may be improved and as a result, engine efficiency and fuel economy may be improved.

Regarding basis (2), Applicants submit that the claimed invention materially contributes to greenhouse gas emission reduction as follows. CO_2 is a greenhouse gas produced as a product of fuel combustion. As explained above and set forth in claim 1, adjusting a spray angle of a fuel injection based on pre-ignition events can lead to increased fuel economy, reducing the amount of fuel combusted and thus reducing emissions of CO_2.

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
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806 S.W. Broadway, Suite 600
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Telephone: (503) 459-4141
Facsimile: (503) 459-4142

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,955	04/20/2011	Chris Paul Glugla	83188227	3583

36865 7590 07/08/2011
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
07/08/2011	PAPER

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The time period for reply, if any, is set in the attached communication.

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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of	:	
GLUGLA, CHRIS PAUL	:	DECISION ON PETITION
Application No. 13/090955	:	TO MAKE SPECIAL UNDER
Filed: April 20, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83188227	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 24, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

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

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/090,973	04/20/2011	Sung Woo Kang	0122-P0024A	3620

7590 06/16/2011
Park & Associates IP Law, P.C.
Suite 106
265 Bic Drive
Milford, CT 06461

EXAMINER
CHEUNG, WILLIAM K

ART UNIT	PAPER NUMBER
1762	

MAIL DATE	DELIVERY MODE
06/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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JUN 16 2011

BC

In re application of KANG, SUNG WOO et al. Serial No. 13/090,973 Filed: April 20, 2011 For: GAS-PHASE POLYMERIZATION OF ALPHA-OLEFIN	: : : : : :	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) to make the above-identified application special filed April 20, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, note where the KIPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KIPO application(s);
   b. An English translation of the allowable/ patentable claim(s); and
   c. A statement that the English translation is accurate;

(3) Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of:
   a. All of the Office actions from each of the KIPO application(s) containing the allowable/patentable claim(s) that are the basis for the request;

b. An English language translation of the KIPO Office actions from (5)(a) above; and
c. A statement that the English translation is accurate; and

(6) Applicant must submit:
a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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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.
13/091,019	04/20/2011	Harkirat Singh	SAM2B-P.e157	3718

97001 7590 02/08/2012
Myers Andras Sherman & Zarrabian LLP
(Samsung R&D Center)
1411 5th Street, Suite 306
Santa Monica, CA 90401

EXAMINER
KOENIG, ANDREW Y

ART UNIT	PAPER NUMBER
2423	

MAIL DATE	DELIVERY MODE
02/08/2012	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.

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FEB 06 2012

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Myers Andras Sherman & Zarrabian LLP
(Samsung R&D Center)
1411 5th Street, Suite 306
Santa Monica CA 90401

In re Application of: Singh, Harkirat et al.
Appl. No.: 13/091,019
Filed: April 20 , 2011
For: METHOD AND SYSTEM FOR ISOCHRONOUS DATA STREAM MANAGEMENT IN HIGH SPEED AUDIO/VIDEO NETWORKS

DECISION ON PETITION UNDER 37 CFR § 1.59

This is a response to the petition under 37 CFR 1.59(b), filed December 27, 2011, to expunge information from the above identified application.

The decision on the petition will be held in abeyance until allowance of the application or mailing of an Ex parte Quayle action or a Notice of Abandonment, at which time the petition will be decided.

Petitioner requests that documents entitled "Proposed VESA DisplayPort Standard, Version 1.2, Draft 11, VESA, 23 December 2009, pp. 1, 41-43, and 157-160, United States" and "DIIVA, DIIVA Specification 1.1 (Beta), DIIVA Promoters Group, 1 December 2009, pp. 1, 46-48, and 52-57, United States" be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(g) has been paid.

The decision on the petition is held in abeyance because prosecution on the merits is not closed. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is "material," with "materiality" being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the decision on the petition to expunge must be held in abeyance at this time. During prosecution on the merits, the examiner will determine whether or not the identified document is considered to be "material." If the information is not considered by the examiner to be material, the information will be removed from the official file.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3126.

/Chau Nguyen/
Chau Nguyen
Workgroup Quality Assurance Specialist,
Technology Center 2400

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/091,019	04/20/2011	Harkirat Singh	SAM2B-P.e157	3718

97001 7590 02/08/2012
Myers Andras Sherman & Zarrabian LLP
(Samsung R&D Center)
1411 5th Street, Suite 306
Santa Monica, CA 90401

EXAMINER
KOENIG, ANDREW Y

ART UNIT	PAPER NUMBER
2423	

MAIL DATE	DELIVERY MODE
02/08/2012	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.

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FEB 06 2012

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

Myers Andras Sherman & Zarrabian LLP
(Samsung R&D Center)
1411 5th Street, Suite 306
Santa Monica CA 90401

In re Application of: Singh, Harkirat et al.
Appl. No.: 13/091,019
Filed: April 20 , 2011
For: METHOD AND SYSTEM FOR ISOCHRONOUS DATA STREAM MANAGEMENT IN HIGH SPEED AUDIO/VIDEO NETWORKS

DECISION ON PETITION
UNDER 37 CFR § 1.59

This is a response to the petition under 37 CFR 1.59(b), filed December 27, 2011, to expunge information from the above identified application.

The decision on the petition will be held in abeyance until allowance of the application or mailing of an Ex parte Quayle action or a Notice of Abandonment, at which time the petition will be decided.

Petitioner requests that documents entitled "Proposed VESA DisplayPort Standard, Version 1.2, Draft 11, VESA, 23 December 2009, pp. 1, 41-43, and 157-160, United States" and "DIIVA, DIIVA Specification 1.1 (Beta), DIIVA Promoters Group, 1 December 2009, pp. 1, 46-48, and 52-57, United States" be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(g) has been paid.

The decision on the petition is held in abeyance because prosecution on the merits is not closed. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is "material," with "materiality" being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the decision on the petition to expunge must be held in abeyance at this time. During prosecution on the merits, the examiner will determine whether or not the identified document is considered to be "material." If the information is not considered by the examiner to be material, the information will be removed from the official file.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3126.

/Chau Nguyen/
Chau Nguyen
Workgroup Quality Assurance Specialist,
Technology Center 2400

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HOLLAND & HART, LLP
P.O BOX 8749
DENVER, CO 80201

MAILED
AUG 23 2011
OFFICE OF PETITIONS

In re Application of :
Ewing et al. :
Application No. 13/091,082 : ON PETITION
Filing: April 20, 2011 :
Attorney Docket No. 57058.0167 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 10, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by the applicant's attorney that the applicant is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059.

This application file is being referred to the Office of Patent Application Processing (OPAP) for further pre-examination processing.

/A. Kelley-Collier/
Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

MAILED
JUN 10 2011
OFFICE OF PETITIONS

In re Application of :
ITOGA et al. :
Application No. 13/091,101 : DECISION ON PETITION
Deposited: April 20, 2011 :
Attorney Docket No. 086142-1041 :

This is a decision on the petition under 37 CFR 1.57(a), filed May 16, 2011, requesting that the application be accorded a filing date of April 20, 2011.

For the reason stated herein, the petition is **DISMISSED**.

Petitioner is given **TWO (2) MONTHS** from the mailing date of this decision to correct the below-noted deficiency. This period is not extendable. See 37 CFR 1.181(f). The reconsideration request should include a cover letter entitled "RENEWED PETITION UNDER 37 CFR 1.57(a)."

Petitioner deposited the application papers on April 20, 2011. On May 4, 2011, the Office mailed a NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION, stating that the application had not been accorded a filing date because the application was deposited without drawings.

On May 16, 2011, petitioner submitted the present petition, the $400.00 petition fee, 15 sheets of drawings, Figs 1-15, a preliminary amendment to include the omitted drawings, a copy of the Declaration and Power of Attorney filed April 20, 2011, a copy of the Application Data Sheet filed April 20, 2011, and a copy of the

drawings in Japanese Patent Application No. 2010-98104 (13 Sheets, Figs 1-15).

Petitioner asserts:

> [T]he drawings were explicitly incorporated by reference in the application as filed. Paragraph [0001] of the filed application stated as follows: "This application claims the benefit of Japanese Patent Application No. 2010-98104, filed on April 21, 2010, the entire disclosure of which is incorporated by reference herein." Figs. 1 - 15 of the Japanese Patent Application No. 2010-98104 are identical to Figs. 1-15 of the present application (with the exception of translation from Japanese to English). Thus, Figs. 1-15 were present in the application as filed. Copies of Figs. 1-15 of Japanese Patent Application No. 2010-98104 are attached hereto.

Petition, p. 2. Petitioner requests entry of the preliminary amendment to include the drawings based on the incorporation by reference of the prior-filed foreign application pursuant to 37 CFR 1.57.

37 CFR 1.57 provides that:

> (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).

The present application was deposited after September 21, 2004, and thus, the provisions of 37 CFR 1.57(a) are applicable. A review of the record confirms that upon depositing the application, it contained a claim under 37 CFR 1.55 for priority of prior-filed Japanese Patent Application No. 2010-98104. Petitioner asserts that the omitted drawings[1] are completely contained in the prior-filed application. However, petitioner did not supply a copy of prior-filed Japanese Patent Application No. 2010-98104 and an English language translation as required by 37 CFR 1.57(a)(1)(i)-(ii).

Petitioner has not met the conditions and requirements to add the omitted material to the application pursuant to 37 CFR 1.57(a). Accordingly, the petition is dismissed.

---

[1] Petitioner did not specifically state that the drawings were inadvertently omitted for the application on filing. Nevertheless, the Office notes that there is no requirement to submit a declaration stating that the omission was inadvertent or to provide proof that a particular omission was inadvertent at the time of filing of the application. MPEP 201.17(II)(B). Rather, the submission of an amendment by an applicant to add the omitted material pursuant to 37 CFR 1.57(a) will constitute a certification under 37 CFR 10.18(b) that the omission was inadvertent. Id. The Office, however, may inquire as to inadvertence where the record raises such issue.

Further correspondence with respect to this decision 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
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Correspondence may also be submitted electronically via EFS-Web.

Telephone inquiries related to this decision may be directed to Christina Tartera Donnell, Senior Petitions Attorney at (571) 272-3211.

Anthony Knight
Director
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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MAILED
JUL 06 2011
OFFICE OF PETITIONS

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

In re Application of	:	
ITOGA et al.	:	
Application No. 13/091,101	:	DECISION ON PETITION
Filed: April 20, 2011	:	
Attorney Docket No. 086142-1041	:	

This is a decision on the renewed petition filed June 24, 2011, to accord the above-identified application a filing date of April 20, 2011. In view of the explicit incorporation by reference statement, it is appropriate to treat the petition under 37 CFR 1.182.

Petitioner deposited the application papers on April 20, 2011. On May 4, 2011, the Office mailed a NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION, stating that the application had not been accorded a filing date because the application was deposited without drawings.

Petitioner submitted a $400.00 petition fee, 15 sheets of drawings (Figs 1-15), a preliminary amendment to include the omitted drawings, a copy of the Declaration and Power of Attorney filed April 20, 2011, a copy of the Application Data Sheet filed April 20, 2011, and a copy of Japanese Patent Application No. 2010-98104 (including Figs. 1-15).

Petitioner asserts that the above-identified application is complete and should be accorded a filing date of April 20, 2011, because the drawings were explicitly incorporated by reference in the application as filed. Petitioner states:

> Paragraph [0001] of the filed application stated as follows: 'This application claims the benefit of Japanese Patent Application No. 2010-98104, filed on April 21, 2010, the entire disclosure of which is incorporated by reference herein.' Figs. 1-15 of the Japanese Patent Application No. 2010-98104 are identical to Figs. 1-15 of the present application (with the exception of translation from Japanese to English). Thus, Figs. 1-15 were present in the application as filed. A copy of Japanese Patent Application No. 2010-98104 (including Figs. 1-15) is attached hereto.

Petition, 06/24/11, p. 2. Petitioner requests entry of the preliminary amendment to include the drawings based on the incorporation by reference of the prior-filed foreign application.

In an application containing an explicit incorporation by reference statement in the specification, a petition for the granting of a filing date may be made pursuant to 37 CFR 1.182. See MPEP 201.06(c). A petition under 37 CFR 1.182 and the required petition fee, including an amendment submitting the necessary omitted material, requesting that the necessary omitted material contained in the prior-filed application and submitted in the amendment, be included in the later-filed application based upon the incorporation by reference statement, is required. An amendment submitting the omitted material and relying upon the incorporation by reference will not be entered in the later-filed application unless a decision granting the petition states that the application is accorded a filing date and that the amendment will be entered. For an incorporation by reference to be effective, the incorporation by reference statement must be filed at the time of filing of the later-filed application. See MPEP 601.01(p). The inclusion of such an incorporation by reference statement in the later-filed application will permit an applicant to include subject matter from the prior application into the later-filed application without the subject matter being considered as new matter. See MPEP 201.06(c) and 601.01(p)

A review of the application as filed reveals that the specification contains an explicit incorporation by reference of prior-filed Japanese Patent Application No. 2010-98104. As petitioner has filed a renewed petition, an amendment, and the omitted drawings, the application will be accorded the filing date of April 20, 2011, as requested. Thus, the petition is **GRANTED**.

This matter is being referred to the Office of Patent Application Processing to accord the application a filing date of April 20,

2011, using the application papers received in the Office on that date, and the drawings submitted with the petition.

No fee is required for filing the present petition. Accordingly, the Office will refund the $400.00 petition fee paid on June 24, 2011, in due course.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Jean-Paul Cass, Esq
7th Floor, Rockefeller Center
1230 Avenue of the Americas
New York NY 11020

MAILED

AUG 29 2011

OFFICE OF PETITIONS

In re Application of	:	
Natalie Kudrashova	:	
Application No. 13/091,109	:	DECISION ON PETITION
Filed: April 20, 2011	:	TO WITHDRAW
Attorney Docket No. Kudrashova-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 August 10, 2011.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Jean-Paul Cass, sole attorney of record. Jean-Paul Cass has been withdrawn.

The correspondence address has been changed.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: Natalie Kudrashova
201 Southgate Crescent
Massapequa Park, NY 11762

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/091,109	04/20/2011	Natalie Kudrashova	Kudrashova-001-USU

CONFIRMATION NO. 3920

POWER OF ATTORNEY NOTICE

Jean-Paul Cass, Esq
7th Floor, Rockefeller Center
1230 Avenue of the Americas
New York, NY 11020

OC000000049524043

Date Mailed: 08/26/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/10/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/kainabinet/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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.
13/091,124	04/21/2011	John Hanback	CWE-012U	3952

95248 7590 06/27/2011
Northern Virginia Law and Technology Services, LLC
1934 Old Gallows Rd
Suite 350
Vienna, VA 22182

EXAMINER
PONOMARENKO, NICHOLAS

ART UNIT	PAPER NUMBER
2839	

MAIL DATE	DELIVERY MODE
06/27/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Northern Virginia Law and Technology Services, LLC
1934 Old Gallows Rd
Suite 350
Vienna VA 22182

In re Application of:	:	
John HANBACK	:	DECISION ON PETITION TO
Serial No.: 13/091124	:	MAKE SPECIAL FOR NEW
Filed: 21 April 2011	:	APPLICATION UNDER 37
Title: EFFICIENT ENERGY CONVERSION	:	C.F.R. § 1.102 & M.P.E.P. § 708.2
DEVICES AND METHODS	:	

This is a decision on the petition filed on 21 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;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview;

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner; and

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1. involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation; and

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition (section II, subsections 1-5) are considered to have been met. However, the petition fails to comply with the

all the conditions set forth in section II, subsection 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 6.2, the petition is required to identify all of the limitations in all of the claims that are disclosed by the reference and specifying where the limitation is disclosed in the cited reference. For example, none of the claim limitations of claim 1 that are disclosed in either US Patent No. 6,276,499, or in document WO 2010/124012 were identified in the accelerated examination support document.

DECISION

For the above-stated reasons, the petition is **dismissed**.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petition is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.

Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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.
13/091,124	04/21/2011	John Hanback	CWE-012U	3952

95248 7590 09/13/2011
Northern Virginia Law and Technology Services, LLC
1934 Old Gallows Rd
Suite 350
Vienna, VA 22182

EXAMINER
PONOMARENKO, NICHOLAS

ART UNIT	PAPER NUMBER
2839	

MAIL DATE	DELIVERY MODE
09/13/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Alexandria, VA 22313-1450
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Northern Virginia Law and Technology Services, LLC
1934 Old Gallows Rd
Suite 350
Vienna VA 22182

In re Application of: John HANBACK Serial No.: 13/091124 Filed: 21 April 2011 Title: **EFFICIENT ENERGY CONVERSION DEVICES AND METHODS**	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 21 April 2011, and request for reconsideration of petition decision filed 25 July 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.

/Michael Day/

Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

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: P3080US02	Application Number (if known):	Filing date: 21 April 2011

First Named Inventor: Lan WONG

Title: MULTISTORY BIOREACTION SYSTEM FOR ENHANCING PHOTOSYNTHESIS

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 /Margaret Burke/	Date 21 April 2011
Name (Print/Typed) Margaret Burke	Registration Number 34,474

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	**Lan WONG**	**Art Unit**	:	**Not yet assigned**
Serial No.	:	**Not yet assigned**	**Examiner**	:	**Not yet assigned**
Filed	:	**21 April 2011**	**Docket No.**	:	**P3080US02**

Title : Multistory Bioreaction System for Enhancing Photosynthesis

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MAIL STOP: GREEN PILOT PROGRAM
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS FOR GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir:

The present invention is directed to technology that qualifies for special status under the Green Technology Pilot Program. The claims are directed to "the development of renewable energy resources and the reduction of greenhouse gas emissions" In the present application, microorganisms- such as algae suitable for use in the production of alternative fuel- are cultivated using waste gases containing CO_2. Photosynthesis is enhanced through the use of wavelength converting materials which convert sunlight to wavelengths most suitable for use by the microorganisms. In an optional embodiment, the microorganisms are used to create a renewable fuel source such as biodiesel. In a further embodiment, a method reduces greenhouse gas emissions by converting power

plant CO_2-containing waste gases to fuel for the microorganisms and heat for the growth of the microorganisms.

If restriction is required, applicant will elect without traverse by telephone.

In view of the foregoing remarks, it is respectfully submitted that the present application should be accorded special status. Early and favorable action is respectfully requested.

21 April 2011

Respectfully submitted,

/Margaret Burke/

Customer No.: 95527
mburke@ellacheong.com

(852) 2161 9988 (HONG KONG)

Margaret Burke
Registration No. 34,474
Attorney for Applicants

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.
13/091,146	04/21/2011	Lan WONG	P3080US02	3983

95527 7590 05/31/2011
Ella Cheong Hong Kong
5001 Hopewell Centre, 183 Queen's Road East,
Wan Chai,
HONG KONG

EXAMINER

ART UNIT	PAPER NUMBER
1651	

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):

mburke@ellacheong.com
syip@ellacheong.com
ewong@ellacheong.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 3 1 2011

Ella Cheong Hong Kong
5001 Hopewell Centre, 183 Queen's Road East,
Wan Chai HK HONG KONG

In re Application of	:	
WONG, Lan *et al.*	:	DECISION ON PETITION
Application No. 13/091146	:	TO MAKE SPECIAL UNDER
Filed: April 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. P3080US02	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 21, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1651 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

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MAIL

MAY 11 2011

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

RENNER KENNER GREIVE BOBAK TAYLOR & WEBER
FIRST NATIONAL TOWER, SUITE 400
106 SOUTH MAIN STREET
AKRON OH 44308-1412

In re Application of	:	
ICHIKAWA, YOSHIKUNI	:	DECISION ON REQUEST TO
Application No. 13/091,205	:	PARTICIPATE IN PATENT
Filed: April 21, 2001	:	PROSECUTION HIGHWAY
Attorney Docket No. **KYO.P0177**	:	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 21, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must 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 Kenneth Wieder at 571-272-2986.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Kenneth A. Wieder/

Kenneth Wieder
Quality Assurance Specialist
Technology Center 2600
Communications

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Patent Docket Department
Armstrong Teasdale LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

MAILED
FEB 06 2012
OFFICE OF PETITIONS

In re Application of Syage et al. :
Application No. 13/091,365 :
Filing Date: April 21, 2011 :
Attorney Docket No. 155692-0073(P015) :
Pub. No. US 2011/0278447 A1 :
Pub. Date: November 17, 2011 :

Decision on Request

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed December 29, 2011.

The request is **dismissed**.

Applicants request the application be republished because of the mistake in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

[1] *See* Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000).. *See also* Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

The mistake identified in the instant request is not a material Office mistake as required under 37 C.F.R. § 1.221(b). Specifically, the mistake does not affect the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. *See* MPEP § 1130(B). Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicants are advised that a "request for republication of an application previously published" may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office's electronic filing system requirements, the publication fee set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a "Pre-Grant Publication" and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/091,370	04/21/2011	Saad A. Al-Jlil	RIPLLC007.003US1	4456

97207 7590 05/26/2011
Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont, CA 94539

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):

geeta@riddhiip.com
docketing@facetsip.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 26 2011

Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont CA 94539

In re Application of	:	
Al-Jlil	:	DECISION ON PETITION
Application No. 13/091,370	:	TO MAKE SPECIAL UNDER
Filed: 4/21/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RIPLLC007.003US1**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/21/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 5.

In regard to item 5, petitioner should note that a statement has not been provided that states that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner as required by the Notice. Accordingly, the petition cannot be granted without such a statement.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1772 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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.
13/091,370	04/21/2011	Saad A. Al-Jlil	RIPLLC007.003US1	4456

97207 7590 05/26/2011
Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont, CA 94539

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):

geeta@riddhiip.com
docketing@facetsip.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 26 2011

CST

In re application of	:	
Saad A. Al-Jlil	:	
Serial No. 13/091,370	:	DECISION ON PETITION
Filed: April 21, 2011	:	TO MAKE SPECIAL
For: METHOD OF MAKING AND USING	:	
ADSORBENT TO REMOVE HEAVY METAL	:	
FROM WASTE WATER	:	

This is a decision on the petition filed on April 21, 2011 to make the above-identified application special based on materially enhancing the environment.

The petition to make the application special is **DENIED.**

REGULATION AND PRACTICE

Pursuant to the "Changes 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), all petitions to make special, except those based on applicant's health or age or the PPH pilot, filed on or after August 25, 2006 are required to comply with the requirements of petitions to make special under the accelerated examination program. Note that any petition to make special under MPEP § 708.02, based solely on subsection V (environment) was required to be filed prior to August 25, 2006.

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Changes 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.

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. However, the petition fails to comply with condition II, subsections 2-6. Most importantly, applicant has not provided a statement that a preexamination search was conducted and no accelerated examination support document has been provided at the time of filing. Note MPEP 708.02(a), sections I (H) and (I).

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 Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT OFFICE

Title: **METHOD OF MAKING AND USING ADSORBENT TO REMOVE HEAVY METAL FROM WASTE WATER**

Inventor: **Saad A. Al-Jlil**

Filing Date: April 21, 2011

Attorney docket number- RIPLLC007.003US1

PETITION TO MAKE SPECIAL- RECONSIDERATION REQUEST

To,

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia, 22313-1450

CC: Examiner Tom Dunn
REF: Response and request for reconsideration to Petition Decision 5/26/2011, By Tom Dunn, Quality assurance specialist, technology center 1700.

Sir/Madam:
In response to the Petition decision issued on 6/2/2011 and the following statement:

> The petition lacks item(s) 5.
>
> In regard to item 5, petitioner should note that a statement has not been provided that states that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner as required by the Notice. Accordingly, the petition cannot be granted without such a statement.

the applicant request reconsideration of petition decision.

The applicant agrees to make an election without traverse in a telephonic interview if a restriction requirement is made by the Examiner as required by the notice.

REQUEST FOR EXPEDITIOUS AND URGENT EXAMINATION OF SUBMITTED APPLICATION ON THE BASIS THAT INVENTION MATERIALLY ENHANCES THE QUALITY OF THE ENVIRONMENT OF MANKIND BY CONTRIBUTING TO THE RESTORATION OF THE BASIC LIFE SUSTAINING NATURAL ELEMENTS SUCH AS WATER AND SOIL.

The applicant of the instant application hereby requests that this application be made special pursuant to MPEP 708.02, under 37 CFR 1.102. Advancement of examination V. ENVIRONMENTAL QUALITY section. The instant application materially enhances the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining natural elements, i.e., water, and soil. This procedure allows the user to reuse water by decontaminating waste water and prevent soil contamination.

The urgent and expeditious examination of instant U.S. Patent Application will help the inventor to continue to innovate, develop and use adsorbents from natural water and use the adsorbent to trap heavy metal from industrial waste water and decontaminate water on an industrial scale. The method is a cost effective method to remove and reuse available water and hence conserve water. The contaminated water is usually disposed in the soil and the soil becomes unusable. By decontaminating the water one prevents the soil from becoming unusable. As such, this petition to make special for expedited examination is being made to the USPTO.

CONCLUSION

For the abovementioned reasons, applicants respectfully requests that this application be granted special status pursuant to MPEP rule 708.02 subsection V, as the claimed technology directly and relevantly is directed toward materially enhancing the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining natural elements, i.e., water, and soil.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement 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, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Geeta Kadambi
Registration Number: 64446
Address: 43526 Gallegos Avenue
Fremont, CA, 94539

Sign: /Geeta Kadambi/

Date: June 2, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/091,370	04/21/2011	Saad A. Al-Jlil	RIPLLC007.003US1	4456

97207 7590 08/29/2011
Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont, CA 94539

EXAMINER

ART UNIT	PAPER NUMBER
1778	

NOTIFICATION DATE	DELIVERY MODE
08/29/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

geeta@riddhiip.com
docketing@facetsip.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

8/29/11

Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont CA 94539

In re Application of	:	
Al-Jlil	:	DECISION ON PETITION
Application No. 13/091,370	:	TO MAKE SPECIAL UNDER
Filed: 4/21/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RIPLLC007.003US1**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 6/2/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NAREN CHAGANTI
713 THE HAMPTONS LANE
TOWN & COUNTRY, MO 63017

MAILED

JUN. 16 2011

OFFICE OF PETITIONS

In re Application of	:	
Naren CHAGANTI, et *al.*	:	
Application No. 13/091,387	:	DECISION ON PETITION
Filed: April 21, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **PSCO-014**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 21, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **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 a copy of inventor Sitapati Rao Chaganti's passport as indicated in the request.

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 the undersigned at 571-272-7253.

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 2172 for action in its regular turn.

/Monica A. Graves/
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.
13/091,426	04/21/2011	Zengcai SUN	11005.0484	4591

7590 04/05/2012
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER
HERNDON, HEATHER R

ART UNIT	PAPER NUMBER
2176	

MAIL DATE	DELIVERY MODE
04/05/2012	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.

Betty Powell

Patent Publication Branch
Office of Data Management

FORM PET651G (Rev. 08/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JAMES C. WRAY
1493 CHAIN BRIDGE ROAD
SUITE 300
MCLEAN, VA 22101

MAILED

SEP 01 2011

OFFICE OF PETITIONS

In re Application of :
Jean-Francois, Leon :
Application No. 13/091,488 :
Filed: April 21, 2011 :
Attorney Docket No.: NONE :

DECISION GRANTING PETITION
UNDER 37 CFR 1.137(b)

This is a decision on the petition, filed August 8, 2011, which is being treated as a petition under 37 CFR 1.137(b) to revive the instant nonprovisional application for failure to timely notify the U.S. Patent and Trademark (USPTO) of the filing of an application in a foreign country, or under a multinational treaty that requires publication of applications eighteen months after filing. *See* 37 CFR 1.137(f).

The petition is **GRANTED**.

Petitioner states that the instant nonprovisional application is the subject of an application filed in an eighteen month publication country on April 27, 2011. However, the USPTO was unintentionally not notified of this filing within 45 days subsequent to the filing of the subject application in an eighteen month publication country.

In view of the above, this application became abandoned pursuant to 35 U.S.C. §122(b)(2)(B)(iii) and 37 CFR 1.213(c) for failure to timely notify the Office of the filing of an application in a foreign country or under a multilateral international agreement that requires publication of applications 18 months after filing.

A petition to revive an application abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii) for failure to notify the USPTO of a foreign filing must be accompanied by:

(1) the required reply which is met by the notification of such filing in a foreign country or under a multinational treaty;
(2) the petition fee as set forth in 37 CFR 1.17(m); and
(3) a statement that the entire delay in filing the required reply from the due date of the reply until the filing of a grantable petition was unintentional.

The instant petition is found to be in compliance with 37 CFR 1.137(b). Accordingly, the failure to timely notify the USPTO of a foreign or international filing within 45 days after the date of filing of such foreign or international application as provided by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is accepted as having been unintentionally delayed.

The previous Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i) has been rescinded. A Notice Regarding Rescission of Nonpublication Request which sets forth the projected publication date of December 8, 2011 accompanies this decision on petition.

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3204.

This application is being forwarded to Technology Center Art Unit 1771 for prosecution in due course..

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

ATTACHMENT: Notice Regarding Rescission of Nonpublication Request

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 NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/091,488	04/21/2011	Jean-Francois Leon	

CONFIRMATION NO. 4714

NONPUBLICATION RESCISSION LETTER

49801
JAMES C. WRAY
1493 CHAIN BRIDGE ROAD
SUITE 300
MCLEAN, VA 22101

OC000000049569827

Date Mailed: 08/30/2011

Communication Regarding Rescission Of Nonpublication Request and/or Notice of Foreign Filing

Applicant's rescission of the previously-filed nonpublication request and/or notice of foreign filing is acknowledged. The paper has been reflected in the Patent and Trademark Office's (USPTO's) computer records so that the earliest possible projected publication date can be assigned.

The projected publication date is 12/08/2011.

If applicant rescinded the nonpublication request before or on the date of "foreign filing,"[1] then no notice of foreign filing is required.

If applicant foreign filed the application after filing the above application and before filing the rescission, and the rescission did not also include a notice of foreign filing, then a notice of foreign filing (not merely a rescission) is required to be filed within 45 days of the date of foreign filing. See 35 U.S.C. § 122(b)(2)(B)(iii), and Clarification of the United States Patent and Trademark Office's Interpretation of the Provisions of 35 U.S.C. § 122(b)(2)(B)(ii)-(iv), 1272 Off. Gaz. Pat. Office 22 (July 1, 2003).

If a notice of foreign filing is required and is not filed within 45 days of the date of foreign filing, then the application becomes abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii). In this situation, applicant should either file a petition to revive or notify the Office that the application is abandoned. See 37 CFR 1.137(f). Any such petition to revive will be forwarded to the Office of Petitions for a decision. Note that the filing of the petition will not operate to stay any period of reply that may be running against the application.

Questions regarding petitions to revive should be directed to the Office of Petitions at (571) 272-3282.

[1] Note, for purpose of this notice, that "foreign filing" means "filing an application directed to the same invention in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing".

/sdbrinkley/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

MAILED
JUN 27 2011
OFFICE OF PETITIONS

In re Application of	:	
James Moody Pippin	:	
Application No. 13/091,583	:	ON PETITION
Deposited: April 21, 2011	:	
Attorney Docket No. 2010P07656US01	:	

This is in response to the petition under 37 CFR 1.57(a), filed June 9, 2011, which is being treated as a petition under 37 CFR 1.53(e)(2).

Application papers in the above-identified application were deposited on April 21, 2011. However, on May 5, 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. Applicant requests that the application be accorded the filing date of April 21, 2011, based on a claim to priority to provisional application No. 61/326,876 present in the specification submitted on filing.

Petitioner's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

> It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

> [i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

To the extent the instant petition requests a filing date of April 12, 2011 with no drawings present in the application on filing, the petition is **GRANTED**.

Given the basis for granting this petition, the $400 petition fee has been refunded to Deposit Account No. 19-2179.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to April 12, 2011**;
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing** and
- **for issuance of a filing receipt.**

Telephone inquiries concerning this matter may be directed to Petitions Attorney Cliff Congo at (571) 272-3207.

Chris Bottorff
Petitions Examiner
Office of Petitions

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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SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

MAILED

NOV 03 2011

OFFICE OF PETITIONS

In re Application of	:	
James Moody Pippin	:	CORRECTED DECISION
Application No. 13/091,583	:	ON PETITION
Deposited: April 21, 2011	:	
Attorney Docket No. 2010P07656US01	:	

This is in response to the petition under 37 CFR 1.57(a), filed June 9, 2011, which is being treated as a petition under 37 CFR 1.53(e)(2).

Application papers in the above-identified application were deposited on April 21, 2011. However, on May 5, 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. Applicant requests that the application be accorded the filing date of April 21, 2011, based on a claim to priority to provisional application No. 61/326,876 present in the specification submitted on filing.

Petitioner's arguments and evidence have been considered. However, a review of the application confirms that, as filed, the application contained at least one method claim. MPEP 601.01(f) provides that:

> It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to § 601.01(f), a drawing is not considered essential for a filing date. The instant application is entitled to a filing date without drawings present in the application.

Accordingly, the Office should have granted the application a filing date and mailed a Notice of Omitted Items instead of a Notice of Incomplete Nonprovisional Application. As stated in MPEP 601.01(g) under the section entitled, "Application Entitled to a Filing Date," applicant may submit an amendment to include the inadvertently omitted portion of the drawing(s) pursuant to 37 CFR 1.57(a):

> [i]f an application was filed on or after September 21, 2004, and contains a claim under 37 CFR 1.55 for priority of a prior-filed foreign application, or a claim under 37 CFR 1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application that was present on the filing date of the application, and the omitted portion of the drawing(s) was inadvertently omitted from the application and is completely contained in the prior-filed application[.]

To the extent the instant petition requests a filing date of April 21, 2011 with no drawings present in the application on filing, the petition is **GRANTED**.

Given the basis for granting this petition, the $400 petition fee has been refunded to Deposit Account No. 19-2179.

Pursuant to this decision, the application will be referred to Office of Patent Application Processing for:

- **correction of the filing date to April 21, 2011**;
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing** and
- **for issuance of a filing receipt.**

Telephone inquiries concerning this matter may be directed to Petitions Attorney Cliff Congo at (571) 272-3207.

Chris Bottorff
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: OLI-195	Application Number (if known): 13/091,587	Filing date: April 21, 2011

First Named Inventor: Tomohiro NUMAJIRI

Title: WIND TURBINE GENERATOR

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

   If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that was published in the Federal Register if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Manabu KANESAKA/	Date November 17, 2011
Name (Print/Typed) Manabu KANESAKA	Registration Number 31,467

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of_____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see notice "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" available on the USPTO web site at http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.

(2) The application must be classified in one of the U.S. classifications listed in section VI of the notice cited above at the time of examination.

(3) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(4) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice cited above and is classified in one of the U.S. classifications listed in section VI of the notice cited above.

(5) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which will be available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(6) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(7) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/091,587	04/21/2011	Tomohiro NUMAJIRI	OLI-195	4896

32628 7590 12/07/2011
KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA, VA 22314-2848

EXAMINER
KNOPP, ANDREW COLEMAN

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
12/07/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA VA 22314-2848

In re Application of	:	
NUMAJIRI, TOMOHIRO	:	DECISION ON PETITION
Application No. 13/091,587	:	TO MAKE SPECIAL UNDER
Filed: April 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No: OLI-195	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 17, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

MAILED
JAN 17 2012
OFFICE OF PETITIONS

In re Application of	:	
David Maier Neustadter, et al.	:	
Application No. 13/091,775	:	DECISION GRANTING PETITION
Filed: April 21, 2011	:	UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. 11384.0015-01	:	

This is a decision on the petition under 37 CFR 1.313(c)(2), filed January 13, 2012, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). *See* 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on January 10, 2012 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.[1]

Telephone inquiries regarding this decision should be directed to undersigned at (571) 272-1642. All other inquiries regarding the examination or status of this application should be directed to the Technology Center.

This application is being referred to Technology Center AU 2881 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed information disclosure statement.

/AMW/
April M. Wise
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.*

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SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

MAILED
FEB 27 2012
OFFICE OF PETITIONS

In re Application of
ARAKI et al.
Application No.: 13/091,833
Filed: April 21, 2011
Attorney Docket No.: 27566Z
For: MEDICAL SERVICE SUPPORT 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 December 27, 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 Burke at 571-272-4584.

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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DIW Jun-11

Briscoe, Kurt G.
Norris McLaughlin & Marcus, PA
875 Third Avenue, 8th Floor
New York NY 10022

MAILED

JUN 13 2011

OFFICE OF PETITIONS

In re Application of	:	
Ramesh Sesha	:	
Application No.: 13/091,871	:	ON PETITION
Filed: April 21, 2011	:	
Atty Docket No.: 107101-100 KGB	:	

This is a decision on the petition under 37 CFR 1.1.53(e), filed on May 26, 2011, which is treated as a petition requesting that the above-identified application, without drawings, be accorded a filing date of April 21, 2011.

The petition is **GRANTED**.

The application was filed on April 21, 2011, without, *inter alia*, drawings.[1] Accordingly, on May 5, 2011, the Office of Data Management, Application Assistance Unit, mailed a Notice of Incomplete Provisional Application stating that the application has not been accorded a filing date because the application had been deposited without drawings.

On May 26, 2011, the present petition was filed, wherein petitioner asserts that the application should be accorded a filing date of April 21, 2011, including the omitted drawings. Petitioner explains that the drawings are incorporated by reference in view of an amendment claiming priority to a prior filed international application submitted on filing.

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).[2] A review of the record reveals that the application as filed contains at least one method claim. Therefore, the present application is deemed to be

[1] 35 U.S.C. ' 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented."

[2] MPEP 601.01(f).

an application which does not require a drawing for an understanding of the invention. Accordingly, the application, as filed, is entitled to a filing date.

The petition is granted. Since the petition was necessitated by an error on the part of the USPTO, no petition fee is necessary.

The "Notice of Incomplete Nonprovisional Application" mailed on May 5, 2011, was sent in error and is hereby vacated to the extent that it stated that the application was incomplete.

Receipt of the preliminary amendment filed on May 26, 2011, is acknowledged. The amendment will be reviewed by the examiner to determine whether it contains any new matter.

The application will be processed and examined using the application papers filed on April 21, 2011.

The application is being returned to the Office of Patent Application Processing for further processing with a filing date of April 21, 2011, using only the application papers filed on that date, and for an indication in Office records that no (0) drawings were present on filing.

Telephone inquiries specific to this matter should be directed to the undersigned at 571-272-3204.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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MAILED
MAY 20 2011
OFFICE OF PETITIONS

HESLIN ROTHENBERG FARLEY & MESITI PC
5 COLUMBIA CIRCLE
ALBANY NY 12203

In re Application of	:	
RODE	:	
Application No. 13/091,890	:	DECISION ON PETITION
Filed: April 21, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 0545.072	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 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 copy of the applicant's passport. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other telephone inquiries should be directed to the Office of Data Management at (571) 272-4000.

This application is being referred back to the Office of Data Management for further processing. This application will be accorded "special" status when pre-examination processing is done.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

Results for Serial No:13091986

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Result Type	View	Download	Print
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Result:

ID↑
20030128689
20030140291
20040174876
20050176420
20050256947
20060221915
20090219830
20100299523
4292623
4310720
4622633
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Search

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- Images
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Showing results for ***receiving*** information from first virtual network and automatic providing and indicatd type of functionality and selecting one or more network on distinct substrate network,

Search instead for recieving information from first virtual network and automatic providing and indicatd type of functionality and selecting one or more network on distinct substrate network,

/glossary.htm

A piece of **information** that describes some aspect of a directory entry. ... **Network** authentication methods can also **provide** the benefit of single sign-on for users. ... Load balancing, whereby if **more** than **one** listener services a single database, ... The destination service is **indicated** by using its service name for Oracle9i or ...

2. net service alias - Glossary
download.oracle.com/docs/cd/E11882_01/network.../glossary.htm
The directives grant levels of access to specific **data** for specific clients ...

Show more results from oracle.com

3. Using **virtual networking** devices to manage routing communications ...
www.patentstorm.us/patents/7953865/claims.html
May 31, 2011 -- The method of claim **1** wherein the configurable **network** service is a ... of the **first virtual** computer **network**; **receiving one** or **more** second requests ... **substrate network** in a manner that emulates **functionality** that would .... a **distinct substrate network** withoutphysically **providing** the **one** or **more** ...

4. Using **virtual networking** devices to ... - Google Patents
www.google.com/patents/about?id=yobmAOAAEBAJ
The **networking functionality** provided for a managed computer **network** may include ... **receiving** first configuration **information** from a first customer for a first ... **automatically providing** the **first virtual** computer **network** for the first ... a **distinct substrate network** without physically **providing** the **one** or **more** ...

5. RESEARCH IN MOTION LIMITED - Patent application
www.faqs.org/patents/assignee/research-in-motion-limited/
The system and method **provide** for the activation of **one** or **more** security .... a map of the location **indicated** in the URL string in response to **receiving** the selection of the ... In both modes, communication between a user and the **network** is conducted .... The mobile device produces the user **information** file by reading a **first** ...

6. [PDF] Achieving Robust, Scalable Cluster I/O in Java
www.eecs.harvard.edu/~mdw/papers/tigris-ipc2k.pdf
File Format: PDF/Adobe Acrobat - Quick View
by M Welsh - Cited by 1 - Related articles
substrate for clusters of workstations that is implemented entirely in. Java. ... to hardware resources, including fast **network** interfaces and disk I/O. ... Tigris **automatically** bal- .... getName allows a module to **provide** a **unique** name for itself. ... thought of as containing **one** or **more data** buffers that can be accessed directly ...

7. JXTA 2: A high-performance, massively scalable P2P network
www.ibm.com/developerworks/java/library/j-jxta2/
Nov 11, 2003 -- JXTA 2 is the second major release of the open source P2P **network** building **substrate** with a popular Java-based reference

implementation. ... The **first** time you sign into developerWorks, a profile is created for you. ... **Select information** in your developerWorks profile is displayed to the public. but you may ...

8.

[PDF] Experiences with Recombinant Computing: Exploring Ad Hoc ...
www.cc.gatech.edu/~keith/pubs/tochi-speakeasy.pdf
File Format: PDF/Adobe Acrobat - Quick View
by WK EDWARDS - Cited by 11 - Related articles
is granted without fee **provided** that copies are not made or distributed for profit or commercial advantage and that copies show this notice on the **first** page or initial screen of ... with **more** devices and services, but also with **more types** of devices and ... **networks** to evolve to accommodate entirely new **types** of devices easily. ...

9.

[PDF] A UNIFIED **DATA**-CENTRIC APPROACH TOWARDS AN ...
www.cis.upenn.edu/~boonloo/papers/yun_thesis.pdf
File Format: PDF/Adobe Acrobat - Quick View
by Y Mao - 2006 - Cited by 1 - Related articles
code" could do; Honghui Lu, as my **first**-year mentor and my friend, helped me ... A unified **network** architecture (Mosaic) under which new **networks** can be ... either concisely specifying protocols in Mozlog or dynamically **selecting** and ..... **functionality**. ... capabilities for logical naming of **data** in the **form** of views**1**, (2) unified ...

10.

Telecom Dictionary I: Phone Service Definitions
faxswitch.com/Definitions/telecom_dictionary_i.html
Identification **Information** - A **form** of notification **information** that consists of the ... The documentation that the message traversed a given **network** is performed by that ... in telecommunications and **data** processing systems, **one** or **more** characters ... Idle Code - A special sequence that **indicates** that no **data** are being sent on ...

Showing results for ***receiving*** information from first virtual network and automatic providing and indicatd type of functionality and selecting one or more network on distinct substrate network.

Search instead for the original terms: recieving information from first virtual network and automatic providing and indicatd type of functionality and selecting one or more network on distinct substrate network.

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SUITE 3500
LOS ANGELES, CA 90013-1024

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JAN 04 2012
OFFICE OF PETITIONS

In re Application of	:	
Satoshi Matsueda, et. al.	:	
Application No. 13/092,022	:	DECISION ON PETITION
Filed: April 21, 2011	:	TO WITHDRAW FROM
Attorney Docket No. 285032007202	:	RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR §§ 1.36(b) or 37 CFR 10.40, filed November 23, 2011.

The request is **APPROVED**.

The request was signed by Mehran Arjomand on behalf of himself and all the attorneys/agents associated with Customer Number 25224. Therefore, Mehran Arjomand and all the attorneys/agents associated with Customer Number 25224 have been withdrawn.

Applicant is reminded that there are no attorneys/agents of record at this time.

All future communications from the Office will be directed to the address listed below until otherwise properly notified by the applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

cc: Cataler Corporation
7800, Chihama
Kakegawa-Shi, Shizuoka 437-1492
JAPAN

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
13/092,022	04/21/2011	Satoshi MATSUEDA	83540/JPW/PT/DK

CONFIRMATION NO. 5730

POA ACCEPTANCE LETTER

23432
COOPER & DUNHAM, LLP
30 Rockefeller Plaza
20th Floor
NEW YORK, NY 10112

OC000000051684670

Date Mailed: 12/29/2011

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 12/21/2011.

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.

/mnguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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AUG 05 2011

OFFICE OF PETITIONS

In re Application of	:	
Mark Chekhanovskiy, et. al.	:	DECISION REFUSING STATUS
Application No. 13/092,049	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL970590	:	

This is in response to the petition under 37 CFR 1.47(a), filed August 1, 2011.

The petition is **dismissed**.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks item (1) 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 Chong Liang Li, 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 inventor non-signing Li. 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 Li'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? If petitioner discovers a different address for inventor Chong Li, or if petitioner is in possession of a forwarding address, then a complete copy of the application papers (specification, claims, drawings, oath, etc.) should be mailed to inventor Li'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.

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).

Further correspondence with respect to this matter should be addressed as follows:

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By fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

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In re Application of	:	
Mark Chekhanovskiy, et. al.	:	DECISION GRANTING STATUS
Application No. 13/092,049	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL970590	:	

This is in response to the renewed petition under 37 CFR 1.47(a), filed August 31, 2011.

In response to the decision refusing status under 37 CFR 1.47(a), mailed August 4, 2011, petitioner hereby submits a Declaration, in compliance with 37 CFR 1.63, signed by the previously non-signing inventor, Chong Liang LI on August 31, 2011.

In view of the joinder of the inventor, the petition is **DISMISSED AS MOOT** and further consideration under § 1.47(a) is not necessary.

This application does not have any Rule 1.47 status and no such status should appear on the record for this file. The application need not be returned to this Office for any further consideration under 37 CFR 1.47(a).

This application is being referred to Technology Center Art Unit 2447 for examination in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3220.

Andrea Smith
Petitions Examiner
Office of Petitions

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In re Application of	:	
Siddhartha Dattagupta, et. al.	:	DECISION REFUSING STATUS
Application No. 13/092,054	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL974434	:	

This is in response to the petition under 37 CFR 1.47(a), filed July 11, 2011.

The petition is **dismissed**.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks item (1) 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 Chong Liang Li, 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 inventor non-signing Li. 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 Li'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? If petitioner discovers a different address for inventor Chong Li, or if petitioner is in possession of a forwarding address, then a complete copy of the application papers (specification, claims, drawings, oath, etc.) should be mailed to inventor Li'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.

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).

Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

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In re Application of	:	
Siddhartha Dattagupta, et. al.	:	DECISION NOTING JOINDER OF
Application No. 13/092,054	:	INVENTOR AND PETITION
Filed: April 21, 2011	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. CPOL974434	:	

This is in response to the renewed petition under 37 CFR 1.47(a), filed August 31, 2011.

In response to the decision refusing status under 37 CFR 1.47(a), mailed August 4, 2011, petitioner hereby submits a Declaration, in compliance with 37 CFR 1.63, signed by the previously non-signing inventor, Chong Liang LI on August 31, 2011.

In view of the joinder of the inventor, the petition is **DISMISSED AS MOOT** and further consideration under § 1.47(a) is not necessary.

This application does not have any Rule 1.47 status and no such status should appear on the record for this file. The application need not be returned to this Office for any further consideration under 37 CFR 1.47(a).

This application is being referred to Technology Center Art Unit 2447 for examination in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

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In re Application of	:	
John FURLAN et al.	:	DECISION REFUSING STATUS
Application No. 13/092,079	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL969557	:	

This is in response to the petition under 37 CFR 1.47(a), filed July 05, 2011.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks items (1).

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 Kaplan, 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 inventor non-signing Kaplan. 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 Kaplan'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. Kaplan'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 applicants 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.

Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries should be directed to Michelle R. Eason at (571) 272-4231.

Thurman K. Page
Petitions Examiner
Office of Petitions

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In re Application of	:	
John FURLAN et al.	:	DECISION GRANTING STATUS
Application No. 13/092,079	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL969557	:	

This is in response to the petition under 37 CFR 1.47(a), filed December 02, 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.

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 Michelle R. Eason at (571) 272-4231.

Thurman K. Page
Petitions Examiner
Office of Petitions

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JONATHAN KAPLAN
655 ALVARADO STREET
SAN FRANCISCO, CA 94107

MAILED
JAN 04 2012
OFFICE OF PETITIONS

In re Application of
John FURLAN et al.
Application No. 13/092,079
Filed: April 21, 2011
For: APPARATUS FOR ASSOCIATING A CLIENT DEVICE OR SERVICE WTIH A WIRELESS NETWORK

Dear Mr. Kaplan:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Michelle R. Eason at (571) 272-4231. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Thurman K. Page
Petitions Examiner
Office of Petitions

cc: **PATTERSON & SHERIDAN, LLP/CISC**
3040 POST OAK BLVD.
SUITE 1500
HOUSTON TX 77056-6582

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PATTERSON & SHERIDAN, LLP/CISC
3040 POST OAK BLVD.
SUITE 1500
HOUSTON TX 77056-6582

MAILED
OCT 04 2011
OFFICE OF PETITIONS

In re Application of	:	
John FURLAN et al.	:	DECISION REFUSING STATUS
Application No. 13/092,082	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL974349	:	

This is in response to the petition under 37 CFR 1.47(a), filed July 06, 2011.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor. Applicant lacks items (1).

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 Kaplan, 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 inventor non-signing Kaplan. 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 Kaplan'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. Kaplan'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 applicants 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.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: 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 Michelle R. Eason at (571) 272-4231.

Thurman K. Page
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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PATTERSON & SHERIDAN, LLP/CISC
3040 POST OAK BLVD.
SUITE 1500
HOUSTON TX 77056-6582

MAILED
JAN 04 2012
OFFICE OF PETITIONS

In re Application of	:	
John FURLAN et al.	:	DECISION GRANTING STATUS
Application No. 13/092,082	:	UNDER 37 CFR 1.47(a)
Filed: April 21, 2011	:	
Attorney Docket No. CPOL974349	:	

This is in response to the renewed petition under 37 CFR 1.47(a), filed December 02, 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.

This application is being referred to the Technology Center Art Unit 2431.

Telephone inquiries regarding this decision should be directed to Michelle R. Eason at (571) 272-4231.

Thurman K. Page
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JONATHAN KAPLAN
655 ALVARADO STREET
SAN FRANCISCO, CA 94107

MAILED
JAN 04 2012
OFFICE OF PETITIONS

In re Application of
John FURLAN et al.
Application No. 13/092,082
Filed: April 21, 2011
For: METHOD OF ADDING A CLIENT DEVICE OR SERVICE TO A WIRELESS NETWORK

Dear Mr. Kaplan:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Michelle R. Eason at (571) 272-4231. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Thurman K. Page
Petitions Examiner
Office of Petitions

cc: **PATTERSON & SHERIDAN, LLP/CISC**
3040 POST OAK BLVD.
SUITE 1500
HOUSTON TX 77056-6582

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JEROLD I. SCHNEIDER
515 N. FLAGLER DRIVE
6TH FLOOR
WEST PALM BEACH FL 33401

MAILED

JAN 30 2012

OFFICE OF PETITIONS

In re Application of	:	
Salinas, Jose Rodrigo Oliva	:	DECISION ON PETITION
Application No. 13/092,288	:	TO WITHDRAW
Filed: April 22, 2011	:	FROM RECORD
Attorney Docket No. 39013-0001	:	

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 13, 2012.

The request is **NOT APPROVED**.

The Request for Withdrawal as Attorney or Agent and Change of Correspondence Address is hereby not accepted. Petitioner has not complied with current USPTO requirements, as set forth in 37 CFR 10.40 concerning Request for Withdrawal as Attorney and Change of Correspondence Address. Specifically, pursuant to 37 CFR 10.40, the Office will require the practitioner(s) to certify that he, she or they have:

(1) given reasonable notice to the client, prior to the expiration of the reply period, that the practitioner(s) intends to withdraw from employment;

(2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and

(3) notified the client of any replies that may be due and the time frame within which the client must respond.

Petitioner has not complied with all of the above certifications. Petitioner has only complied with item (2), as listed above. Petitioner has failed to comply with items (1) and (3), and has not provided an explanation. There is a space provided on the USPTO form to provide such an explanation for not being able to comply.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Liana Walsh/
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
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JEROLD I. SCHNEIDER
515 N. FLAGLER DRIVE
6TH FLOOR
WEST PALM BEACH FL 33401

MAILED

FEB 29 2012

OFFICE OF PETITIONS

In re Application of	:	
Salinas, Jose Rodrigo Oliva	:	DECISION ON PETITION
Application No. 13/092,288	:	TO WITHDRAW
Filed: April 22, 2011	:	FROM RECORD
Attorney Docket No. 39013-0001	:	

This is a decision on the second Request to Withdraw as Attorney or Agent of Record under 37 C.F.R. § 1.36(b), filed February 2, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office will require the practitioner(s) to certify that he, she or they have: (1) given reasonable notice to the client, prior to the expiration of the reply period, which the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any replies that may be due and the time frame within which the client must respond, pursuant to 37 CFR 10.40 (c).

The request was signed by Jerold I. Schneider on behalf of all attorneys/agents of record who are associated with Customer Number 86022. All attorneys/agents associated with Customer Number 86022 have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the first-named inventor, Jose Rodrigo Oliva Salinas, at the address indicated below.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-3206. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

cc: JOSE RODRIGO OLIVA SALINAS
MONTE DE TIRIBICA NO 23
COLONIA JARDINES DE LA MONTANA, C.P.
MEXICO

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO IL 60606

MAILED

JUN 30 2011

OFFICE OF PETITIONS

In re Application of	:	
Cunningham et al.	:	
Application No. 13/092,296	:	DECISION GRANTING STATUS
Filed: April 22, 2011	:	STATUS UNDER 37 CFR 1.47(a)
Attorney Docket No. 00-1123-H8-DIV2	:	

This is in response to the petition under 37 CFR 1.47(a), filed April 22, 2011.

The petition is **GRANTED**.

Petitioner has shown that the nonsigning inventor, Jane Pepper, has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the nonsigning inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3206.

This matter is being referred to Technology Center AU 1641 for examination on the merits.

/Liana Walsh/
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

JANE PEPPER
77 EDGELAWN AVENUE, #11
NORTH ANDOVER, MA 01845

MAILED

JUN 30 2011

OFFICE OF PETITIONS

In re Application of	:	
Cunningham et al.	:	
Application No. 13/092,296	:	ON PETITION
Filed: April 22, 2011	:	
Attorney Docket No. 00-1123-H8-DIV2	:	

Ms. Pepper,

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record 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) 272-3206. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

/Liana Walsh/
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

PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND OH 44114-3108

MAILED
DEC 22 2011
OFFICE OF PETITIONS

In re Application of	:	
Englert, et al.	:	
Application No. 13/092,313	:	DECISION ACCORDING STATUS
Filed: April 22, 2011	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. AEG-46888US1	:	

This is in response to the petition under 37 C.F.R. § 1.47(a), filed December 9, 2011.

The petition under 37 C.F.R. § 1.47(a) is **GRANTED**.

Petitioner has shown that a copy of the application papers was forwarded to inventor Daub on July 6, 2011, but was refused by Daub on July 11, 2011.

The above-identified application and papers have been reviewed and found to be in compliance with 37 CFR 1.47(a). Accordingly, the above-identified application is hereby accorded Rule 1.47(a) status. As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to Daub at the 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 the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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ROSEMARIE DAUB
GRABENSTRABE 36
GERABRONN
GERMANY 74582

MAILED
DEC 22 2011
OFFICE OF PETITIONS

In re Application of
Englert, et al.
Application No. 13/092,313
Filed: April 22, 2011
Title: Method for Performing an Automatic Cooking Process

LETTER

Dear Ms. Daub:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 USC 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a joint inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Cliff Congo at (571)272-3207. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Cliff Congo
Petitions Attorney
Office of Petitions

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.:	13092331	First Named Inventor:	Patrick Mather
Filing Date:	4/22/11	Attorney Docket No.:	156P219A
Title of the Invention:	Polyhedral Oligomeric Silsesquioxanne Polyurethanes		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/033552

The international filing date of the corresponding PCT application(s) is/are: 22 April 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 17 February 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 17 February 2012

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the 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.:	13092331	First Named Inventor:	Patrick Mather

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	1	claim has novelty and industrial applicability
2	2	claim has novelty and industrial applicability
3	3	claim has novelty and industrial applicability
4	4	claim has novelty, inventive step and industrial applicability
5	5	claim has novelty, inventive step and industrial applicability
6	6	claim has novelty, inventive step and industrial applicability
7	7	claim has novelty and industrial applicability
8	8	claim has novelty and industrial applicability
9	9	claim has novelty and industrial applicability
10	10	claim has novelty and industrial applicability
11	11	claim has novelty and industrial applicability
12	12	claim has novelty and industrial applicability
13	13	claim has novelty and industrial applicability
14	14	claim has novelty, inventive step and industrial applicability
15	15	claim has novelty, inventive step and industrial applicability
16	16	claim has novelty, inventive step and industrial applicability

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /David L. Nocilly/	Date 2012-02-20
Name (Print/Typed) David L. Nocilly	Registration Number 48259

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: Jeff Donald DRAKE	)
Confirmation No.: 6389	)
	)
Serial No.: 13/092,356	)
	)
Filing Date: 04-22-2011	)
	)
Atty Docket No.: 243996-2 (GECZ 201089US01)	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The following disclosure relates to energy management, and more particularly to energy management of household consumer appliances, as well as other energy consuming devices and/or systems found in the home. The present application can be used within a system which controls operation of consumer appliances, as well as other energy consuming devices and/or systems, and acts as a gateway between a Utility company network and the consumer appliances, as well as other energy consuming devices and/or systems. (See [0002])

For example, to increase the efficiency of energy use it is becoming common to schedule the operation of the thermostat to optimize heating and/or cooling, such as of the home but at the same time control the energy use. So in one instance such as in the winter the thermostat in the home may be scheduled to turn down the temperature in the home from 8:00am to 4:00pm, while the

owner of the home is away at work. Then in anticipation of the owner returning at 5:00pm, the thermostat increases the heat to warm the house. A schedule to cool the home in the summer could similarly be used to control a cooling thermostat and/or an air cooling system controller. (See [0005])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the more efficient utilization and conservation of 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 28, 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: 243996-1 (GECZ 201089US01)	Application Number (if known): 13/092,356	Filing date: 04-22-2011

First Named Inventor: Jeff Donald DRAKE

Title: UPDATING THERMOSTATS WEEKLY SCHEDULE OVER THE AIR

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
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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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.
13/092,356	04/22/2011	Jeff Donald Drake	243996-1(GECZ 201089US01)	6389

27885 7590 11/14/2011
FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

EXAMINER

ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
11/14/2011	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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Alexandria, VA 22313-1450
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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

In re Application of
DRAKE, Jeff et al.
Application No. 13/092,356
Filed: April 22, 2011
For: **UPDATING THERMOSTAT WEEKLY SCHEDULE OVER THE AIR**

DECISION ON PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

The petition filed October 28, 2011 has been treated as a petition under 37 CFR 1.102 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4 above for the reasons explained in more detail below.

In the "Statement Concerning the Basis for the Special Status," petitioner states that "The following disclosure relates to energy management, and more particularly to energy management of household consumer appliances, as well as other energy consuming devices and/or systems found in the home. The present application can be used within a system which controls operation of consumer appliances, as well as other energy consuming devices and/or systems, and acts as a gateway between a Utility company network and the consumer appliances~ as well as other energy consuming devices and/or systems. (See [0002]). For example, to increase the efficiency of energy use it is becoming common to schedule the operation of the thermostat to optimize heating and/or cooling, such as of the home but at the same time control the energy use. So in one instance such as in the winter the thermostat in the home may be scheduled to turn down the temperature in the home from 8:00am to 4:00pm., while the owner of the home is away at work, Then in anticipation of the owner returning at 5:00pm, the thermostat increases the heat to warm the house. A schedule to cool the home in the summer could similarly be used to control a cooling thermostat and/or an air cooling system controller, (See [0005])." However, these general statements fail to "explain[ ] how the materiality standard is met." Since the "disclosure is not clear on its face that the claimed invention contributes under category (A) or (B)," applicant is required to provide a more detail "[explanation] of how the materiality standard is met." This is because the claimed invention merely defines a method and system of loading a "current schedule" onto a networked device." Furthermore, the example in the "Statement" merely describes a conventional/well know programmable thermostat. Accordingly, nothing in the claims relate to the utilization of renewable energy resources, reduce greenhouse gas emission or contribute to more efficient utilization and conservation of energy resources. Furthermore, any request for reconsideration will be reviewed pursuant to Section II of the Pilot Program for Green Technologies as set forth in 74 Federal Register Notice 64666, which specifies that "materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner that could materially enhance the quality of the environment. Nor dies such standard permit an applicant to enjoy the benefit of advanced examination merely because some minor aspect of the claimed invention may enhance the quality of the environment."

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272 - 1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist, TC 2100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: 13/092,356	)
Confirmation No.: 6389	)
	)
Serial No.: 13/092,356	)
	)
Filing Date: 04-22-2011	)
	)
Atty Docket No.: 243996-1 (GECZ 201089US01)	)

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 14 November 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the more efficient utilization and conservation of energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that application can be used in within a system which controls operation of consumer appliances, as well we other energy consuming devices and/or systems, and acts as a gateway between a Utility company network and the consumer appliances, as well as other energy consuming devices and/or systems. The Decision alleges that the disclosure is not clear on its face that the claimed invention contributes under category (A) or (B) and further states that the claimed invention merely defines a method and system of loading a current schedule onto a networked device. The Decision also alleges that the Statement merely describes a conventional/well known

programmable thermostat. The Decision states that nothing in the claims relate to the utilization of renewable energy resources, reduce greenhouse gas emission or contribute to the more efficient utilization and conservation of energy resources. Finally, the Decision implies that Applicant speculates as to how a hypothetical end-user might specially apply the invention in a manner that could materially enhance the quality of the environment. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate to energy management, and more particularly to energy management of household consumer appliances, as well as other energy consuming devices and/or systems found in the home. The present disclosure finds particular application within a system which controls operation of consumer appliances, as well as other energy consuming devices and/or systems, and acts as a gateway between a Utility company network and the consumer appliances, as well as other energy consuming devices and/or systems. In some embodiments such a controller/gateway device is at times called a Home Energy Gateway (HEG). (see at least paragraph [0002]).

Smart technology generally relates to a class of technology that uses computer-based remote control and automation. These systems are made possible by two-way communication technology and computer processing and offer many benefits to utilities and consumers; mostly seen in big improvements in energy efficiency. Amongst several benefits, smart energy technologies allow for greater informational awareness and control of energy flow. This informational awareness allows consumers to interface with their energy consumption, providing new levels of detail on how, and how much, electricity is being

consumed and at what cost in real time, and give them the tools to increase or decrease their consumption. It also allows utilities to more efficiently manage and adjust electricity transmission, reducing the likelihood of outages and congestion while improving billing accuracy for consumers. Smart energy generally provides consumers and utilities a greater ability to adapt to changing market conditions for greater energy efficiency. ("Smart Grid", Office of Electricity Delivery & Energy Reliability. 2011. Web. 28 July 2011).

Many utilities are currently experiencing a shortage of electric generating capacity due to increasing consumer demand for electricity. Currently utilities generally charge a flat rate, but with increasing cost of fuel prices and high energy usage at certain parts of the day, utilities have to buy more energy to supply customers during peak demand. Consequently, utilities are charging higher rates during peak demand. If peak demand can be lowered, then a potential huge cost savings can be achieved and the peak load that the utility has to accommodate is lessened. In order to reduce high peak power demand, many utilities have instituted time of use metering and rates which include higher rates for energy usage during on-peak times and lower rates for energy usage during off-peak times. As a result, consumers are provided with an incentive to use electricity at off-peak times rather than on-peak times. (see at least paragraph [0002]).

Currently Utility companies commonly charge a flat rate for energy, but with the increasing cost of fuel prices and high energy usage during certain parts of the day, Utility companies have to buy more energy to supply customers

during peak demand. Consequently, Utility companies are beginning to charge higher rates during peak demand. If peak demand can be lowered, then a potential cost savings can be achieved and the peak load that the Utility company has to accommodate is lessened. (see at least paragraph [0003]).

In particular, an issue addressed herein is the scheduling of the devices being controlled. For example, a thermostat maybe used to control the heating and/or cooling of a home, pool, or many other devices. To increase the efficiency of energy use it is becoming common to schedule the operation of the thermostat to optimize heating and/or cooling, such as of the home but at the same time control the energy use. So in one instance such as in the winter the thermostat in the home may be scheduled to turn down the temperature in the home from 8:00am to 4:00pm, while the owner of the home is away at work. Then in anticipation of the owner returning at 5:00pm, the thermostat increases the heat to warm the house. A schedule to cool the home in the summer could similarly be used to control a cooling thermostat and/or an air cooling system controller. (see at least paragraph [0005]).

Drawbacks to existing systems include that they are often hardwired, in the sense that to interface with the device, the owner must go to the thermostat and be physically present at the thermostat. Other systems have the host controller monitoring the environment and then when a change occurs, the host makes changes to the thermostat operation. A drawback to this arrangement is the need for constant monitoring of the thermostat, and if the host becomes disabled control is lost. (see at least paragraph [0006]).

Embodiments disclosed in the present application relate to a method of updating a thermostat schedule via the communication network (e.g., via wireless communication), where the schedule may be a weekly operation schedule (or some other time period). As used herein a schedule is data in any of a variety of formats which permits some type of autonomous load control to be run at some point in time. (see at least paragraph [0012]).

The embodiments disclosed in the present application provide for more efficient control of the operation of accessories in a home energy management system that manages a plurality of communication networks. Amongst several benefits, embodiments of the present invention allow for greater informational awareness and control of energy flow, which has been shown to encourage reductions in energy consumption, and results in greater energy efficiency on the part of consumers and utilities. As such, the present invention promotes the more efficient utilization of and conservation of energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: December 14, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/092,356	04/22/2011	Jeff Donald Drake	243996-1(GECZ 201089US01)	6389

27885 7590 12/23/2011
FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

EXAMINER
DECADY, ALBERT

ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
12/23/2011	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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12/23/2011

FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

In re Application of	:	
Jeff D. Drake et al.	:	DECISION ON PETITION
Application No. 13/092,356	:	TO MAKE SPECIAL UNDER
Filed: April 22, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 243996-1(GECZ201089US01)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 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), 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.

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

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United States Patent and Trademark Office
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DAVID E. NEWHOUSE
NEWHOUSE & ASSOCIATES
477 NINTH AVE. 112
SAN MATEO CA 94402-1858

MAILED
MAY 20 2011
OFFICE OF PETITIONS

In re Application of	:	
BURGYAN	:	
Application No. 13/092,398	:	DECISION ON PETITION
Filed: April 22, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 2733.01	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed April 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 made by registered attorney David E. Newhouse, 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 the undersigned at (571) 272-6735.

All other telephone inquiries should be directed to the Office of Data Management at (571) 272-4000.

This application is being referred back to the Office of Data Management for further processing. This application will be accorded "special" status when pre-examination processing is done.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions