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

PTO/SB/20PCT-JP (01-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/119,649	Filing date:	March 17, 2011
First Named Inventor:	Toshiki ITOI		
Title of the Invention:	ASSEMBLED BATTERY AND BATTERY MODULE		

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/JP2010/004254

The international date of the corresponding PCT application(s) is/are: June 28, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 17, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 17, 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.

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.:	13/119,649
First Named Inventor:	Toshiki ITOI

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Same
2	2	Same
3	3	Same
4	4	Same
5	5	Same
6	6	Same
7	7	Same
8	8	Same
9	9	Same
10	10	Same
11	11	Same
12	12	Same
13	13	Same

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

IV. Payment of Fees:

The petition fee under 37 CFR 1.17(h) as required by 37 CFR 1.102(d) must be paid via EFS-Web (using credit card, authorization to charge a deposit account, or electronic funds transfer).

Signature	Date June 9, 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 International Patent Application No. PCT/JP2010/004254.

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.

Y. Oha

Yoshiko OHA

8. February 2011.

Date

Translation of claims determined to be patentable by the ISA

1. An assembled battery comprising:
a plurality of batteries, wherein
the batteries are arranged in such a manner that sealing plates for sealing openings of battery cases face the same direction,
terminals of first electrodes of the batteries are connected to first electrode connecting pieces arranged near the sealing plates, respectively,
terminals of second electrodes of the batteries are connected to second electrode connecting pieces arranged near the sealing plates, respectively,
the first electrode connecting pieces are connected in parallel with each other,
the second electrode connecting pieces are connected in parallel with each other, and
the first electrode connecting pieces and the second electrode connecting pieces are stacked on the sealing plates with an insulating member interposed therebetween.

2. The assembled battery of claim 1, wherein
a connecting plate is provided by integrating at least one of the first electrode connecting pieces and the second electrode connecting pieces in a direction in which the batteries are arranged.

3. The assembled battery of claim 1, wherein
the terminals of the first electrodes are battery cases made of metallic cans, and
the first electrode connecting pieces are welded to the battery cases.

4. The assembled battery of claim 3, wherein
the first electrode connecting pieces are as thick as or thinner than the battery cases.

5. The assembled battery of claim 1, wherein
the terminals of the second electrodes are the sealing plates, and
the second electrode connecting pieces are welded to the sealing plates.

6. The assembled battery of claim 5, wherein
through holes are formed in the second electrode connecting pieces to expose the sealing plates, and

the second electrode connecting pieces are connected to the sealing plates through coupling members arranged to pass through the through holes.

7. The assembled battery of claim 6, wherein
the couplings are thinner than the second electrode connecting pieces.

8. The assembled battery of claim 5, wherein
the second electrode connecting pieces are thicker than the battery cases.

9. A battery module comprising:
a plurality of the assembled batteries of claim 1, wherein
the first electrode connecting pieces of one of adjacent assembled batteries and the second electrode connecting pieces of the other assembled battery are connected in series.

10. The battery module of claim 9, wherein
the first electrode connecting pieces of the one assembled battery and the second electrode connecting pieces of the other assembled battery extend in opposite directions in a direction in which the assembled batteries are arranged.

11. The battery module of claim 9, wherein
the first electrode connecting pieces of the one assembled battery are connected in parallel with each other through a connecting member, and
the second electrode connecting pieces of the other assembled battery are connected in parallel with each other through the connecting member, and are connected in series to the first electrode connecting pieces of the one assembled battery through the connecting member.

12. The battery module of claim 9, wherein
the one assembled battery includes a first electrode connecting plate provided by integrating the first electrode connecting pieces in a direction in which the batteries are arranged, and
the second electrode connecting pieces of the other assembled battery are connected in parallel with each other through the first electrode connecting plate, and are connected in series to the first electrode connecting pieces of the one assembled battery through the first electrode connecting plate.

13. The battery module of claim 9, wherein

the one assembled battery includes a first electrode connecting plate provided by integrating the first electrode connecting pieces in a direction in which the batteries are arranged,

the other assembled battery includes a second electrode connecting plate provided by integrating the second electrode connecting pieces in the direction in which the batteries are arranged, and

the first electrode connecting plate and the second electrode connecting plate are connected in series.

請求の範囲（PCT/JP2010/004254）

【請求項１】
複数の電池が配列されて構成された組電池であって、
前記電池は、電池ケースの開口部を封止する封口板が互いに同じ方向を向いて配置されており、
前記電池の第１極の端子は、それぞれ、封口板側に配設された第１極の接続片に接続されており、
前記電池の第２極の端子は、それぞれ、前記封口板側に配設された第２極の接続片に接続されており、
前記第１極の接続片は、互いに並列接続されており、
前記第２極の接続片は、互いに並列接続されており、
前記第１極の接続片と前記第２極の接続片とは、絶縁部材を介して前記封口板の上に積層されている組電池。
【請求項２】
請求項１に記載の組電池であって、
前記第１極の接続片及び前記第２極の接続片の少なくとも一方の極の接続片が前記電池の配列方向において連続して一体形成されて構成された接続板を備えている組電池。
【請求項３】
請求項１に記載の組電池であって、
前記第１極の端子は、金属缶からなる電池ケースであり、
前記第１極の接続片は、前記電池ケースに溶接されている組電池。
【請求項４】
請求項３に記載の組電池であって、
前記第１極の接続片の厚みは、前記電池ケースの厚み以下である組電池。
【請求項５】
請求項１に記載の組電池であって、
前記第２極の端子は、前記封口板であり、
前記第２極の接続片は、前記封口板に溶接されている組電池。
【請求項６】
請求項５に記載の組電池であって、
前記第２極の接続片には、前記封口板を露出する貫通孔が形成されており、
前記第２極の接続片は、前記貫通孔を通って設けられた連結部材を介して、前記封口板に接続されている組電池。
【請求項７】
請求項６に記載の組電池であって、
前記連結部材は、前記第２極の接続片よりも薄い組電池。
【請求項８】
請求項５に記載の組電池であって、
前記第２極の接続片は、前記電池ケースよりも厚い組電池。

【請求項９】
請求項１に記載の前記組電池が複数配列されて構成された電池モジュールであって、
隣り合う前記組電池では、一方の前記組電池の前記第１極の接続片と他方の前記組電池の前記第２極の接続片とが直列接続されている電池モジュール。
【請求項１０】
請求項９に記載の電池モジュールであって、
前記一方の組電池の前記第１極の接続片と前記他方の組電池の前記第２極の接続片とは、前記組電池の配列方向において互いに逆向きに延びている電池モジュール。
【請求項１１】
請求項９に記載の電池モジュールであって、
前記一方の組電池の前記第１極の接続片は、接続部材を介して互いに並列接続されており、
前記他方の組電池の前記第２極の接続片は、前記接続部材を介して、互いに並列接続されているとともに前記一方の組電池の前記第１極の接続片に直列接続されている電池モジュール。
【請求項１２】
請求項９に記載の電池モジュールであって、
前記一方の組電池は、前記第１極の接続片が前記電池の配列方向において連続して一体形成されて構成された第１極の接続板を有し、
前記他方の組電池の前記第２極の接続片は、前記第１極の接続板を介して、互いに並列接続されているとともに前記一方の組電池の前記第１極の接続片に直列接続されている電池モジュール。
【請求項１３】
請求項９に記載の電池モジュールであって、
前記一方の組電池は、前記第１極の接続片が前記電池の配列方向において連続して一体形成されて構成された第１極の接続板を有し、
前記他方の組電池は、前記第２極の接続片が前記電池の配列方向において連続して一体形成されて構成された第２極の接続板を有し、
前記第１極の接続板と前記第２極の接続板とは、直列接続されている電池モジュール。

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2010/004254

Box No.V

1. Statement

Novelty(N)	Claims	1-13	YES
	Claims		NO
Inventive step(IS)	Claims	1-13	YES
	Claims		NO
Industrial applicability(IA)	Claims	1-13	YES
	Claims		NO

2. Citation and explanations:

Inventions as set forth in claims 1-13 are not described in any of the documents cited in the ISR nor would be obvious to a person skilled in the art, so they meet novelty and inventive step equirements.

特 許 協 力 条 約

前田
10.10.06
特許

発信人　日本国特許庁（国際調査機関）

代理人
前田弘
様

あて名
〒541-0053
大阪府大阪市中央区本町２丁目５番７号
大阪丸紅ビル

PCT
国際調査機関の見解書
（法施行規則第40条の2）
［PCT規則43の2.1］

出願人又は代理人の書類記号　P056439P0	発送日（日.月.年）　05. 10. 2010 今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
PCT／JP2010／004254	（日.月.年）　28. 06. 2010	（日.月.年）　17. 07. 2009

国際特許分類（IPC）Int.Cl. H01M2/20(2006.01)i, H01M2/10(2006.01)i, H01M2/30(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。

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

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT／ISA／220を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT／ISA／220を参照すること。

３．さらなる詳細は、様式PCT／ISA／220の備考を参照すること。

見解書を作成した日
21. 09. 2010

名称及びあて先	特許庁審査官（権限のある職員）	4X	9347
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	守安　太郎 電話番号　03－3581－1101　内線　3477		

国際調査機関の見解書

国際出願番号 PCT／JP2010／004254

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／JP2010／004254

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	1-13	有
	請求項		無
進歩性（ＩＳ）	請求項	1-13	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1-13	有
	請求項		無

2. 文献及び説明

文献１：JP 2006-190611 A（三洋電機株式会社）2006.07.20,
【0019】，【0022】－【0023】，【0027】，【図７】，【図14】

文献２：JP 2008-204986 A（松下電器産業株式会社）2008.09.04,
【0016】－【0019】，【図１】－【図４】

文献３：JP 2002-15716 A（三洋電機株式会社）2002.01.18, 【図２】－【図５】

文献４：日本国実用新案登録出願63-86235号（日本国実用新案登録出願公開2-7862号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（三洋電機株式会社）1990.01.18, 第１図

請求の範囲 1-13
請求の範囲 1-13 に係る発明は、国際調査報告に引用された何れの文献にも開示されておらず、かつ、当業者といえども自明のものではないので、新規性、進歩性を有する。

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/119,649	03/17/2011	Toshiki Itoi	085393-0514	2820

53080 7590 08/10/2011

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER	
LAIOS, MARIA J	

ART UNIT	PAPER NUMBER
1727	

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):

mweipdocket@mwe.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

EL

August 9, 2011

In re application of	:	DECISION ON REQUEST TO
Itoi et al.	:	PARTICIPATE IN PATENT
Serial No. 13/119,649	:	PROSECUTION HIGHWAY
Filed: March 17, 2011	:	PROGRAM AND
For: **ASSEMBLED BATTERY AND BATTERY MODULE**	:	PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed June 09, 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

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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MONARCH PLAZA, SUITE 1600
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ATLANTA, GA 30326

MAILED

JUN 13 2011

OFFICE OF PETITIONS

In re Application of :
Celia Regina da Silva Garcia, et al. :
Application No. 13/119,707 :
Filed: October 2, 2009 :
Attorney Docket No. 2919637-000001 :

NOTICE

This is in response to the paper filed April 25, 2011 under 37 CFR 1.27(c) seeking status as a small entity.

The statement claiming small entity status has been made of record and small entity status has been accorded.

Telephone inquiries regarding this decision should be directed to undersigned at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Office of Patent Application Processing at their hotline 571-272-4000.

The application file is being back to the Office of Patent Application Processing for pre-examination processing.

/AMW/
April M. Wise
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: 95789-PCT-REF	Application Number (if known): 13119727	Filing date: 03/18/2011

First Named Inventor: Andrew Desbarats

Title: METHOD AND APPARATUS FOR PRODUCING ALCOHOL OR SUGAR USING A COMMERCIAL-SCALE BIOREACTOR

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Preliminary Amendment, Statement of Inventor

Signature /jsm/	Date 28 September 2011
Name (Print/Typed) Jeffrey S. Melcher	Registration Number 35950

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.

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/119,727	03/18/2011	Andrew Desbarats	95789-PCT-REF	3645

90042 7590 10/20/2011

MANELLI SELTER PLLC
2000 M Street, N.W., 7th Floor
Washington DC, DC 20036-3307

EXAMINER	
ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
10/20/2011	ELECTRONIC

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

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

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

melcher@mdslaw.com
jeffmelcher@comcast.net
jsgueo@mdslaw.com

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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OCT 20 2011

MANELLI SELTER PLLC
2000 M Street, N.W., 7th Floor
Washington DC DC 20036-3307

In re Application of :

DESBARATS, Andrew *et al.*	:	DECISION ON PETITION
Application No. 13/119727	:	TO MAKE SPECIAL UNDER
Filed: March 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 95789-PCT-REF	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed September 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1653 for action on the merits commensurate with this decision.

/Manjunath Rao/

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

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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.
13/119,729	03/18/2011	Ken Yamashita	P39790	3649

52123 7590 08/25/2011
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER	
ART UNIT	PAPER NUMBER
2484	

NOTIFICATION DATE	DELIVERY MODE
08/25/2011	ELECTRONIC

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

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

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

gbpatent@gbpatent.com
pto@gbpatent.com

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Alexandria, VA 22313-1450
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GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON VA 20191

In re Application of: Ken Yamashita et al.
Application No. 13119729
Filed: March 18, 2011
For: **REPRODUCTION DEVICE, REPRODUCTION METHOD, AND PROGRAM FOR STEROSCOPIC REPRODUCTION**

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 July 29, 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 must (1) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s) or to a PCT application that does not contain any priority claim, or (2) is a national stage entry of a PCT application that does not contain any priority claim;

(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;

(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S.

patent application publications; and

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

Telephone inquiries concerning this decision should be directed to Chau Nguyen at 571-272-3126

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

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

/Chau Nguyen/

Chau Nguyen
Quality Assurance Specialist
Technology Center 2400

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/119,730	Filing date:	March 18, 2011
First Named Inventor:	David Gugger		
Title of the Invention:	OUTBOARD ELECTRIC DRIVE FOR VEHICLES		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US09/61559

The international filing date of the corresponding PCT application(s) is/are: October 21, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/119,730
First Named Inventor:	David Gugger

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 18, 2011

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-17	1-17	Claims are Identical

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

Signature /charles m. vivian/	Date 2011-06-23
Name (Print/Typed) Charles M. Vivian	Registration Number 59,337

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.
13/119,730	03/18/2011	David Gugger	GUG.US.2	3654

23580 7590 07/29/2011
MESMER & DELEAULT, PLLC
41 BROOK STREET
MANCHESTER, NH 03104

EXAMINER	
ART UNIT	PAPER NUMBER
3611	

MAIL DATE	DELIVERY MODE
07/29/2011	PAPER

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

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

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JUL 29 2011

MESMER & DELEAULT, PLLC
41 BROOK STREET
MANCHESTER NH 03104

In re application of
David Gugger
Application No. 13/119,730
Filed: March 18, 2011
For: OUTBOARD ELECTRIC DRIVE FOR VEHICLES

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 23, 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 petition being properly submitted via EFS-Web as is required, the request to participate in the PPH program complies with the above requirements, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 7/29/11

UNITED STATES PATENT AND TRADEMARK OFFICE

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MAILED

AUG 31 2011

PCT LEGAL ADMINISTRATION

BAKER & HOSTETLER LLP
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE. N.W.
WASHINGTON DC 20036-5304

In re Application of: HETHUIN, Serge, et al.
U.S. Application No.: 13/119,734
PCT No.: PCT/EP2009/062222
International Filing Date: 21 September 2009
Priority Date: 19 September 2008
Attorney's Docket No.: 95781.8440
For: SELF-CONTAINED ANTENNA DEVICE WITH QUICK AIMING SWITCHING

DECISION ON PETITION TO WITHDRAW ABANDONMENT UNDER 37 CFR 1.181

This decision is issued in response to the "Request For Withdrawal Of Notice Of Abandonment" filed on 25 July 2011, treated herein as a petition under 37 CFR 1.181. No petition fee is required.

BACKGROUND

On 21 September 2009, applicants filed international application PCT/EP2009/062222. The international application claimed a priority date of 19 September 2008, and it designated the United States. On 25 March 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 19 March 2011.

On 18 March 2011, applicants filed a Transmittal Letter requesting entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and an English translation of the international application.

On 01 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 22 July 2011, the DO/EO/US mailed a "Notice Of Abandonment Under 37 CFR 1.53(f) Or (g)" indicating that the application was abandoned based on applicants' failure to file a response to the Notification Of Missing Requirements mailed on 01 April 2011.

On 25 July 2011, applicants filed the "Request For Withdrawal Of Notice Of Abandonment" petition considered herein.

On 18 August 2011, applicants filed a response to the Notification Of Missing Requirements (with required three-month extension fee). The response included an executed declaration and payment of the required surcharge.

DISCUSSION

The present petition argues that the "Notice Of Abandonment Under 37 CFR 1.53(f) Or (g)" mailed on 22 July 2011 was issued in error because it was mailed prior to the expiration of the extendable response period set forth in the Notification Of Missing Requirements. The Notification Of Missing Requirements mailed on 01 April 2011 provided a two-month response period, and it stated that the response period was subject to extension under 37 CFR 1.136(a). Accordingly, a timely response to the Notification Of Missing Requirements, if accompanied by an appropriate extension fee, could be submitted up until 01 November 2011 (i.e., the original two months, plus the maximum available extension of five months). The mailing of the "Notice Of Abandonment Under 37 CFR 1.53(f) Or (g)" on 22 July 2011, more than three months before the expiration of the extendable response period for the Notification Of Missing Requirements, was therefore in error and the holding of abandonment is appropriately withdrawn, as requested in the present petition.

It is noted that, on 18 August 2011, applicants filed a proper response to the Notification Of Missing Requirements, that is, an executed declaration in compliance with 37 CFR 1.497 and payment of the required surcharge. Such response is considered timely based on the accompanying payment of the required three-month extension fee.

CONCLUSION

The petition to withdraw the holding of abandonment under 37 CFR 1.181 is **GRANTED**.

The "Notice Of Abandonment Under 37 CFR 1.53(f) Or (g)" mailed 22 July 2011 is hereby **VACATED**.

This application is being returned to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 18 August 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

UNITED STATES PATENT AND TRADEMARK OFFICE

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

DRINKER BIDDLE & REATH LLP
ATTN: PATENT DOCKET DEPT.
191 N. WACKER DRIVE, SUITE 3700
CHICAGO IL 60606

MAILED

AUG 09 2011

PCT LEGAL ADMINISTRATION

In re Application of :
DUC, Guillaume, et al. :
Application No.: 13/119,780 :
PCT No.: PCT/FR2009/051766 :
Int. Filing Date: 21 September 2009 :
Priority Date: 22 September 2008 :
Attorney's Docket No.: P3809US :
For: A MEMORY ALLOCATION ... :
MODULE AND TERMINAL :

DECISION

This decision responds applicants' submission of a declaration of the inventors, filed in the United States Patent and Trademark Office on 06 June 2011.

BACKGROUND

On 12 April 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration of the inventors and the surcharge for late filing of the search fee, examination fee or oath of declaration were required.

On 06 June 2011, applicants submitted a declaration of the inventors.

DISCUSSION

Under 37 CFR 1.41(a)(4), the inventorship of the international application entering the national stage under 35 U.S.C. 371 is that inventorship set forth in the international application, which includes any changes effected under PCT Rule 92*bis*. An oath or declaration reflecting that international stage inventorship is required. If an inventor was incorrectly named in the international application or the inventor's name has changed, a petition under 37 CFR 1.182 is required to correct it. See MPEP 605.04(c).

The international application lists the second inventor as Philippe Raipin, but the declaration lists the second inventor as Philippe Raipin Parvedy.

CONCLUSION

For the above reasons, applicant's declaration does not comply with 37 CFR 1.497(a)-(b).

A proper reply is required within **TWO (2) MONTHS** from the mail date of this decision. Failure to timely file the proper response will result in abandonment of this application. Extensions of time are available under 37 CFR 1.136(a).

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

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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OCT 31 2011

PCT LEGAL ADMINISTRATION

DRINKER BIDDLE & REATH LLP
ATTN: PATENT DOCKET DEPT.
191 N. WACKER DRIVE, SUITE 3700
CHICAGO IL 60606

In re Application of :
DUC, Guillaume, et al. :
Application No.: 13/119,780 :
PCT No.: PCT/FR2009/051766 :
Int. Filing Date: 21 September 2009 : DECISION
Priority Date: 22 September 2008 :
Attorney's Docket No.: P3809US :
For: A MEMORY ALLOCATION ... :
MODULE AND TERMINAL :

This is a decision on applicants' Petition Under 37 CFR 1.182, filed in the United States Patent and Trademark Office (USPTO) on 07 September 2011.

BACKGROUND

On 09 August 2011, the Office mailed Decision, dismissing applicants' petition under 37 CFR 1.47(a) and indicating that a petition under 37 CFR 1.182 was required.

On 07 September 2011, applicants filed a petition under 37 CFR 1.182 to correct the name of the third listed inventor.

DISCUSSION

Applicants have explained that the inventor listed as on the international application as "Philippe Raipin" is named "Philippe Raipin Parvedy" and that his surname was partially omitted on the international application. The $400 petition fee has been paid.

CONCLUSION

Applicant's petition under 37 CFR 1.182 to correct applicant's name is **GRANTED**.

This application is being referred to the national phase processing branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

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PO BOX 747
FALLS CHURCH, VA 22040-0747

MAILED

MAY 26 2011

PCT LEGAL ADMINISTRATION

In re Application of HEDIN et al	:	
U.S. Application No.: 13/119,788	:	
PCT Application No.: PCT/EP2008/062548	:	
Int. Filing Date: 19 September 2008	:	DECISION
Priority Date Claimed: none	:	
Attorney Docket No.: 0104-0823PUS1	:	
For: THERMALLY TUNABLE FIBER OPTIC DEVICE	:	

This is in response to applicant's petition under 37 CFR 1.182 filed 29 March 2011.

BACKGROUND

On 19 September 2008, applicant filed international application PCT/EP2008/062548. A copy of the international application was communicated to the USPTO from the International Bureau on 25 March 2010. The thirty-month period for paying the basic national fee in the United States expired on 21 March 2011.

On 18 March 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US) via the EFS-Web electronic filing system of the USPTO. The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 29 March 2011, applicant filed the present petition under 37 CFR 1.182.

DISCUSSION

The petition states that applicant mistakenly entered the wrong international application number into the EFS-Web user interface. A review of the papers filed 18 March 2011 reveals that the correct international application number was present on at least one document. Accordingly, correction of the application is permitted. Applicant's explanation for the error is accepted.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 19 September 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 13 April 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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

Alston & Bird LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte NC 28280-4000

MAILED

APR 17 2012

PCT LEGAL ADMINISTRATION

In re Application of:
HAN et al.
Application no.: 13/119,823
Filing Date: June 09, 2011
Attorney Docket No.: 055514/403491
For: MODULATOR, DEMODULATOR AND MODULATOR-DEMODULATOR

DECISION

This decision is issued in response to applicant's "Request for Corrected Filing Receipt" (and Notice of Acceptance) filed 13 March 2012 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181 to correct the international filing date (of PCT/SG2008/000360) listed on the Notification of Acceptance and Official Filing Receipt. No petition fee is required.

The above-identified application received an Official Filing Receipt which indicated, "[t]his application is 371 of PCT/SG2008/000360 (filed) 09/18/2008." (The Notification of Acceptance identified the international application filing date as 18 September 2008.) Applicant states in the present petition that the international filing date of PCT/SG2008/000360 is September 19, 2008, not September 18, 2008. A review of the published international application submitted to the United States Patent and Trademark reveals that the international filing date of PCT/SG2008/000360 is September 19, 2008.

Accordingly, applicant's request for corrected Notification of Acceptance and Official Filing Receipt under 37 CFR 1.181 is **GRANTED**. The Notification of Acceptance (Form PCT/DO/EO/903) and Official Filing Receipt mailed are hereby VACATED.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision; including the mailing of a corrected Form PCT/DO/EO/903 and Official Filing Receipt which identifies the international filing date of PCT/SG2008/000360 as September 19, 2008.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Telephone: 571-272-3298

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P.O. Box 1450
Alexandria, VA 22313-1450
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JAN 03 2012

PCT LEGAL ADMINISTRATION

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON VA 22201

In re Application of :
Tierney et al. :
Application No.: 13/119,866 : DECISION
PCT No.: PCT/EP2009/006047 :
Int. Filing Date: 20 August 2009 : ON
Priority Date: 19 September 2008 :
Attorney Docket No.: MERCK-3833 : PETITION
For: Polymers Derived From Benzobis(silolothiophene) :
And Their Use As Organic Semiconductors :

This is in response to the refund request filed on 12 May 2011.

BACKGROUND

This international application was filed on 20 August 2009, claimed an earlier priority date of 19 September 2008, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 25 March 2010. The 30 month time period for paying the basic national fee in the United States expired at midnight on 21 March 2011 (since 19 March 2011 was a Saturday). Applicants filed *inter alia* the basic national fee on 18 March 2011.

DISCUSSION

Applicant requests a refund in the amount of $806.00 because, despite the filing of a preliminary amendment of the claims, applicant was charged $416.00 for extra claims in excess of twenty and $390.00 for the multiply dependent claims fee.

Review of the record reveals that a preliminary amendment to the claims was filed on 18 March 2011 and that in the accompanying remarks, counsel asserted the intention to eliminate multiple dependencies "in order to avoid the additional fee." However, claim 13 as included in the listing of claims, as amended, was dependent upon "one or more of claims 1 to 12." As such, counsel has not advanced an adequate reason to refund the multiply dependent claim(s) fee, or the resultant extra claims fee, at this time.

DECISION

The request is **DISMISSED**, without prejudice.

No response is required. If reconsideration on the merits of this matter is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT

Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

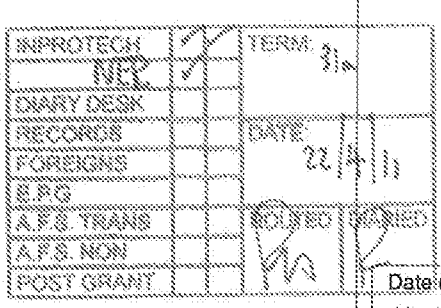
PATENT COOPERATION TREATY

RECEIVED
- 7 MAR 2011

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

REDDIE & GROSE
16 Theobalds Road
London
WC1X 8PL
GRANDE BRETAGNE



PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(PCT Rule 71.1)

	Date of mailing *(day/month/year)* 07.03.2011
Applicant's or agent's file reference P/61357.WO01	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/IB2009/007018	22.09.2009	22.09.2008

Applicant
Vestas Wind Systems A/S

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	Ter Haar, Heidi Tel. +31 70 340-3817

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P/61357.WO01	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/IB2009/007018	International filing date *(day/month/year)* 22.09.2009	Priority date *(day/month/year)* 22.09.2008

International Patent Classification (IPC) or national classification and IPC
INV. G01D5/353

Applicant
Vestas Wind Systems A/S

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *sent to the applicant and to the International Bureau)* a total of 3 sheets, as follows:
      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

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

- ☒ Box No. I Basis of the report
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
2011-01-07	07.03.2011

Name and mailing address of the international preliminary examining authority:

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

Authorized officer

Biloen, David

Telephone No. +31 70 340-3651

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/IB2009/007018

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
   - ☐ international search (under Rules 12.3(a) and 23.1(b))
   - ☐ publication of the international application (under Rule 12.4(a))
   - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

   Description, Pages

   1-14 as originally filed

   Claims, Numbers

   1-14 filed with telefax on 07-01-2011

   Drawings, Sheets

   1/5-5/5 as originally filed

   ☐ a sequence listing - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:
   - ☐ any table(s) related to sequence listing *(specify)*:

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-bis)):
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:

5. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2 (e)).

6. ☐ Supplementary international search report(s) from Authority(ies) have been received and taken into account in drawing up this report (Rule 45bis.8(b) and (c)).

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-14
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-14
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-14
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

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

Reference is made to the following documents:

D1 GB 2 440 953 A (INSENSYS LTD [GB]) 20 February 2008 (2008-02-20)

D2 WO 03/076887 A1 (LIGHT STRUCTURES AS [NO]; SAGVOLDEN GEIR [NO]; WANG GUNNAR [NO]; PRAN) 18 September 2003 (2003-09-18)

D3 WO 97/15805 A1 (BICC PLC [GB]; HAIGH NEIL RICHARD [GB]; ROWLAND SIMON MARK [GB]; LINTO) 1 May 1997 (1997-05-01)

1 Document D1 is regarded as being the prior art closest to the subject-matter of claims 1 and 8, and discloses a wind turbine rotor blade comprising a sensor system for detecting the flap-wise strain on the rotor blade, the system comprising:

a plurality of strain sensors (5) spaced longitudinally along the turbine blade,

wherein one or more processors are arranged to receive a signal from the plurality of strain sensors and calculate a value of strain detected for the region of the rotor blade covered by the sensor, based on a change of length in the sensor path as the turbine blade deforms, and determining the flap-wise strain for the blade based on the strain calculated for each sensor.

The subject-matter of claims 1 and 8 therefore differs from this known D1 in that claims 1 and 8 specify that the sensor path of each strain sensor has a certain rotational symmetry (of the order three or more), and is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may therefore be regarded as making the strain sensors insensitive to strain in directions other than the flap-wise bending strain.

2 The solution to this problem proposed in claims 1 and 8 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

strain sensor devices which comprise a sensor path that encloses a region of a structure to be measured are rare. Using a linear array of such sensors in a particular orientation (i.e. along the length of a wind turbine blade, defined by the applicant as the "flap wise axis") is not known from the prior art. The applicant has recognized that a particular geometry of such a sensor, namely a sensor path having a degree of rotational symmetry of three or higher, renders the sensor, as well as the array of sensors, insensitive to edgewise bending, whilst being sensitive to flap-wise bending.

Document D2 (figure 1B) discloses a strain sensor comprising three Bragg gratings arranged in series in an essentially circular path. The sensor path, however, is not circular (but rather three straight lines arranged at 45 degree angles). This sensor if applied according to the teaching of the application, would not be insensitive to edgewise bending.

Document D3 discloses a strain sensor with a rotational symmetry of three or higher (figure 3). Upon closer inspection, however, the sensor only comprises two active "legs" for measuring orthogonal strain, and the remaining part of the sensor path is structurally decoupled and is used for temperature compensation. Therefore, this sensor, like the sensor of D2, would not yield the desired effect of the sensor of the current application.

Additionally, neither D2 or D3 discuss putting the sensors in any particular orientation with respect to the structure to be measured in order to be insensitive to certain stresses/strains.

Therefore, the person skilled in the art would not apply the sensors from D2 or D3 in the measuring array of D1. Even if he would inadvertently do so, the sensors would still not comprise a sensor path which has a degree of rotational symmetry of three or higher.

3 Claims 2-7 and 9-14 are dependent on claims 1 and 8 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Claims

1. A wind turbine rotor blade comprising a sensor system for detecting the flap-wise strain on the rotor blade, the sensor system comprising:

a plurality of strain sensors spaced longitudinally along a flap-wise axis of the wind turbine rotor blade,

wherein each strain sensor comprises one or more strain sensing devices arranged in a sensor path that encloses a region of the rotor blade, the sensor path having a rotational symmetry of order three or more; and

one or more processors arranged to:

receive a signal from the plurality of strain sensors;

for each strain sensor, calculate a value of strain for the region of the rotor blade enclosed by the sensor path, based on a determined change in length of the sensor path as the wind turbine rotor blade deforms; and

based on the strain calculated for each strain sensor, determining the flap-wise strain for the rotor blade.

wherein the sensor path is circular, or is in the shape of a regular polygon or a star, and wherein the path is convex or concave.

2. The rotor blade of claim 1, wherein the strain sensors comprise a single strain sensing device, and wherein the single strain sensing device comprises a single interferometric optical fibre strain sensor arranged to form the entirety of the circular or regular polygon shaped path.

3. The rotor blade of claim 1 or 2, wherein the strain sensors comprise more than one strain sensing device arranged to determine the strain between equally spaced points along the circular or regular polygon shaped path.

4. The rotor blade of any preceding claim, wherein the regular polygon shaped path is an equilateral triangle.

5. The rotor blade of any of claims 1 to 4, comprising a single processor arranged to receive signals from the one or more strain sensors.

6. The rotor blade of any of claims 1 to 5, comprising a respective processor for each strain sensor.

7. A wind turbine comprising the rotor blades of any preceding claim.

8. A method of detecting the flap-wise strain on a wind turbine rotor blade, comprising:

receiving a signal at one or more processors from a plurality of strain sensors mounted at longitudinally spaced positions along the flap-wise direction of the wind turbine rotor blade, wherein each strain sensor comprises one or more strain sensing devices arranged in a sensor path that encloses a region of the rotor blade, and the sensor path has a rotational symmetry of order three or more;

for each strain sensor, calculating a value of strain for the region of the rotor blade enclosed by the sensor path, based on a determined change in length of the sensor path as the wind turbine rotor blade deforms; and

based on the strain calculated for each strain sensor, determining the flap-wise strain for the rotor blade.

wherein the sensor path is circular, or is in the shape of a regular polygon or star, and wherein the path is convex or concave.

9. The method of claim 8, wherein the strain sensors comprise a single strain sensing device, and wherein the single strain sensing device comprises a single interferometric optical fibre strain sensor arranged to form the entirety of the circular or regular polygon shaped path.

10. The method of claim 8 or 9, wherein the strain sensors comprise more than one strain sensing device arranged to determine the strain between equally spaced points along the circular or regular polygon shaped path.

11. The method of any of claims 8, 9 or 10, wherein the regular polygon shaped path is an equilateral triangle.

12. The method of any of claims 8 to 11, comprising providing a single processor arranged to receive signals from the one or more strain sensors.

13. The method of any of claims 8 to 12, comprising providing a respective processor for each strain sensor.

14. The method of any of claims 8 to 13, comprising mounting the plurality of strain sensors at longitudinally spaced positions along the flap-wise direction of the wind turbine rotor blade.

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/119,871	Filing date:	March 18, 2011
First Named Inventor:	Ib Olesen		
Title of the Invention:	Wind Turbine Rotor Blade Comprising an Edge-Wise Bending Insensitive Strain Sensor System		

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

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

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

The corresponding PCT application number(s) is/are: PCT/IB2009/007018

The international filing date of the corresponding PCT application(s) is/are: September 22, 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

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

(continued)

Application No.:	13/119,871
First Named Inventor:	Ib Olesen

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on March 18, 2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on March 18, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Similar in scope; no substantive change
2		Cancelled
3	2	Similar in scope; no substantive change
4	3	Combination of claims 1 and 3; multiple dependency deleted
5	4	Combination of claims 1 and 4; multiple dependency deleted
6	5	Combination of claims 1 and 5; multiple dependency deleted
7	6	Combination of claims 1 and 6; multiple dependency deleted
8	7	Combination of claims 1 and 7; multiple dependency deleted
9	8	Similar in scope; no substantive change
10		Cancelled
11	9	Similar in scope; no substantive change
12	10	Combination of claims 8 and 10; multiple dependency deleted
13	11	Combination of claims 8 and 11; multiple dependency deleted
14	12	Combination of claims 8 and 12; multiple dependency deleted
15	13	Combination of claims 8 and 13; multiple dependency deleted
16	14	Combination of claims 8 and 14; multiple dependency deleted

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

Signature /Steven W. Benintendi/	Date 2011-04-14
Name (Print/Typed) Steven W. Benintendi	Registration Number 56,297

Privacy Act Statement

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

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

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

Claims

1. A wind turbine rotor blade comprising a sensor system for detecting the flap-wise strain on the rotor blade, the sensor system comprising:

a plurality of strain sensors spaced longitudinally along a flap-wise axis of the wind turbine rotor blade,

wherein each strain sensor comprises one or more strain sensing devices arranged in a sensor path that encloses a region of the rotor blade, the sensor path having a rotational symmetry of order three or more; and

one or more processors arranged to:

receive a signal from the plurality of strain sensors;

for each strain sensor, calculate a value of strain for the region of the rotor blade enclosed by the sensor path, based on a determined change in length of the sensor path as the wind turbine rotor blade deforms; and

based on the strain calculated for each strain sensor, determining the flap-wise strain for the rotor blade.

wherein the sensor path is circular, or is in the shape of a regular polygon or a star, and wherein the path is convex or concave.

2. The rotor blade of claim 1, wherein the strain sensors comprise a single strain sensing device, and wherein the single strain sensing device comprises a single interferometric optical fibre strain sensor arranged to form the entirety of the circular or regular polygon shaped path.

3. The rotor blade of claim 1 or 2, wherein the strain sensors comprise more than one strain sensing device arranged to determine the strain between equally spaced points along the circular or regular polygon shaped path.

4. The rotor blade of any preceding claim, wherein the regular polygon shaped path is an equilateral triangle.

5. The rotor blade of any of claims 1 to 4, comprising a single processor arranged to receive signals from the one or more strain sensors.

6. The rotor blade of any of claims 1 to 5, comprising a respective processor for each strain sensor.

7. A wind turbine comprising the rotor blades of any preceding claim.

8. A method of detecting the flap-wise strain on a wind turbine rotor blade, comprising:

receiving a signal at one or more processors from a plurality of strain sensors mounted at longitudinally spaced positions along the flap-wise direction of the wind turbine rotor blade, wherein each strain sensor comprises one or more strain sensing devices arranged in a sensor path that encloses a region of the rotor blade, and the sensor path has a rotational symmetry of order three or more;

for each strain sensor, calculating a value of strain for the region of the rotor blade enclosed by the sensor path, based on a determined change in length of the sensor path as the wind turbine rotor blade deforms; and

based on the strain calculated for each strain sensor, determining the flap-wise strain for the rotor blade.

wherein the sensor path is circular, or is in the shape of a regular polygon or star, and wherein the path is convex or concave.

9. The method of claim 8, wherein the strain sensors comprise a single strain sensing device, and wherein the single strain sensing device comprises a single interferometric optical fibre strain sensor arranged to form the entirety of the circular or regular polygon shaped path.

10. The method of claim 8 or 9, wherein the strain sensors comprise more than one strain sensing device arranged to determine the strain between equally spaced points along the circular or regular polygon shaped path.

11. The method of any of claims 8, 9 or 10, wherein the regular polygon shaped path is an equilateral triangle.

12. The method of any of claims 8 to 11, comprising providing a single processor arranged to receive signals from the one or more strain sensors.

13. The method of any of claims 8 to 12, comprising providing a respective processor for each strain sensor.

14. The method of any of claims 8 to 13, comprising mounting the plurality of strain sensors at longitudinally spaced positions along the flap-wise direction of the wind turbine rotor blade.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/119,871	04/14/2011	Ib Olesen	VWS-287US	4738

83583 7590 06/08/2011

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER	
ART UNIT	PAPER NUMBER
2857	

NOTIFICATION DATE	DELIVERY MODE
06/08/2011	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):

amalik@whepatent.com
eobrien@whepatent.com
USPTODOCK@whepatent.com

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Alexandria, VA 22313-1450
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Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati OH 45202

In re Application of
Ib OLESEN
Application No.: 13/119,871
Filed: 14 April 2011
Attorney Docket No.: VWS-287US
For: WIND TURBINE ROTOR BLADE COMPRISING AN EDGE-WISE BENDING INSENSITIVE STRAIN SENSOR SYSTEM

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed 14 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

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

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/119,878	03/18/2011	Susumu Innan	110132	4785

38834 7590 09/13/2011

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
ART UNIT	PAPER NUMBER
1713	

NOTIFICATION DATE	DELIVERY MODE
09/13/2011	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):

patentmail@whda.com

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SEP 13 2011

WG

In re application of	:	DECISION ON REQUEST TO
Susumu Innan	:	PARTICIPATE IN PATENT
Serial No. 13/119,878	:	PROSECUTION HIGHWAY
Filed: March 18, 2011	:	PROGRAM AND
For: DECORATIVE MATERIAL, METHOD FOR PRODUCING DECORATIVE MATERIAL, AND MOLDED ARTICLE	:	PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed August 5, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:

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

(6) Applicant must submit:

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

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

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

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

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

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 02 2011

PCT LEGAL ADMINISTRATION

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

Byrne Poh LLP
11 Broadway, Ste 814
New York NY 10004

In re Application of:
VAZQUEZ SENTIS, Eugenio, et al.
U.S. Application No.: 13/119,954
PCT No.: PCT/ES2009/070356
International Filing Date: 27 August 2009
Priority Date: 29 August 2008
Attorney's Docket No.: 1615140.128-US1
For: HYBRID TRIPYRROLE-OCTAARGININE COMPOUNDS ...

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 18 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/ES2009/070356 became abandoned with respect to the United States at midnight 28 February 2011 based on applicants' failure to request entry into national stage in the United States and pay the basic national fee prior to the expiration of thirty months from the priority date.

The present petition for revival was accompanied by payment of the petition fee and the "required reply" in the form of a request for entry into the U.S. national stage and payment of the small entity basic national fee. In addition, the petition includes a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," satisfying the requirement of 37 CFR 1.137(b)(3).

Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Accordingly, the request to revive the international application with respect to the United States is appropriately granted.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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Byrne Poh LLP
11 Broadway, Ste 814
New York, NY 10004

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JAN 10 2012

OFFICE OF PETITIONS

In re Application of Vazquez Sentis et al. :
Application No. 13/119,954 :
Int'l Filing Date: August 27, 2009 : Decision on Request
Attorney Docket No. 1615140.128-US1 :
Pub. No. US 2011/0237499A1 :
Pub. Date: September 29, 2011 :

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed November 8, 2011.

The request is **dismissed**.

Applicants request the application be republished because of the mistake in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

The mistake identified in the instant request is not a material Office mistake as required under 37 C.F.R. § 1.221(b). Specifically, the mistake does not affect the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent

[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).

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

PATENT
8124-1001

IN THE U. S. PATENT AND TRADEMARK OFFICE

In re application of

Teruya IKEGAMI Conf. 5965

Application No. 13/119,965 Group 2173

Filed: March 21, 2011 Examiner: Kieu D. Vu

Title: GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM

PETITION TO MAKE SPECIAL PURSUANT TO 37 C.F.R. 1.102(a)

Assistant Commissioner for Patents June 21, 2011
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to make the instant application special for purposes of expedited examination based upon the accompanying Request for Participation in the Patent Cooperation Treaty – Patent Prosecution Highway (PCT-PPH) Program between the Japan Patent Office (JPO) and the USPTO. Applicant submits herewith the above-noted request, a copy of the latest international work product in JP Application No. PCT/JP2009/003824, a copy of the claims indicated in the latest international work product as having novelty, inventive step and industrial applicability, and verified English-language translations thereof. The instant application is the U.S. National Stage of the above-referenced Application No. PCT/JP2009/003824.

Each document cited by the JPO in the international work products of the corresponding PCT application was previously submitted in an information disclosure statement in this application.

Pursuant to the notice issued in 75 Fed. Reg. 29312 (May 25, 2010), it is believed that no fee is due for this petition.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Jeffrey R. Snay/

Jeffrey R. Snay, Reg. No. 58,913
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JRS/lrs

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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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:	13/119,965	Filing date:	March 21, 2011
First Named Inventor:	Teruya IKEGAMI		
Title of the Invention:	GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM		

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/JP2009/003824

The international date of the corresponding PCT application(s) is/are: August 7, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/119,965
First Named Inventor:	Teruya IKEGAMI

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 21, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
22	1	Identical except "section" substituted for "means" throughout claim.
23	2	Identical except "section" substituted for "means" throughout claim.
24	3/1	Identical except "section" substituted for "means" throughout claim.
25	4/1	Identical except "section" substituted for "means" throughout claim.
26	5/1	Identical except "section" substituted for "means" throughout claim.
27	6/1	Identical except "section" substituted for "means" throughout claim.
28	7/1	Identical except "section" substituted for "means" throughout claim.
29	8	Identical except "section" substituted for "means" throughout claim.
30	9	Identical except "section" substituted for "means" throughout claim.
31	10/8	Identical except "section" substituted for "means" throughout claim.
32	11/8	Identical except "section" substituted for "means" throughout claim.
33 and 34	12/8 and 13/8 respectively	Identical
35	14/8	Identical except "section" substituted for "means" throughout claim.
36	15	Identical except "section" substituted for "means" throughout claim.
37	16	Identical except "section" substituted for "means" throughout claim.
38	17/15	Identical except "section" substituted for "means" throughout claim.
39	18/15	Identical except "section" substituted for "means" throughout claim.
40-41	19/15 and 20/15 respectively	Identical
42	21/15	Identical except "section" substituted for "means" throughout claim.

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

Signature /Jeffrey R. Snay/	Date June 21, 2011
Name (Print/Typed) Jeffrey R. Snay	Registration Number 58,913

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.
13/119,965	03/21/2011	Teruya Ikegami	8124-1001	5965

466 7590 07/08/2011

YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER	
VU, KIEU D	

ART UNIT	PAPER NUMBER
2173	

NOTIFICATION DATE	DELIVERY MODE
07/08/2011	ELECTRONIC

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

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

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

DocketingDept@young-thompson.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

YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria VA 22314

In re Application of: T. IKEGAMI
Application No. 13/119,965
Atty Docket #: **8124-1001**
Filed: March 21, 2011
For: **GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM**

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

This is a decision on the request to participate in the PCT-Patent Prosecution Highway (**PCT-PPH**) pilot program and the petition under 37 CFR 1.102(a), filed June 21, 2011 to make the above- identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
(a) a national stage entry of the corresponding PCT application

Or

(b) a national application which forms the basis for the priority claim in the corresponding PCT application

Or

(c) *a* national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application

Or

(d) a national application claiming foreign domestic priority to the corresponding PCT application.
Applications subject to a secrecy order (35U.S.C.181) are excluded and not subject to participation in the PCT-PPH pilot program.

Or

(e) a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) to (d) scenarios.

(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability. In case any observation is described in Box VIII of the WO/ISA, or the WO/IPEA, or the IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

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

(3) Applicant must:

a. Ensure all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application and

b. Submit a claims correspondence table in English;

The USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.

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

(5) Applicant must submit a copy of:

a. the latest international work product, WO/ISA, or WO/IPEA or PER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language, unless the U.S. application and the corresponding PCT application satisfy the relationship noted in (l)(a) above.

(6) Applicant must submit a copy of:

a. the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product of the PCT application,
b. an English translation of the claims and
c. a statement that the English translation is accurate.

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

(7) Applicant must submit:

a. An IDS listing the documents cited in the work products in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER,(unless already submitted in this application)
b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

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

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

/Mano Padmanabhan/

_____

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Barrington RI 02806

MAILED

JUL 13 2011

OFFICE OF PETITIONS

In Re application of
Markku-Juhani Saarinehn et al.
Application No. 13/120,002
Filed: March 21, 2011
Attorney Docket No. 1106US-Envault

ON PETITION

This is a decision on the petition under 37 CFR 1.59(b), filed June 3, 2011, to expunge information from the above identified application.

Petitioner requests that the Information Disclosure Document (IDS) and Declaration, filed May 30, 2011, be expunged from the record. Petitioner states that the papers submitted were erroneously filed in the instant application.

The petition to expunge the declaration is **granted**.

The declaration in question has been determined by the undersigned to not be material to the examination of the instant application. The declaration was clearly intended to be filed in a different application.

The expunged material has been removed from the official file.

The examiner of record will rule on the request to expunge the IDS as this requires a determination of materiality of the information.

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

Carl Friedman
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
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GARVEY SMITH NEHRBASS & NORTH, LLC
LAKEWAY 3, SUITE 3290
3838 NORTH CAUSEWAY BLVD.
METAIRIE, LA 70002

MAILED
MAY 10 2011
PCT LEGAL ADMINISTRATION

In re Application of SCHLUMBRECHT	:	
U.S. Application No.: 13/120,068	:	
PCT Application No.: PCT/US2007/088181	:	
Int. Filing Date: 19 December 2007	:	DECISION
Priority Date Claimed: 20 December 2006	:	
Attorney Docket No.: P07148US (98797.7P)	:	
For: OMAHA POKER AND REAL DEAL TEXAS HOLD'EM	:	

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 21 March 2011.

BACKGROUND

On 19 December 2007, applicant filed international application PCT/US2007/088181, which claimed priority of an earlier United States application filed 20 December 2006. The thirty-month period for paying the basic national fee in the United States expired on 22 June 2009.

On 23 June 2009, international application PCT/US2007/088181 became abandoned as to the United States for failure to timely pay the basic national fee.

On 21 March 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 19 December 2007, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 21 March 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/120,130	Filing date:	March 21, 2011
First Named Inventor:	James BENSON		
Title of the Invention:	Improved Process for Guniting Refractory Mixes Using Conventional Dry Gunning Equipment and Refractory Mixes for Use in Same		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2010/026972

The international filing date of the corresponding PCT application(s) is/are: March 11, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,130
First Named Inventor:	James BENSON

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 21, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-23	1-23	Identical

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

Signature /Scott W. Smilie/	Date March 24, 2011
Name (Print/Typed) Scott W. Smilie	Registration Number 44,341

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.
13/120,130	03/21/2011	James Benson	3081-022	7280

51500 7590 07/12/2011

PATZIK, FRANK & SAMOTNY LTD.
150 SOUTH WACKER DRIVE
SUITE 1500
CHICAGO, IL 60606

EXAMINER	
ART UNIT	PAPER NUMBER
1715	

MAIL DATE	DELIVERY MODE
07/12/2011	PAPER

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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BC

July 12, 2011

In re application of	:	DECISION ON REQUEST TO
BENSON, JAMES et al.	:	PARTICIPATE IN PATENT
Serial No. 13/120,130	:	PROSECUTION HIGHWAY
Filed: March 21, 2011	:	PROGRAM AND
Attorney Docket No: 3081-022	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed March 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 IPA, JPO, KIPO, EPO, or USPTO;

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work

product is not in the English language; and

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

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

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

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

PATENT
8124-1002

IN THE U. S. PATENT AND TRADEMARK OFFICE

In re application of

Teruya IKEGAMI Conf. 7906

Application No. 13/120,160 Group 2173

Filed: March 22, 2011 Examiner: Kieu D. Vu

Title: GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM

PETITION TO MAKE SPECIAL PURSUANT TO 37 C.F.R. 1.102(a)

Assistant Commissioner for Patents June 22, 2011
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to make the instant application special for purposes of expedited examination based upon the accompanying Request for Participation in the Patent Cooperation Treaty – Patent Prosecution Highway (PCT-PPH) Program between the Japan Patent Office (JPO) and the USPTO. Applicant submits herewith the above-noted request, a copy of the latest international work product in JP Application No. PCT/JP2009/003825, a copy of the claims indicated in the latest international work product as having novelty, inventive step and industrial applicability, and verified English-language translations thereof. The instant application is the U.S. National Stage of the above-referenced Application No. PCT/JP2009/003825.

Each document cited by the JPO in the international work products of the corresponding PCT application was previously submitted in an information disclosure statement in this application.

Pursuant to the notice issued in 75 Fed. Reg. 29312 (May 25, 2010), it is believed that no fee is due for this petition.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Jeffrey R. Snay/

Jeffrey R. Snay, Reg. No. 58,913
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JRS/lrs

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/120,160	Filing date:	March 22, 2011
First Named Inventor:	Teruya IKEGAMI		
Title of the Invention:	GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM		

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/JP2009/003825

The international date of the corresponding PCT application(s) is/are: August 7, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,160
First Named Inventor:	Teruya IKEGAMI

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 22, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
15	1	Identical except "section" substituted for "means" throughout claim.
16	2	Identical except "section" substituted for "means" throughout claim.
17	3/1	Identical except "section" substituted for "means" throughout claim.
18	4	Identical except "section" substituted for "means" throughout claim.
19	5/1	Identical except "section" substituted for "means" throughout claim.
20	6	Identical except "section" substituted for "means" throughout claim.
21	7	Identical.
22	8	Identical.
23	9/7	Identical.
24	10	Identical.
25	11	Identical.
26	12	Identical
27	13/11	Identical.
28	14	Identical.

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

Signature /Jeffrey R. Snay/	Date June 22, 2011
Name (Print/Typed) Jeffrey R. Snay	Registration Number 58,913

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.
13/120,160	03/22/2011	Teruya Ikegami	8124-1002	7906

466 7590 07/08/2011

YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER	
VU, KIEU D	

ART UNIT	PAPER NUMBER
2173	

NOTIFICATION DATE	DELIVERY MODE
07/08/2011	ELECTRONIC

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

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

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

DocketingDept@young-thompson.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

YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria VA 22314

In re Application of: T. IKEGAMI
Application No. 13/120,160
Atty Docket #: **8124-1002**
Filed: March 22, 2011
For: **GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM**

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

This is a decision on the request to participate in the PCT-Patent Prosecution Highway **(PCT-PPH)** pilot program and the petition under 37 CFR 1.102(a), filed June 22, 2011 to make the above- identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
(a) a national stage entry of the corresponding PCT application

Or

(b) a national application which forms the basis for the priority claim in the corresponding PCT application

Or

(c) *a* national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application

Or

(d) a national application claiming foreign domestic priority to the corresponding PCT application.
Applications subject to a secrecy order (35U.S.C.181) are excluded and not subject to participation in the PCT-PPH pilot program.

Or

(e) a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) to (d) scenarios.

(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability. In case any observation is described in Box VIII of the WO/ISA, or the WO/IPEA, or the IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

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

(3) Applicant must:

a. Ensure all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application and

b. Submit a claims correspondence table in English;

The USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.

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

(5) Applicant must submit a copy of:

a. the latest international work product, WO/ISA, or WO/IPEA or PER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language, unless the U.S. application and the corresponding PCT application satisfy the relationship noted in (l)(a) above.

(6) Applicant must submit a copy of:

a. the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product of the PCT application,
b. an English translation of the claims and
c. a statement that the English translation is accurate.

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

(7) Applicant must submit:

a. An IDS listing the documents cited in the work products in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER,(unless already submitted in this application)
b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

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

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

/Mano Padmanabhan/

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

PATENT
8124-1003

IN THE U. S. PATENT AND TRADEMARK OFFICE

In re application of

Teruya IKEGAMI Conf. 7909

Application No. 13/120,161 Group 2173

Filed: March 22, 2011 Examiner: Kieu D. Vu

Title: GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM

PETITION TO MAKE SPECIAL PURSUANT TO 37 C.F.R. 1.102(a)

Assistant Commissioner for Patents June 22, 2011
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions to make the instant application special for purposes of expedited examination based upon the accompanying Request for Participation in the Patent Cooperation Treaty – Patent Prosecution Highway (PCT-PPH) Program between the Japan Patent Office (JPO) and the USPTO. Applicant submits herewith the above-noted request, a copy of the latest international work product in JP Application No. PCT/JP2009/003829, a copy of the claims indicated in the latest international work product as having novelty, inventive step and industrial applicability, and verified English-language translations thereof. The instant application is the U.S. National Stage of the above-referenced Application No. PCT/JP2009/003829.

Each document cited by the JPO in the international work products of the corresponding PCT application was previously submitted in an information disclosure statement in this application.

Pursuant to the notice issued in 75 Fed. Reg. 29312 (May 25, 2010), it is believed that no fee is due for this petition.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Jeffrey R. Snay/

Jeffrey R. Snay, Reg. No. 58,913
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JRS/lrs

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/120,161	Filing date:	March 22, 2011
First Named Inventor:	Teruya IKEGAMI		
Title of the Invention:	GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM		

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/JP2009/003829

The international date of the corresponding PCT application(s) is/are: August 7, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,161
First Named Inventor:	Teruya IKEGAMI

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 22, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
22	1	Identical except "section" substituted for "means" throughout claim.
23	2	Identical.
24	3/1	Identical.
25	4/1	Identical.
26	5/1	Identical except "section" substituted for "means" throughout claim.
27	6	Identical.
28	7/5	Identical.
29 and 30	8 and 9 respectively	Claim 29, Identical except "section" substituted for "means" throughout claim. Claim 30, Identical.
31	10/8	Identical.
32	11/8	Identical.
33	12/8	Identical.
34	13	Identical
35	14/12	Identical.
36 and 37	15 and 16 respectively	Claim 36, Identical except "section" substituted for "means" throughout claim. Claim 37, Identical.
38	17/15	Identical.
39	18/15	Identical.
40	19/15	Identical.
41	20	Identical.
42	21/19	Identical.

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

Signature /Jeffrey R. Snay/	Date June 22, 2011
Name (Print/Typed) Jeffrey R. Snay	Registration Number 58,913

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.
13/120,161	03/22/2011	Teruya Ikegami	8124-1003	7909

466 7590 07/08/2011
YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER	
VU, KIEU D	
ART UNIT	PAPER NUMBER
2173	

NOTIFICATION DATE	DELIVERY MODE
07/08/2011	ELECTRONIC

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

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

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

DocketingDept@young-thompson.com

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YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria VA 22314

In re Application of: T. IKEGAMI
Application No. 13/120,161
Atty Docket #: **8124-1003**
Filed: March 22, 2011
For: **GUI EVALUATION SYSTEM, GUI EVALUATION METHOD, AND GUI EVALUATION PROGRAM**

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

This is a decision on the request to participate in the PCT-Patent Prosecution Highway **(PCT-PPH)** pilot program and the petition under 37 CFR 1.102(a), filed June 22, 2011 to make the above- identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application is
(a) a national stage entry of the corresponding PCT application

Or

(b) a national application which forms the basis for the priority claim in the corresponding PCT application

Or

(c) *a* national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application

Or

(d) a national application claiming foreign domestic priority to the corresponding PCT application.
Applications subject to a secrecy order (35U.S.C.181) are excluded and not subject to participation in the PCT-PPH pilot program.

Or

(e) a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) to (d) scenarios.

(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability. In case any observation is described in Box VIII of the WO/ISA, or the WO/IPEA, or the IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

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

(3) Applicant must:

a. Ensure all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application and

b. Submit a claims correspondence table in English;

The USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.

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

(5) Applicant must submit a copy of:

a. the latest international work product, WO/ISA, or WO/IPEA or PER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language, unless the U.S. application and the corresponding PCT application satisfy the relationship noted in (l)(a) above.

(6) Applicant must submit a copy of:

a. the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product of the PCT application,
b. an English translation of the claims and
c. a statement that the English translation is accurate.

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

(7) Applicant must submit:

a. An IDS listing the documents cited in the work products in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER,(unless already submitted in this application)
b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

Telephone inquiries concerning this decision should be directed to Mano Padmanabhan at 571-272-4210.

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

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

/Mano Padmanabhan/

_____

Mano Padmanabhan
Quality Assurance Specialist, Technology Center 2100, Workgroup 2180
571-272-4210

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PCT LEGAL ADMINISTRATION

WINSTEAD PC
P.O. BOX 50784
DALLAS TX 75201

In re Application of	:	DECISION ON
Lelas et al	:	
Application No.: 13/120,171	:	
PCT No.: PCT/HR2008/000003	:	
Filing Date: 29 January 2008	:	PETITION UNDER
Priority Date: 11 January 2008	:	
Attorney's Docket No.: 51473-P001WOUS	:	
For: FORMULATION BASED... FERTILIZER	:	37 CFR 1.137(b)

This decision is in response to applicants' "Petition For Revival Of An International Application For Patent Designating The U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)," filed 22 March 2011.

BACKGROUND

On 29 January 2008, this international application was filed, claiming an earliest priority date of 11 January 2008.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 11 July 2010. This international application became abandoned with respect to the United States at midnight on 11 Julu 2010 for failure to pay the required basic national fee.

On 22 March 2011, applicant filed in the United States Patent and Trademark Office (PTO) a transmittal letter for entry into the national stage in the U.S. under 35 U.S.C. 371, which was accompanied by, *inter alia*, the national basic fee, petition fee, and a petition under 37 CFR 1.137(b).

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; (2) the petition fee as set forth in § 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

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

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

DECISION

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

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

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

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DALLAS TX 75201

In re Application of	:	
LELAS et al.	:	
Application No.: 13/120,179	:	DECISION
PCT No.: PCT/HR2008/000023	:	
Int. Filing Date: 02 July 2008	:	
Priority Date: None	:	
Attorney Docket No.: 51473-P002WOUS	:	
For: FORMULATION BASED ON . . .	:	
MINERAL FERTILIZER	:	

This decision is in response to applicants' submission filed 22 March 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 02 July 2008, applicants filed international application PCT/HR2008/000023 which designated the U.S. and did not claim a priority date. A copy of the international application was communicated to the USPTO from the International Bureau on 07 January 2010. The thirty-month period for paying the basic national fee in the United States expired at midnight on 03 January 2011 (02 January 2011 being a Sunday).

On 22 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the Basic National Fee and a petition under 37 CFR 1.137(b) to revive the application.

DISCUSSION

A petition to revive the present application under 37 CFR 1.137(b) must include:
(1) The required reply;
(2) The petition fee;
(3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional.

As to item (1), applicant submitted the basic national fee on 22 March 2011.

As to item (2), applicant submitted the petition fee on 22 March 2011.

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

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

CONCLUSION

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

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application including preparing and mailing a NOTIFICATION OF MISSING REQUIREMENTS (Form PCT/DO/EO/905) requiring an executed oath or declaration of the inventor in compliance with 37 CFR 1.497(a)-(b).

/Daniel Stemmer/

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

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CESARI AND MCKENNA, LLP
88 BLACK FALCON AVENUE
BOSTON MA 02210

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NOV 09 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
BOMBARDIERI et al	:	
Application No.: 13/120,201	:	
PCT No.: PCT/IB2009/000553	:	PAPERS FILED
Int. Filing Date: 17 March 2009	:	
Priority Date: 23 September 2008	:	
Attorney's Docket No.: 108041-34	:	UNDER 37 CFR 1.42
For: WASHING MACHINE, IN PARTICULAR A LAUNDRY...	:	

This is a decision on the declaration filed 08 September 2011, which has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 22 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1). However, no executed declaration as required by 35 U.S.C. 371(c)(4) was filed at such time.

On 11 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905). The Notice indicated that the item and Oath or Declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date must be submitted within two months from the date of this notice or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

In response to the Notification mailed on 11 April 2011, applicants filed on 08 September 2011 an executed declaration signed by Fernanda Gaggioli, Maria Angela Mariotti, and Elisa Mariotti as heirs and the legal representatives of the deceased joint inventor, Constantino Mariotti.

DISCUSSION

The declaration is unacceptable at this time because it is not clear that they are the sole heirs (all the heirs) or just the legal representative for the deceased joint inventor, Constantino Mariotti. (see MPEP § 409.01(a)).

That is, there may be other heirs who are required to also sign the declaration. There must be either a statement indicating that they are the sole heirs or the declaration must indicate that they are the sole heirs and the legal representatives for the deceased joint inventor, Constantino Mariotti, to accept the application under 37 CFR 1.42.

Consequently, applicants have not satisfied the requirements under 37 CFR 1.42.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **not accepted**.

If reconsideration on the merits of this petition is desired, a proper reply must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to respond will result in the abandonment of the application. Any reconsideration request should include a cover letter entitled "Renewed Request Under 37 CFR 1.42." Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the 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.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Tel: (571) 272-3276
Fax: (571) 273-0459

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JUN 30 2011

PCT LEGAL ADMINISTRATION

Pearne & Gordon LLP
1801 East 9th Street
Suite 1200
Cleveland OH 44114-3108

In re Application of: SPIELER, Ivo, et al.
U.S. Application No.: 13/120,204
PCT No.: PCT/EP2008/062960
International Filing Date: 26 September 2008
Priority Date: 26 September 2008
Attorney's Docket No.: TSW-47631
For: WIRELESS UPDATING OF HEARING DEVICES

DECISION ON PETITION UNDER 37 CFR 1.181 AND REQUEST FOR REFUND

This decision is issued in response to applicants' "Petition To Correct Notice Of Acceptance And Request For Refund" filed on 17 June 2011, treated herein as a petition under 37 CFR 1.181 to correct the 35 U.S.C. 371(c) date accorded to the present national stage application and for a refund of the surcharge charged for purportedly filing the declaration after the thirty-month deadline. No petition fee is required.

BACKGROUND

On 26 September 2008, applicants filed international application PCT/EP2008/062960. The international application did not claim an earlier priority date, and it designated the United States. On 15 January 2009, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submitting the basic national fee was thirty months from the priority date, i.e., 26 March 2011.

On 22 March 2011, applicants filed a Transmittal Letter requesting entry into the U.S. national stage accompanied by, among other materials, payment of the basic national fee.

On 11 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 14 April 2011, applicants filed a response to the Notification Of Missing Requirements stating that a declaration was filed during the international phase and that a new declaration and surcharge payment were therefore not appropriately required in the present national stage application. The submission included a copy of the declaration filed during the international phase.

On 25 April 2011, the USPTO charged Deposit Account No. 16-0820 the $130 surcharge required by the Notification Of Missing Requirements.

On 26 April 2011, the DO/EO/US mailed a "Notification Of Acceptance" (Form PCT/DO/EO/903) identifying the "Date Of Receipt Of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements," the "Date Of Completion Of All U.S.C. 371 Requirements," and the filing date of the declaration as 14 April 2011. Also on 26 April 2011, a filing receipt was issued that identified the 35 U.S.C. 371(c) date as 14 April 2011.

On 10 May 2011, applicants filed a "Request For Refund" requesting a refund of the $130 surcharge, which was rejected by the USPTO in correspondence mailed on 19 May 2011.

On 17 June 2011, applicants filed the "Petition To Correct Notice Of Acceptance And Request For Refund" considered herein.

DISCUSSION

37 CFR 1.497(a) requires applicants to provide a declaration for national stage entry only where "a declaration in compliance with this section has not been previously submitted in the international application under PCT Rule 4.17(iv) within the time limits provided for in PCT Rule 26*ter*.1." A review of the application file confirms that an executed declaration was properly filed by applicants during the international phase under PCT Rule 4.17(iv); thus, an additional declaration was not required for national stage entry. The requirements of 35 U.S.C. 371(c)(1), (c)(2), and (c)(4), including the declaration requirement, were satisfied herein as of 22 March 2011.

The "Notification Of Missing Requirements" (Form PCT/DO/EO/905) mailed 11 April 2011, which erroneously required submission of a new declaration and the surcharge for purportedly filing the declaration later than thirty months after the priority date, is appropriately vacated.

In addition, the Notification Of Acceptance (Form PCT/DO/EO/903) mailed 26 April 2011, which incorrectly identified the "Date Of Receipt Of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements" as 14 April 2011, is also appropriately vacated.

Finally, because the executed declaration was filed during the international phase, prior to the expiration of thirty months from the priority date, the surcharge for filing the declaration later than thirty months after the priority date is not appropriately required in the present application. The $130 surcharge payment charged to applicants Deposit Account is therefore properly refunded to applicants, as requested in the present petition.

CONCLUSION

The petition under 37 CFR 1.181 to correct the 35 U.S.C. 371(c) date and the accompanying refund request are **GRANTED**.

Deposit Account No. 16-0820 will be credited with a refund of the $130 surcharge, as requested.

The "Notification Of Acceptance" (Form PCT/DO/EO/903) and filing receipt mailed 26 April 2011, as well as the "Notification Of Missing Requirements" (Form PCT/DO/EO/905) mailed 11 April 2011, are hereby **VACATED.**

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including the issuing of a corrected "Notification Of Acceptance" (Form PCT/DO/EO/903) identifying the "Date Of Receipt Of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements" as 22 March 2011, as well as a corrected filing receipt identifying the 35 U.S.C. 371(c) date as 22 March 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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

MAILED

APR 21 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
WEI, et al.	:	DECISION ON PETITION
Application No.: 13/120,207	:	
PCT No.: PCT/CN2008/073532	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 16 December 2008	:	
Priority Date: 23 June 2008	:	
Atty. Docket No.: 27444	:	
For: METHOD, SYSTEM AND DEVICE FOR FORKING AUTHENTICATION	:	

The petition to revive under 37 CFR 1.137(b) filed 22 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply form the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has provided the proper reply in the form of payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

MAILED

AUG 12 2011

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BRINKS, HOFER, GILSON & LIONE
P.O. BOX 110285
RESEARCH TRIANGLE PARK NC 27709

In re Application of: GROB, Steffen, et al.
U.S. Application No.: 13/120,208
PCT No.: PCT/EP2009/062318
International Filing Date: 23 September 2009
Priority Date: 24 September 2008
Attorney's Docket No.: 13779-681
For: PYRAZOLE COMPOUNDS FOR CONTROLLING INVERTEBRATE PESTS

DECISION REGARDING SUBMISSION UNDER 37 CFR 1.42

This decision is issued in response to applicants' "Submission Under 37 C.F.R. 1.42" filed on 04 August 2011, which included a revised declaration executed on behalf of deceased inventor Hassan OLOUMI-SADEGHI. No petition fee is required.

BACKGROUND

On 23 September 2009, applicants filed international application PCT/EP2009/062318. The international application claimed a priority date of 24 September 2008, and it designated the United States. On 01 April 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 24 March 2011.

On 22 March 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and a declaration executed by the eleven surviving joint inventors and on behalf of deceased inventor Hassan OLOUMI-SADEGHI by Gale F. MATTHEWS.

On 07 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Acceptance" (Form PCT/DO/EO/903) indicating that the requirements of 35 U.S.C. 371(c), including the declaration requirement of 35 U.S.C. 371(c)(4), were satisfied as of 22 March 2011. Also on 07 April 2011, a filing receipt was issued.

On 26 April 2011, applicants filed a "Request For Corrected Filing Receipt" requesting that the filing receipt be corrected to indicate that Hassan OLOUMI-SADEGHI was deceased and to include the deceased inventor's legal representative Gale F. MATTHEWS.

On 04 August 2011, applicants filed the "Submission Under 37 C.F.R. 1.42" and revised declaration considered herein.

DISCUSSION

Initially, it is noted that the "Notification Of Acceptance" (Form PCT/DO/EO/903) and filing receipt mailed on 07 April 2011 were issued prematurely, prior to the granting of status under 37 CFR 1.42 with respect to the deceased inventor Hassan OLOUMI-SADEGHI. The "Notification Of Acceptance" (Form PCT/DO/EO/903) and filing receipt mailed on 07 April 2011 are therefore appropriately vacated.

With respect to the declarations filed on behalf of the deceased inventor, 37 CFR 1.42 states in part:

> In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

Section 409.01(a) of the MPEP states that the application can also be executed by all of the heirs of the deceased inventor, where no legal representative has been appointed or is required to be appointed by law.

37 CFR 1.497(b)(2) states:

> If the person making the oath or declaration or any supplemental oath or declaration is not the inventor (§§ 1.42, 1.43, or 1.47) the oath or declaration shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor would have been required to state. If the person is the legal representative of a deceased inventor, the oath or declaration shall also state that the person is a legal representative and the citizenship, residence, and mailing address of the legal representative.

Pursuant to 37 CFR 1.497(b)(2), the citizenship for both the deceased inventor and the legal representative must be identified on the declaration, as well as the mailing address and residence information of the legal representative and all other information required under 37 CFR 1.497.

Here, the original declaration filed on 22 March 2011 indicates that co-inventor Hassan OLOUMI-SADEGHI is deceased, and the declaration was executed on behalf of the deceased inventor by Gale F. MATTHEWS, identified on such declaration as the deceased inventor's legal representative. However, as noted in applicants' 04 August 2011 submission, in a co-pending application the USPTO has refused to accept a declaration executed on behalf of the deceased inventor by Gale F. MATTHEWS. The declaration was rejected in such case because it appears that Gale F. MATTHEWS is an officer of the assignee, not the legal representative of the deceased inventor's estate, and therefore is not the proper person to execute the declaration on behalf of the deceased inventor under 37 CFR 1.42.

The revised declaration filed by applicant on 04 August 2011 is executed on behalf of the non-signing inventor by Faranch Oloumi, who is identified on the revised declaration and in the "Submission Under 37 C.F.R. 1.42" as the Legal Representative for the deceased inventor Hassan OLOMI-SADEGHI. The revised declaration lists the name and citizenship of all the inventors, including the deceased inventor, and it includes the required citizenship, residence, and mailing address information for Faranch Oloumi, the Legal Representative signing the declaration on behalf of the deceased inventor. The revised declaration filed on 04 August 2011 is therefore acceptable on behalf of the deceased inventor under 37 CFR 1.42 and 1.497.[1]

CONCLUSION

Based on the revised declaration filed on 04 August 2011, applicants' request for status under 37 CFR 1.42 with respect to deceased co-inventor Hassan OLOMI-SADEGHI is **GRANTED**.

The "Notification Of Acceptance" (Form PCT/DO/EO/903) and filing receipt mailed on 07 April 2011 are hereby **VACATED**.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision including the issuance of a corrected "Notification Of Acceptance" and filing receipt. The date under 35 U.S.C. 371(c)(1,)(c)(2), and (c)(4) is 04 August 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

[1] Deposit Account No. 23-1925 will be charged the $130 surcharge for filing the acceptable declaration later than thirty months after the priority date.

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/120,209	Filing date:	March 25, 2011
First Named Inventor:	Gunnar K. Storgaard Pedersen		
Title of the Invention:	TELESCOPIC VEHICLE AND METHOD FOR TRANSPORTING A LONG OBJECT		

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

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

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

The corresponding PCT application number(s) is/are: PCT/EP2009/062304

The international filing date of the corresponding PCT application(s) is/are: September 23, 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

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

(continued)

Application No.:	13/120,209
First Named Inventor:	Gunnar K. Storgaard Pedersen

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 03/22/2011; 06/20/2011

(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 03/22/2011; 06/20/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Similar in scope; no substantive changes
2	2	Similar in scope; no substantive changes
3	3	Similar in scope; no substantive changes
4	4	Similar in scope; no substantive changse
5	5	Similar in scope; no substantive changes
6	6	Similar in scope; no substantive changes
7	7	Similar in scope; no substantive changes
8	8	Combination of claims 1 and 8; multiple dependency deleted
9	9	Similar in scope; no substantive changes
10	10	Combination of claims 1 and 10; multiple dependency deleted
11	11	Similar in scope; no substantive changes
12	12	Combination of claims 1 and 12; multiple dependency deleted
13	13	Combination of claims 1 and 13; multiple dependency deleted
14	14	Combination of claims 1 and 14; multiple dependency deleted
15	15	Similar in scope; no substantive changes
16	16	Combination of claims 14 and 16; multiple dependency deleted
17	17	Multiple dependency deleted
18	18	Similar in scope; no substantive changes
19	19	Similar in scope; no substantive changes

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

Signature /Steven W. Benintendi/	Date 2011-07-12
Name (Print/Typed) Steven W. Benintendi	Registration Number 56,297

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,209
First Named Inventor:	Gunnar K. Storgaard Pedersen

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 03/22/2011; 06/20/2011

(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 03/22/2011; 06/20/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
20	20	Similar in scope; no substantive changes

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

Signature /Steven W. Benintendi/	Date 2011-07-12
Name (Print/Typed) Steven W. Benintendi	Registration Number 56,297

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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.
13/120,209	03/25/2011	Gunnar K. Storgaard Pedersen	VWS-271US	8385

83583 7590 08/26/2011

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER	
ART UNIT	PAPER NUMBER
3618	

NOTIFICATION DATE	DELIVERY MODE
08/26/2011	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):

amalik@whepatent.com
eobrien@whepatent.com
USPTODOCK@whepatent.com

UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 26 2011

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

Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati OH 45202

In re application of Gunnar K. Storgaard Pedersen Application No. 13/120,209 Filed: March 25, 2011 For: TELESCOPIC VEHICLE AND METHOD FOR TRANSPORTING A LONG OBJECT	:	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 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 must disclose an eligible relationship to one or more PCT applications filed in the EPO or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program complies with the above requirements. Therefore, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 8/25/11

Doc Code: PPH.PET.652
Document Description: Petition to Make Special Under Patent Pros Hwy

PTO/SB/20KR (02-08)
Approved for use through 12/31/2008. OMB 0651-0058
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	13,120,224	First Named Inventor:	Masahiro HASEGAWA
Filing Date:	March 22, 2011	Attorney Docket No.:	15820-000007/US/NP
Title of the Invention:	LIQUID CRYSTAL DISPLAY DEVICE		

THIS REQUEST FOR PARTICIPATION IN THE 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 PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PILOT PROGRAM.

The above-identified application validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s) or to a PCT application that does not contain any priority claim, or (2) is a national stage entry of a PCT application that does not contain any priority claim.

For instance, the above application is a US National Stage entry of PCT Application No. PCT/JP2010/068614 filed October 21, 2010, which claims priority to JP 2009-275667 filed December 3, 2009.

The claims of the subject application, as reflected in the Preliminary Amendment filed concurrent with the application, substantially correspond to the claims of PCT/JP2010/068614 filed October 21, 2010.

I. List of Required Documents:

A. **A copy of all JP office actions which are relevant to patentability (excluding "Decisions to Grant a Patent"*) in the above-identified JPO application(s)**

☒ No qualifying Office Actions issued.

☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

B. **A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s).**

☒ Is attached as part of PCT/JP2010/068614.

☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System

C. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language).**

D. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ No documents cited.
☒ Has already been filed in the above-identified U.S. application on **March 22, 2011.**

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

☐ No documents cited.
☒ Have already been filed in the above-identified U.S. application on **March 22, 2011.**

This collection of information is required by 37 CFR 1.8. 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 by35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 24 minutes 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, VA22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	New National Stage Application	First Named Inventor:	Masahiro HASEGAWA

II. Claims Correspondence Table;

Claims in US Application (see Preliminary Amendment filed with the application)	Patentable Claims in PCT/JP2009/07055	Explanation regarding the correspondence
1	4	Same
5	5	Same
6	6	Same, but multiple dependency of PCT is change to depend on claim 1 in U.S.
7	7	Same, but multiple dependency of PCT is change to depend on claim 1 in U.S.
8	8	Same, but multiple dependency of PCT is change to depend on claim 1 in U.S.
9	9	Same

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

IV. Payment of Fees: NO FEE REQUIRED

Signature	Date March 22, 2011
Name (Printed/Typed) Donald J. Daley	Registration Number 34,313

988938.1

OPAP IAP13
APR 1 4 2011
PATENT & TRADEMARK OFFICE

Doc Code: PPH.PET.652
Document Description: Petition to Make Special Under Patent Pros Hwy

PTO/SB/20KR (02-08)
Approved for use through 12/31/2008. OMB 0651-0058
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	13/120,224	First Named Inventor:	Masahiro HASEGAWA
Filing Date:	March 22, 2011	Attorney Docket No.:	15820-000007/US/NP
Title of the Invention:	LIQUID CRYSTAL DISPLAY DEVICE		

THIS REQUEST FOR PARTICIPATION IN THE 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 PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PILOT PROGRAM.

The above-identified application validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more corresponding JPO application(s) or to a PCT application that does not contain any priority claim, or (2) is a national stage entry of a PCT application that does not contain any priority claim.

For instance, the above application is a US National Stage entry of PCT Application No. PCT/JP2010/068614 filed October 21, 2010, which claims priority to JP 2009-275667 filed December 3, 2009.

The claims of the subject application, as reflected in the Preliminary Amendment filed concurrent with the application, substantially correspond to the claims of PCT/JP2010/068614 filed October 21, 2010.

I. **List of Required Documents:**

A. **A copy of all JP office actions which are relevant to patentability (excluding "Decisions to Grant a Patent"*) in the above-identified JPO application(s)**

☒ No qualifying Office Actions issued.

☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

B. **A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s).**

☒ Is attached as part of PCT/JP2010/068614.

☐ Is available via Dossier Access System. Applicant hereby requests that the USPTO obtain these documents via the Dossier Access System

C. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language).**

D. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ No documents cited.
☒ Has already been filed in the above-identified U.S. application on **March 22, 2011.**

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

☐ No documents cited.
☒ Have already been filed in the above-identified U.S. application on **March 22, 2011.**

This collection of information is required by 37 CFR 1.8. 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 by35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 24 minutes 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, VA22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	13/120,224	First Named Inventor:	Masahiro HASEGAWA

II. Claims Correspondence Table;

Claims in US Application (see Preliminary Amendment filed with the application)	Patentable Claims in PCT/JP**2010/068614**	Explanation regarding the correspondence
1	4	Same
5	5	Same
6	6	Same, but multiple dependency of PCT is change to depend on claim 1 in U.S.
7	7	Same, but multiple dependency of PCT is change to depend on claim 1 in U.S.
8	8	Same, but multiple dependency of PCT is change to depend on claim 1 in U.S.
9	9	Same

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

IV. Payment of Fees: NO FEE REQUIRED

Signature	Date April 14, 2011
Name (Printed/Typed) Donald J. Daley	Registration Number 34,313

1156299.1

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.
13/120,224	04/18/2011	Masahiro Hasegawa	15820-000007/US/NP	8541

30593 7590 07/12/2011

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON, VA 20195

EXAMINER	
NELMS, DAVID C	

ART UNIT	PAPER NUMBER
2871	

MAIL DATE	DELIVERY MODE
07/12/2011	PAPER

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

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

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United States Patent and Trademark Office
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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON VA 20195

In re Application of	**: DECISION ON REQUEST TO**
HASEGAWA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,224	**: PROSECUTION HIGHWAY**
Filed: 18 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 15820-000007/US/NP	**: TO MAKE SPECIAL UNDER**
For: LIQUID CRYSTAL DISPLAY DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 22 March 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

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

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-2) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (3).

Regarding the requirement of condition (3), applicant has failed to submit an English translation a copy of the claims from the PCT applications that have novelty, inventive step, and industrial applicability along with a statement that the English translation is accurate.

Regarding the requirement of condition (4), it cannot be determined if condition (4) is met since condition (3) has not been met.

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

Patent
Attorney Docket No. 1034290-000055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	Group Art Unit: Unassigned
Eiji ITAMI et al.	Confirmation No.: 8881
Application No.: 13/120,274	
Filed: March 22, 2011	
For: APPARATUS FOR CONTROLLING OPENING/CLOSING BODY	

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY PROGRAM BETWEEN THE USPTO AND THE JPO BASED ON PCT WORK PRODUCTS

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

Sir:

In accordance with the U.S. Patent and Trademark Office Notice signed on January 23, 2010 setting forth the Patent Prosecution Highway Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products (hereinafter "Notice"), submitted with this paper is a Request for Participation in the PCT-PPH Pilot Program between the JPO and the USPTO (hereinafter "Request"). By way of the accompanying Request, Applicant requests participation in the PCT-PPH Program and petitions to make this application special under the PCT-PPH program.

This application is the U.S. national stage application of International Application No. PCT/JP2009/068503 (hereinafter "corresponding international application"). Accordingly, the relationship between this U.S. application for which participation in the PCT-PPH pilot program is requested, and the corresponding international application satisfies requirement B(1)(a) illustrated in the Notice.

Applicant has therefore fully complied with the requirement of identifying the relationship between this U.S. application and the PCT application.

The latest work product of the Japan Patent Office (JPO) in the corresponding international application, namely the Written Opinion of the International Searching Authority (hereinafter "Written Opinion"), states that all of the claims in the corresponding international application satisfy the requirements of novelty, inventive step, and industrial applicability. A copy of the Written Opinion constituting the latest work product of the Japan Patent Office (JPO) in the corresponding international application is attached, together with an English language translation of the Written Opinion.

Also submitted is a copy of the claims from the corresponding international application which the Written Opinion states satisfy the novelty, inventive step and industrial applicability requirements. These claims are accompanied by an English language translation of the claims.

The English language translation of the Written Opinion and the English language translation of the claims are accompanied by a statement that the English language translations are accurate.

Claims 1-6 in this U.S. national stage application are the same as Claims 1-6 respectively in the corresponding international application, except for elimination of multiple dependencies in several of the dependent claims. The accompanying Request includes a claims correspondence table indicating how the claims in this U.S. national stage application correspond to the claims in the corresponding international application.

The documents cited in the Written Opinion are listed in the First Information Disclosure Statement filed with this application on March 22, 2011, and copies of the listed documents, other than the U.S. patents and U.S. patent application publications, were provided.

The Director is hereby authorized to charge any other appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 23, 2011 By: _____

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

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.:	13/120,274	Filing date:	March 22, 2011
First Named Inventor:	Eiji ITAMI		
Title of the Invention:	APPARATUS FOR CONTROLLING OPENING/CLOSING BODY		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/068503

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

Document Description: Petition to make special under Patent Pros Hwy

Under the 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.:	13/120,274
First Named Inventor:	Eiji ITAMI

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ Is attached.

☒ Has already been filed in the above identified U.S. Application on March 22, 2011

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

☐ Are attached.

☒ Have already been filed in the above identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	U.S. Claim 1 substantially corresponds to PCT Claim 1 .
2	2	U.S. Claim 2 substantially corresponds to PCT Claim 2.
3	3	U.S. Claim 3 substantially corresponds to PCT Claim 3.
4	4	U.S. Claim 4 substantially corresponds to PCT Claim 4, except for dependency..
5	5	U.S. Claim 5 substantially corresponds to PCT Claim 5.
6	6	U.S. Claim 6 substantially corresponds to PCT Claim 6, except for dependency.

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

Signature	Matthew L Schneider	Date	March 23, 2011
Name (Print/Typed)	Matthew L. Schneider	Registration Number	32,814

Translator's Declaration

I, Hirotsugu HORI, hereby state that I am knowledgeable in the Japanese and English languages and that the attachments are, to the best of my knowledge and belief, true and accurate English translations of the Written Opinion of the International Searching Authority issued in International Application No. PCT/JP2009/068503 and of originally filed Claims 1-6 which the aforementioned Written Opinion states meet the novelty, inventive step and industrial applicability requirements.

March 23, 2011
Date

H. Hori
Signature Hirotsugu HORI

EPS 3-12-11

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
北村修一郎
様

あて名
〒530-0005
日本国大阪府大阪市北区中之島三丁目３番３号

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

発送日 (日.月.年)	08. 12. 2009
出願人又は代理人 の書類記号　PCT109-074	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／JP2009／068503	(日.月.年)　28. 10. 2009	(日.月.年)　18. 11. 2008

国際特許分類（IPC）Int.Cl. E05B65/32(2006.01)i, E05F15/20(2006.01)i

出願人（氏名又は名称）
アイシン精機株式会社

１．この見解書は次の内容を含む。

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

２．今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則 66.1 の 2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
25. 11. 2009

名称及びあて先	特許庁審査官（権限のある職員）	2R	3717
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	島本　公仁 電話番号　０３－３５８１－１１０１　内線　３２８５		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００７年４月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０６８５０３

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／ＪＰ２００９／０６８５０３

第Ｖ欄　新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1．　見解

新規性（N）	請求項	1－6	有
	請求項		無
進歩性（ＩＳ）	請求項	1－6	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－6	有
	請求項		無

2．　文献及び説明

文献１：JP 2003-120105 A（株式会社大井製作所）2003.04.23,　【0005】,【0063】,【図15】,【図16】

請求項１に係る発明は、国際調査報告に引用された文献にも記載されておらず、当業者にとって自明のものではない。文献１には、ストライカ、ラッチ、変位体が記載されている。しかしながら、文献１には、第１検知部、第２検知部及びクローズ領域から、中立領域に復帰させる中立復帰動作の開始後、所定時間内に第１検知信号及び第２検知信号が検出されない場合に開閉体の移動速度を低下させるブレーキ制御をおこなう制御ユニットが記載されておらず、請求項１に係る発明では、これにより、利用者の意図に反してバックドアが開閉動作してしまうおそれがないという有効な効果を発揮する。

請求項２に係る発明は、国際調査報告に引用された文献にも記載されておらず、当業者にとって自明のものではない。文献１には、ストライカ、ラッチ、変位体が記載されている。しかしながら、文献１には、第１検知部、第２検知部及びリリース領域から、中立領域に復帰させる中立復帰動作の開始後、所定時間内に第１検知信号及び第２検知信号が検出されない状態で、ラッチによるストライカの引き込み動作条件が成立した場合に、クローズ開始すると共に、開閉体の移動速度を低下させるブレーキ制御をおこなう制御ユニットが記載されておらず、請求項２に係る発明では、これにより、利用者の意図に反してバックドアが開閉動作してしまうおそれがないという有効な効果を発揮する。

請求項３に係る発明は、国際調査報告に引用された文献にも記載されておらず、当業者にとって自明のものではない。文献１には、ストライカ、ラッチ、変位体が記載されている。しかしながら、文献１には、第１検知部、第２検知部及び中立復帰動作の開始後、第１検知信号、第２検知信号が検出されずにクローズ動作が行われた場合に、開閉体の移動速度を監視し、移動速度に基づいてブレーキ制御の有無を判断する制御ユニットが記載されておらず、請求項３に係る発明では、これにより、利用者の意図に反してバックドアが開閉動作してしまうおそれがないという有効な効果を発揮する。

補充欄

いずれかの欄の大きさが足りない場合

第 V 欄の続き

請求項４に係る発明は、国際調査報告に引用された文献にも記載されておらず、当業者にとって自明のものではない。文献１には、ストライカ、ラッチ、変位体が記載されている。しかしながら、文献１には、第１検知部、第２検知部及び中立復帰動作の開始後、第１検知信号、第２検知信号が検出されずにクローズ動作が行われた場合に、開閉体の移動速度を監視し、移動速度に基づいてブレーキ制御の有無を判断する制御ユニットが記載されておらず、請求項４に係る発明では、これにより、利用者の意図に反してバックドアが開閉動作してしまうおそれがないという有効な効果を発揮する。

請求項５に係る発明は、国際調査報告に引用された文献にも記載されておらず、当業者にとって自明のものではない。文献１には、ストライカ、ラッチ、変位体が記載されている。しかしながら、文献１には、第１検知部、第２検知部及び開閉体と開閉体を開閉するモータとの間に、モータの動力を断続するクラッチ機構において移動速度を予め設定された所定速度以下とする制御が記載されておらず、請求項５に係る発明では、これにより、利用者の意図に反してバックドアが開閉動作してしまうおそれがないという有効な効果を発揮する。

請求項６に係る発明は、国際調査報告に引用された文献にも記載されておらず、当業者にとって自明のものではない。文献１には、ストライカ、ラッチ、変位体が記載されている。しかしながら、文献１には、第１検知部、第２検知部及びブレーキ制御時において開閉体の移動速度をゼロとする制御ユニットが記載されておらず、請求項６に係る発明では、これにより、利用者の意図に反してバックドアが開閉動作してしまうおそれがないという有効な効果を発揮する。

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

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

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

2. FURTHER ACTION

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

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

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

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed.

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

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (means)

☐ on paper

☐ in electronic form

b. (time)

☐ in the international application as filed

☐ together with the international application in electronic form

☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

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

1. Statement

Novelty(N)	Claims	1-6	YES
	Claims		NO
Intensive step(IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability(IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations

Document 1: JP2003-120105A (Ohi Seisakusho Co., Ltd) April 23, 2003 [0005], [0063], [Fig. 15] and [Fig. 16]

The invention of claim 1 is not disclosed in the document cited in the International Search Report, and not obvious to those skilled in the art. Document 1 describes the striker, the latch, and the displacement body. However, Document 1 fails to describe the first detecting section, the second detecting section, and the control unit for effecting the braking control for reducing the moving speed of the opening/closing body if neither the first detection signal nor the second detection signal is detected within a predetermined period after starting of the neutral returning movement of the opening/closing body for returning the displacement body from the closing region to the neutral region. The invention of claim 1 with such a feature exerts an effective advantage of preventing the opening/closing of the rear seat door against the user's will.

The invention of claim 2 is not disclosed in the document cited in the International Search Report, and not obvious to those skilled in the art. Document 1 describes the striker, the latch, and the displacement body. However, Document 1 fails to describe the first detecting section, the second detecting section, and the control unit for effecting the braking control for starting the latch closing movement and reducing the moving speed of the opening/closing body if the drawing-in condition for the striker by the latch is established when neither the first detection signal nor the second detection signal is detected within a predetermined period after starting of the neutral returning movement of the opening/closing body for returning the displacement body from the releasing region to the neutral region. The invention of claim 2 with such a feature exerts an effective advantage of preventing the opening/closing of the rear seat door against the user's will.

The invention of claim 3 is not disclosed in the document cited in the International Search Report, and not obvious to those skilled in the art. Document 1 describes the striker, the latch, and the displacement body. However, Document 1 fails to describe the first detecting section, the second detecting section, and the control unit for monitoring the moving speed of the opening/closing body in case the latch closing movement is effected in the absence of detections of the first detection signal and the second detection signal after starting of the neutral returning movement, and to determine presence/absence of the braking control based on the monitored moving speed. The invention of claim 3 with such a feature exerts an effective advantage of preventing the opening/closing of the rear seat door against the user's will.

The invention of claim 4 is not disclosed in the document cited in the International Search Report, and not obvious to those skilled in the art. Document 1 describes the striker, the latch, and the displacement body. However, Document 1 fails to describe the first detecting section, the second detecting section, and the control unit for monitoring the moving speed of the opening/closing body in case the latch closing movement is effected in the absence of detections of the first detection signal and the second detection signal after starting of the neutral returning movement, and to determine presence/absence of the braking control based on the monitored moving speed. The invention of claim 4 with such a feature exerts an effective advantage of preventing the opening/closing of the rear seat door against the user's will.

The invention of claim 5 is not disclosed in the document cited in the International Search Report, and not obvious to those skilled in the art. Document 1 describes the striker, the latch, and the displacement body. However, Document 1 fails to describe the first detecting section, the second detecting section, and the braking control for rendering the moving speed of the opening/closing body below a predetermined speed, in the clutch mechanism which is disposed between the opening/closing body and the motor for opening/closing this opening/closing body, and configured to transmit/interrupt the power of the motor. The invention of claim 5 with such a feature exerts an effective advantage of preventing the opening/closing of the rear seat door against the user's will.

The invention of claim 6 is not disclosed in the document cited in the International Search Report, and not obvious to those skilled in the art. Document 1 describes the striker, the latch, and the displacement body. However, Document 1 fails to describe the first detecting section, the second detecting section, and the control unit for rendering the moving speed of the opening/closing body zero in the braking control. The invention of claim 6 with such a feature exerts an effective advantage of preventing the opening/closing of the rear seat door against the user's will.

請求の範囲

[請求項1] 開閉体を自動で開閉させる開閉体制御装置であって、

ストライカの引き込みと開放とを行うラッチと、

ラッチ操作機構を介して前記ラッチを操作すると共に、前記ラッチを引き込み状態にさせるクローズ領域と前記ラッチを開放状態にするリリース領域と前記クローズ領域及び前記リリース領域の間に位置する中立領域とを含む移動領域の間で移動変位される変位体と、

前記変位体が前記中立領域の前記クローズ領域側の第１境界部を通過した時に第１検知信号を出力する第１検知部と、

前記変位体が前記中立領域の前記リリース領域側の第２境界部を通過した時に第２検知信号を出力する第２検知部と、

前記変位体のクローズ動作後に当該変位体を前記クローズ領域から前記中立領域に復帰させる中立復帰動作の開始後、所定時間内に前記第１検知信号及び前記第２検知信号が検出されない場合に、前記開閉体の移動速度を低下させるブレーキ制御を行う制御ユニットと、

を備える開閉体制御装置。

[請求項2] 開閉体を自動で開閉させる開閉体制御装置であって、

ストライカの引き込みと開放とを行うラッチと、

ラッチ操作機構を介して前記ラッチを操作すると共に、前記ラッチを引き込み状態にさせるクローズ領域と前記ラッチを開放状態にするリリース領域と前記クローズ領域及び前記リリース領域の間に位置する中立領域とを含む移動領域の間で移動変位される変位体と、

前記変位体が前記中立領域の前記クローズ領域側の第１境界部を通過した時に第１検知信号を出力する第１検知部と、

前記変位体が前記中立領域の前記リリース領域側の第２境界部を通過した時に第２検知信号を出力する第２検知部と、

前記変位体のリリース動作後に当該変位体を前記リリース領域から前記中立領域に復帰させる中立復帰動作の開始後、所定時間内に前記

第１検知信号及び前記第２検知信号が検出されない状態で前記ラッチによる前記ストライカの引き込み動作条件が成立した場合に、クローズ動作を開始すると共に、前記開閉体の移動速度を低下させるブレーキ制御を行う制御ユニットと、

を備える開閉体制御装置。

[請求項3] 前記制御ユニットは、前記中立復帰動作の開始後、前記第１検知信号及び前記第２検知信号が検出されずに前記クローズ動作が行われた場合に、前記開閉体の移動速度を監視し、当該移動速度に基づいて前記ブレーキ制御の有無を判断する請求項２記載の開閉体制御装置。

[請求項4] 前記開閉体と当該開閉体を開閉するモータとの間に、当該モータの動力を断続するクラッチ機構が備えられ、

前記ブレーキ制御は、前記開閉体の移動速度を予め設定された所定速度以下とする制御である請求項１から３のいずれか一項に記載の開閉体制御装置。

[請求項5] 前記制御ユニットは、前記開閉体の移動速度と前記クラッチ機構の断続時間との関係を示すマップに基づいて前記ブレーキ制御を行う請求項４に記載の開閉体制御装置。

[請求項6] 前記制御ユニットは、前記ブレーキ制御時においては前記開閉体の移動速度をゼロとするように制御する請求項１から５のいずれか一項に記載の開閉体制御装置。

Claims

[claim 1] An apparatus for controlling an opening/closing body for automatically opening/closing the opening/closing body, the apparatus comprising:

a latch for drawing in and releasing a striker;

a displacement body for operating said latch via a latch operating mechanism, said displacement body being movable and displaced between movable regions including a latch closing region for drawing in said latch, a latch releasing region for releasing said latch and a neutral region located between said latch closing region and said latch releasing region;

a first detecting section configured to output a first detection signal in response to passage of the displacement body through a first boundary portion of the neutral region on the side of the closing region;

a second detecting section configured to output a second detection signal in response to passage of the displacement body through a second boundary portion of the neutral region on the side of the releasing region; and

a control unit for effecting braking control for reducing the moving speed of the opening/closing body if neither the first detection signal nor the second detection signal are detected within a predetermined period after starting of a neutral returning movement which is effected after the latch closing movement of the opening/closing body for returning said displacement body from said latch closing region to said neutral region.

[claim 2] An apparatus for controlling an opening/closing body for automatically opening/closing the opening/closing body, the apparatus comprising:

a latch for drawing in and releasing a striker;

a displacement body for operating said latch via a latch operating

mechanism, said displacement body being movable and displaced between movable regions including a latch closing region for drawing in said latch, a latch releasing region for releasing said latch and a neutral region located between said latch closing region and said latch releasing region;

a first detecting section configured to output a first detection signal in response to passage of the displacement body through a first boundary portion of the neutral region on the side of the closing region;

a second detecting section configured to output a second detection signal in response to passage of the displacement body through a second boundary portion of the neutral region on the side of the releasing region; and

a control unit for effecting braking control for starting a latch closing movement and reducing the moving speed of the opening/closing body if a drawing-in condition for said striker by said latch is established when neither the first detection signal nor the second detection signal are detected within a predetermined period after starting of a neutral returning movement which is effected after the latch closing movement of the opening/closing body for returning said displacement body from said releasing region to said neutral region.

[claim 3] The opening/closing body controlling apparatus according to claim 2, wherein said control unit is configured to monitor the moving speed of the opening/closing body in case the latch closing movement is effected in the absence of detections of the first detection signal and the second detection signal and to determine presence/absence of said braking control based on the monitored moving speed.

[claim4] The opening/closing body controlling apparatus according to any one of claims 1-3, further comprising a clutch mechanism disposed between said opening/closing body and a motor for opening/closing

this opening/closing body, said clutch mechanism transmitting/interrupting the power of said motor; and

wherein said braking control is configured to render the moving speed of said opening/closing body below a predetermined speed.

[claim 5] The opening/closing body controlling apparatus according to claim 4, wherein said control unit is configured to effect said braking control based upon a map showing correlation between moving speeds of the opening/closing body and power transmitting/interrupting periods of said clutch mechanism.

[claim 6] The opening/closing body controlling apparatus according to any one of claims 1-5, wherein said control unit is configured to render the moving speed of the opening/closing body zero in said braking control.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,274	03/22/2011	Eiji Itami	1034290-000055	8881

21839 7590 06/09/2011
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER	
LUGO, CARLOS	

ART UNIT	PAPER NUMBER
3674	

NOTIFICATION DATE	DELIVERY MODE
06/09/2011	ELECTRONIC

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

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

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

ADIPFDD@bipc.com
offserv@bipc.com

UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 0 8 2011

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BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA VA 22313-1404

In re application of
Itami et al.
Application No. 13/120,274
Filed: March 22, 2011
For: APPARATUS FOR CONTROLLING OPENING/CLOSING BODY

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 23, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

In light of the petition being properly submitted via EFS-Web as is required, the request to participate in the PPH program complies with the above requirements, the above-identified application has been accorded "special" status.

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

The application is being forwarded to the examiner for action on the merits commensurate with this decision as soon as any pre-exam processing has been completed.

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 06/07/11

Patent
Attorney Docket No. 1034290-000060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	Group Art Unit: Unassigned
Yoshikuni ITO et al.	Confirmation No.: 8908
Application No.: 13/120,280	
Filed: March 22, 2011	
For: ROTARY VALVE APPARATUS	

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY PROGRAM BETWEEN THE USPTO AND THE JPO BASED ON PCT WORK PRODUCTS

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

Sir:

In accordance with the U.S. Patent and Trademark Office Notice signed on January 23, 2010 setting forth the Patent Prosecution Highway Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products (hereinafter "Notice"), submitted with this paper is a Request for Participation in the PCT-PPH Pilot Program between the JPO and the USPTO (hereinafter "Request"). By way of the accompanying Request, Applicant requests participation in the PCT-PPH Program and petitions to make this application special under the PCT-PPH program.

This application is the U.S. national stage application of International Application No. PCT/JP2009/070478 (hereinafter "corresponding international application"). Accordingly, the relationship between this U.S. application for which participation in the PCT-PPH pilot program is requested, and the corresponding international application satisfies requirement B(1)(a) illustrated in the Notice.

Applicant has therefore fully complied with the requirement of identifying the relationship between this U.S. application and the PCT application.

The latest work product of the Japan Patent Office (JPO) in the corresponding international application, namely the Written Opinion of the International Searching Authority (hereinafter "Written Opinion"), states that: i) all of the claims in the corresponding international application satisfy the industrial applicability requirement; ii) Claims 4-8, 10 and 11 satisfy the novelty requirement; and iii) Claims 6-8, 10 and 11 satisfy the inventive step requirements. A copy of the Written Opinion constituting the latest work product of the Japan Patent Office (JPO) in the corresponding international application is attached, together with an English language translation of the Written Opinion.

Also submitted is a copy of the claims from the corresponding international application which are discussed in the Written Opinion. These claims are accompanied by an English language translation of the claims.

The English language translation of the Written Opinion and the English language translation of the claims are accompanied by a statement that the English language translations are accurate.

The WO/ISA includes observations in Box VIII regarding Claims 8, 10 and 11. Accompanying this Submission is a paper identifying those observations and explaining why Claims 8, 10 and 11 are not subject to the observations in Box VIII of the WO/ISA.

The accompanying Request includes a claims correspondence table indicating how the claims in this U.S. national stage application correspond to the claims in the corresponding international application. Briefly stated, Claim 1 is amended to include the subject matter of Claim 6 (which satisfies the novelty,

inventive step and industrial applicability requirements), and the subject matter of original Claim 1 is added to Claim 7 (which satisfies the novelty, inventive step and industrial applicability requirements).

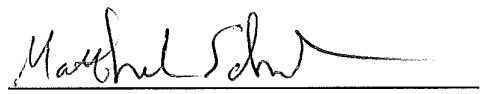
The documents cited in the Written Opinion are listed in the First Information Disclosure Statement filed with this application on March 22, 2011, and copies of the listed documents, other than the U.S. patents and U.S. patent application publications, were provided.

The Director is hereby authorized to charge any other appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 23, 2011 By: 

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
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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.:	13/120,280	Filing date:	March 22, 2011
First Named Inventor:	Yoshikuni ITO		
Title of the Invention:	ROTARY VALVE 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 the U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/070478

The international date of the corresponding PCT application(s) is/are: December 7, 2009

I. List of Required Documents:

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

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

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

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

c. **English translations of the documents in a. and b. above are attached (if the documents are not in 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.

Document Description: Petition to make special under Patent Pros Hwy
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO
(continued)

Application No.:	13/120,280
First Named Inventor:	Yoshikuni ITO

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ Is attached.

☒ Has already been filed in the above identified U.S. Application on March 22, 2011

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

☐ Are attached.

☒ Have already been filed in the above identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	6	US Claim 1 is amended to include the subject matter of Claim 6.
2	2	US Claim 2 substantially corresponds to PCT Claim 2.
3	3	US Claim 3 substantially corresponds to PCT Claim 3, except for dependency.
4	4	US Claim 4 substantially corresponds to PCT Claim 4, except for dependency
5	5	US Claim 5 substantially corresponds to PCT Claim 5.
7	7	US Claim 7 is amended to include the subject matter of Claim 1.
8	8	US Claim 8 substantially corresponds to PCT Claim 8, except for dependency.
9	9	US Claim 9 substantially corresponds to PCT Claim 9, except for dependency.
10	10	US Claim 10 substantially corresponds to PCT Claim 10, except for dependency.
11	11	US Claim 11 substantially corresponds to PCT Claim 11, except for dependency.

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

Signature	Matthew Schneider	Date	March 23, 2011
Name (Print/Typed)	Matthew L. Schneider	Registration Number	32,814

Patent
Attorney Docket No. 1034290-000060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: Unassigned
	)	
Atsushi ITO et al.	)	Confirmation No.: 8908
	)	
Application No.: 13/120,280	)	
	)	
Filed: March 22, 2011	)	
	)	
For: ROTARY VALVE APPARATUS	)	

IDENTIFICATION OF OBSERVATIONS IN BOX VIII OF THE WO/ISA AND EXPLANATION ABOUT WHY CLAIMS ARE NOT SUBJECT TO OBSERVATIONS

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

Sir:

Box VIII of the WO/ISA issued in the international application corresponding to this U.S. national stage application includes the following observations.

With respect to Claim 8, Box VIII of the WO/ISA states that: i) the phrase "first peripheral end face" in line 19 should be changed to --second peripheral end face--; ii) the phrase "first peripheral end face" in line 30 should be changed to --fourth peripheral end face--; and iii) the phrase "second fluid passageway" in line 30 should be changed to --third fluid passageway--.

The Preliminary Amendment filed on March 22, 2011 in this application adopts the first two suggestions made in Box VIII. However, the phrase "second fluid passageway" in line 30 is correct and has thus not been amended. Claim 8 is thus not subject to the observations in Box VIII of the WO/ISA.

Box VIII of the WO/ISA observes that Claim 10 depends from any one of Claims 1-9, but the "urging mechanism" recited in Claim 10 is first defined in Claim 7, thus rendering Claim 10 indefinite in terms of its dependence from Claims 1-6 and 8.

By way of the Preliminary Amendment filed on March 22, 2011, Claim 10 is amended to depend only from Claim 7. Claim 10 is thus not subject to the observation in Box VIII of the WO/ISA.

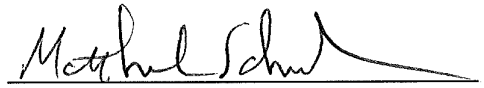
The last observation in Box VIII of the WO/ISA involves Claim 11. Here it is observed that Claim 11 depends from any one of Claims 1-10, but the claim refers to the "sealing portion" which is first defined in Claim 7, thus rendering the claim indefinite insofar as it depends from Claims 1-6 and 8. By way of the Preliminary Amendment filed on March 22, 2011, Claim 11 is amended to depend only from Claim 7, and so Claim 11 is not subject to the observations in Box VIII of the WO/ISA.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 23, 2011

By: 

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

Translator's Declaration

I, Noboru IIDA, hereby state that I am knowledgeable in the Japanese and English languages and that the attachments are, to the best of my knowledge and belief, true and accurate English translations of the Written Opinion of the International Searching Authority issued in International Application No. PCT/JP2009/070478 and of originally filed Claims 1-11 which are discussed in the aforementioned Written Opinion.

March 23, 2011
Date

N. Iida
Signature Noboru IIDA

請求の範囲

[請求項1] 流体通路を備えるケーシングと、

前記ケーシングに回転自在に配設され、回転することにより前記流体通路を流れる流体の流通状態を制御する回転子と、

前記回転子を回転させる駆動機構と、

前記駆動機構からの回転力を前記回転子に伝達すると共に、前記駆動機構の回転の非駆動時において前記回転子の回転を禁止するロック機構と、を備える回転式バルブ装置。

[請求項2] 前記ロック機構は、前記駆動機構からの回転力の伝達経路上に設けられる請求項１記載の回転式バルブ装置。

[請求項3] 前記ロック機構は、前記流体の流体圧が前記回転子に作用しても、前記回転子の回転を禁止する請求項１または２に記載の回転式バルブ装置。

[請求項4] 前記流体通路は少なくとも第１の流体通路と第２の流体通路とを有し、

前記回転子は回転することにより、前記流体が前記第１の流体通路と前記第２の流体通路とのどちらか一方に流れるように制御する請求項１～３のいずれか一項に記載の回転式バルブ装置。

[請求項5] 前記流体通路は、第１の流通口と、第２の流通口と、第３の流通口とを有し、

前記第１の流体通路は、前記第１の流通口と、前記第３の流通口と、前記第１の流通口と前記第３の流通口とを連通する第１の連絡路からなり、

前記第２の流体通路は、前記第２の流通口と、前記第３の流通口と、前記第２の流通口と前記第３の流通口とを連通する第２の連絡路からなる請求項４記載の回転式バルブ装置。

[請求項6] 前記ケーシングは、前記回転子を収容する収容空間を有し、

前記収容空間は、前記回転子の回転軸と同軸の円環状の内周壁に囲

まれ、

前記内周壁は、前記収容空間に突出するとともに前記回転軸を挟んで対向する第１の突出部及び第２の突出部を有し、

前記第１の突出部及び前記第２の突出部は、前記回転軸に垂直な断面において先端部が前記回転軸と同軸の円弧状を呈する請求項１～５のいずれか一項に記載の回転式バルブ装置。

[請求項7] 前記回転子が回転して前記回転子と前記ケーシングとが当接することによりシール状態となるシール部と、

前記ロック機構と前記回転子との間に前記回転子を前記シール状態に維持する付勢機構を備えてある請求項１～６のいずれか一項に記載の回転式バルブ装置。

[請求項8] 前記第１の突出部は、前記第１の突出部の周方向一側に第１の周方向端面と、前記第１の突出部の周方向他側に第２の周方向端面を有し、

前記第２の突出部は、前記第２の突出部の周方向一側に位置すると共に前記内周壁の周方向において前記第１の周方向端面と対向する第３の周方向端面と、前記第２の突出部の周方向他側に位置すると共に前記内周壁の周方向おいて前記第２の周方向端面と対向する第４の周方向端面を有し、

前記回転子は、前記回転軸を挟んで前記回転軸に垂直な方向の一側に配設される第１仕切部と前記回転軸に垂直な方向の他側に配設される第２仕切部を有し、

前記第１仕切部及び前記第２仕切部は、少なくとも前記回転軸の軸方向に延在する平板状を呈し、

前記第１仕切部は、その一方の面で少なくとも前記第１の突出部の前記第１の周方向端面と当接可能な第１当接部と、その他方の面で少なくとも前記第２の突出部の前記第３の周方向端面と当接可能な第２当接部を有し、

前記第２仕切部は、その一方の面で少なくとも前記第１の突出部の前記第１の周方向端面と当接可能な第３当接部と、その他方の面で少なくとも前記第２の突出部の前記第３の周方向端面と当接可能な第４当接部を有し、

前記回転子が一方に回転することによって、前記第１仕切部の前記第１当接部が前記第１の突出部の前記第１の周方向端面に当接し、前記第２仕切部の前記第４当接部が前記第２の突出部の前記第４の周方向端面に当接することにより、前記第１の流体通路と前記第２の流体通路との連通を遮断するシール状態となり、

前記回転子が他方に回転することによって、前記第１仕切部の前記第２当接部が前記第２の突出部の前記第３の周方向端面に当接し、前記第２仕切部の前記第３当接部が前記第１の突出部の前記第２の周方向端面に当接することにより、前記第１の流体通路と前記第２の流体通路との連通を遮断するシール状態となる請求項６に記載の回転式バルブ装置。

[請求項9] 前記ロック機構がウォームギアを有する請求項１～８のいずれか一項に記載の回転式バルブ装置。

[請求項10] 前記付勢機構がばねを有する請求項１～９のいずれか一項に回転式バルブ装置。

[請求項11] 前記シール部が弾性部材を有する請求項１～１０のいずれか一項に記載の回転式バルブ装置。

Claims

[claim 1] A rotary valve apparatus comprising:

a casing having a fluid passageway;

a rotor rotatably mounted in the casing and configured to control, by rotation thereof, a flow state of fluid flowing in the fluid passageway;

a drive mechanism for rotating the rotor; and

a lock mechanism configured to allow transmission of a rotational force from the drive mechanism to the rotor and to inhibit rotation of the rotor under non-rotation driving state of the driving mechanism.

[claim 2] The rotary valve apparatus according to claim 1, wherein said lock mechanism is incorporated in a rotational force transmission pathway from said drive mechanism.

[claim 3] The rotary valve apparatus according to claim 1 or 2, wherein said lock mechanism inhibits the rotation of the rotor even when the fluid pressure of the fluid is applied to this rotor.

[claim 4] The rotary valve apparatus according to any one of claims 1-3, wherein said fluid passageway includes at least a first fluid passageway and a second fluid passageway; and

said rotor being configured to control, by rotation thereof, the flow state of the fluid such that the fluid is caused to flow through either one of said first fluid passageway and said second flow passageway.

[claim 5] The rotary valve apparatus according to claim 4, wherein said fluid passageway includes a first communication orifice, a second communication orifice, and a third communication orifice;

said first fluid passageway includes said first communication orifice, said third communication orifice and a first communication passageway communicating said first communication orifice to said third communication orifice; and

said second fluid passageway includes said second communication orifice, said third communication orifice and a second communication passageway communicating said second communication orifice to said third communication

orifice.

[claim 6] The rotary valve apparatus according to any one of claims 1-5, wherein said casing includes an accommodating space for accommodating said rotor;

said accommodating space is surrounded by an inner peripheral wall coaxial with a rotational shaft of said rotor;

said inner peripheral wall includes a first projecting portion and a second projecting portion that project into said accommodating space and oppose to each other across said rotational shaft; and

leading ends of said first projecting portion and said second projecting portion form an arcuate shape coaxial with said rotational shaft in a cross section perpendicular to said rotational shaft.

[claim 7] The rotary valve apparatus according to any one of claims 1-6, further comprising:

a sealing portion which is rendered into a sealing state when said rotor and said casing come into contact with each other as a result of the rotation of the rotor; and

an urging mechanism provided between said lock mechanism and said rotor for maintaining said rotor under said sealing state.

[claim 8] The rotary valve apparatus according to claim 6, wherein said first projecting portion includes a first peripheral end face on one side in the peripheral direction of this first projecting portion and a second peripheral end face on the other side in the peripheral direction of this first projecting portion;

said second projecting portion includes a third peripheral end face located on one side in the peripheral direction of this second projecting portion and in opposition to said first peripheral end face and a fourth peripheral end face located on the other side in the peripheral direction of this second projecting portion and in opposition to said second peripheral end face;

said rotor includes a first partitioning portion disposed on one side in the direction perpendicular to said rotational shaft across this rotational shaft and a second partitioning portion disposed on the other side in the direction perpendicular to said rotational shaft;

said first partitioning portion and said second partitioning portion each

has a planar shape extending at least in the axial direction of said rotational shaft;

said first partitioning portion includes a first contacting portion formed in one side thereof contactable with at least said first peripheral end face of said first projecting portion and a second contacting portion formed on the other side thereof contactable with at least said third peripheral end face of said second projecting portion;

said second partitioning portion includes a third contacting portion formed in one side thereof contactable with at least said first peripheral end face of said first projecting portion and a fourth contacting portion formed on the other side thereof contactable with at least said third peripheral end face of said second projecting portion;

in response to rotation of said rotor in one direction, said first contacting portion of said first partitioning portion comes into contact with said first peripheral end face of said first projecting portion and said fourth contacting portion of said second partitioning portion comes into contact with said fourth peripheral end face of said second projecting portion, thereby to provide a sealing state for blocking communication between said first fluid passageway and said second fluid passageway; and

in response to rotation of said rotor in the other direction, said second contacting portion of said first partitioning portion comes into contact with said third peripheral end face of said second projecting portion and said third contacting portion of said second partitioning portion comes into contact with said second peripheral end face of said first projecting portion, thereby to provide a sealing state for blocking communication between said first fluid passageway and said second fluid passageway.

[claim 9] The rotary valve apparatus according to any one of claims 1-8, wherein said lock mechanism includes a worm gear.

[claim 10] The rotary valve apparatus according to any one of claims 1-9, wherein said urging mechanism includes a spring.

[claim 11] The rotary valve apparatus according to any one of claims 1-10, wherein said sealing portion includes an elastic member.

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
　北村修一郎

様

あて名
〒530-0005
日本国大阪府大阪市北区中之島三丁目３番３号

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

発送日 （日.月.年）　23. 02. 2010	
出願人又は代理人 の書類記号　PCT109-084	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／ＪＰ２００９／０７０４７８	（日.月.年）　07. 12. 2009	（日.月.年）　22. 12. 2008

国際特許分類（ＩＰＣ）Int.Cl. F16K35/00(2006.01)i, F16K5/04(2006.01)i, F16K11/085(2006.01)i, F16K31/04(2006.01)i, F16K31/53(2006.01)i

出願人（氏名又は名称）
アイシン精機株式会社

１．この見解書は次の内容を含む。

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

２．今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
10. 02. 2010

名称及びあて先
日本国特許庁（ＩＳＡ／ＪＰ）
郵便番号１００－８９１５
東京都千代田区霞が関三丁目４番３号

特許庁審査官（権限のある職員）　３Ｏ　３７３４
北村　一
電話番号　０３－３５８１－１１０１　内線　３３５８

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０７０４７８

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／ＪＰ２００９／０７０４７８

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	４－８，１０，１１	有
	請求項	１－３，９	無
進歩性（ＩＳ）	請求項	６－８，１０，１１	有
	請求項	１－５，９	無
産業上の利用可能性（ＩＡ）	請求項	１－１１	有
	請求項		無

2． 文献及び説明

文献１：JP 2003-240155 A（株式会社巴技術研究所）2003.08.27，段落【０００２】、【０００３】（ファミリーなし）

文献２：JP 9-317937 A（株式会社クボタ）1997.12.12，段落【０００４】（ファミリーなし）

文献３：JP 7-269740 A（高砂熱学工業株式会社）1995.10.20，段落【０００２】（ファミリーなし）

文献４：JP 5-141571 A（株式会社クボタ）1993.06.08，段落【０００２】、図２（ファミリーなし）

文献５：日本国実用新案登録出願58-101435号（日本国実用新案登録出願公開60-8584号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（株式会社巴技術研究所）1985.01.21，第２ページ第２行－第７ページ第１０行、第３，４図（ファミリーなし）

請求項１－３，９に係る発明は、国際調査報告に引用された文献１（段落【０００２】、【０００３】）、文献２（段落【０００４】）、文献３（段落【０００２】）、文献４（段落【０００２】）及び文献５（第２ページ第２行－第７ページ第１０行）のいずれにも記載されているから、新規性及び進歩性を有しない。

請求項４，５に係る発明は、文献１－５のいずれによっても進歩性を有しない。文献１－５に記載された発明を、本願請求項４，５で特定される三方弁に適用することは、当業者にとって適宜なし得る事項に過ぎない。

請求項６－８，１０，１１に係る発明は、国際調査報告に引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。

国際調査機関の見解書

国際出願番号 ＰＣＴ／ＪＰ２００９／０７０４７８

第Ⅷ欄　国際出願の不備

この国際出願の形式又は内容について、次の不備を発見した。

段落【００３５】第１０行の「第１の周方向端面３１」、第１２行の「第３の周方向端面３３」はそれぞれ「第２の周方向端面３２」、「第４の周方向端面３４」の誤記である。

第Ⅷ欄　国際出願に対する意見

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

請求項８第１９行の「第１の周方向端面」、第２０行の「第１の周方向端面」、第３０行の「第２の流体通路」は、それぞれ「第２の周方向端面」、「第４の周方向端面」、「第３の流体通路」の誤記である。

請求項１０は請求項１－９のいずれか１項を引用しているが、「付勢機構」は請求項７において初めて規定されているので、請求項１０のうち請求項１－６，請求項８を引用する部分に係る発明は不明瞭である。

請求項１１は請求項１－１０のいずれか１項を引用しているが、「シール部材」は請求項７において初めて規定されているので、請求項１１のうち請求項１－６，請求項８を引用する部分に係る発明は不明瞭である。

Translation of the Written Opinion

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

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

Box No.I	Basis the opinion
Box No.V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
Box No.VII	Certain defects in the international application
Box No.VIII	Certain observations on the international application

Box No.I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of:

the international application in the language in which it was filed

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

1. Statement

Novelty(N)	Yes : Claims 4-8,10,11
Intensive step(IS)	Yes : Claims 6-8,10,11
Industrial applicability(IA)	Yes : Claims 1-11

2. Citations and explanations

D1: JP 2003-240155 A (Kabushiki Kaisha Tomoe Gijutsu Kenkyusho),
27 August 2003 (27. 08. 2003),
paragraphs [0002], [0003]
(Family: none)
Relevant to claim No.: 1-5,9

D2: JP 9-317937 A (Kubota Corp.),
12 December 1997 (12. 12. 1997),
paragraph [0004]
(Family: none)
Relevant to claim No.: 1-5,9

D3: JP 7-269740 A (Takasago Thermal Engineering Co., Ltd),
20 October 1995 (20. 10. 1995),
paragraph [0002]
(Family: none)
Relevant to claim No.: 1-5,9

D4: JP 5-141571 A (Kubota Corp.),
08 June 1993 (08. 06. 1993),
paragraph [0002];fig.2
(Family: none)
Relevant to claim No.: 1-5,9

D5: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 101435/1983(Laid-open No. 8584/1985) (Kabushiki Kaisha Tomoe Gijutsu Kenkyusho),
21 January 1985 (21. 01. 1985),
page 2, line 2 to page 7, line 10; fig. 3, 4f
(Family: none)
Relevant to claim No.: 1-5,9

The subject invention according to claims 1 to 3 and 9 is neither novel nor inventive since it is disclosed in all of the documents cited in the International Search Report; Reference 1 (paragraphs 0002 and 0003), Reference 2 (paragraph 0004), Reference 3 (paragraph 0002), Reference 4 (paragraph 0002) and Reference 5 (page 2, line 2 to page 7, line 10).

The subject invention according to claims 4 and 5 is not inventive in view of all of Reference 1 to Reference 5. It is appropriately done by a person of ordinary skill in the art to apply the inventions disclosed in Reference 1 to Reference 5 to the three-way valve defined in claims 4 and 5 of the subject invention.

The subject invention according to claims 6 to 8, 10 and 11 is not obvious for a person of ordinary skill since it is not disclosed in any of the references cited in the International Search Report.

Box No.VII Certain defects in the international application

In paragraph 0035, the expression "first peripheral end face 31" described in line 10 and the expression "third peripheral end face 33" in line 12 are errors for "second peripheral end face 32"

and "fourth peripheral end face 34," respectively.

Box No.VIII Certain observations on the international application

The expressions "first peripheral end face" in claim 8, line 19; "first peripheral end face" in claim 8, line 30 and "second fluid passageway" in claim 8, line 30 are errors for "second peripheral end face," "fourth peripheral end face," and "third fluid passageway," respectively.

Claim 10 depends from any one of claims 1 to 9. Since the "urging mechanism" is first defined in claim 7, the invention would be indefinite when referring to claims 1 to 6 and 8.

Claim 11 depends from any one of claims 1 to 10. Since the "sealing portion" is first defined in claim 7, the invention would be indefinite when referring to claims 1 to 6 and 8.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,280	03/22/2011	Yoshikuni Ito	1034290-000060	8908

21839 7590 08/08/2011

BUCHANAN, INGERSOLL & ROONEY PC
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EXAMINER	
ART UNIT	PAPER NUMBER
3753	

NOTIFICATION DATE	DELIVERY MODE
08/08/2011	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):

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ALEXANDRIA VA 22313-1404

In re Application of:
ITO, YOSHIKUNI, et al
Serial No.: 13/120280
Filed: 03/22/2011
Attorney Docket No. : 1034290-000060
Title: ROTARY VALVE APPARATUS

DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 23, 2011 to make the above-identified application special.

The request and petition are **granted**.

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

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

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

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

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

Petition is **granted**.

/Henry C. Yuen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BARNES & THORNBURG LLP
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

MAILED
OCT 21 2011
PCT LEGAL ADMINISTRATION

In re Application of LUTTROPP et al :
U.S. Application No.: 13/120,298 :
PCT Application No.: PCT/EP2009/006860 : DECISION
Int. Filing Date: 23 September 2009 :
Priority Date Claimed: 25 September 2008 :
Attorney Docket No.: 52759-215751 :
For: HYBRID BIOARTIFICIAL KIDNEY :

This is in response to applicant's correspondence filed 27 April 2011, which is being treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 23 September 2009, applicant filed international application PCT/EP2009/006860, which claimed priority of an earlier European Patent Office application filed 25 September 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 01 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 25 March 2011.

On 22 March 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 11 April 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 27 April 2011, applicant filed an executed declaration along with the present request for status under 37 CFR 1.42.

DISCUSSION

The declaration states that joint inventor Reinhold Deppisch is deceased.

37 CFR 1.42 provides, "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

Effective 07 November 2000, 37 CFR 1.497(b)(2) specifies that, where a person making the declaration is the legal representative of a deceased inventor, the declaration shall state the following: (1) the relationship of the person to the inventor, (2) the facts the inventor would have been required to state, upon information and belief, (3) that the person is the legal representative of the deceased inventor, and (4) the citizenship, residence, and mailing address of the legal representative.

The declaration fails to cite one of the citizenship of the deceased inventor (as required by 37 CFR 1.497(a)(3)) and the citizenship of the legal representative (as required by 37 CFR 1.497(b)(2)). Applicant is advised that the Office will not presume that a single indication of citizenship in a signature block applies to both the deceased inventor and the legal representative.

CONCLUSION

For the reasons above, the request for status under 37 CFR 1.42 is DISMISSED without prejudice.

If reconsideration on the merits of the request is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file a proper response will result in ABANDONMENT of the application. Extensions of time are available under 37 CFR 1.136(a). Any reconsideration request should include a cover letter entitled "Renewed Request for Status Under 37 CFR 1.42".

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

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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BARNES & THORNBURG LLP
11 SOUTH MERIDIAN
INDIANAPOLIS, IN 46204

MAILED
DEC 05 2011
PCT LEGAL ADMINISTRATION

In re Application of LUTTROPP et al :
U.S. Application No.: 13/120,298 :
PCT Application No.: PCT/EP2009/006860 : DECISION
Int. Filing Date: 23 September 2009 :
Priority Date Claimed: 25 September 2008 :
Attorney Docket No.: 52759-215751 :
For: HYBRID BIOARTIFICIAL KIDNEY :

This is in response to applicant's renewed request for status under 37 CFR 1.42.

BACKGROUND

On 23 September 2009, applicant filed international application PCT/EP2009/006860, which claimed priority of an earlier European Patent Office application filed 25 September 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 01 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 25 March 2011.

On 22 March 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 11 April 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 27 April 2011, applicant filed an executed declaration along with a request for status under 37 CFR 1.42.

On 21 October 2011, this Office mailed a decision dismissing the 27 April 2011 request.

On 02 November 2011, applicant filed the instant renewed request for status under 37 CFR 1.42.

DISCUSSION

The declaration states that joint inventor Reinhold Deppisch is deceased.

37 CFR 1.42 provides, "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

Effective 07 November 2000, 37 CFR 1.497(b)(2) specifies that, where a person making the declaration is the legal representative of a deceased inventor, the declaration shall state the following: (1) the relationship of the person to the inventor, (2) the facts the inventor would have been required to state, upon information and belief, (3) that the person is the legal representative of the deceased inventor, and (4) the citizenship, residence, and mailing address of the legal representative.

The declaration fails to cite one of the citizenship of the deceased inventor (as required by 37 CFR 1.497(a)(3)) and the citizenship of the legal representative (as required by 37 CFR 1.497(b)(2)). As stated in the decision mailed 21 October 2011, the Office will not presume that a single indication of citizenship in a signature block applies to both the deceased inventor and the legal representative. Furthermore, the declaration cannot incorporate by reference any indication of citizenship on the international application. However, the renewed request includes a statement from applicant's agent that the citizenship of the deceased inventor and the current citizenship of the sole heir of the deceased inventor is the same. Accordingly, the declaration filed 27 April 2011 can now be accepted.

CONCLUSION

For the reasons above, the request for status under 37 CFR 1.42 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 23 September 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 27 April 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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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:	13/120,300	Filing date:	3/22/11
First Named Inventor:	Yosuke Kano		
Title of the Invention:	LIGHT SOURCE 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/JP09/058057

The international date of the corresponding PCT application(s) is/are: 4/23/09

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/120,300
First Named Inventor:	Yosuke Kano

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-8	Claims 1-5 and 7 of the U.S. application correspond to claims 1-5 and 7 of the PCT application, respectively.
		Multiple dependent claim 6 of the PCT application corresponds to claims 6 and 9-11 of the U.S. application.
		Multiple dependent claim 8 of the PCT application corresponds to claims 8 and 12-20 of the U.S. application.

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

Signature	James K. Moore, Jr. Reg. No. 56,272	Date	6/23/11
Name (Print/Typed)	Bruce H. Bernstein	Registration Number	29,027

Privacy Act Statement

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

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

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

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,300	04/28/2011	Yosuke Kano	P39761	9028

7055 7590 07/06/2011

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER	
ART UNIT	PAPER NUMBER
2879	

NOTIFICATION DATE	DELIVERY MODE
07/06/2011	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):

gbpatent@gbpatent.com
pto@gbpatent.com

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P.O. Box 1450
Alexandria, VA 22313-1450
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GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON VA 20191

In re Application of	**: DECISION ON REQUEST TO**
KANO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,300	**: PROSECUTION HIGHWAY**
Filed: 28 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: P39761	**: TO MAKE SPECIAL UNDER**
For: LIGHT SOURCE DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 23 June 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof.

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

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1) and (3-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (2).

Regarding the requirement of condition (2), applicant has failed to identify and explain why the claims are not subject to the observation in Box VIII of the ISA/237.

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

P39761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Yosuke KANO et al.	Group Art Unit: 2879
Appl. No.:	13/120,300	Examiner: Not yet assigned
Filed:	April 28, 2011	Confirmation No. 9028
For:	LIGHT SOURCE DEVICE	

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

Commissioner of Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

On July 6, 2011, the U.S. Patent and Trademark Office issued a Decision on Applicants' request to participate in the Patent Prosecution Highway Program and Petition to Make Special under 37 CFR 1.102(a), which set a one month period for response expiring on August 8, 2011. According to the Decision, Applicants' request and petition were dismissed on the basis that Applicants had failed to identify and explain why the claims were not subject to the observation in Box VIII of the ISA/237.

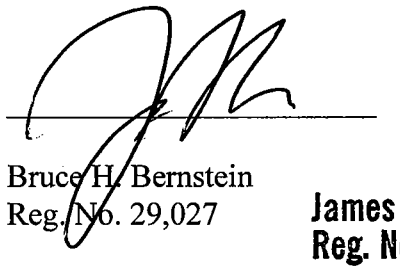
The observation in Box VIII of the ISA/237 is that claim 8 of the PCT application is not clear because it contains the wording "argon gas and the like". Applicants have concurrently filed a Preliminary Amendment in which corresponding claims 8 and 12-20 are amended to remove the phrase "such as an argon gas" (an alternate translation of the above-noted wording in the PCT application). Accordingly,

claims 8 and 12-20 as amended are no longer subject to the observation in Box VIII of the ISA/237.

In view of the above, Applicants submit that the requirements for participating in the PCT-PPH pilot program and petition to make special have been met, and respectfully request that the USPTO reconsider and grant Applicants' request to participate in the PCT-PPH pilot program and petition to make special.

If there should be any questions, the USPTO is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Yosuke KANO et al.



Bruce H. Bernstein
Reg. No. 29,027

James K. Moore, Jr.
Reg. No. 56,272

July 27, 2011
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

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.
13/120,300	04/28/2011	Yosuke Kano	P39761	9028

7055 7590 08/31/2011
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER	
PATEL, NIMESHKUMAR D	
ART UNIT	PAPER NUMBER
2879	

NOTIFICATION DATE	DELIVERY MODE
08/31/2011	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):

gbpatent@gbpatent.com
pto@gbpatent.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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1950 ROLAND CLARKE PLACE
RESTON VA 20191

In re Application of	**: DECISION ON REQUEST TO**
KANO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,300	**: PROSECUTION HIGHWAY**
Filed: 28 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: P39761	**: TO MAKE SPECIAL UNDER**
For: LIGHT SOURCE DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 23 June 2011 and renewed 27 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate

if the latest international work product is not in the English language;

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

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

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

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

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

Lee W. Young
TQAS Technology Center 2600

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/120,328	Filing date:	2011-03-22
First Named Inventor:	Kazunari Ookita et al.		
Title of the Invention:	NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY		

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/JP2009/066244

The international date of the corresponding PCT application(s) is/are: 09-17-2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,328
First Named Inventor:	Kazunari Ookita 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 03/22/2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 03/22/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	4	Identical

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

Signature /Stephen G. Adrian/	Date 2011/08/05
Name (Print/Typed) Stephen G. Adrian	Registration Number 32,878

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.
13/120,328	03/22/2011	Kazunari Ookita	110325	9209

38834 7590 10/25/2011

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
DAVIS, PATRICIA A	

ART UNIT	PAPER NUMBER
1729	

NOTIFICATION DATE	DELIVERY MODE
10/25/2011	ELECTRONIC

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

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

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

patentmail@whda.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

CT

October 24, 2011

In re application of	:	DECISION ON REQUEST TO
Kazunari Ookita et al	:	PARTICIPATE IN PATENT
Serial No. 13/120,328	:	PROSECUTION HIGHWAY
Filed: March 22, 2011	:	PROGRAM AND
For: NON-AQUEOUS ELECTROLYTE	:	PETITION TO MAKE SPECIAL
SECONDARY BATTERY	:	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 August 5, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

(4) Applicant must submit a claims correspondence table in English and all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

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

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

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

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

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

Patent
Attorney Docket No. 1034290-000058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	Group Art Unit: Unassigned
Atsushi ITO	Confirmation No.: 9278
Application No.: 13/120,345	
Filed: March 22, 2011	
For: INTAKE MANIFOLD	

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY PROGRAM BETWEEN THE USPTO AND THE JPO BASED ON PCT WORK PRODUCTS

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

Sir:

In accordance with the U.S. Patent and Trademark Office Notice signed on January 23, 2010 setting forth the Patent Prosecution Highway Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products (hereinafter "Notice"), submitted with this paper is a Request for Participation in the PCT-PPH Pilot Program between the JPO and the USPTO (hereinafter "Request"). By way of the accompanying Request, Applicant requests participation in the PCT-PPH Program and petitions to make this application special under the PCT-PPH program.

This application is the U.S. national stage application of International Application No. PCT/JP2009/069966 (hereinafter "corresponding international application"). Accordingly, the relationship between this U.S. application for which participation in the PCT-PPH pilot program is requested, and the corresponding international application satisfies requirement B(1)(a) illustrated in the Notice.

Applicant has therefore fully complied with the requirement of identifying the relationship between this U.S. application and the PCT application.

The latest work product of the Japan Patent Office (JPO) in the corresponding international application, namely the Written Opinion of the International Searching Authority (hereinafter "Written Opinion"), states that all of the claims in the corresponding international application satisfy the requirements of novelty, inventive step, and industrial applicability. A copy of the Written Opinion constituting the latest work product of the Japan Patent Office (JPO) in the corresponding international application is attached, together with an English language translation of the Written Opinion.

Also submitted is a copy of the claims from the corresponding international application which the Written Opinion states satisfy the novelty, inventive step and industrial applicability requirements. These claims are accompanied by an English language translation of the claims.

The English language translation of the Written Opinion and the English language translation of the claims are accompanied by a statement that the English language translations are accurate.

The WO/ISA includes observations in Box VIII regarding Claims 1 and 4. Accompanying this Submission is a paper identifying those observations and explaining why Claims 1 and 4 are not subject to the observations.

Claims 1-12 in this U.S. national stage application substantially correspond to Claims 1-12 respectively in the corresponding international application, except for elimination of multiple dependencies in several of the dependent claims, and

amendments to Claims 1 and 4 to respond to the observations in Box VIII of the WO/ISA.

The accompanying Request includes a claims correspondence table indicating how the claims in this U.S. national stage application correspond to the claims in the corresponding international application.

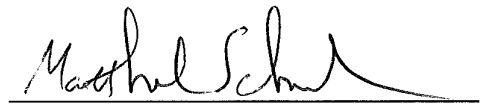
The documents cited in the Written Opinion are listed in the First Information Disclosure Statement filed with this application on March 22, 2011, and copies of the listed documents, other than the U.S. patents and U.S. patent application publications, were provided. A Supplemental First Information Disclosure Statement is filed concurrently with this paper to correct an inadvertent typographical error in the citation form filed with the First Information Disclosure Statement.

The Director is hereby authorized to charge any other appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 23, 2011 By: 

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

Patent
Attorney's Docket No. 1034290-000058

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: Unassigned
Atsushi ITO	)	Confirmation No.: 9278
Application No.: 13/120,345	)	
Filed: March 22, 2011	)	
For: INTAKE MANIFOLD	)	

IDENTIFICATION OF OBSERVATIONS IN BOX VIII OF THE WO/ISA AND EXPLANATION ABOUT WHY CLAIMS ARE NOT SUBJECT TO OBSERVATIONS

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

Sir:

Box VIII of the WO/ISA issued in the international application corresponding to this U.S. national stage application includes the following three observations.

1. Regarding Claims 1 and 4, a question is raised about how the expression "on a horizontal projection plane" is defined.

2. With respect to Claim 1, a question is raised about the meaning of the expression "the position of the EGR introducing opening is located within the range of the cutout section on the horizontal projection plane."

3. Concerning Claim 4, a question is raised about the meaning of the expression "the EGR introducing opening and the tumble control valve are not superposed on each other on a horizontal projection plane."

With respect to the first and second observations involving the wording in Claim 1, the Preliminary Amendment filed with this application presents an amended version of Claim 1 addressing the two observations raised in Box VIII of the WO/ISA.

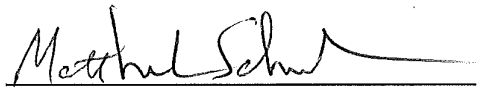
Amended Claim 1 defines, with different wording, that which was originally recited in Claim 1. In particular, Claim 1 is amended to recite that when the intake manifold is assembled to the internal combustion engine, in the open position and in the closed position of the tumble control valve, any perpendicular line extending downward from the EGR inlet is out of intersection with the tumble control valve, and at the same time, in at least one of the opening position and the closed position of the tumble control valve, a perpendicular line extending downward from a most upstream portion of the EGR inlet in the intake direction intersects the area of the indentation. With this amended version of Claim 1, Claim 1 is not subject to the observations described in Box VIII of the WO/ISA.

Concerning the first and third observations involving Claim 4, that claim is amended to define, with different wording, that which was originally recited. The Preliminary Amendment filed with this application presents an amended version of Claim 4 reciting that when the intake manifold is assembled to the internal combustion engine, in the open position and in the closed position of the tumble control valve, any perpendicular line extending downward from the EGR inlet is out of intersection with the tumble control valve. By virtue of this amended version of Claim 4, Claim 4 is not subject to the observations described in Box VIII of the WO/ISA.

If any questions arise concerning this matter, the undersigned attorney can be contacted at the telephone number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: March 23, 2011 By: 

Matthew L. Schneider
Registration No. 32814

Customer No. 21839
703 836 6620

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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

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

Application No.:	13/120,345	Filing date:	March 22, 2011
First Named Inventor:	Atsushi ITO		
Title of the Invention:	INTAKE MANIFOLD		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/069966

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

Document Description: Petition to make special under Patent Pros Hwy

Under the 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.:	13/120,345
First Named Inventor:	Atsushi ITO

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ Is attached.

☒ Has already been filed in the above identified U.S. Application on March 22, 2011

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

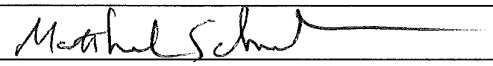
☐ Are attached.

☒ Have already been filed in the above identified U.S. application on March 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 substantially corresponds to PCT Claim 1, except for amendments to address Box VIII observation in WO/ISA.
2	2	US Claim 2 substantially corresponds to PCT Claim 2.
3	3	US Claim 3 substantially corresponds to PCT Claim 3.
4	4	US Claim 4 substantially corresponds to PCT Claim 4, except for amendments to address Box VIII observation in WO/ISA.
5	5	US Claim 5 substantially corresponds to PCT Claim 5.
6	6	US Claim 6 substantially corresponds to PCT Claim 6, except for dependency.
7	7	US Claim 7 substantially corresponds to PCT Claim 7, except for dependency .
8	8	US Claim 8 substantially corresponds to PCT Claim 8, except for dependency.
9	9	US Claim 9 substantially corresponds to PCT Claim 9, except for dependency.
10	10	US Claim 10 substantially corresponds to PCT Claim 10, except for dependency.
11	11	US Claim 11 substantially corresponds to PCT Claim 11, except for dependency.
12	12	US Claim 12 substantially corresponds to PCT Claim 12, except for dependency.

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

Signature		Date	March 23, 2011
Name (Print/Typed)	Matthew L. Schneider	Registration Number	32,814

Translator's Declaration

I, Yoshitaka HATAYAMA, hereby state that I am knowledgeable in the Japanese and English languages and that the attachments are, to the best of my knowledge and belief, true and accurate English translations of the Written Opinion of the International Searching Authority issued in International Application No. PCT/JP2009/069966 and of originally filed Claims 1-12 which the aforementioned Written Opinion states meet the novelty, inventive step and industrial applicability requirements.

March 23, 2011
Date

Y. Hatayama
Signature Yoshitaka HATAYAMA

Written Opinion of the International Searching Authority (JPO)

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
北村修一郎
様

あて名
〒530-0005
日本国大阪府大阪市北区中之島三丁目３番３号

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

出願人又は代理人の書類記号　PCT109-083	今後の手続きについては、下記２を参照すること。

発送日（日.月.年）　22．12．2009

国際出願番号	国際出願日（日.月.年）	優先日（日.月.年）
PCT／JP2009／069966	26．11．2009	17．12．2008

国際特許分類（IPC）Int.Cl. F02B31/00(2006.01)i, F02M25/07(2006.01)i, F02M35/10(2006.01)i, F02M35/104(2006.01)i

出願人（氏名又は名称）
アイシン精機株式会社

1．この見解書は次の内容を含む。

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

2．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT／ISA／220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT／ISA／220を参照すること。

3．さらなる詳細は、様式PCT／ISA／220の備考を参照すること。

見解書を作成した日
09．12．2009

名称及びあて先
日本国特許庁（ISA／JP）
郵便番号100－8915
東京都千代田区霞が関三丁目4番3号

特許庁審査官（権限のある職員）　3T　4477
水野　治彦
電話番号　03－3581－1101　内線　3395

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０６９９６６

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／ＪＰ２００９／０６９９６６

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	１－１２	有
	請求項		無
進歩性（ＩＳ）	請求項	１－１２	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	１－１２	有
	請求項		無

2．　文献及び説明

文献１：JP 2004-301002 A（三菱自動車工業株式会社）2004.10.28,　【０００６】,【００１４】,【００１５】,【図１】,【図３】（ファミリーなし）

文献２：JP 8-326597 A（日産自動車株式会社）1996.12.10,　【０００６】,【００３４】－【００３７】,【図３】,【図４】（ファミリーなし）

文献３：JP 2005-83312 A（マツダ株式会社）2005.03.31,　【００１９】,【００２４】－【００２９】,【図２】,【図５】－【図７】（ファミリーなし）

文献４：JP 9-195860 A（株式会社豊田自動織機製作所）1997.07.29,　【図１】－【図３】（ファミリーなし）

文献５：JP 10-213019 A（株式会社日本自動車部品総合研究所）1998.08.11,　【図２４】－【図２７】 & EP 000809012 A2 & DE 069724180 T

請求項１－１２

請求項１－１２に係る発明は、国際調査報告に引用された上記文献１－５に対して新規性及び進歩性を有する。

タンブル制御弁の切欠部が形成する隙間からＥＧＲガスを導入することは、文献１－５にも記載されておらず、しかもその点は当業者といえども容易に想到し得ないものである。

国際調査機関の見解書

国際出願番号 ＰＣＴ／ＪＰ２００９／０６９９６６

第Ⅷ欄　国際出願に対する意見

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

明細書及び図面を参酌しても、請求の範囲の記載が下記１）－３）の点で明瞭に理解できない。

１）請求項１及び４に記載の「水平投影面上」がどのように規定されているか。
２）請求項１に記載の「ＥＧＲ導入口の位置が水平投影面上で切欠部の範囲内にある」ことの意味。
３）請求項４に記載の「ＥＧＲ導入口とタンブル制御弁とが水平投影面上で重ならない」ことの意味。

Translation of the Written Opinion

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

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

Box No.I	Basis the opinion
Box No.V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
Box No.VIII	Certain observations on the international application

Box No.I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of:

the international application in the language in which it was filed

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

1. Statement

Novelty(N)	*Yes : Claims 1-12*
Intensive step(IS)	*Yes : Claims 1-12*
Industrial applicability(IA)	*Yes : Claims 1-12*

2. Citations and explanations

D1: JP 2004-301002 A (Mitsubishi Motors Corp.),
28 October 2004 (28. 10. 2004),
paragraphs [0006], [0014], [0015]; fig.1, 3
(Family: none)
Relevant to claim No.: *1-2*

D2: JP 8-326597 A (Nissan Mortor Co., Ltd.),
10 December 1996 (10. 12. 1996),
paragraphs [0006], [0034] to [0037]; fig.3, 4
(Family: none)
Relevant to claim No.: *1-2*

D3: JP 2005-83312 A (Mazda motor Corp.),
31 March 2005 (31. 03. 2005),
paragraphs [0019], [0024] to [0029]; fig.2, 5 to 7
(Family: none)
Relevant to claim No.: 3-12

D4: JP 9-195860 A (Toyoda Automatic Loom Works, ltd.),
29 July 1997 (29. 07. 1997),
fig.1 to 3
(Family: none)
Relevant to claim No.: *5, 9, 10, 12*

D5: JP 10-213019 A (Nippon Soken, Inc.),
11 August 1998 (11. 08. 1998),
fig. 24 to 27
& EP 000809012 A2 & DE 069724180 T
Relevant to claim No.: *7, 9, 10, 12*

Claims 1 - 12

The inventions of claims 1 - 12 have novelty and inventive step over the above-listed D1 - D5 cited in the International Search Report.

Introducing the EGR gas from the gap formed by the cutout section of the tumble control valve is not described in D1 - D5, and this point would not have been easily conceived of by one skilled in the art.

Box No.VIII Certain observations on the international application

Though the specification and the drawings are taken into consideration, the following points 1) - 3) in the claims cannot be understood clearly.

1) In claims 1 and 4, how the expression "on a horizontal projection plane" is defined

2) In claim 1, the meaning of the expression "the position of the EGR introducing opening is located within the range of the cutout section on the horizontal projection plane"

3) In claim 4, the meaning of the expression "the EGR introducing opening and the tumble control valve are not superposed on each other on a horizontal projection plane".

Japanese claims that have been found allowable

【書類名】　　請求の範囲

【請求項１】

内燃機関の気筒の吸気ポートに接続される樹脂製の吸気マニホルドであって、

排気還流ガスを前記気筒の側に向けて放出するＥＧＲ導入口と、

前記気筒への吸気経路を開放する開姿勢と前記吸気経路を閉塞する閉姿勢とに姿勢変更可能で、前記閉姿勢のときに前記吸気経路の内周壁との間に隙間を形成する切欠部を有するタンブル制御弁とを備え、

前記タンブル制御弁が前記開姿勢及び前記閉姿勢のとき、前記ＥＧＲ導入口と前記タンブル制御弁とが水平投影面上で重ならず、且つ、前記開姿勢及び前記閉姿勢のうち少なくとも一方のとき、前記ＥＧＲ導入口の吸気方向最上流側の位置が水平投影面上で前記切欠部の範囲内にあるよう構成した吸気マニホルド。

【請求項２】

前記排気還流ガスを貯留するＥＧＲ用サージタンクを備えた請求項１に記載の吸気マニホルド。

【請求項３】

内燃機関の気筒の吸気ポートに接続される樹脂製の吸気マニホルドであって、

前記吸気ポートに接続される出口ポートよりも前記気筒の側へ突出し、排気還流ガスを前記気筒の側に向けて放出するＥＧＲ導入口と、

前記気筒への吸気経路を開放する開姿勢と前記吸気経路を閉塞する閉姿勢とに姿勢変更可能であるタンブル制御弁とを備えた吸気マニホルド。

【請求項４】

前記タンブル制御弁が前記開姿勢及び前記閉姿勢のうち少なくとも一方のとき、前記出口ポートよりも前記気筒の側に前記タンブル制御弁の一部が突出し、

前記タンブル制御弁が前記開姿勢及び前記閉姿勢のとき、前記ＥＧＲ導入口と前記タンブル制御弁とが水平投影面上で重ならないよう構成した請求項３に記載の吸気マニホルド。

【請求項５】

前記タンブル制御弁が、前記閉姿勢のときに前記吸気経路の内周壁との間に隙間を形成する切欠部を有し、

前記タンブル制御弁が前記閉姿勢のとき、前記排気還流ガスを貯留するＥＧＲ用サージタンクと前記ＥＧＲ導入口とを接続するＥＧＲ通路が前記隙間を通過するよう構成した請求項３または４に記載の吸気マニホルド。

【請求項６】

前記排気還流ガスを貯留するＥＧＲ用サージタンクと前記ＥＧＲ導入口とを接続するＥＧＲ通路が、前記出口ポートの径方向外側に前記吸気経路と並列形成された請求項３または４に記載の吸気マニホルド。

【請求項７】

前記排気還流ガスを貯留するＥＧＲ用サージタンクと前記ＥＧＲ導入口とを接続するＥＧＲ通路を、前記吸気経路の径方向内側に突出させてある請求項３または４に記載の吸気マニホルド。

【請求項８】

前記排気還流ガスを貯留するＥＧＲ用サージタンクと前記ＥＧＲ導入口とを接続するＥＧＲ通路を、前記吸気経路の外部に備えた請求項３または４に記載の吸気マニホルド。

【請求項９】

前記ＥＧＲ通路を前記吸気マニホルドに一体成形してある請求項５から８の何れか一項に記載の吸気マニホルド。

【請求項１０】

前記ＥＧＲ通路が、前記ＥＧＲサージタンクに接続された延長管である請求項５から８の何れか一項に記載の吸気マニホルド。

【請求項１１】

前記排気還流ガスを貯留するＥＧＲ用サージタンクを前記吸気マニホルドに一体成形してある請求項３または４に記載の吸気マニホルド。

【請求項１２】

前記排気還流ガスを貯留する前記ＥＧＲ用サージタンクを前記吸気マニホルドに一体成形してある請求項５から１０の何れか一項に記載の吸気マニホルド。

Translation of the Japanese claims

Claims

1. An intake manifold which is made of resin and configured to be connected to an intake port of a cylinder of an internal combustion engine, the intake manifold comprising:

an EGR inlet for discharging exhaust recirculation gas toward a cylinder side; and

a tumble control valve which is switchable between an open position in which an intake line to the cylinder is opened and a close position in which the intake line is closed, and has an indentation that forms a gap between the tumble control valve and an inner wall of the intake line when the tumble control valve is in the close position,

the intake manifold being configured so that, in the open position and in the close position of the tumble control valve, the EGR inlet and the tumble control valve do not overlap each other in a horizontal projection plane, and at the same time, in at least one of the open position and the close position of the tumble control valve, a most upstream portion of the EGR inlet in an intake direction is located within the indentation in the horizontal projection plane.

2. The intake manifold according to claim 1, further comprising an EGR surge tank for storing the exhaust recirculation gas.

3. An intake manifold which is made of resin and configured to be connected to an intake port of a cylinder of an internal combustion engine, the intake manifold comprising:

an EGR inlet for discharging exhaust recirculation gas toward a cylinder side, the EGR inlet protruding to the cylinder side from an outlet port connected to the intake port; and

a tumble control valve which is switchable between an open position in which an intake line to the cylinder is opened and a close position in which the intake line is closed.

4. The intake manifold according to claim 3, wherein

in at least one of the open position and the close position of the tumble control valve, a portion of the tumble control valve protrudes from the outlet port to the

cylinder side, and

in the open position and in the close position of the tumble control valve, the EGR inlet and the tumble control valve do not overlap each other in a horizontal projection plane.

5. The intake manifold according to claim 3 or 4, wherein

the tumble control valve has an indentation that forms a gap between the tumble control valve and an inner wall of the intake line when the tumble control valve is in the close position, and

an EGR passage that connects an EGR surge tank for storing the exhaust recirculation gas and the EGR inlet runs through the gap when the tumble control valve is in the close position.

6. The intake manifold according to claim 3 or 4, wherein

an EGR passage that connects an EGR surge tank for storing the exhaust recirculation gas and the EGR inlet is formed outward in a radial direction of the outlet port and arranged in parallel with the intake line.

7. The intake manifold according to claim 3 or 4, wherein

an EGR passage that connects an EGR surge tank for storing the exhaust recirculation gas and the EGR inlet protrudes inward in a radial direction of the intake line.

8. The intake manifold according to claim 3 or 4, wherein

an EGR passage that connects an EGR surge tank for storing the exhaust recirculation gas and the EGR inlet is provided outside the intake line.

9. The intake manifold according to any one of claim 5 to 8, wherein

the EGR passage is integrally formed with the intake manifold.

10. The intake manifold according to any one of claim 5 to 8, wherein

the EGR passage is an extension pipe connected to the EGR surge tank.

11. The intake manifold according to claim 3 or 4, wherein

an EGR surge tank for storing the exhaust recirculation gas is integrally formed with the intake manifold.

12. The intake manifold according to any one of claim 5 to 10, wherein

the EGR surge tank for storing the exhaust recirculation gas is integrally formed with the intake manifold.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,345	03/22/2011	Atsushi Ito	1034290-000058	9278

21839 7590 10/05/2011
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER	
ART UNIT	PAPER NUMBER
3747	

NOTIFICATION DATE	DELIVERY MODE
10/05/2011	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):

ADIPFDD@bipc.com
offserv@bipc.com

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ALEXANDRIA VA 22313-1404

In re Application of:
ITO, ATSUSHI
Serial No.: 13/120,345
Filed: 03/22/2011
Attorney Docket No. : 1034290-000058
Title: INTAKE MANIFOLD

DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 23, 2011 to make the above-identified application special.

The request and petition are **granted**.

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

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

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

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

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

Petition is **granted**.

/Henry C. Yuen/

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

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

MAILED

SEP 27 2011

PCT LEGAL ADMINISTRATION

In re Application of :
YAMAMOTO, et al. :
Application No.: 13/120,369 :
PCT No.: PCT/JP2009/066927 : DECISION ON PAPERS
Int. Filing Date: 29 September 2009 :
Priority Date: 09 October 2008 : UNDER 37 CFR 1.42
Attorney Docket No.: 377487US99PCT :
For: METHOD FOR PRODUCING SOLID :
FUEL AND SOLID FUEL PRODUCED :
BY THE METHOD :

This decision is in response to applicant's declaration filed 01 April 2011. The filed combined declaration and power of attorney is being treated as a request for status under 37 CFR 1.42. No petition fee is due.

BACKGROUND

On 29 September 2009, applicant filed international application PCT/JP2009/066927, which claimed priority to an earlier application filed 09 October 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 15 April 2010. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 09 April 2011.

On 22 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application; an Application Data Sheet and an Information Disclosure Statement. Applicant's filing included a signed declaration which did not include a referenced attached page vis-a-vis the deceased inventor.

On 01 April 2011, applicant filed the executed combined declaration and power of attorney discussed herein.

DISCUSSION

37 CFR 1.42 When the Inventor is Dead, states, in part:

"In case of the death of the inventor, the legal representative (executor, administrator,

etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

The declaration submitted on 01 April 2011 is executed by Yuko Sugita as legal representative to the estate of deceased inventor, Satoru Sugita. The declaration provides the citizenship, residence and mailing address for both the legal representative and the deceased inventor per 37 CFR 1.497(a)(3). In addition, this information has been supplied for the remaining inventors listed on the published international application and the declaration has been signed by the remaining inventors. As such, it is proper to grant applicant's request for status pursuant to 37 CFR 1.42.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application has an international application filing date of 29 September 2009 and will be given a date of **01 April 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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OFFICE OF PETITIONS

SHEPPARD, MULLIN, RICHTER & HAMPTON, LLP
390 LYTTON AVENUE
PALO ALTO, CA 94301

In re Application of
Behrooz Rezvani, et al.
Application No. 13/120,419
Filed: March 22, 2011
Attorney Docket No. 25DX-159236

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 October 21, 2011.

The request is **DISMISSED** as moot.

A review of the file record indicates that the power of attorney to SHEPPARD, Mullin, Richter & Hampton, LLP has been revoked by the assignee of the patent application on October 20, 2011. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

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

Telephone inquires concerning this decision should be directed to undersigned at 571-272-1642.

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

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PCT LEGAL ADMINISTRATION

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LARIVIERE, GRUBMAN & PAYNE, LLP
19 UPPER RAGSDALE DRIVE, SUITE 200
MONTEREY CA 93940

In re Application of: LI, Xiaoka
U.S. Application No.: 13/120,424
PCT No.: PCT/CN2009/073910
International Filing Date: 14 September 2009
Priority Date: 12 September 2008
Attorney's Docket No.: P2083WOUS
For: METHOD, SYSTEM AND TERMINAL FOR STATE TRANSITION

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 22 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/CN2009/073910 became abandoned with respect to the United States at midnight on 12 March 2011 based on applicant's failure to request entry into national stage in the United States and pay the basic national fee prior to the expiration of thirty months from the priority date.

The present petition for revival was accompanied by payment of the petition fee and the "required reply" in the form of a request for entry into the U.S. national stage and payment of the small entity basic national fee. In addition, the petition includes a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," satisfying the requirement of 37 CFR 1.137(b)(3).

Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Accordingly, the request to revive the international application with respect to the United States is appropriately granted.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

United States Patent and Trademark Office

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MAILED

MAY 23 2011

PCT LEGAL ADMINISTRATION

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

In re Application of	:	
Cardona Iglesias et al.	:	
Application No.: 13/120,476	:	DECISION
PCT No.: PCT/ES2009/000436	:	
Int. Filing Date: 03 September 2009	:	ON
Priority Date: 19 September 2008	:	
Attorney Docket No.: TJA-259US	:	PETITION
For: Immunotherapeutic Agent Suitable For The Primary Prophylaxis Of Tuberculosis	:	

The petition to revive under 37 CFR 1.137(b) filed on 23 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under37 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. The required reply has been filed. No terminal disclaimer is required. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

This application is being returned to the Office of Patent Application Processing for further processing, including the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring the submission of an oath or declaration compliant with 37 CFR 1.497(a) and (b), the surcharge under 37 CFR 1.492(h) and the processing fee under 37 CFR 1.492(i).

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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

Modified PTO/SB/20PCT-JP (01-2010)
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.:	13/120,485	Filing Date:	March 23, 2011
First Named Inventor:	Kazuyuki SHIOZAWA et al.	Attorney Docket No.:	2011_0392A
Title of the Invention:	METHOD FOR TREATING INSIDE SURFACE OF GLASS CONTAINER AND GLASS CONTAINER		

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/JP2011/050726

The international date of the corresponding PCT application(s) is/are: January 18, 2011

I. List of Required Documents:

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

[X] is attached.
[ ] is not attached because the document is already in the U.S. application.

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

[ ] is attached.
[X] is not attached because the document is already in the U.S. application (Novel claims 1-7 of the International PCT application as filed correspond to original claims 1-7 in the present National Stage application filed March 23, 2011, and an English translation thereof was submitted concurrently).

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.

[X] is attached.
[ ] Has already been filed in the above-identified U.S. application on March 23, 2011.

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

[X] Are attached (only ISR and JP 2002-173764 not previously submitted).
[X] Have already been filed in the above-identified U.S. application on March 23, 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.

The USPTO is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492, which may be required by this paper to Deposit Account No. 23-0975.

Modified PTO/SB/20PCT-JP (01-2010)
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.:	13/120,485
First Named Inventor:	Kazuyuki SHIOZAWA et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Amended March 23, 2011 to remove multiple dependency
4	4	Identical
5	5	Identical
6	6	Amended March 23, 2011 to remove multiple dependency
7	7	Amended March 23, 2011 to remove multiple dependency
8	3	Added March 23, 2011 to avoid multiple dependency
9	6	Added March 23, 2011 to avoid multiple dependency
10	7	Added March 23, 2011 to avoid multiple dependency
11	7	Added March 23, 2011 to avoid multiple dependency
12	7	Added March 23, 2011 to avoid multiple dependency
13	7	Added March 23, 2011 to avoid multiple dependency
14	7	Added March 23, 2011 to avoid multiple dependency

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

Signature	/W. Douglas Hahm/ 2011.06.27 15:10:41 -04'00'	Date: June 27, 2011
Name: (Print/Type)	W. Douglas Hahm	Registration No. 44,142

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
　神戸　真

様

あて名
〒150-0002
日本国東京都渋谷区渋谷町７番地　田中ビル第二別館２階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
（PCT規則43の2.1）

5/(1

出願人又は代理人の書類記号　TYG-11-P01	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／JP2011／050726	(日.月.年)　18.01.2011	(日.月.年)　30.03.2010

国際特許分類（IPC）Int.Cl. B65D23/02(2006.01)i, C03C17/25(2006.01)i

出願人（氏名又は名称）
東洋ガラス株式会社

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、審査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
18.04.2011

名称及びあて先	特許庁審査官（権限のある職員）	3N	9133
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	佐々木　正章		
	電話番号　03-3581-1101　内線　3361		

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／ＪＰ２０１１／０６０７３６

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２１(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／JP2011／050726

第Ⅴ欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性（N）	請求項	1－7	有
	請求項		無
進歩性（IS）	請求項	1－7	有
	請求項		無
産業上の利用可能性（IA）	請求項	1－7	有
	請求項		無

2. 文献及び説明

文献１：JP 5-105486 A（触媒化成工業株式会社）1993.04.27，全文（ファミリーなし）

請求項１に係る発明は、国際調査報告で引用された文献に対して進歩性を有する。文献１には[ガラス容器を５０～７０°傾けた倒立状態で回転させながらポリシラザンを乾燥させる]点が記載されておらず、しかもその点は当業者といえども容易に想到し得ないものである。

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2011/050726

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

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	1-7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations andexplanations:

Document 1: JP5-105486 A (Catalysts & Chemicals Industries Co., Ltd.), 27 April 1993, Full text (Family: none)

The invention as in claim 1 involves an inventive step in the light of documents cited in the ISR. Document 1 does not describe "drying polysilazane while the glass container in the state of being inverted and inclined 50° to 70° is rotated", and this would not be obvious to a person skilled in the art.

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.
13/120,485	03/23/2011	Kazuyuki Shiozawa	2011_0392A	1517

513 7590 10/25/2011

WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington, DC 20005-1503

EXAMINER	
ART UNIT	PAPER NUMBER
1782	

NOTIFICATION DATE	DELIVERY MODE
10/25/2011	ELECTRONIC

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

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

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

ddalecki@wenderoth.com
eoa@wenderoth.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

WG

October 24, 2011

In re application of	:	DECISION ON REQUEST TO
Kazuyuki Shiozawa et al.	:	PARTICIPATE IN PATENT
Serial No. 13/120,485	:	PROSECUTION HIGHWAY
Filed: March 23, 2011	:	PROGRAM AND
For: METHOD FOR TREATING INSIDE	:	PETITION TO MAKE SPECIAL
SURFACE OF GLASS CONTAINER	:	UNDER 37 CFR 1.102(a)
AND GLASS CONTAINER	:	

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 June 27, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

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

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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

PTO/SB/20PCT-RU (10-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE FEDERAL SERVICE ON INTELLECTUAL PROPERTY, PATENTS & TRADEMARKS OF RUSSIA (ROSPATENT) AND THE USPTO

Application No:	PCT/RU2010/000724	Filing date:	November 24, 2010
First Named Inventor:	Kuznetsov		
Title of the Invention:	Method to determine dielectric permeability of dielectric object		

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/RU2010/000724

The international filing date of the corresponding PCT application(s) is/are:
November 24, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-RU (10-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	PCT/RU2010/000724, which is issued Russian patent RU2408005 filed 11/26/10
First Named Inventor:	Kuznetsov

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
Claim 1	Claim1	The claim amendment is provided to adjust the claim format to US format

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

Signature /N. Reingand/	Date 3/23/2011
Name (Print/Typed) Nadya Reingand	Registration Number 60933

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

PTO/SB/20PCT-RU (10-10)
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE FEDERAL SERVICE ON INTELLECTUAL PROPERTY, PATENTS & TRADEMARKS OF RUSSIA (ROSPATENT) AND THE USPTO

Application No:	13/120,494	Filing date:	3/23/2011
First Named Inventor:	Kuznetsov		
Title of the Invention:	Method to determine dielectric permeability of dielectric object		

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.

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The corresponding PCT application number(s) is/are: PCT/RU2010/000724

The international filing date of the corresponding PCT application(s) is/are:
November 24, 2010

I. List of Required Documents:

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

☑ Is attached.

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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).**

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

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

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

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

(continued)

Application No.:	13/120,494
First Named Inventor:	Kuznetsov

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
Claim 1	Claim 1	Claim was amended to US format

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

Signature /N.Reingand/	Date 3/25/2011
Name (Print/Typed) Nadya Reingand	Registration Number 60933

Privacy Act Statement

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

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

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

Doc Code: PPH.PET.652

Document Description: Petition to make special under Patent Pros Hwy

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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.

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE RUSSIAN PATENT OFFICE (ROSPATENT) AND THE USPTO

Application No.:	13/120,494	Filing Date:	03-23-2011
First Named Inventor:	Kuznetsov		
Attorney Docket No.:	APS-3-2011		
Title of the Invention:	Method to determine dielectric permeability of dielectric object		

THIS REQUEST FOR PARTICIPATION IN THE 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 PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PILOT PROGRAM.

The above-identified application and the corresponding RU application(s) have the same priority/filing date. If Rospatent is not the office of first filing (OFF), identify the OFF and the OFF application no.

The RU application number(s) is/are: application RU2009145423/07 issued as a patent No. RU2408005

The filing date of the RU application(s) is/are: 11-26-2009

I. List of Required Documents:

a. **A copy of all RU office actions (which are relevant to patentability) in the above-identified RU application(s)**

☑ is attached.*

b. **A copy of all claims which were determined to be patentable by Rospatent in the above-identified RU application(s)**

☑ is attached. *

c. **(1) An information disclosure statement listing the documents cited in the RU office actions**

☐ is attached.

☑ has already been filed in the above-identified U.S. application on 03/23/2011

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

☐ are attached.

☑ have already been filed in the above-identified U.S. application on 03/23/2011

*English translations of the documents along with a statement that the English translation are accurate are also attached if the documents are not in the English language.

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

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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN THE RUSSIAN PATENT OFFICE (ROSPATENT) AND THE USPTO

(continued)

Application No.:	13/120,494
First Named Inventor:	Kuznetsov

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in RU Application	Explanation regarding the correspondence
1	1	

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the RU application.

Signature /N.Reingand/	Date 10/26/2011
Name (Print/Typed) Nadya Reingand	Registration Number 60933

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.
13/120,494	08/04/2011	Kuznetsov Andrey	aps-3-2011	1564

63093 7590 12/08/2011

NADEJDA REINGAND
7 CLIFTON CT.
BALTIMORE, MD 21208

EXAMINER	
DASTOURI, MEHRDAD	

ART UNIT	PAPER NUMBER
2486	

MAIL DATE	DELIVERY MODE
12/08/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

DEC 08 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

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

NADEJDA REINGAND
7 CLIFTON CT.
BALTIMORE, MD 21208

In re Application of: ANDREY et al.
Application No. 13/120494
Attorney Docket #: aps-3-2011
Filed: August 4, 2011
For: METHOD TO DETERMINE DIELECTRIC PERMEABILITY OF DIELECTRIC OBJECT

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 26, 2011, to make the above-identified application special.

The petition is **GRANTED.**

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

1. The U.S. application for which participation in the PPH program is requested and the corresponding ROSPATENT application must have the same priority/filing date;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the ROSPATENT application(s);
   b. An English translation of the allowable/patentable claim(s); and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as allowable/patentable claim(s) in the ROSPATENT application(s). Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the ROSPATENT, or the claims in the USPTO are narrower in scope than the claims in the ROSPATENT. In this regard, a claim that is narrower in scope occurs when a ROSPATENT claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the ROSPATENT is not considered to sufficiently correspond. For example, if the ROSPATENT claims only contain claims to a process of

manufacturing a product, then the claims in the USPTO are not considered to sufficiently correspond if the USPTO claims introduce product claims that are dependent on the corresponding process claims; and

b. Submit a claims correspondence table in English;

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

5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the ROSPATENT 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 ROSPATENT application is a first action allowance then no office action from the ROSPATENT is necessary should be indicated on the request/petition form;
   b. An English language translation of the ROSPATENT 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 ROSPATENT);

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

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

Telephone inquiries concerning this decision should be directed to Chau Nguyen at 571-272-3126.

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

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

/Chau Nguyen/

Chau Nguyen
Quality Assurance Specialist
Technology Center 2400

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

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

Application No:	13120513	Filing date:	2009-09-22
First Named Inventor:	Shama Karu Vaman		
Title of the Invention:	CONFECTIONERY AND METHODS OF PRODUCTION THEREOF		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH 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/GB2009/002258

The international filing date of the corresponding PCT application(s) is/are: 2009-09-22

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

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

(continued)

Application No.:	13120513
First Named Inventor:	Shama Karu Vaman

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on 2011-07-11

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 2011-07-11

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-2	1-2	Identical
3-12	3-12	Identical except that EPO claims have multiple dependency
13	13	Identical
14-16	14-16	Identical except that EPO claims have multiple dependency
17-18	17-18	Identical
19-26	19-26	Identical except that EPO claims have multiple dependency
27	27	Identical
28-29	28-29	Identical except that EPO claims have multiple dependency

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

Signature J. Michael Buchanan	Date 2011-10-19
Name (Print/Typed) J. Michael Buchanan	Registration Number 44571

Privacy Act Statement

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

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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.

P343/PCT/US
CDS0356US

Claims determined to be Patentable by the EPO

1. A confectionery product comprising an extruded body portion, the body portion having a plurality of capillaries disposed therein, one or more of the capillaries being at least partially filled with a fill material which is a different material from that of the extruded body portion, the fill material comprising an active and/or reactive component and wherein two or more different active/reactive components are provided in the same or different capillaries.

2. A confectionery product as claimed in claim 1, wherein two or more capillaries are at least partially filled with different active/reactive components

3. A confectionery product as claimed in either claim lor 2, wherein the active and/or reactive component is encapsulated.

4. A confectionery product as claimed in either claim 1 or 2, wherein the active and/or reactive component comprises an effervescent material.

5. A confectionery product as claimed in any preceding claim, wherein the fill material comprises particulate material.

6. A confectionery product as claimed in any preceding claim, wherein the fill material comprises a liquid.

7. A confectionery product as claimed in any one of claims 1 to 6, wherein the capillaries are filled with a liquid material which solidifies.

8. A confectionery product as claimed in any preceding claim, wherein the product further comprises a coating portion to envelop the extruded body portion.

9. A confectionery product as claimed in any preceding claim, wherein the capillaries in the extruded body portion result in a voidage in the range of 5 - 99%.

10. A confectionery product as claimed in any preceding claim, wherein the capillaries have an average width or diameter of no more than 3mm.

11. A confectionery product as claimed in any preceding claim wherein the capillaries have an average diameter or width of no more than 2mm.

12. A confectionery product as claimed in any preceding claim where the body portion comprises a first extruded portion and a second extruded portion, wherein each portion has a plurality of capillaries disposed therein, and the capillaries of the first and second portions are: a) discontinuous; and/or b) continuous and oriented in more than one direction.

13. A confectionery product as claimed in claim 12, wherein the capillaries of each portion are formed substantially parallel to one another.

14. A confectionery product as claimed in either claim 12 or 13, wherein the first and second portions are in a stacked configuration, such that the capillaries of the first and second portions are substantially parallel to each other.

15. A confectionery product as claimed in any of claims 12 to 14, wherein the first and second portions are in a folded configuration.

16. A confectionery product as claimed in any one of claims 12 or 15, wherein the first and second portions are discontinuous and the capillaries are oriented in a random configuration in relation to one another.

17. A process for manufacturing a confectionery product comprising an extruded body portion having a plurality of capillaries disposed therein, the process comprising the steps of: a) extruding an extrudable confectionery material with a plurality of capillaries disposed therein; and b) at least partially filling one or more capillaries with a fill material which is different material from that of the extruded body portion, the fill material comprising an active and/or reactive component and wherein two or more different active/reactive components are provided in the same or different capillaries.

18. A process as claimed in claim 17, further comprising a step selected from: c) cutting the extrudate into two or more pieces having a plurality of capillaries disposed therein and forming a confectionery product incorporating the pieces; or d) folding the extrudate and forming a confectionery product incorporating the folded extrudate.

19. A process as claimed in either claim 17 or 18, wherein the fill material is deposited during the step of extrusion.

20. A process as claimed in any one of claims 17 to 19, wherein two or more capillaries are at least partially filled with different active/reactive components.

21. A confectionery product as claimed in any one of claims 17 to 20, wherein the active and/or reactive component is encapsulated.

22. A confectionery product as claimed in any one of claims 17 to 21, wherein the active and/or reactive component comprises an effervescent material.

23. A confectionery product as claimed in any preceding-claim, wherein the fill material comprises particulate material.

24. A process as claimed in any one of claims 17 to 23, wherein the fill material comprises a liquid.

25. A process as claimed in any one of claims 17 to 24, wherein the fill material comprises a liquid which solidifies after deposition.

26. A process as claimed in any one of claims 17 to 25, wherein the process further comprises the step of quench cooling the extrudate after extrusion.

27. A process as claimed in claim 26, wherein the quench cooling uses a fluid.

28. A process as claimed in any one of claims 17 to 27, wherein the process further comprises the step of, after extrusion, stretching the extrudate.

29. A process as claimed in any one of claims 17 to 28, wherein the process further comprises the step of enveloping the confectionery product in a coating.

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P.O. Box 1450

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DEC 14 2011

OFFICE OF PETITIONS

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

In re Application of : DECISION ON REQUEST TO
Shama Karu VAMAN et al. : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/120,513 : AND PETITION TO MAKE SPECIAL
Filed: May 23, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: CDS0356US :
For: CONFECTIONERY AND METHODS OF PRODUCTION THEREOF

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 October 19, 2011, to make the above-identified application special.

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

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to Technology Center Art Unit 1781 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,530	03/23/2011	Eiji Ishiyama	Q123491	1866

23373 7590 06/03/2011

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

EXAMINER	
CHAUHAN, ULKA J	

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
06/03/2011	ELECTRONIC

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

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

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

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Alexandria, VA 22313-1450
www.uspto.gov

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

In re Application of	:	
ISHIYAMA, EIJI et al	:	DECISION ON REQUEST TO
Application No. 13/120,530	:	PARTICIPATE IN PATENT
Filed: March 23, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. Q123491	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed March 24, 2011 to make the above-identified application special.

The request and petition are **DISMISSED**.

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

(1) The U.S. application be (a) a national stage entry of the corresponding PCT application, or (b) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (c) a national stage application that claims domestic/foreign priority to the corresponding PCT application, (d) a national application which forms the basis for the priority claim in the corresponding PCT application, or (e) a continuation application of the U.S. application which satisfies one of the above (a) to (d) scenarios.
(2) A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the corresponding PCT application(s) which indicates at least one claim in the PCT application has novelty, inventive step, and industrial applicability.
(3) A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application(s).
(4) English translations of the documents in (2) and (3) (if the documents are not in the English language).
(5) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the corresponding PCT application(s).
(6) Examination of the U.S. application has not begun; and

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

The request to participate in the PCT-PPH pilot program and petition is deficient as follows:

Petitioner has not complied with items 4 and 5 above.

Regarding item 4, an English translation of the document in item (2) (if the document is not in the English language) must be provided. A copy of the latest international work product PCT/ISA/237 was filed on March 23, 2011 that was not in the English language. An English translation of this international work product must be filed.

Regarding item 5, All the claims in the U.S. Application must sufficiently correspond or be amended to sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the corresponding PCT application(s). However, only claims 2, 6-10, and 12-14 appear to be indicated as having Novelty, Inventive Step, and Industrial Applicability in the international work product PCT/ISA/237 that was filed on March 23, 2011. It appears the claims (added claims 18-33) in the U.S. application have been amended on March 23, 2011 to sufficiently correspond to all of the claims 1-17 of the corresponding PCT application. Note claims correspondence table indicates claims 18-33 of U.S. application are identical to claims 1-16 of PCT application respectively. Considering claims 1, 3-5, 11, 15, and 16 have not been indicated as having Novelty, Inventive Step, and Industrial Applicability, identical claims 18, 20-22, 28, 32, and 33 of U.S. application do not correspond to claims in the PCT application that have Novelty, Inventive Step, and Industrial Applicability.

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

Any response must be submitted via EFS-web.

Telephone inquiries concerning this decision should be directed to Michael Horabik at 571-272-3068.

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

/Michael Horabik/

Michael Horabik
Quality Assurance Specialist
Technology Center 2600
Communications

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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,530	03/23/2011	Eiji Ishiyama	Q123491	1866

23373 7590 07/15/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER
CHAUHAN, ULKA J

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
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):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

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

In re Application of	**: DECISION ON REQUEST TO**
ISHIYAMA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,530	**: PROSECUTION HIGHWAY**
Filed: 23 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: Q123491	**: TO MAKE SPECIAL UNDER**
For: THREE-DIMENSIONAL DISPLAY APPARATUS, METHOD, AND PROGRAM	**: 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 24 March 2011 and renewed on 05 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

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

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

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

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

Lee W. Young
TQAS, Technology Center 2600

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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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:	13/120,566	Filing date:	03/23/2011
First Named Inventor:	Kouichi YAHAGI		
Title of the Invention:	THREE-DIMENSIONAL IMAGING DEVICE AND METHOD, AS WELL AS PROGRAM		

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/JP2009/004458

The international date of the corresponding PCT application(s) is/are: September 9, 2009

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,566
First Named Inventor:	Kouichi YAHAGI

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 3/23/2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 3/23/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
9	1	U.S. claim 9 is identical to Japanese claim 1
10	2	U.S. claim 10 is identical to Japanese claim 2
11	3	U.S. claim 11 is identical to Japanese claim 3
12	4	U.S. claim 12 is identical to Japanese claim 4
13	5	U.S. claim 13 is identical to Japanese claim 5
14	6	U.S. claim 14 is identical to Japanese claim 6
15	7	U.S. claim 15 is identical to Japanese claim 7

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

Signature /Brian W. Hannon/	Date March 24, 2011
Name (Print/Typed) Brian W. Hannon	Registration Number 32778

Privacy Act Statement

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

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

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

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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,566	03/23/2011	Kouichi Yahagi	Q123484	1153

23373 7590 08/17/2011

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

EXAMINER
WANG, ANDREW J

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
08/17/2011	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):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

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Alexandria, VA 22313-1450
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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of
Kouichi YAHAGI
Application No.: 13/120,566
Filed: 23 March 2011
Attorney Docket No.: Q123484
For: THREE-DIMENSIONAL IMAGING DEVICE AND METHOD, AS WELL AS PROGRAM

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 24 March 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

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

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-5) and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

Regarding the requirement of condition (6), applicant has failed to provide a Japanese language copy of the Written Opinion (PCT/ISA/237).

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,566	03/23/2011	Kouichi Yahagi	Q123484	1153

23373 7590 08/24/2011

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

EXAMINER	
WANG, ANDREW J	
ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
08/24/2011	ELECTRONIC

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

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

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of
Kouichi YAHAGI
Application No.: 13/120,566 : **DECISION ON REQUEST TO**
Filed: 23 March 2011 : **PARTICIPATE IN THE PATENT**
Attorney Docket No.: Q123484 : **PROSECUTION HIGHWAY**
For: THREE-DIMENSIONAL : **PROGRAM AND PETITION**
IMAGING DEVICE AND METHOD, AS : **TO MAKE SPECIAL UNDER**
WELL AS PROGRAM : **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 24 March 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

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

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-5) and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

Regarding the requirement of condition (6), applicant has failed to provide a tranlation of the Written Opinion (PCT/ISA/237).

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Docket No: Q123484
Kouichi YAHAGI	
Appln. No.: 13/120,566	Group Art Unit: Not Yet Assigned
Confirmation No.: 1153	Examiner: Not Yet Assigned
Filed: March 23, 2011	

For: THREE-DIMENSIONAL IMAGING DEVICE AND METHOD, AS WELL AS PROGRAM

RESPONSE TO "DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(a)"

MAIL STOP PCT -- PATENT PROSECUTION HIGHWAY
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Decision on Request to Participate in Patent Prosecution Highway Program under 37 C.F.R. § 1.102(d) mailed August 17, 2011, Applicant respectfully requests reconsideration of the decision based on the following comments.

The PTO's Decision has alleged that Applicant's Request to Participate in Patent Prosecution Highway Program and Petition was deficient because Applicant has not submitted an English translation of the Written Opinion (PCT/ISA/237) from the PCT.

Applicant respectfully directs the PTO's attention to Attachment A which includes an English translation of the PCT Written Opinion of the International Search Authority.

In view of the remarks above and the newly submitted Attachment A, Applicant respectfully requests the PTO to accept Applicant's Request to Participate in Patent Prosecution Highway Program.

Respectfully submitted,

/Brian W. Hannon/
Brian W. Hannon
Registration No. 32,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 15, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,566	03/23/2011	Kouichi Yahagi	Q123484	1153

23373 7590 09/23/2011

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

EXAMINER
WANG, ANDREW J

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
09/23/2011	ELECTRONIC

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

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

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of
Kouichi YAHAGI
Application No.: 13/120,566
Filed: 23 March 2011
Attorney Docket No.: Q123484
For: THREE-DIMENSIONAL IMAGING DEVICE AND METHOD, AS WELL AS PROGRAM

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 24 March 2011 and renewed on 15 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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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FEB 13 2012

OFFICE OF PETITIONS

DAVID E. NEWHOUSE
NEWHOUSE & ASSOCIATES
477 NINTH AVE. 112
SAN MATEO CA 94402-1858

In re Application of:
LAST, Harry J.
Application No.: 13/120,645
Filing Date: March 23, 2011
Attorney Docket No.: DEN-1693.30-US

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

This is a decision on the petition to make special under 37 CFR 1.102(c)(1), filed February 2, 2012, 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. Applicant may also submit a statement from a registered practitioner that he or she has evidence that the applicant is 65 years of age or older. No fee is required

The instant petition includes a statement from a registered practitioner certifying that he is in possession of evidence that the applicant, Harry J. Last, is 65 years of age or older as required under MPEP § 708.02. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Brian W. Brown at (571) 272-5338.

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

Brian W. Brown
Petitions Examiner
Office of Petitions

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:		Filing date:	23 March 2011
First Named Inventor:	KAY, Peter		
Title of the Invention:	Skin Treating 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/GB2009/002314

The international filing date of the corresponding PCT application(s) is/are: 28 September 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	
First Named Inventor:	KAY, Peter

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

☒ Is attached

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

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-19	1-19	The US National Stage Claims, as amended by the co-filed Preliminary Amendment
		provide a set of Claims more closely aligned with US practice, and sufficiently
		correspond to or are amended to sufficiently correspond to all of those Claims indicated
		as having novelty, inventive step and industrial applicability
	20-21	These additional claims are narrower in scope than those that are indicated
		as having novelty, inventive step and industrial applicability. Claims 20-21
		are presented as new Claims, where USPTO "preferable" language was removed
		from the base Claim, and that recitation moved to the new Claims 20-21

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

Signature /Ryan A. Schneider, Reg. #45083/	Date 23 March 2011
Name (Print/Typed) Ryan A. Schneider	Registration Number 45083

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

TROUTMAN SANDERS LLP
5200 BANK OF AMERICA PLAZA
600 PEACHTREE STREET, N.E.
SUITE 5200
ATLANTA, GA 30308-2216

In re Application of	**: DECISION ON REQUEST TO**
Peter Kay, et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,668	**: PROSECUTION HIGHWAY**
Filed: 06 June 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: RB90	**: TO MAKE SPECIAL UNDER**
For: SKIN TREATING DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 06 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

DISCUSSION

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

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

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

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

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to 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

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

64806US005

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:	13/120711	Filing date:	15-OCT-2009
First Named Inventor:	Drouard, Patrick		
Title of the Invention:	Sealing Enclosure		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2009/060737

The international date of the corresponding PCT application(s) is/are: October 15, 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on March 24, 2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on March 24, 2011

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

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

(continued)

Application No.:	13/120711
First Named Inventor:	Drouard, Patrick

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-2	1-2	Correspond, except US claims amended to remove reference numbers
3-15	3-15	Correspond, except US claims amended to remove reference nos. and multiple dependency

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

Signature /Gregg H. Rosenblatt/	Date July 19, 2011
Name (Print/Typed) Gregg H. Rosenblatt	Registration Number 45,056

PATENT COOPERATION TREATY

PCT

OFFICE OF INTELLECTUAL PROPERTY COUNSEL
3M INNOVATIVE PROPERTIES COMPANY
MAY 24 2011
REFERRED TO

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 64806WO003	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/US2009/060737	International filing date *(day/month/year)* 15 October 2009 (15.10.2009)	Priority date *(day/month/year)* 30 October 2008 (30.10.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant 3M INNOVATIVE PROPERTIES COMPANY		

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

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

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

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

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☒	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

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

	Date of issuance of this report 03 May 2011 (03.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Athina Nickitas-Etienne e-mail: pt04.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

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

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

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2009/060737	15.10.2009	30.10.2008

International Patent Classification (IPC) or both national classification and IPC
INV. H02G15/113

Applicant
3M INNOVATIVE PROPERTIES COMPANY

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

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step 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 usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

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

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

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

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	see form PCT/ISA/210	Moueza, Anita Telephone No. +49 89 2399-2455

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2009/060737

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

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

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material:

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing:

      ☐ contained in the international application as filed.

      ☐ filed together with the international application in electronic form.

      ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

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

1. Statement

Novelty (N)	Yes:	Claims	1-15
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-15
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V.

1 Reference is made to the following document:

D1: JP 10 042443 A (JAPAN RIICOM KK; NIPPON TELEGRAPH & TELEPHONE) 13 February 1998 (1998-02-13)

2 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parentheses applying to this document) an enclosure (1) for distributing cables, comprising a housing configured to receive a main cable, an organizer (23) disposed in the housing for managing individual cables from the main cable (A), a cover (figure 1) to enclose the organizer within the housing, the cover including one or more latches (22) configured to engage one or more locking structures formed on the housing.

From this, the subject-matter of independent claim 1 differs in that a latch release mechanism is slidably disposed on the housing, the latch release mechanism including one or more dislodging cam structures formed thereon and configured to slide to a first position where the dislodging cam structures dislodge the one or more latches from engagement with the one or more locking structures.

2.1 The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)
The problem to be solved by the present invention may be regarded as an improved way of releasing the latch mechanism.

2.2 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) since document D1 does not give a solution to release the latch mechanism as described in claim 1 of the present application.

Re Item VII.

The independent claims should be in the two-part form in accordance with Rule 6.3(b) PCT, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

To meet the requirements of Rule 5.1(1)(ii) PCT, the relevant background art disclosed in document D1 should be mentioned in the description and therein identified.

Claims indicated as having novelty, inventive step and industrial applicability in PCT/US2009/060737

1. An enclosure (100) for distributing cables, comprising:

a housing configured to receive a main cable;

an organizer (200) disposed in the housing for managing individual cables from the main cable;

a cover (160) to enclose the organizer within the housing, the cover including one or more latches (161, 162, 161a, 162a) configured to engage one or more locking structures (135) formed on the housing; and

a latch release mechanism (150, 150a) slidably disposed on the housing, the latch release mechanism including one or more dislodging cam structures (153a, 153b) formed thereon and configured to slide to a first position where the dislodging cam structures dislodge the one or more latches from engagement with the one or more locking structures.

2. The enclosure of claim 1, wherein the one or more latches (161, 162, 161a, 162a) each include a locking tab (164), wherein the latch release mechanism (150, 150a) includes a corresponding number of hooking clips (155a, 155b), and wherein the latch release mechanism is configured to slide to a second position where the hooking clips engage the locking tabs.

3. The enclosure of any of the preceding claims, wherein the latch release mechanism (150, 150a) includes a handle (151) configured to receive a direct pushing or pulling force.

4. The enclosure of any of the preceding claims, wherein the cover (160) includes one or more flanges (167) located on an outer wall of the cover, and, optionally, at least one viewing hole (169) formed in at least one of the flanges.

5. The enclosure of any of the preceding claims, wherein the latch release mechanism (150) has a different color than a color of the cover (160).

6. The enclosure of any of the preceding claims, wherein the housing includes a sealing gasket (190) disposed in a perimeter channel (136) formed on an outer wall of the housing, wherein the cover (160) includes an inner wall (166) and an outer wall (165), and wherein the sealing gasket and perimeter channel are disposed between the inner wall and outer wall of the cover when the cover is secured onto the housing via the one or more latches (161, 162, 161a, 162a).

7. The enclosure of any of the preceding claims, wherein the housing comprises a base housing (110) and an intermediate housing (130), wherein the main service cable is disposable between the base housing and the intermediate housing.

8. The enclosure of any of the preceding claims, wherein the housing is sealed via a sealing gasket (180) disposed between the base housing (110) and the intermediate housing (130).

9. The enclosure of any of the preceding claims, wherein the housing includes a plurality of outwardly extending cable guides, the cable guides (111, 112, 113, 131, 132, 133) being split to be placeable around the main service cable.

10. The enclosure of any of the preceding claims, wherein each cable guide (111, 112, 113, 131, 132, 133) is configured to receive a sealing gasket (175) that surrounds the main service cable and, at one end, abuts a stop formed within each cable guide and, at the other end, is engaged by an abutment member (176), wherein each cable guide is further configured to receive a clamping nut (171, 172, 173) that secures around the cable guide to retain the sealing gasket and the abutment member therein and to move the abutment member along the cable within the cable guide to compress the sealing gasket longitudinally and cause it to expand radially to seal against the outside of the cable and the inside of the cable guide.

11. The enclosure of any of the preceding claims, wherein the abutment member (176) is constrained against rotation within the cable guide.

12. The enclosure of any of the preceding claims, wherein the cover (160) comprises first and second latches (161, 162) disposed in a spaced relation on a first outer side wall of the cover and third and fourth latches (161a, 161b) disposed in a spaced relation on a second outer side wall of the cover.

13. The enclosure of any of the preceding claims, wherein each of the one or more locking structures (135) formed on the housing includes a downward sloping portion (135a) that extends away from the outer wall of the housing.

14. The enclosure of any of the preceding claims, wherein the housing further comprises a plurality of distribution ports (121, 122, 145, 146) configured to receive a like number of distribution cables therein.

15. The enclosure of any of the preceding claims configured as a branch splice closure, wherein the main cable comprises a cable having optical fibers for communications and wherein the organizer comprises a fiber organizer (200).

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,711	03/24/2011	Patrick Drouard	64806US005	2521

32692 7590 11/07/2011
3M INNOVATIVE PROPERTIES COMPANY
PO BOX 33427
ST. PAUL, MN 55133-3427

EXAMINER	
LE, UYEN CHAU N	
ART UNIT	**PAPER NUMBER**
2874	

NOTIFICATION DATE	DELIVERY MODE
11/07/2011	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):

LegalUSDocketing@mmm.com

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3M INNOVATIVE PROPERTIES COMPANY
PO BOX 33427
ST. PAUL MN 55133-3427

NOV 7 2011

In re Application of
DROUARD, *et al.*
Application No. 13/120711
Filed: 24 March 2011
Attorney Docket No. 64806US005

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed 19 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

Response must be filed via the Electronic Filing System (EFS) with the Document Code PPH.PET.

Telephone inquiries concerning this decision should be directed to Michael Day at 571-272-1568.

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

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

/Michael Day/

Michael Day
TQAS
Technology Center 2800 – Semiconductors
Electrical & Optical Systems & Components

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UNITED STATES PATENT AND TRADEMARK OFFICE
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ALEXANDRIA, VA 22313-1450
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SHARP KABUSHIKI KAISHA
C/O KEATING & BENNETT, LLP
1800 Alexander Bell Drive
SUITE 200
Reston, VA 20191

MAILED

SEP 28 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Kaori IKUTA	:	
Application No.: 13/120,731	:	
PCT No.: PCT/JP2009/059594	:	PETITION UNDER
Int. Filing Date: 26 May 2009	:	
Priority Date: 02 October 2008	:	
Attorney Docket No.: 70404.720/ha	:	37 CFR 1.182
For: ILLUMINATION DEVICE AND	:	
LIQUID CRYSTAL DISPLAY DEVICE	:	

This decision is in response to petitioner's "PETITION UNDER 37 CFR 1.182" filed on 01 August 2011. The petition fee of $400.00 has been paid by credit card.

BACKGROUND

On 24 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1) and an executed oath under 35 U.S.C. 371(c)(4).

In the declaration, the section pertaining to the name of the inventor, the name Kaori IKUTA appears; this name did not appear in the international application in which the name that appeared is Kaori YAMAMTO. In addition, the declaration has been signed by "Kaori IKUTA."

On 08 April 2011, the DO/EO/US mailed a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) which indicated a date of receipt of 35 USC 371(c)(1), (c)(2), and (c)(4) requirements as 3/24/2011 and 03/24/2011 date of completion of all 35 USC 371 requirements.

On 01 August 2011, petitioner submitted the instant petition, which included an affidavit in support of the name change of the inventor from Kaori Yamamoto to Kaori IKUTA.

DISCUSSION

MPEP § 605.04(c) requires in instances where an inventor has changed his or her name after the application has been filed to submit a petition under 37 CFR 1.182. The petition must include (1) the appropriate petition fee and (2) an affidavit signed with both names setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

With respect to item (1), the petition fee has been paid by credit card..

With respect to item (2), petitioner has provided with the petition her signature signed under her married name Kaori IKUTA, and setting forth the procedure whereby the change of name was effected. Therefore, item (2) has been satisfied.

CONCLUSION

The petition under 37 CFR §1.182 for change of name of the inventor is **GRANTED**.

This application will be forwarded to Technology Center Art Unit 2422 for appropriate action.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,759	03/24/2011	Yousuke Suzuki	2011_0463A	2821

52349 7590 08/25/2011

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

EXAMINER	
ART UNIT	PAPER NUMBER
2115	

NOTIFICATION DATE	DELIVERY MODE
08/25/2011	ELECTRONIC

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

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

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

ddalecki@wenderoth.com
eoa@wenderoth.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington DC 20005-1503

In re Application of: SUZUKI et al.
Application No. 13/120,759
Attorney Docket #: **2011_0463A**
Filed: March 24, 2011
For: **ELECTRONIC DEVICE THAT IS ABLE TO BE CONNECTED TO AN EXTERNAL DEVICE AND OPTICAL DISK REPRODUCING APPARATUS**

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed April 8, 2011 to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application 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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PAUL AND PAUL
2000 MARKET STREET
SUITE 2900
PHILADELPHIA PA 19103

MAILED

JUN 13 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
KIRY (Deceased)	:	DECISION ON
Application No.: 13/120,763	:	
PCT No.: PCT/RU08/00620	:	REQUEST
Int. Filing Date: 26 September 2008	:	
Priority Date: None	:	UNDER 37 CFR 1.42
Attorney Docket no.: 2011-009	:	
For: MULTILAYER MATERIAL WITH	:	
ENHANCED CORROSION RESISTANCE	:	
VARIANTS AND METHODS FOR PREPARING	:	
THE SAME		

This is a decision on applicant's request under 37 CFR 1.42 along with an executed declaration filed in the United States Patent and Trademark Office (USPTO) on 24 March 2011.

BACKGROUND

On 24 March 2011, applicant filed a request for entry into the national stage in the United States of America under 35 U.S.C. § 371 with, *inter alia*, the requisite basic national fee and a declaration executed by the legal representative of the deceased inventor and by the joint inventors.

DISCUSSION

To meet the requirements for compliance with 37 CFR 1.497(a) and (b), the declaration must state the relationship and the country of citizenship for all inventors, including the deceased inventor and his legal representative. In addition, the declaration must provide the residency and mailing address for the deceased inventor and the legal representative.

A review of the declaration submitted on 24 March 2011 reveals it identifies Lubovj Borisovna KIRY as the legal representative of the deceased inventor Gennady Vladimirovich

KIRY and states the relationship, country of citizenship, residency and mailing address for the legal representative, the deceased inventor and the joint inventors. The declaration meets the requirements for compliance with 37 CFR 1.497(a) and (b). Accordingly, it is appropriate, at this time, to accord the application status under 37 CFR 1.42.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **GRANTED.**

The declaration executed by the legal representative for deceased inventor submitted on 24 March 2011 is accepted as a proper declaration under 37 CFR 1.497(a) and (b) and 1.42.

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 24 March 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration

Telephone: (571) 272-3286
Facsimile: (571) 273-0459

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

PTO/SB/20PCT-JP (05-10)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/120,812	Filing Date:	March 24, 2011
First Named Inventor:	Tomotake AONO		
Attorney Docket No.:	149022		
Title of the Invention:	INPUT APPARATUS		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/007315

The international date of the corresponding PCT application(s) is/are: December 25, 2009

I. **List of Required Documents:**

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

☒ Is attached.

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

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

☒ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,812
First Named Inventor:	Tomotake AONO

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

☐ Is attached.

☒ Has already been filed in the above-identified U.S. application on March 24, 2011 and April 18, 2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on March 24, 2011 and April 18, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 of the U.S. application corresponds to claim 1 of the PCT application.

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

Signature	Date April 29, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Linda M. Saltiel	Registration Number 51,122

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461

Privacy Act Statement

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

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

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

I. List of Required Documents

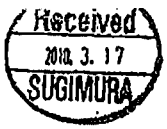
a. A copy of the latest International Work Product (WO/IDA, WO/IPEA or IPER) in the corresponding PCT application(s)

- Is attached

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

- Is attached

特許協力条約



発信人　日本国特許庁（国際調査機関）

代理人
杉村　憲司

様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号　霞が関コモンゲート西館３６階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

発送日 （日.月.年）	16. 03. 2010
出願人又は代理人 の書類記号　09P02931WO	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／JP2009／007315	（日.月.年）　25. 12. 2009	（日.月.年）　25. 12. 2008

国際特許分類（IPC）Int.Cl. G06F3/041(2006.01)i, H04M1/00(2006.01)i

出願人（氏名又は名称）
京セラ株式会社

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
04. 03. 2010

名称及びあて先
日本国特許庁（ISA／JP）
郵便番号１００－８９１５
東京都千代田区霞が関三丁目４番３号

特許庁審査官（権限のある職員）　5E　3246
田中　秀樹
電話番号　03－3581－1101　内線　3521

国際調査機関の見解書

国際出願番号 PCT／JP2009／007315

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／JP2009／007315

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

2. 文献及び説明

文献１：JP 10-171600 A（ブラザー工業株式会社）1998.06.26，全文，全図（ファミリーなし）
文献２：JP 06-161660 A（株式会社東芝）1994.06.10，全文，全図（ファミリーなし）
文献３：JP 09-062446 A（松下電工株式会社）1997.03.07，全文，全図（ファミリーなし）
文献４：JP 2008-107906 A（光洋電子工業株式会社）2008.05.08，全文，全図（ファミリーなし）

請求項１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、当業者にとって自明でもない。

上記文献には、特に、「前記制御部は、前記表示部に表示されている前記入力用オブジェクトに対する押圧入力を受け付ける荷重基準よりも、前記表示部に割り込みで表示された入力用オブジェクトに対する押圧入力を受け付ける荷重基準を高くするように制御すること」が記載も示唆もされておらず、請求項１に係る発明は、新規性および進歩性を有する。

第Ⅷ欄　国際出願に対する意見

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

請求項１には、「前記表示部に割り込みで表示された入力用オブジェクト」とあるが、「割り込み」の技術的定義（「割り込み」でない「入力用オブジェクト」との区別）が不明確である。

請求の範囲

[請求項1] 入力用オブジェクトを表示する表示部と、

前記表示部に表示される前記入力用オブジェクトに対する押圧入力を受け付ける入力部と、

前記入力部に対する押圧荷重を検出する荷重検出部と、

前記荷重検出部により検出される押圧荷重が荷重基準を満たした際に、前記押圧入力を受け付けるように制御する制御部と、を備え、

前記制御部は、前記表示部に表示されている前記入力用オブジェクトに対する押圧入力を受け付ける荷重基準よりも、前記表示部に割り込みで表示された入力用オブジェクトに対する押圧入力を受け付ける荷重基準を高くするように制御することを特徴とする入力装置。

- **I.List of Required Documents**

c. English translations of the documents in a. and b. along with a statement that the English translations are accurate

- Translation of the latest International Work Product is attached
- Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability are attached
- Statement that the English Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability is accurate is attached

PATENT COOPERATION TREATY

From the Japan Patent Office
INTERNATIONAL SEARCHING AUTHORITY

Agent
To: Mr. Kenji Sugimura
Address: Kasumigaseki Common Gate West Tower 36F
3-2-1 Kasumigaseki
Chiyoda-ku, Tokyo 100-0013

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43-2.1)

	Date of mailing *(day/month/year)* 16.03.2010
Applicant's or agent's file reference 09P02931WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(date/month/year)*	Priority date *(date/month/year)*
PCT/JP2009/007315	25.12.2009	25.12.2008

International Patent Classification (IPC)
Int.Cl. G06F3/041 (2006.01) i; H04M1/00 (2006.01) i

Applicant
KYOCERA 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 43-2.1(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 66.1-2(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
04.03.2010

Name and mailing address of the ISA/JP	Authorized officer
Japan Patent Office	Hideki Tanaka
3-4-3 Kasumigaseki, Chiyoda-ku Tokyo 100-8915	Telephone No. 03-3581-1101 ext. 3521

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/007315

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

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

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43-2.1(b))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. format of material

      ☐ on paper

      ☐ in electronic form

   b. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/007315

Box No. V Reasoned statement under Rule 43-2.1(a)(i) with regard to novelty, inventive step and industrial applicability, citations and explanation supporting such statement

1. Statement

Novelty (N)

Claims	1	YES
Claims		NO

Inventive step (IS)

Claims	1	YES
Claims		NO

Industrial applicability (IA)

Claims	1	YES
Claims		NO

2. Citations and explanations:

Citation 1: JP 10-171600 A (BROTHER INDUSTRIES, LTD) 1998.06.26, entire text, all figures (No patent family).

Citation 2: JP 06-161660 A (TOSHIBA Corporation) 1994.06.10, entire text, all figures (No patent family).

Citation 3: JP 09-062446 A (MATSUSHITA ELECTRIC WORKS LTD) 1997.03.07, entire text, all figures (No patent family).

Citation 4: JP 2008-107906 A (KOYO ELECTRONICS INDUSTRIES CO., LTD.) entire text, all figures (No patent family).

The invention recited in claim 1 is not disclosed in any of the citations in the International Search Report. Furthermore, said invention is not obvious.

The above citations especially do not disclose or suggest the following: "the control unit controls such that a load standard for receiving a pressure input to an input object displayed on the display unit in an interrupting manner is higher than a load standard for receiving a pressure input to the input object which has been displayed on the display unit". Furthermore, the invention recited in claim 1 is novel and inventive.

CLAIM

1. An input apparatus comprising:

a display unit for displaying an input object;

an input unit for receiving a pressure input to the input object displayed on the display unit;

a load detection unit for detecting a pressure load on the input unit; and

a control unit for controlling to receive the pressure input when the pressure load detected by the load detection unit satisfies a load standard, wherein

the control unit controls such that a load standard for receiving a pressure input to an input object displayed on the display unit in an interrupting manner is higher than a load standard for receiving a pressure input to the input object which has been displayed on the display unit.

OLIFF & BERRIDGE, PLC

ATTORNEYS AT LAW

TRANSLATION VERIFICATION

I verify that I have checked and reviewed the English translation of the claim and agree that it is a full and accurate translation.

April 29, 2011	Aya Suzuki	
Date	Printed Name	Signature

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International Work Product

- The references cited in the ISR and Written Opinion were submitted in an Information Disclosure Statement filed on March 24, 2011 and April 18, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,812	03/24/2011	Tomotake Aono	149022	3199

25944 7590 08/03/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
08/03/2011	ELECTRONIC

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

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

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

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	**: DECISION ON REQUEST TO**
Tomotake AONO	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,812	**: PROSECUTION HIGHWAY**
Filed: 24 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 149022	**: TO MAKE SPECIAL UNDER**
For: INPUT APPARATUS	**: 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 29 April 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

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

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1), (3-5), and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (2) and (6).

Regarding the requirement of condition (2), applicant has failed to identify and explain why the claims are not subject to the observation in Box VIII of the ISA/237.

Regarding the requirement of condition (6), applicant has failed to submit a complete translation of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability. Specifically, the translation provided does not contain a translation of the observations made in Box VIII of the ISA/237.

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
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.
13/120,812	03/24/2011	Tomotake Aono	149022	3199

25944 7590 08/26/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
08/26/2011	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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	**: DECISION ON REQUEST TO**
Tomotake AONO	**: PARTICIPATE IN THE PATENT**
Application No.: 13/120,812	**: PROSECUTION HIGHWAY**
Filed: 24 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 149022	**: TO MAKE SPECIAL UNDER**
For: INPUT APPARATUS	**: 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 29 April 2011 and renewed on 24 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate

if the latest international work product is not in the English language;

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

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

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

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

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

Lee W. Young
TQAS Technology Center 2600

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No.:	13/120,814	Filing Date:	March 24, 2011
First Named Inventor:	Tomotake AONO		
Attorney Docket No.:	149021		
Title of the Invention:	INPUT APPARATUS		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/007316

The international date of the corresponding PCT application(s) is/are: December 25, 2009

I. **List of Required Documents:**

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

☒ Is attached.

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

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

☒ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,814
First Named Inventor:	Tomotake AONO

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

☐ Is attached.

☒ Has already been filed in the above-identified U.S. application on March 24, 2011

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

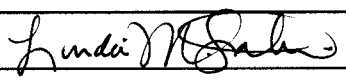
☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on March 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 of the U.S. application corresponds to claim 1 of the PCT application.
2	2	Claim 2 of the U.S. application corresponds to claim 2 of the PCT application.
3	3	Claim 3 of the U.S. application corresponds to claim 3 of the PCT application.
4	4	Claim 4 of the U.S. application corresponds to claim 4 of the PCT application except that claim 4 of the U.S. application was amended to remove multiple dependencies and depends from claim 1.
5	4	Claim 5 of the U.S. application corresponds to claim 4 of the PCT application except that claim 4 of the U.S. application was amended to remove multiple dependencies and depends from claim 2.
6	4	Claim 6 of the U.S. application corresponds to claim 4 of the PCT application except that claim 4 of the U.S. application was amended to remove multiple dependencies and depends from claim 3.

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

Signature		Date April 29, 2011
Name (Print/Typed)	James A. Oliff	Registration Number 27,075
Name (Print/Typed)	Linda M. Saltiel	Registration Number 51,122

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461

Privacy Act Statement

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

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

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

I. List of Required Documents

a. A copy of the latest International Work Product (WO/IDA, WO/IPEA or IPER) in the corresponding PCT application(s)

- Is attached

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

- Is attached

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
杉村　憲司

様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号　霞が関コモンゲート西館３６階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

発送日 (日.月.年)　13. 04. 2010	
出願人又は代理人 の書類記号　09PO2932WO	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／JP2009／007316	(日.月.年)　25. 12. 2009	(日.月.年)　25. 12. 2008

国際特許分類（IPC）Int.Cl. G06F3/041(2006.01)i, G06F3/023(2006.01)i, H03M11/04(2006.01)i

出願人（氏名又は名称）
京セラ株式会社

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 30. 03. 2010		
名称及びあて先 日本国特許庁（ISA／JP） 郵便番号100－8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官（権限のある職員） 遠藤　敏志 電話番号　03－3581－1101　内線　3521	5E　3052

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／JP2009／007316

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/JP2009/007316

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性（N）	請求項	1-4	有
	請求項		無
進歩性（IS）	請求項	1-4	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-4	有
	請求項		無

2. 文献及び説明

文献1:WO 00/65419 A1 (KRISHAN, RAVI, C.) 2000.11.02, 第39ページ第13行-第48ページ第32行, 第10A図 & JP 2002-543485 A & US 6377685 B1 & US 2002/0110237 A1 & EP 1192784 A & AU 4471500 A & NO 20015174 A & BR 9933 A & CA 2371016 A & AU 780786 B

文献2:JP 10-171600 A (ブラザー工業株式会社) 1998.06.26, 全文, 全図 (ファミリーなし)

文献3:JP 5-143226 A (シャープ株式会社) 1993.06.11, 請求項1 (ファミリーなし)

文献4:JP 2006-195734 A (ソニー株式会社) 2006.07.27, 【0133】 (ファミリーなし)

請求項1-4に係る発明は、国際調査報告で引用された何れの文献にも開示されておらず、新規性・進歩性を有する。

請求の範囲

[請求項1] 入力用オブジェクトを表示する表示部と、

前記表示部に表示される前記入力用オブジェクトに対する押圧入力を受け付ける入力部と、

前記入力部に対する押圧荷重を検出する荷重検出部と、

前記荷重検出部により検出される押圧荷重が荷重基準を満たした際に、前記押圧入力を受け付けるように制御する制御部と、を備え、

前記制御部は、前記入力用オブジェクトに対する押圧入力を受け付ける荷重基準と、当該入力用オブジェクトと隣り合っている入力用オブジェクトに対する押圧入力を受け付ける荷重基準と、を相違させるように制御することを特徴とする入力装置。

[請求項2] 前記入力部を振動させる振動部をさらに備え、

前記制御部は、前記荷重検出部により検出される押圧荷重が荷重基準を満たした際に、前記振動部を駆動するように制御する、請求項１に記載の入力装置。

[請求項3] 前記制御部は、前記荷重検出部により検出される押圧荷重が荷重基準を満たした後、前記荷重検出部により検出される押圧荷重が当該荷重基準を満たさなくなった際にも前記振動部を再度駆動するように制御する、請求項２に記載の入力装置。

[請求項4] 前記制御部は、前記荷重検出部により検出される押圧荷重が荷重基準を満たした後、前記荷重検出部により検出される押圧荷重が当該荷重基準を満たさなくなった際に、前記入力部が受け付けている前記入力用オブジェクトに対する押圧入力を確定するように制御する、請求項１～３の何れか１項に記載の入力装置。

- **I.List of Required Documents**

c. English translations of the documents in a. and b. along with a statement that the English translations are accurate

- Translation of the latest International Work Product is attached
- Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability are attached
- Statement that the English Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability is accurate is attached

PATENT COOPERATION TREATY

From the Japan Patent Office
INTERNATIONAL SEARCHING AUTHORITY

Agent
To: Mr. Kenji Sugimura
Address: Kasumigaseki Common Gate West Tower 36F
3-2-1 Kasumigaseki
Chiyoda-ku, Tokyo 100-0013

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43-2.1)

	Date of mailing *(day/month/year)* 13.04.2010
Applicant's or agent's file reference 09P02932WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(date/month/year)*	Priority date *(date/month/year)*
PCT/JP2009/007316	25.12.2009	25.12.2008

International Patent Classification (IPC)
Int.Cl. G06F3/041 (2006.01) i; G06F3/023 (2006.01) i; H03M11/04 (2006.01) i

Applicant
KYOCERA 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 43-2.1(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 66.1-2(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
30.03.2010

Name and mailing address of the ISA/JP	Authorized officer
Japan Patent Office	Takeshi Endo
3-4-3 Kasumigaseki, Chiyoda-ku Tokyo 100-8915	Telephone No. 03-3581-1101 ext. 3521

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/007316

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

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

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43-2.1(b))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. format of material

      ☐ on paper

      ☐ in electronic form

   b. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/007316

Box No. V Reasoned statement under Rule 43-2.1(a)(i) with regard to novelty, inventive step and industrial applicability, citations and explanation supporting such statement

1. Statement

Novelty (N)

Claims	1-4	YES
Claims		NO

Inventive step (IS)

Claims	1-4	YES
Claims		NO

Industrial applicability (IA)

Claims	1-4	YES
Claims		NO

2. Citations and explanations:

Citation 1: WO 00/65419 Al (KRISHAN, RAVI, C) 2000.11.02, line 13 of page 39 to line 32 of page 48, Fig. 10A & JP 2002-543485 A & US 6377685 Bl & US 2002/0110237 Al & EP 1192784 A & AU 4471500 A & NO 20015174 A & BR 9933 A & CA2371016A & AU 780786 B.

Citation 2: JP 10-171600 A (BROTHER INDUSTRIES, LTD) 1998.06.26, entire text, all figures (No patent family).

Citation 3: JP 5-143226 A (Sharp Corporation) 1993.06.11, claim 1 (No patent family).

Citation 4: JP 2006-195734 A (Sony Corporation) 2006.07.27, paragraph [0133] (No patent family).

The inventions recited in claims 1-4 are not disclosed in any of the citations in the International Search Report.

Furthermore, said inventions are novel and inventive.

CLAIM

1. An input apparatus comprising:

a display unit for displaying an input object;

an input unit for receiving a pressure input to the input object displayed on the display unit;

a load detection unit for detecting a pressure load on the input unit; and

a control unit for controlling to receive the pressure input if the pressure load detected by the load detection unit satisfies a load standard, wherein

the control unit controls such that a load standard for receiving a pressure input to the input object is different from a load standard for receiving a pressure input to another input object adjacent to the input object.

2. The input apparatus according to claim 1, further comprising a vibration unit for vibrating the input unit, wherein

the control unit controls to drive the vibration unit if the pressure load detected by the load detection unit satisfies the load standard.

3. The input apparatus according to claim 2, wherein the control unit controls to drive again the vibration unit if the pressure load detected by the load detection unit does not satisfy the load standard after the pressure load detected by the load detection unit satisfies the load standard.

4. The input apparatus according to one of claims 1 to 3, wherein the control unit controls to confirm the pressure input to the input object being received by the input unit when the pressure load detected by the load detection unit does not satisfy the load standard after the pressure load detected by the load detection unit satisfies the load standard.

OLIFF & BERRIDGE, PLC

ATTORNEYS AT LAW

TRANSLATION VERIFICATION

I verify that I have checked and reviewed the English translation of the claims and agree that it is a full and accurate translation.

April 29, 2011	Aya Suzuki	
Date	Printed Name	Signature

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International Work Product

- The references cited in the ISR and Written Opinion were submitted in an Information Disclosure Statement filed on March 24, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,814	03/24/2011	Tomotake Aono	149021	3208

25944 7590 05/27/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	:	
AONO, TOMOTAKE	:	DECISION ON REQUEST TO
Application No. 13/120,814	:	PARTICIPATE IN PATENT
Filed: March 24, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **149021**	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed April 29, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

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

(1) The U.S. application be (a) a national stage entry of the corresponding PCT application, or (b) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (c) a national stage application that claims domestic/foreign priority to the corresponding PCT application, (d) a national application which forms the basis for the priority claim in the corresponding PCT application, or (e) a continuation application of the U.S. application which satisfies one of the above (a) to (d) scenarios.
(2) A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the corresponding PCT application(s) which indicates at least one claim in the PCT application has novelty, inventive step, and industrial applicability.
(3) A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application(s).
(4) English translations of the documents in (2) and (3) (if the documents are not in the English language).
(5) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the corresponding PCT application(s).
(6) Examination of the U.S. application has not begun;

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

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

Telephone inquiries concerning this decision should be directed to Ken Wieder at 571-272-2986.

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

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

/Kenneth A. Wieder/

Kenneth A. Wieder
Quality Assurance Specialist
Technology Center 2600
Communications

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/120,839	Filing date:	March 24, 2011
First Named Inventor:	Hiroaki MATSUSHITA		
Title of the Invention:	IMPELLER FOR TURBINE		

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/JP2009/061265

The international date of the corresponding PCT application(s) is/are: June 15, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/120,839
First Named Inventor:	Hiroaki MATSUSHITA

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 24, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
		Please see attached.

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

Signature /Daniel P. Lent/	Date March 24, 2011
Name (Print/Typed) Daniel P. Lent	Registration Number 44867

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.

CLAIMS CORRESPONDENCE TABLE

Claims in US Application	Patentable Claims in PCT/JP2009/061265	Explanation regarding the correspondence
Claim 1 (Independent)	Allowed Claim 1 in International Application No. PCT/JP2009/061265	US Claim 1 corresponds exactly to allowed Claim 1 in International Application No. PCT/JP2009/061265
Claim 2 (Dependent)	Allowed Claim 2 in International Application No. PCT/JP2009/061265	US Claim 2 corresponds exactly to allowed Claim 2 in International Application No. PCT/JP2009/061265
Claim 3 (Dependent)	Allowed Claim 3 in International Application No. PCT/JP2009/061265	US Claim 3 corresponds exactly to allowed Claim 3 in International Application No. PCT/JP2009/061265 and amended to depend only from Claim 2
Claim 4 (Dependent)	Allowed Claim 4 in International Application No. PCT/JP2009/061265	US Claim 4 corresponds exactly to allowed Claim 4 in International Application No. PCT/JP2009/061265 and amended to depend only from Claim 2
Claim 5 (Dependent)	Allowed Claim 5 in International Application No. PCT/JP2009/061265	US Claim 5 corresponds exactly to allowed Claim 5 in International Application No. PCT/JP2009/061265 and amended to depend only from Claim 1
Claim 6 (Dependent)	Allowed Claim 6 in International Application No. PCT/JP2009/061265	US Claim 6 corresponds exactly to allowed Claim 6 in International Application No. PCT/JP2009/061265 and amended to depend only from Claim 1

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
　中村　政美

様

あて名
〒131-0032
日本国東京都墨田区東向島６－１－３　コジマビル

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）	１５．０９．２００９
出願人又は代理人 の書類記号　GH2113-PCT	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２００９／０６１２６５	（日.月.年）　１５．０６．２００９	（日.月.年）　２８．１１．２００８

国際特許分類（ＩＰＣ）Int.Cl. F01D1/08(2006.01)i, F01D1/06(2006.01)i, F01D1/22(2006.01)i, F01D5/04(2006.01)i, F01D5/14(2006.01)i

出願人（氏名又は名称）
株式会社　マック

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
０１．０９．２００９

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 寺町　健司	３Ｔ	３７２７
	電話番号　０３－３５８１－１１０１　内線　３３９５		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００７年４月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０６１２６５

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／ＪＰ２００９／０６１２６５

第Ⅴ欄　新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1．　見解

新規性（N）	請求項	1－6	有
	請求項		無
進歩性（ＩＳ）	請求項	1－6	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－6	有
	請求項		無

2．　文献及び説明

請求項１ないし６に係る発明は、国際調査報告で引用された何れの文献にも開示されておらず、新規性を有する。

特に、プレス羽根部の膨出背部が、隣設するディスクブレードのプレス羽根部の凹部空間に対して交差連通空間部を介して交差するように配され、プレス羽根部に衝動力を付与する作動気体の一部が、交差連通空間部を介して隣設するディスクブレードの凹部空間内を移動し、かつ、膨出背部を越えて回転方向前方に移動できるように構成される点については、何れの文献にも開示されていない。

第Ⅷ欄　国際出願に対する意見

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

請求項３及び４における「他種類のディスクブレード」との記載は、これらの請求項が請求項２を引用する場合においては、「一種類のディスクブレード」を基準として、これとは別のディスクブレードを表していることを明りょうに把握できる。

しかしながら、上記請求項が請求項１を引用する場合においては、基準となるべきディスクブレードに関する記載が同請求項にはないため、上記記載の技術的意義を明りょうに把握できない。

請求の範囲

１．噴出される作動気体の衝動力によって回転するタービン用羽根車であって、

プレス成型された二種類以上のディスクブレードを交互に複数重ねた状態でロウ付手段により固着してなる羽根車本体と、

この羽根車本体が固着されるベースプレートと、

このベースプレートに固定される回転軸とを備え、

前記ディスクブレードは、円環板状を呈する基板部を有し、この基板部には、その内周縁と外周縁とを結ぶように配されると共に、その一方の表面側に膨出して作動気体の衝動力を付与可能な細長なプレス羽根部が複数設けられ、

このプレス羽根部の内部には、基板部の他方の表面側が開放状態となるような凹部空間が形成され、プレス羽根部は、その最突出稜線部分となる膨出背部が、隣設するディスクブレードの基板部の他方の表面にロウ付手段により固着されると共に、隣設するディスクブレードのプレス羽根部の凹部空間に対して交差連通空間部を介して交差するように配され、プレス羽根部に衝動力を付与する作動気体の一部が、交差連通空間部を介して隣設するディスクブレードの凹部空間内を移動できるように構成されると共に、交差連通空間部に於けるプレス羽根部の膨出背部を越えて回転方向前方に移動できるように構成されていることを特徴とするタービン用羽根車。

２．　一種類のディスクブレードのプレス羽根部は、基板部の内周縁から外周縁に向って放射方向に沿うように配置したことを特徴とする請求の範囲１に記載のタービン用羽根車。

３．　他種類のディスクブレードのプレス羽根部は、基板部の内周縁から外周縁に向う放射方向を基準として、外周縁に於ける位置が回転方向で後方に変位した向きに沿うように配置したことを特徴とする請求項１または請求の範囲２に記載のタービン用羽根車。

４．他種類のディスクブレードのプレス羽根部は、基板部の内周縁から外周縁に向う放射方向を基準として、外周縁に於ける位置が回転方向で前方に変位した向きに沿うように配置したことを特徴とする請求項１または請求の範囲２に記載のタービン用羽根車。

５．　一種類のディスクブレードは、基板部の内周縁が他種類のディスクブレードの内周縁より大径であること、または、他種類のディスクブレードは、基板部の内周縁が一種類のディスクブレードの内周縁より大径であることを特徴とする請求の範囲１～４のいずれかに記載のタービン用羽根車。

６．　一種類のディスクブレードは、基板部の外周縁が他種類のディスクブレードの外周縁より小径であること、または、他種類のディスクブレードは、基板部の外周縁が一種類のディスクブレードの外周縁より小径であることを特徴とする請求の範囲１～４のいずれかに記載のタービン用羽根車。

VERIFICATION OF TRANSLATIONS

Re: Claims of International Patent Application (PCT Appln. No. PCT/JP2009/061265)

Address: I, Ryu KOBAYASHI of c/o SHIGA INTERNATIONAL PATENT OFFICE, GranTokyo South Tower 1-9-2 Marunouchi, Chiyoda-ku, Tokyo, Japan, hereby declare that I am the translator of the documents listed above and certify that the translations are true translations to the best of my knowledge and belief.

Signature of Translator: _____ Ryu KOBAYASHI

Dated this: 11th, day of March, 2011.

CLAIMS

1. An impeller for a turbine, which is rotated by an impulsive force of a working gas which is ejected, the impeller for a turbine comprises:

an impeller body which is made by fixing two or more types of press-formed disk blades in an alternately stacked state using brazing method;

a base plate to which the impeller body is fixed; and

a rotating shaft which is fixed to the base plate,

wherein the disk blade has a basal portion formed in annular disk-shape, and a plurality of elongated pressed vane portions which are disposed so as to connect an inner circumferential edge and an outer circumferential edge of the basal portion and which projects from one surface side of the basal portion, thereby being capable of applying the impulsive force of the working gas, is provided at the basal portion, and

a recessed space, where an other surface side of the basal portion is in an opened state, is formed in each pressed vane portion, and where the pressed vane portion is configured such that a projecting rear portion which is the most protruded ridge portion thereof is disposed so as to be fixed to the surface of the other side of the basal portion of the adjacent disk blade using brazing method and to intersect the recessed space of the pressed vane portion of the adjacent disk blade at an intersecting communication space portion, and the pressed vane portion is configured such that a portion of the working gas which imparts the impulsive force to the pressed vane portion moves in the recessed space of the adjacent disk blade through the intersecting communication space portion and moves forward in the rotational direction beyond the projecting rear portion of the pressed vane portion in the intersecting communication space portion.

2. The impeller for a turbine according to Claim 1, wherein the pressed vane portions of one type of disk blade are disposed in the radial direction from the inner circumferential edge toward the outer circumferential edge of the basal portion.

3. The impeller for a turbine according to Claim 1 or 2, wherein the pressed vane portions of the other type of disk blade are disposed in a direction in which a position in the outer circumferential edge is displaced backward in the rotational direction from a standard direction, which is the radial direction from the inner circumferential edge toward the outer circumferential edge of the basal portion.

4. The impeller for a turbine according to Claim 1 or 2, wherein the pressed vane portions of the other type of disk blade are disposed in a direction in which a position in the outer circumferential edge is displaced forward in the rotational direction from a standard direction, which is the radial direction from the inner circumferential edge toward the outer circumferential edge of the basal portion.

5. The impeller for a turbine according to any one of Claims 1 to 4, wherein the inner circumferential edge of the basal portion of one type of disk blade has a larger diameter than the inner circumferential edge of the other type of disk blade, or the inner circumferential edge of the basal portion of the other type of disk blade has a larger diameter than the inner circumferential edge of one type of disk blade.

6. The impeller for a turbine according to any one of Claims 1 to 4, wherein the outer circumferential edge of the basal portion of one type of disk blade has a smaller diameter than the outer circumferential edge of the other type of disk blade, or the outer

circumferential edge of the basal portion of the other type of disk blade has a smaller diameter than the outer circumferential edge of one type of disk blade.

VERIFICATION OF TRANSLATIONS

Re: Translation of International Searching Authority (PCT Appln. No. PCT/JP2009/061265)

Address: I, Ryu KOBAYASHI of c/o SHIGA INTERNATIONAL PATENT OFFICE, GranTokyo South Tower 1-9-2 Marunouchi, Chiyoda-ku, Tokyo, Japan, hereby declare that I am the translator of the documents listed above and certify that the translations are true translations to the best of my knowledge and belief.

Signature of Translator: _____ Ryu KOBAYASHI

Dated this: 11th, day of March, 2011.

Note: This translation of Form PCT/ISA/237 is not prepared by WIPO but a Japanese agent because on official translation is not published when entering the national phase.

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

NAKAMURA, Masami;

Kojima Bldg. 1-3,
Higashimukojima 6-chome Sumida-ku,
Tokyo 1310032 (JP)

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	15. 09. 2009
Applicant's or agent's file reference GH2113-PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/061265	15. 06. 2009	28. 11. 2008

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

F01D1/08(2006.01)i, F01D1/06(2006.01)i, F01D1/22(2006.01)i, F01D5/04(2006.01)i, F01D5/14(2006.01)i

Applicant

MAC Co., Ltd.

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

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

2. **FURTHER ACTION**

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

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

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

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

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.	01. 09. 2009	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/061265

Box No. I **Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

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

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/061265

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 – 6	YES
	Claims		NO
Inventive step (IS)	Claims	1 – 6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 – 6	YES
	Claims		NO

2. Citations and explanations:

The invention as in claims 1 to 6 is novel because none of the documents cited in the ISR discloses the invention.

In particular, the feature in which a projecting rear portion of a pressed vane portion is disposed so as to intersect the recessed space of the pressed vane portion of the adjacent disk blade at an intersecting communication space portion, and the pressed vane portion is configured such that a portion of the working gas which imparts the impulsive force to the pressed vane portion moves in the recessed space of the adjacent disk blade through the intersecting communication space portion and moves forward in the rotational direction beyond the projecting rear portion of the pressed vane portion is not disclosed in the documents.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/061265

Box No. VIII **Certain observations on the international application**

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

When claims 3 and 4 depend on claim 2, it is clear "the other type of disk blade" recited in claims 3 and 4 means a different type of disk blade based on the description "one type of disk blade" recited in claim 2.

However, when these claims depend on claim 1, since there is no base relating a disk blade in claim 1, the technical meaning is unclear.

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.
13/120,839	03/24/2011	Hiroaki Matsushita	SGI0043US	3318

23413 7590 09/01/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
3745	

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):

usptopatentmail@cantorcolburn.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	:	
MATSUSHITA, HIROAKI et al	:	DECISION ON REQUEST TO
Application No. 13/120,839	:	PARTICIPATE IN PATENT
Filed: March 24, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. SGI0043US	:	PROGRAM AND PETITION
For: IMPELLER FOR TURBINE	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed March 24, 2011, to make the above-identified application special.

The request and petition are granted.

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

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

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

Other inquiries concerning the examination or status of the application should be directed to Ed Look, the SPE of Art Unit 3745 at 571-272-4820 for Class 415 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

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

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

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

The petition is **granted.**

/Henry C. Yuen/

_____

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,840	06/01/2011	Hironobu Oki	87522(302716)	3319

21874 7590 09/06/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
1766	

MAIL DATE	DELIVERY MODE
09/06/2011	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

September 6, 2011

In re application of	:	DECISION ON REQUEST TO
Hironobu Oki et al.	:	PARTICIPATE IN PATENT
Serial No. 13/120,840	:	PROSECUTION HIGHWAY
Filed: March 24, 2011	:	PROGRAM AND
Attorney Docket No: 87522(302716)	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 24, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

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

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

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

(6) Applicant must submit:

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

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

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

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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

PTO/SB/20PCT-RU (10-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE FEDERAL SERVICE ON INTELLECTUAL PROPERTY, PATENTS & TRADEMARKS OF RUSSIA (ROSPATENT) AND THE USPTO

Application No:	PCT/RU2010/000725	Filing date:	November 24, 2010
First Named Inventor:	Kuznetsov		
Title of the Invention:	Method for remote inspection of target in monitored space		

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/RU2010/000725

The international filing date of the corresponding PCT application(s) is/are:
November 24, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-RU (10-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	RU Patent 2411504
First Named Inventor:	Kuznetsov

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
Claim1	Claim1	Claim amendment was made to make it US format

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

Signature /N. Reingand/	Date 3/24/2011
Name (Print/Typed) Nadya Reingand	Registration Number 60933

Privacy Act Statement

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

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

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

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

PTO/SB/20PCT-RU (10-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE FEDERAL SERVICE ON INTELLECTUAL PROPERTY, PATENTS & TRADEMARKS OF RUSSIA (ROSPATENT) AND THE USPTO

Application No:	13/120,857	Filing date:	3/24/2011
First Named Inventor:	Kuznetsov		
Title of the Invention:	Method for remote inspection of target in monitored space		

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/RU2010/000725

The international filing date of the corresponding PCT application(s) is/are:
November 24, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

(continued)

Application No.:	13/120,857
First Named Inventor:	Kuznetsov

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
Claim 1	Claim 1	Claim was amended to US format

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

Signature /N.Reingand/	Date 3/25/2011
Name (Print/Typed) Nadya Reingand	Registration Number 60933

Privacy Act Statement

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

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

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

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/120,857	07/19/2011	Andrey Kuznetsov	aps2-3-2011	3423

63093 7590 09/09/2011

NADEJDA REINGAND
7 CLIFTON CT.
BALTIMORE, MD 21208

EXAMINER	
ART UNIT	PAPER NUMBER
2482	

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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NADEJDA REINGAND
7 CLIFTON CT.
BALTIMORE MD 21208

In re Application of: KUZNETSOV et al.
Application No. 13120857
Filed: July 19, 2011
For: METHOD FOR REMOTE INSPECTION OF TARGET IN MONITORED SPACE

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 March 25, 2011, to make the above-identified application special.

The petition is **DISMISSED.**

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) 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 fail to meet the requirement of items **(5)**, **(6)** and **(7)** above. With respect to item (5), Applicant failed to 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. With respect to item (6), Applicant failed to 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. With respect to item (7), the request to participate in the PCT-PPH Pilot Program indicates that an IDS is attached, however there is no record that an IDS was submitted. Furthermore, because of non-compliance with item (6) above, it is not possible at this point to determine whether the requirements of item (3) are met.

Accordingly, the Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Telephone inquiries concerning this decision should be directed to 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.

/Hassan Kizou/

Hassan Kizou
Supervisory Patent Examiner
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.
13/120,857	07/19/2011	Andrey Kuznetsov	aps2-3-2011	3423

63093 7590 10/27/2011

NADEJDA REINGAND
7 CLIFTON CT.
BALTIMORE, MD 21208

EXAMINER	
DASTOURI, MEHRDAD	
ART UNIT	**PAPER NUMBER**
2486	

MAIL DATE	DELIVERY MODE
10/27/2011	PAPER

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

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

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Nadya Reingand
NADEJDA REINGAND
7 CLIFTON CT.
BALTIMORE MD 21208

In re Application of: KUZNETSOV, A. et al.
Application No.: **13120857**
Filed: June 19, 2011
Attorney Docket No.: aps2-3-2011
For: METHOD FOR REMOTE INSPECTION OF TARGET IN MONITORED SPACE

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 Renew request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed **September 30, 2011**, to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application (including national stage entry of a PCT application and a so-called bypass application filed under 35 U.S.C. § 111(a) which validly claims benefit under 35 U.S.C. §120 to a PCT application) is:

(Case I) – is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with RU; or
(Case II) – is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in RU; or
(Case III) – is an application which shares a common priority document with the application filed in RU; or
(Case IV) – and the RU application are derived from/related to a PCT application having no priority.

Provisional applications, plant applications, design applications, reissue applications, reexamination proceedings, and applications subject to a secrecy order are excluded and not subject to participation in the PPH.

Where the RU 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 RU application that contains the allowable/patentable claims and the RU priority application claimed in the U.S. application;

(2) At least one claim was determined by RU to be allowable/patentable. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the RU application(s);
   b. An English translation of the allowable/patentable claim(s), if the claims were published in a language other than English);
   c. A statement that the English translation is accurate; and
   d. If the RU office action does not explicitly state that a particular claim is allowable, the applicant must include a statement in the request for participation in the PPH program or in the transmittal letter accompanying the request for participation that no rejection has been made in the RU office action regarding that claim, and therefore, the claim is deemed allowable by RU;

(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 RU application(s). Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the RU, or the claims in the USPTO are narrower in scope than the claims in the RU. In this regard, a claim that is narrower in scope occurs when a RU claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the RU is not considered to sufficiently correspond. and
   b. Submit a claim correspondence table in English indicating how all the claims in the U.S. application corresponds to the allowable/patentable claims in the RU Application(s). Dependent claims with addition limitations must be clearly identified in the claims correspondence table;

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

(5) The applicant must file a request for participation in the PPH program and a request that the U.S. application be advanced out of turn for examination by order of the Director to expedite the business of the Office under 37 CFR 1.102(a).

(6) Applicant must submit:
   a. Documentation of prior office action: (i.) a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the RU 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 RU application is a first action allowance then no office action from the RU is necessary should be indicated on the request/petition form;

b. The applicant must submit copies of any office actions (which are relevant to patentability) from the RU application(s) issued after the grant of the request for participation in the PPH program in the USPTO (especially where RU might have reversed a prior holding of allowability).

c. An English language translation of the RU office action(s) (if the office action(s) are not in the English language); and

d. A statement that the English translation is accurate;

(7) Applicant must submit:

a. An IDS listing the documents cited by the RU examiner in the RU office action (unless already filed in this application); and

b. Copies of all the documents cited in the RU office action, except U.S. patents or U.S. patent application publications (unless already filed in this application).

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

Accordingly, the petition is **GRANTED.**

Telephone inquiries concerning this decision should be directed to Beatriz Prieto at 571-272-3902. A second point of contact is Hassan Kizou at 571-272-3088. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

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

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400

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

PTO/SB/20PCT-US (09-10)
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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/120,867	Filing date:	March 24, 2011
First Named Inventor:	Tomonori MASUDA		
Title of the Invention:	IMAGE CAPTURING APPARATUS AND CONTROL METHOD THEREOF		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH 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/JP2010/068038

The international date of the corresponding PCT application(s) is/are: October 14, 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.

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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/120,867
First Named Inventor:	Tomonori MASUDA

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

[X] Is attached

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

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

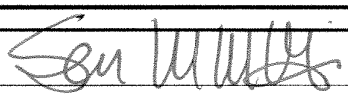
[X] Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	In PCT Application, claim 4 refers to any one of claims 1 to 3. However, in US Application, claim 4 refers to claim 1 alone.
5	5	In PCT Application, claim 5 refers to any one of claims 1 to 3. However, in US Application, claim 5 refers to claim 1 alone.
6	6	
7	7	
8	8	
9	9	
10	10	

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

Signature		Date	May 16, 2011
Name (Print/Typed)	Sean M. McGinn, Esq.	Registration Number	34,386

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

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

Application No:	13120928	Filing date:	25 March 2011
First Named Inventor:	Zachary SACHS		
Title of the Invention:	SYSTEM AND METHOD FOR CONTROLLING OPTICAL OUTPUT OF A FREQUENCY CONVERSION 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/IL2009/000900

The international filing date of the corresponding PCT application(s) is/are: 15 September 2009

I. List of Required Documents:

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

☐ Is attached

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

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

☒ Is attached.

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

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

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	
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 25 March 2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 25 March 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
5	5	claim 5 written in independent form to include features of cancelled base claim 1
6	6	identical
7	7	identical
8	8	identical
9	9	identical
21	21	claim 29 written in independent form to include features of cancelled base claim 18
22	22	identical
23	23	identical
24	24	identical
25	25	identical
26	26	identical
29	29	claim 29 written in independent form to include features of cancelled base claim 18
32	32	claim 32 written in independent form to include features of cancelled base claim 18 and intermediate claim 31
36	36	claim 36 written in independent form to include features of cancelled base claim 35
41	41	claim 41 written in independent form to include features of cancelled base claim 40

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

Signature /Michael Kondoudis/	Date 25 March 2011
Name (Print/Typed) Michael Kondoudis	Registration Number 42,758

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.
13/120,928	06/09/2011	Zachary Sacks	1400.0234	4252

75485 7590 10/21/2011

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

EXAMINER	
LE, UYEN CHAU N	

ART UNIT	PAPER NUMBER
2874	

NOTIFICATION DATE	DELIVERY MODE
10/21/2011	ELECTRONIC

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of
SACKS et al.
Application No.: 13/120,928
Filed: 09 June 2011
Attorney Docket No.: 1400.0234
For: SYSTEM AND METHOD FOR CONTROLLING OPTICAL OUTPUT OF A FREQUENCY CONVERSION 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 25 March 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

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

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

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

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

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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LAWYERS, P.C.
919 Congress Avenue, Suite 919
AUSTIN TX 78701

MAILED

MAY 24 2011

PCT LEGAL ADMINISTRATION

In re Application of DIETRICH et al.
Application No.: 13/120,983
PCT No.: PCT/EP09/61476
Int. Filing Date: 04 September 2009
Priority Date: 22 September 2008
Attorney Docket No.: BUND003USN
For: TELECOMMUNICATION METHOD, COMPUTER PROGRAM PRODUCT AND COMPUTER SYSTEM

DECISION ON

PETITION TO REVIVE

UNDER 37 CFR 1.137(a) &(b)

This is a decision on applicant's petition to revive under 37 CFR 1.137(a), which was filed in the United States Patent and Trademark Office on 17 May 2011 in the above-captioned application. In the alterative, applicant requests treatment under 37 CFR 1.137(b).

BACKGROUND

On 04 September 2009, applicant filed international application PCT/EP09/61476 which claimed no priority date. Pursuant to 37 CFR 1.495, the thirty-month period for paying a basic national fee in the United States expired at midnight on 22 March 2011.

On 25 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States under 35 U.S.C. 371, which was accompanied by the basic national fee. The application papers were assigned U.S. serial number 13/120,983. The papers were accompanied by a petition to revive under 37 CFR 1.137(a) and in the alternative, 37 CFR 1.137(b).

DISCUSSION

Petition under 37 CFR 1.137(a)

Under 37 CFR 1.137(a), a petition requesting that the application be revived on the grounds of unavoidable delay requires (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(l); (3) a showing to the satisfaction of the Director that the entire delay in filing the required reply from the due date for the reply until the filing of a

grantable petition was unavoidable and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d). As to Item (4), the terminal disclaimer is not required since this application was filed after 08 June 1995.

Item (1) is satisfied as applicant provided the proper reply that is the basic national fee. With regard to Item (2), the payment of the petition fee in the amount of $540.

Concerning item (3), Petitioner has not provided an acceptable showing that the delay was unavoidable. Petitioner's statement that the electronic email from foreign counsel requesting National Stage entry into the United States was not received in a timely manner is insufficient to satisfy the stringent standards applied to "unavoidable" abandonments. Specifically, unavoidable delay is present only where petitioner and those acting for petitioner take all actions necessary to continue the prosecution of an application, but through the intervention of unforeseen circumstances, a required action is not timely taken. The actions and circumstances described in this petition do not reflect the "care or diligence than is generally used and observed by prudent and careful men in relation to their most important business." *Ex Parte Pratt*, 1887 Dec. Comm'r Pat. 31, 32-33 (1887).

A petition to revive under 37 CFR 1.137(a) cannot be granted where a petition has failed to meet his burden of establishing unavoidable delay within the meaning of 37 CFR 1.137(a) and 35 U.S.C. 133. *Haines v.Quigg*, 673 F. Supp. 314, 316-17, 5 USPQ2nd 1130, 1131-32 (N.D. Ind. 1987). Therefore, since applicant has not satisfied Item (3) above, the granting of the petition under 37 CFR 1.137(a) for revival based on unavoidable delay would not be proper. The petition to revive under 37 CFR 1.137(a) for unavoidable delay is dismissed without prejudice.

Petition under 37 CFR 1.137(b)

In the alternative, applicant requested revival of the application via petition under 37 CFR 1.137(b).

Under 37 CFR 1.137(b), a petition requesting that the application be revived on the grounds of unintentional delay must be filed promptly after the date on which the application became abandoned. Such a petition under 37 CFR 1.137(b) must be accompanied by (1) a proper reply; (2) the petition fee required by law, and (3) a statement that the "entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional".

Item (1) is satisfied as applicant provided the proper reply; that is, the basic national fee was paid. With regard to Item (2), the payment of the petition fee in the amount of $1620 will be charged to applicant's deposit account per their authorization. With respect to Item (3), applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b)(3) was, at least, unintentional" has been interpreted as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional" as required by 37 CFR 1.137(b)(3) at the time of filing this petition. If this is an

incorrect interpretation in view of the rules, petitioner is required to promptly notify this office. The petition to revive under 37 CFR 1.137(b) is granted.

CONCLUSION

For the reasons above, the petition to revive under 37 CFR 1.137(a) is **DISMISSED without prejudice.**

Applicant's deposit account will be charged the petition fee of $1620 per their authorization. The petition to revive under 37 CFR 1.137(b) is **GRANTED.**

The application will be forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
Facsimile: (571) 273-0459

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

MAILED

MAY 26 2011

PCT LEGAL ADMINISTRATION

In re Application of
ZENHAUSERN et al
Application No.: 13/121,031
PCT No.: PCT/US2009/053944
Int. Filing Date: 14 August 2009
Priority Date: 15 August 2008
Attorney's Docket No.: 22193-0015US1
For: POROUS MATERIALS FOR BIOLOGICAL SAMPLE COLLECTION

: DECISION ON
:
:
:
: PETITION UNDER
:
:
: 37 CFR 1.137(b)
:

This decision is in response to applicants' "Petition For Revival Of An International Application For Patent Designating The U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)," filed on 25 March 2011.

BACKGROUND

On 14 August 2009, this international application was filed, claiming an earliest priority date of 15 August 2008.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 15 February 2011. This international application became abandoned with respect to the United States at midnight on 15 February 2011 for failure to pay the required basic national fee.

On 25 March 2011, applicants filed in the United States Patent and Trademark Office (PTO) a transmittal letter for entry into the national stage in the U.S. under 35 U.S.C. 371, which was accompanied by, *inter alia*, the national basic fee, petition fee, and a petition under 37 CFR 1.137(b).

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; (2) the petition fee as set forth in § 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

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

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

DECISION

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

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

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

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/121,043	Filing date:	March 25, 2011
First Named Inventor:	Anders DJUPSJÖBACKA		
Title of the Invention:	RESONATOR LENGTH MEASUREMENT		

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

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

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

The corresponding PCT application number(s) is/are: PCT/EP2009/063208

The international filing date of the corresponding PCT application(s) is/are: October 9, 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☐ Is attached.

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

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

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/121,043
First Named Inventor:	Anders DJUPSJÖBACKA

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

☒ Is attached

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

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Amended to correct formatting and provide limitations
2	2	Amended to remove multiple dependencies and provide limitations
3	3	Amended to remove multiple dependencies
4	4	Amended to remove multiple dependencies and provide limitations
5	5	Amended to remove multiple dependencies
6	6	Amended to remove multiple dependencies
7	7	Amended to correct formatting
8	8	Amended to correct spelling
9	9	Amended to remove multiple dependencies
10	10	Amended to remove multiple dependencies and provide limitations
11	11	Amended to remove multiple dependencies
12	12	Amended to remove multiple dependencies
13	13	Amended to remove multiple dependencies
14	14	Amended to correct formatting, remove multiple dependencies and provide limitations
15	15	Amended to correct formatting and remove multiple dependencies
16		New claim dependent on claim 8
17		New claim dependent on claim 8

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

Signature /John E. Nemazi/	Date May 13, 2011
Name (Print/Typed) John E. Nemazi	Registration Number 30,876

Privacy Act Statement

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

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,043	03/25/2011	Anders Djupsjobacka	FORK0102PUSA	5094

22045 7590 06/07/2011

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER	
ART UNIT	PAPER NUMBER
2877	

MAIL DATE	DELIVERY MODE
06/07/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Alexandria, VA 22313-1450
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BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD MI 48075

In re Application of	
DJUPSJOBACKA et al.	**: DECISION ON REQUEST TO**
Application No.: 13/121,043	**: PARTICIPATE IN THE PATENT**
Filed: 25 March 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: FORK0102PUSA	**: PROGRAM AND PETITION**
For: RESONATOR LENGTH MEASUREMENT	**: 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 13 May 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

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.
13/121,068	05/24/2011	Tetsuya Imai	041514-5411	5300

55694 7590 07/13/2011
DRINKER BIDDLE & REATH (DC)
1500 K STREET, N.W.
SUITE 1100
WASHINGTON, DC 20005-1209

EXAMINER	
ART UNIT	PAPER NUMBER
1742	

NOTIFICATION DATE	DELIVERY MODE
07/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DBRIPDocket@dbr.com
penelope.mongelluzzo@dbr.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

July 12, 2011 WG

In re application of	:	DECISION ON REQUEST TO
Tetsuya Imai et al.	:	PARTICIPATE IN PATENT
Serial No. 13/121,068	:	PROSECUTION HIGHWAY
Filed: May 24, 2011	:	PROGRAM AND
For: TRANSFER METHOD AND TRANSFER APPARATUS	:	PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed May 24, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

a. Documentation of prior office action:
   i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
   ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
   iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and
b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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MICHAEL N. HAYNES
1341 HUNTERSFIELD CLOSE
KESWICK VA 22947

MAILED

OCT 11 2011

OFFICE OF PETITIONS

In re Application of
Appleby et al.
Application No. 13/121,086
Filed: April 25, 2011
Attorney Docket No. 1021-057

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed September 12, 2011.

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.

This application is being forwarded to art unit 1783 for processing in the normal course of business.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Attorney Advisor
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
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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:	13/121,125	Filing date:	March 25, 2011
First Named Inventor:	Takanori MORITA		
Title of the Invention:	EYE OPEN/CLOSE RECOGNIZING APPARATUS AND RECORDING MEDIUM		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/070249

The international date of the corresponding PCT application(s) is/are: December 2, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/121,125
First Named Inventor:	Takanori MORITA

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 25, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	2	Same as allowable PCT Claim 2 except for claim form
14	-	Narrower than corresponding PCT Claim 2.
15	4	Narrower than corresponding PCT Claims 2 and 4.
16	5	Narrower than corresponding PCT Claims 2 and 5.
17	6	Narrower than corresponding PCT Claims 2 and 6.
18	-	Narrower than corresponding PCT Claim 2.
19	8	Narrower than corresponding PCT Claims 2 and 8.
20	-	Narrower than corresponding PCT Claim 2.
21	-	Narrower than corresponding PCT Claim 2.
22	2	Same as allowable PCT Claim 2 except for statutory class.
		Corresponds to PCT claim 12 with the allowable features of
		claim 2 added.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /John M. Bird/ # 46,027 for:	Date March 28, 2011
Name (Print/Typed) Steven M. Gruskin	Registration Number 36,818

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,125	06/10/2011	Takanori Morita	Q123804	5706

23373 7590 08/17/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
08/17/2011	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.

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sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of
MORITA et al.
Application No.: 13/121,125
Filed: 25 March 2011
Attorney Docket No.: Q123804
For: EYE OPEN/CLOSE RECOGNIZING APPARATUS AND RECORDING MEDIUM

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 28 March 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-3), (5), and (7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (4), (6), and (8).

Regarding the requirement of condition (4), applicant has failed to ensure that all claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. Specifically, US claim 23 does not correspond to a PCT claim having novelty, inventive step, and industrial applicability.

Regarding the requirement of condition (6), applicant has failed to provide a translation of the Written Opinion (PCT/ISA/237). Further, the file contains an Article 19 amendment which typically indicates that Chapter II was entered. The file does not contain a copy of the PCT/ISA/409 (i.e. the latest international work product) and a translation thereof.

Regarding the requirement of condition (8), the claims correspondence table does not include US pending claim 23.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Lee W. Young
Quality Assurance Specialist -TC 2600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,125	06/10/2011	Takanori Morita	Q123804	5706

23373 7590 09/23/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
09/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

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Commissioner for Patents
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Alexandria, VA 22313-1450
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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of
MORITA et al.
Application No.: 13/121,125
Filed: 25 March 2011
Attorney Docket No.: Q123804
For: EYE OPEN/CLOSE RECOGNIZING APPARATUS AND RECORDING MEDIUM

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 28 March 2011 and renewed on 16 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

Doc Code: PPH.PET.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/121,138	Filing Date:	March 25, 2011
First Named Inventor:	Tomotake AONO		
Attorney Docket No.:	149051		
Title of the Invention:	INPUT APPARATUS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/007318

The international date of the corresponding PCT application(s) is/are: December 25, 2009

I. **List of Required Documents:**

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/121,138
First Named Inventor:	Tomotake AONO

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached.

☒ Has already been filed in the above-identified U.S. application on March 25, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on March 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	U.S. claim 1 corresponds to PCT claim 1.
2	2	U.S. claim 2 corresponds to PCT claim 2.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date April 29, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Linda M. Saltiel	Registration Number 51,122

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

I. List of Required Documents

a. A copy of the latest International Work Product (WO/IDA, WO/IPEA or IPER) in the corresponding PCT application(s)

- Is attached

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)

- Is attached

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
杉村　憲司

様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号　霞が関コモンゲート西館３６階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
（PCT規則43の2.1）

出願人又は代理人の書類記号　09P02933WO	発送日（日.月.年）　13.04.2010
	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／JP2009／007318	25.12.2009	25.12.2008

国際特許分類（IPC）Int.Cl. G06F3/041(2006.01)i, G06F3/023(2006.01)i, H03M11/04(2006.01)i

出願人（氏名又は名称）
京セラ株式会社

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
30.03.2010

名称及びあて先
日本国特許庁（ISA／JP）
郵便番号100－8915
東京都千代田区霞が関三丁目4番3号

特許庁審査官（権限のある職員）　5E　3052
遠藤　尊志
電話番号　03－3581－1101　内線　3521

国際調査機関の見解書

国際出願番号 PCT／JP2009／007318

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／JP2009／007318

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	1,2	有
	請求項		無
進歩性（IS）	請求項	1,2	有
	請求項		無
産業上の利用可能性（IA）	請求項	1,2	有
	請求項		無

2. 文献及び説明

文献1:WO 00/65419 A1 (KRISHAN,RAVI,C.) 2000.11.02, 第39ページ第13行-第48ページ第32行,第10A図 & JP 2002-543485 A & US 6377685 B1 & US 2002/0110237 A1 & EP 1192784 A & AU 4471500 A & NO 20015174 A & BR 9933 A & CA 2371016 A & AU 780786 B

文献2:JP 10-171600 A (ブラザー工業株式会社) 1998.06.26, 全文,全図 (ファミリーなし)

文献3:JP 5-143226 A (シャープ株式会社) 1993.06.11, 請求項1 (ファミリーなし)

請求項1，2に係る発明は、国際調査報告で引用された何れの文献にも開示されておらず、新規性・進歩性を有する。

請求の範囲

[請求項1] 入力用オブジェクトを表示する表示部と、

前記表示部に表示される前記入力用オブジェクトに対する押圧入力を受け付ける入力部と、

前記入力部に対する押圧荷重を検出する荷重検出部と、

前記荷重検出部により検出される押圧荷重が荷重基準を満たした際に、前記押圧入力を受け付けるように制御する制御部と、を備え、

前記制御部は、

互いに隣り合う複数の前記入力用オブジェクトに対する押圧入力を受け付ける荷重基準を、第１の荷重基準と、該第１の荷重基準よりも高い第２の荷重基準と、に相違させるように制御すると共に、前記第１の荷重基準の入力用オブジェクトに対する押圧入力に係る押圧荷重が前記第２の荷重基準を満たした場合、当該押圧入力を受け付けないように制御することを特徴とする入力装置。

[請求項2] 前記制御部は、

前記第１の荷重基準の入力用オブジェクトに対する押圧入力に係る押圧荷重が前記第２の荷重基準を満たした後に当該第２の荷重基準を下回った場合、当該押圧入力を受け付けないように制御する、請求項１に記載の入力装置。

- **I.List of Required Documents**

c. English translations of the documents in a. and b. along with a statement that the English translations are accurate

- Translation of the latest International Work Product is attached
- Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability are attached
- Statement that the English Translation of all claims in the corresponding PCT application as originally filed and indicated as having novelty, inventive step and industrial applicability is accurate is attached

PATENT COOPERATION TREATY

From the Japan Patent Office
INTERNATIONAL SEARCHING AUTHORITY

Agent
To: Mr. Kenji Sugimura
Address: Kasumigaseki Common Gate West Tower 36F
3-2-1 Kasumigaseki
Chiyoda-ku, Tokyo 100-0013

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43-2.1)

	Date of mailing *(day/month/year)* 13.04.2010
Applicant's or agent's file reference 09P02933WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(date/month/year)*	Priority date *(date/month/year)*
PCT/JP2009/007318	25.12.2009	25.12.2008

International Patent Classification (IPC)
Int.Cl. G06F3/041 (2006.01) i; G06F3/023 (2006.01) i; H03M11/04 (2006.01) i

Applicant
KYOCERA 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 43-2.1(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 66.1-2(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
30.03.2010

Name and mailing address of the ISA/JP	Authorized officer
Japan Patent Office	Takeshi Endo
3-4-3 Kasumigaseki, Chiyoda-ku Tokyo 100-8915	Telephone No. 03-3581-1101 ext. 3521

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/007318

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43-2.1(b))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. format of material

      ☐ on paper

      ☐ in electronic form

   b. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/007318

Box No. V Reasoned statement under Rule 43-2.1(a)(i) with regard to novelty, inventive step and industrial applicability, citations and explanation supporting such statement

1. Statement

Novelty (N)

Claims	1, 2	YES
Claims		NO

Inventive step (IS)

Claims	1, 2	YES
Claims		NO

Industrial applicability (IA)

Claims	1, 2	YES
Claims		NO

2. Citations and explanations:

Citation 1: WO 00/65419 Al (KRISHAN, RAVI, C) 2000.11.02, line 13 of page 39 to line 32 of page 48, Fig. 10A & JP 2002-543485 A & US 6377685 Bl & US 2002/0110237 Al & EP 1192784 A & AU 4471500 A & NO 20015174 A & BR 9933 A & CA2371016A & AU 780786 B.

Citation 2: JP 10-171600 A (BROTHER INDUSTRIES, LTD) 1998.06.26, entire text, all figures (No patent family).

Citation 3: JP 5-143226 A (Sharp Corporation) 1993.06.11, claim 1 (No patent family).

The inventions recited in claims 1, 2 are not disclosed in any of the citations in the International Search Report.

Furthermore, said inventions are novel and inventive.

CLAIM

1. An input apparatus comprising:

a display unit for displaying an input object;

an input unit for receiving a pressure input to the input object displayed on the display unit;

a load detection unit for detecting a pressure load on the input unit; and

a control unit for controlling to receive the pressure input when the pressure load detected by the load detection unit satisfies a load standard, wherein

the control unit controls such that load standards for receiving pressure inputs to a plurality of adjacent input objects are differently set to a first load standard and a second load standard higher than the first load standard, and controls such that a pressure input is not received if a pressure load of the pressure input to an input object with the first load standard satisfies the second load standard.

2. The input apparatus according to claim 1, wherein the control unit controls such that a pressure input is not received if a pressure load of the pressure input to an input object with the first load standard falls down to be lower than the second load standard after satisfying the second load standard.

OLIFF & BERRIDGE, PLC

ATTORNEYS AT LAW

TRANSLATION VERIFICATION

I verify that I have checked and reviewed the English translation of the claims and agree that it is a full and accurate translation.

April 29, 2011	Aya Suzuki	
Date	Printed Name	Signature

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International Work Product

- The references cited in the ISR and Written Opinion were submitted in an Information Disclosure Statement filed on March 25, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,138	03/25/2011	Tomotake Aono	149051	5840

25944 7590 08/03/2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER	
ART UNIT	PAPER NUMBER
2629	

NOTIFICATION DATE	DELIVERY MODE
08/03/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of	**: DECISION ON REQUEST TO**
Tomotake AONO	**: PARTICIPATE IN THE PATENT**
Application No.: 13/121,138	**: PROSECUTION HIGHWAY**
Filed: 25 March 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 149051	**: TO MAKE SPECIAL UNDER**
For: INPUT APPARATUS	**: 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 29 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate

if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS Technology Center 2600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

MAY 27 2011

PCT LEGAL ADMINISTRATION

MH2 TECHNOLOGY LAW GROUP, LLP
1951 KIDWELL DRIVE
SUITE 550
TYSONS CORNER VA 22182

In re Application of :
KISSEL, David J., et al. :
Application No.: 13/121,150 :
PCT No.: PCT/US2009/049205 :
Int. Filing Date: 30 June 2009 : DECISION
Priority Date: 30 June 2008 :
Att. Docket No.: 0023.0079 :
For: DURABLE POLYMER-AEROGEL :
BASED SUPERHYDROPHOBIC :
COATINGS, A COMPOSITE :
MATERIAL :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 25 March 2011, is **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

Although the Notification of Acceptance (Form PCT/DO/EO/903) mailed 17 May 2011 issued prematurely, its issuance is now appropriate and confirmed.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/121,154	Filing date:	03-25-2011
First Named Inventor:	Pierre L. Olivier		
Title of the Invention:	PIPELINE PIG EXTRACTOR AND TRANSPORT APPARATUS WITH WIND GUARD		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2009/058437

The international filing date of the corresponding PCT application(s) is/are: 25 September 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/121,154
First Named Inventor:	Pierre L. Olivier

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 25 March 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 25 March 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1,10,31,44,70,82	1,10,31,44,70,82	Identical
95,100,107-118	95,100,107-118	Identical

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Vanessa M. D'Souza, #65,113/	Date 2 September 2011
Name (Print/Typed) Vanessa M. D'Souza, Patent Attorney	Registration Number 65,113

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.
13/121,154	03/25/2011	Pierre L. Olivier	P08197US (99108.6P)	5964

22920 7590 09/26/2011

GARVEY SMITH NEHRBASS & NORTH, LLC
LAKEWAY 3, SUITE 3290
3838 NORTH CAUSEWAY BLVD.
METAIRIE, LA 70002

EXAMINER	
ART UNIT	PAPER NUMBER
3753	

MAIL DATE	DELIVERY MODE
09/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GARVEY SMITH NEHRBASS & NORTH, LLC
LAKEWAY 3, SUITE 3290
3838 NORTH CAUSEWAY BLVD.
METAIRIE LA 70002

In re Application of	
OLIVIER, PIERRE L.	: DECISION ON REQUEST TO
Application No. 13/121,154	: PARTICIPATE IN PATENT
Filed: March 25, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No. P08197US (99108.6P)	: PROGRAM AND PETITION
For: PIPELINE PIG EXTRACTOR AND TRANSPORT APPARATUS WITH WIND GUARD	: TO MAKE SPECIAL UNDER : 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed September 02, 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 Stephen Hepperle, SPE of Art Unit 3753, and 571-272-4913 for Class 137 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

_____

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

POLSINELLI SHUGHART PC
700 W. 47TH STREET
SUITE 1000
KANSAS CITY MO 64112-1802

MAILED

FEB 10 2012

OFFICE OF PETITIONS

Applicants: Angus Faulkner et al
Appl. No.: 13/121,160
International Filing Date: November 20, 2009
Title: SYSTEM FOR PROVIDING INFORMATION CONCERNING THE EFFECTIVENESS OF ADVERTISING
Attorney Docket: 056140.1700.01USPC
Pub. No.: US20110234627 A1
Pub. Date: September 29, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on November 28, 2011, for the above-identified application.

The request is granted.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DERICK E. ALLEN (28850)
ARMSTONG TEASDALE LLP
7700 FORSYTH BOULEVARD
SUITE 1800
ST. LOUIS MO 63105

MAILED

MAY 3 1 2011

OFFICE OF PETITIONS

In re Application of	:	
DODDS, et al	:	
Application No. 13/121,164	:	DECISION ON PETITION
Filed: March 25, 2011	:	
Attorney Docket No. 28850-119: DOSING	:	

This is a decision on the petition under 37 CFR 1.182, filed April 22, 2011, to change the name of Inventor "Darci C. Biesczat" to --**Darci C. Chidichimo**--.

The petition is **GRANTED**.

Office records have been corrected to reflect the change in the named inventor. A corrected Filing Receipt, which sets forth the desired correction, will be processed and forwarded to the address indicated above.

As authorized, the $400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Telephone inquiries regarding this decision should be directed to Diane Goodwyn 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 to the Office of Data Management for further pre-examination processing and issuance of a Corrected Filing Receipt.

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

MAILED

JUN 01 2011

PCT LEGAL ADMINISTRATION

MH2 TECHNOLOGY LAW GROUP, LLP
1951 KIDWELL DRIVE
SUITE 550
TYSONS CORNER VA 22182

In re Application of :
Kissel et al. :
Application No.: 13/121,166 : DECISION
PCT No.: PCT/US2009/049208 :
Int. Filing Date: 30 June 2009 : ON
Priority Date: 30 June 2008 :
Attorney Docket No.: 0023.0080 : PETITION
For: Superhydrophobic Aerogel That Does Not Require :
Per-Fluoro Compounds Or Contain Any Fluorine :

The petition to revive under 37 CFR 1.137(b) filed on 25 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. The required reply has been filed. No terminal disclaimer is required. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

This application is being returned to the Office of Patent Application Processing for further processing, including the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring the submission of an oath or declaration compliant with 37 CFR 1.497(a) and (b).

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

Doc Code: PPH.PCT.662
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/121,176	Filing date:	March 25, 2011
First Named Inventor:	Smith, Shane		
Title of the Invention:	Combination Brush and Jag		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2009/058642

The international date of the corresponding PCT application(s) is/are:

September 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)**

- [x] Is attached
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [ ] Is attached.
- [x] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/121,176
First Named Inventor:	Smith, Shane

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on March 25, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on March 25, 2011 and preliminary amendment filed on May 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20, respectively	Direct correspondence

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date June 10, 2011
Name (Print/Typed) Daniel M. Cislo	Registration Number 32,973

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
DANIEL M. CISLO
CISLO & THOMAS LLP
1333 2ND STREET, SUITE NO. 500
SANTA MONICA, CA 90401

PCT

NOTIFICATION OF TRANSMITTAL OF
INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	27 APR 2011
Applicant's or agent's file reference 09-22863	IMPORTANT NOTIFICATION

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US09/58642	28 September 2009 (28.09.2009)	27 September 2008 (27.09.2008)

Applicant

SMITH, SHANE

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.	Authorized officer /Bret Hayes/ Telephone No. (800) 786 9199

Form PCT/IPEA/416 (January 2004)

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
DANIEL M. CISLO
CISLO & THOMAS LLP
1333 2ND STREET, SUITE NO. 500
SANTA MONICA, CA 90401

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	27 APR 2011

Applicant's or agent's file reference	IMPORTANT NOTIFICATION
09-22863	

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US09/58642	28 September 2009 (28.09.2009)	27 September 2008 (27.09.2008)

Applicant

SMITH, SHANE

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US	Authorized officer
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450	/Bret Hayes/
Facsimile No.	Telephone No. (800) 786 9199

Form PCT/IPEA/416 (January 2004)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 09-22863	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/US09/58642	International filing date *(day/month/year)* 28 September 2009 (28.09.2009)	Priority date *(day/month/year)* 27 September 2008 (27.09.2008)
International Patent Classification (IPC) or national classification and IPC IPC: F41C 27/00(2006.01) USPC: 15/207.2;42/95;132/320;300/2		
Applicant SMITH, SHANE		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☐ *(sent to the applicant and to the International Bureau)* a total of ___ sheets, as follows:
      ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____ , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
   - ☒ Box No. I Basis of the report
   - ☐ Box No. II Priority
   - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - ☐ Box No. IV Lack of unity of invention
   - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
   - ☐ Box No. VI Certain documents cited
   - ☐ Box No. VII Certain defects in the international application
   - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
27 July 2010 (27.07.2010)	23 March 2011 (23.03.2011)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.	Authorized officer /Bret Hayes/ Telephone No. (800) 786 9199

Form PCT/IPEA/409 (cover sheet)(April 2007)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/58642

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

☒ the international application in the language in which it was filed.

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of:

☐ international search (under Rules 12.3(a) and 23.1(b))

☐ publication of the international application (under Rule 12.4(a))

☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:
pages 1-28 as originally filed/furnished
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____

☒ the claims:
pages NONE as originally filed/furnished
pages* NONE as amended (together with any statement) under Article 19
pages* 29-33 received by this Authority on 27 JULY 2010 (27.07.2010)
pages* NONE received by this Authority on _____

☒ the drawings:
pages 1/5-5/5 as originally filed/furnished
pages* NONE received by this Authority on _____
pages* NONE received by this Authority on _____

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to the sequence listing (*specify*): _____

5. ☐ This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

** If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US09/58642

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-20	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 1-20	YES
	Claims NONE	NO
Industrial Applicability (IA)	Claims 1-20	YES
	Claims NONE	NO

2. Citations and Explanations (Rule 70.7)

The prior art of record neither discloses nor fairly teaches: the combination of elements as set forth in claim 1, in particular, each bristle of a set of short bristles having a first length defining a first transverse diameter and each bristle of a set of long bristles having a second length defining a second transverse diameter, a stem comprising a first stem and a second wire stem, the sets of bristles being positioned in between the first and second wire stems and fixed in place by a twist of the wire stems about each other, wherein the first transverse diameter does not equal the second transverse diameter, the first diameter being less than a bore diameter and the second diameter being greater than or equal to the bore diameter, and a patch having thickness and configured to wrap around the set of short bristles so that the short bristles evenly distribute the patch against the bore; claims 2 – 13 as dependent upon claim 1; claim 14 as the method of simultaneously brushing and wiping a bore using the device of claim 1; claim 15 as dependent upon claim 14; claim 16 as the method of manufacturing a combination brush and jag as defined by claim 1; and, claims 17 - 20 as dependent upon claim 16.

---------- NEW CITATIONS ----------

~~REPLACEMENT SHEET~~

CLAIMS

What is claimed is:

1. A combination barrel brush and jag, comprising:

   a. a set of short bristles, each bristle within the set of short bristles having a first length defining a first transverse diameter;

   b. a set of long bristles, each bristle within the set of long bristles having a second length defining a second transverse diameter, the set of short bristles being adjacent to the set of long bristles;

   c. a stem having a first end and a second end, the stem comprising a first wire stem, and a second wire stem parallel to the first wire stem, the stem defining a longitudinal axis parallel to the first and second wire stem, wherein the first and second set of bristles are positioned in between the first and second wire stem and fixed in place by a twist created by the first and second wire stems about each other along the longitudinal axis, wherein the first transverse diameter does not equal the second transverse diameter, and wherein the first transverse diameter is less than a bore diameter of a bore wall and the second transverse diameter is greater than or equal to the bore diameter; and

   d. a patch having a thickness configured to wrap around the set of short bristles, wherein the set of short bristles evenly distribute the patch against the bore.

2. The brush and jag combination of claim 1, wherein the set of short bristles is in

between two sets of long bristles along the stem.

3. The brush and jag combination of claim 1, comprising multiple sets of short bristles separated by at least one set of long bristles.

4. The brush and jag combination of claim 1, further comprising a tuft of bristles positioned at the second end extending away from the first end.

5. The brush and jag combination of claim 1, wherein the first transverse diameter of the set of short bristles is smaller than the diameter of the bore wall so as to define a circular gap between the bore wall and the set of short bristles when the brush and jag combination is concentrically positioned inside the bore, wherein the distance between the set of short bristles to the bore wall is approximately 0.5 to 25 times the thickness of the patch.

6. The brush and jag combination of claim 1, wherein the set of short bristles and the longitudinal axis define an angle of approximately 10 degrees to approximately 170 degrees.

7. The brush and jag combination of claim 1, further comprising long bristles intermittently spaced apart within the set of short bristles.

8. The brush and jag combination of claim 1, wherein the set of short bristles comprise bristles of varying lengths.

9. The brush and jag combination of claim 1, wherein the set of short bristles comprise groups of bristles offset from an adjacent group of bristles.

10. The brush and jag combination of claim 1, wherein the stem comprises a plurality of pores along a substantial length of the stem to release fluids on to the set of

long and short bristles.

11. The brush and jag combination of claim 1, wherein the bristles are coiled springs.

12. The brush and jag combination of claim 1, where in the patch has a shape selected from the group consisting of a rectangle, a triangle, a circle, and a square.

13. The brush and jag combination of claim 12, wherein the patch has a radius defined by equation 2.

14. A method of simultaneously brushing and wiping a bore, comprising:

a. providing a cleaning device, comprising:

i. a set of short bristles, the set of short bristles comprising a plurality of bristles having a first length defining a first transverse diameter;

ii. a set of long bristles, the set of long bristles comprising a plurality of bristles having a second length defining a second transverse diameter, the set of short bristles being adjacent to the set of long bristles; and

iii. a wire having a first end and a second end, the wire comprising a first wire stem, and a second wire stem parallel to the first wire stem, the wire defining a longitudinal axis parallel to the first and second wire stem, wherein the short and long set of bristles are positioned at an angle between approximately 10 degrees to approximately 170 degrees

relative to the first and second wire stems and fixed in place by a twist created by the first and second wire stems about each other along the longitudinal axis, wherein the first transverse diameter does not equal the second transverse diameter, and wherein the first transverse diameters is less than a bore diameter and the second transverse diameter is greater than or equal to the bore diameter.

b. covering the set of short bristles with a patch; and

c. sliding the cleaning device into and out of the bore repeatedly in successive action thereby simultaneously brushing and wiping the bore.

15. The method of claim 14, further comprising exposing the patch to a fluid selected from the group consisting of a lubricant, a solvent, a preservative, and an abrasive.

16. A method of manufacturing a combination brush and jag, comprising:

a.

b. providing two wire stems parallel to each other, defining a first end and a second end opposite the first end;

c. placing a first set of bristles in between the two wire stems, wherein the first set of bristles comprise a plurality of bristles having a first length to define a first transverse diameter;

d. placing a second set of bristles in between the two stems, wherein the second set of bristles comprise a plurality of bristles having a second

length to define a second transverse diameter;

e. twisting the two stems about each other; and

f. securing the second end to a connector.

17. The method of claim 16, wherein the first set of bristles is shorter than the second set of bristles.

18. The method of claim 17, wherein a group of bristles within the first set of bristles is offset from an adjacent group of bristles within the first set of bristles.

19. The method of claim 16, further comprising trimming the first set of bristles to be shorter than the second set of bristles.

20. The method of claim 19, wherein the bristles in the first set of bristles is trimmed at different lengths.

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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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,176	03/25/2011	Shane Patrick Smith	11-24767	6295

25189 7590 07/12/2011

Cislo & Thomas LLP
1333 2nd Street
Suite #500
Santa Monica, CA 90401-4110

EXAMINER	
ART UNIT	PAPER NUMBER
1711	

MAIL DATE	DELIVERY MODE
07/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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WG

July 12, 2011

In re application of	:	DECISION ON REQUEST TO
Shane Smith	:	PARTICIPATE IN PATENT
Serial No. 13/121,176	:	PROSECUTION HIGHWAY
Filed: March 25, 2011	:	PROGRAM AND
For: COMBINATION BRUSH AND JAG	:	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 June 10, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial

applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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COMMISSIONER FOR PATENTS
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P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

MAILED

MAY 26 2011

PCT LEGAL ADMINISTRATION

In re Application of SRINIVAS et al :
U.S. Application No.: 13/121,178 :
PCT Application No.: PCT/IN2008/000696 : DECISION
Int. Filing Date: 22 October 2008 :
Priority Date Claimed: 09 September 2008 :
Attorney Docket No.: 149179 :
For: A PROCESS FOR PREPARATION OF ROSUVASTATIN ACETONIDE CALCIUM :

This is in response to applicant's petition under 37 CFR 1.137(b) filed 25 March 2011.

BACKGROUND

On 22 October 2008, applicant filed international application PCT/IN2008/000696, which claimed priority of an earlier India application filed 09 September 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 18 March 2010. The thirty-month period for paying the basic national fee in the United States expired on 09 March 2011.

On 10 March 2011, international application PCT/IN2008/000696 became abandoned as to the United States for failure to timely pay the basic national fee.

On 25 March 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided an acceptable statement of unintentional delay.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 22 October 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 25 April 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

MAILED
NOV 09 2011
PCT LEGAL ADMINISTRATION

In re Application of SRINIVAS et al :
U.S. Application No.: 13/121,178 :
PCT Application No.: PCT/IN2008/000696 : DECISION
Int. Filing Date: 22 October 2008 :
Priority Date Claimed: 09 September 2008 :
Attorney Docket No.: 149179 :
For: A PROCESS FOR PREPARATION OF :
ROSUVASTATIN ACETONIDE CALCIUM

This is in response to applicant's correspondence filed 15 July 2011, which is being treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 22 October 2008, applicant filed international application PCT/IN2008/000696, which claimed priority of an earlier India application filed 09 September 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 18 March 2010. The thirty-month period for paying the basic national fee in the United States expired on 09 March 2011.

On 10 March 2011, international application PCT/IN2008/000696 became abandoned as to the United States for failure to timely pay the basic national fee.

On 25 March 2011, applicant filed a petition under 37 CFR 1.137(b) along with an executed declaration.

On 26 May 2011, this Office mailed a decision granting the 25 March 2011 petition.

On 14 June 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notice of Acceptance of Application under 35 U.S.C. 371 (Form PCT/DO/EO/903), which indicated 25 April 2011 as the date under 35 U.S.C. 371(c), along with an official filing receipt.

On 15 July 2011, applicant filed the instant petition under 37 CFR 1.181.

DISCUSSION

A review of the application file reveals that the 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) requirements were met on 25 March 2011 instead of 25 April 2011.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 22 October 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 25 March 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a corrected Notice of Acceptance of Application under 35 U.S.C. 371 (Form PCT/DO/EO/903) and a corrected filing receipt.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,182	05/20/2011	John Topping	28489/46111	6403

4743 7590 09/13/2011

MARSHALL, GERSTEIN & BORUN LLP
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO, IL 60606-6357

EXAMINER	
LIGHTFOOT, ELENA TSOY	

ART UNIT	PAPER NUMBER
1715	

NOTIFICATION DATE	DELIVERY MODE
09/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mgbdocket@marshallip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SEP 13 2011

WG

In re application of	:	DECISION ON REQUEST TO
John Topping et al.	:	PARTICIPATE IN PATENT
Serial No. 13/121,182	:	PROSECUTION HIGHWAY
Filed: May 20, 2011	:	PROGRAM AND
For: RADIATION-CURED COATINGS	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the Patent Prosecution Highway (PPH) program filed August 9, 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 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; and

(6) Applicant must submit an IDS listing the documents cited by the EPO examiner in the EPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Date: June 29, 2011 BC

In re application of	:	DECISION ON REQUEST TO
AKASAKA, NORIYUKI et al.	:	PARTICIPATE IN PATENT
Serial No. 13/121,192	:	PROSECUTION HIGHWAY
Filed: March 28, 2011	:	PROGRAM AND
Attorney Docket No.: P000003-1	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed May 5, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
   a. Documentation of prior office action:

i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

United States Patent and Trademark Office

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED

JUN 07 2011

PCT LEGAL ADMINISTRATION

Tyco International Management Corp.
9 Roszel Road
Princeton NJ 08540

In re Application of :
Parman :
Application No.: 13/121,296 : DECISION
PCT No.: PCT/US2008/077347 :
Int. Filing Date: 23 September 2008 : ON
Priority Date: 26 September 2007 :
Attorney Docket No.: S-TC-00035 US : PETITION
For: Skin Effect Heating System Having Improved :
Heat Transfer And Wire Support Characteristics :

The petition to revive under 37 CFR 1.137(b) filed on 28 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. The required reply has been filed. No terminal disclaimer is required. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

The duplicate surcharge under 37 CFR 1.492(h) filed on 18 April 2011 was not required, and will be refunded.

This application is being returned to the Office of Patent Application Processing for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **18 April 2011**.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 18 2011

PCT LEGAL ADMINISTRATION

WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400
900 SECOND AVENUE SOUTH
MINNEAPOLIS MN 55402

In re Application of :
DORR et al. : DECISION
Application No.: 13/121,299 :
PCT No.: PCT/EP2009/062653 :
Int. Filing Date: 30 September 2009 :
Priority Date: 02 October 2008 :
Attorney's Docket No.: A121.12-0012 :
For: METHOD AND SYSTEM FOR NON-DESTRUCTIVE DETECTION OF COATING ERRORS :

This is a decision on applicants' petition under 37 CFR 1.183 filed in the United States Patent and Trademark Office (USPTO) on 22 June 2011.

The NOTIFICATION OF ACCEPTANCE OF APPLICATION (Form PCT/DO/EO/903) according the application a 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date and a 35 U.S.C. 371 date of 22 June 2011 and the Filing Receipt, both mailed 22 July 2011, were mailed before applicants' petition under 37 CFR 1.183 had been acted on. Accordingly, both of these communications are hereby VACATED.

BACKGROUND

On 30 September 2009, applicants filed international application PCT/EP2009/062653, which designated the U.S. and claimed a priority date of 02 October 2008. The thirty-month period for paying the basic national fee in the United States expires at midnight on 04 April 2011 (02 April 2011 being a Saturday).

On 28 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the U.S. Basic National Fee and an unexecuted declaration of inventors.

On 22 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form

PCT/DO/EO/905) indicating, *inter alia*, that an executed oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 22 June 2011, applicants filed a submission including a declaration of inventors executed by three of the four joint inventors and a petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.66, 1.68, and 1.497(a)-(b).

DISCUSSION

The basis for the request to waive 37 CFR 1.66, 1.68, and 1.497(a)-(b) is that joint inventor Christoph Schulz is deceased and no legal representative will be appointed who could execute the declaration on the deceased's behalf. 37 CFR 1.183 states

> In an extraordinary situation, when justice requires, any requirement of the regulations in this part which is not a requirement of the statutes may be suspended or waived by the Director or the Director's designee, *sua sponte*, or on petition of the interested party, subject to such other requirements as may be imposed. Any petition under this section must be accompanied by the petition fee set forth in § 1.17(f).

The petition fee has been paid. However, the instant situation is not an extraordinary situation. Where there is no legal representative, the declaration of inventors may be signed by all of the heirs (or if there is only one heir, the sole heir). Where the signature of all of the heirs (or if there is only one heir, the sole heir) is provided, the declaration should indicate that the persons signing are all of the heirs (or the sole heir). If the declaration does not contain such an indication, then the declaration must be accompanied by a statement by either those signing or by the attorney which sets forth (1) that they are in fact all the heirs of the deceased and (2) that no legal representative of the deceased's estate has been appointed or is required by the applicable law to be appointed.

(As requested by applicants in the submission filed 26 July 2011, the filing date of international application PCT/EP2009/062653 has been corrected in the bibliographic information in the instant application to 30 September 2009.)

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.183 is **DISMISSED** without prejudice.

Applicant is required to submit a proper declaration within a time period of **TWO (2) MONTHS** from the mail date of this Decision. A proper declaration is described above. THIS PERIOD FOR RESPONSE MAY BE EXTENDED UNDER 37 CFR 1.136(a). FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT. Any request for

reconsideration of this decision should include a cover letter entitled "Submission Under 37 CFR 1.42."

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/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

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WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400
900 SECOND AVENUE SOUTH
MINNEAPOLIS MN 55402

MAILED
FEB 17 2012
PCT LEGAL ADMINISTRATION

In re Application of
DORR et al.
Application No.: 13/121,299
PCT No.: PCT/EP2009/062653
Int. Filing Date: 30 September 2009
Priority Date: 02 October 2008
Attorney's Docket No.: A121.12-0012
For: METHOD AND SYSTEM FOR NON-DESTRUCTIVE DETECTION OF COATING ERRORS

DECISION

This is a decision on applicants' petition under 37 CFR 1.183 filed in the United States Patent and Trademark Office (USPTO) on 27 September 2011.

The NOTIFICATION OF ACCEPTANCE OF APPLICATION (Form PCT/DO/EO/903) according the application a 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date and a 35 U.S.C. 371 date of 22 June 2011 and the Filing Receipt, both mailed 22 July 2011, were mailed before applicants' petition under 37 CFR 1.183 had been acted on. Accordingly, both of these communications are hereby VACATED.

BACKGROUND

On 30 September 2009, applicants filed international application PCT/EP2009/062653, which designated the U.S. and claimed a priority date of 02 October 2008. The thirty-month period for paying the basic national fee in the United States expires at midnight on 04 April 2011 (02 April 2011 being a Saturday).

On 28 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the U.S. Basic National Fee and an unexecuted declaration of inventors.

On 22 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an executed oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 22 June 2011, applicants filed a submission including a declaration of inventors executed by three of the four joint inventors and a petition under 37 CFR 1.183 requesting waiver of 37 CFR 1.66, 1.68, and 1.497(a)-(b).

On 18 August 2011, a decision was issued dismissing without prejudice applicants' petition under 37 CFR 1.183.

On 27 September 2011, applicants submitted the instant renewed petition under 37 CFR 1.183, which was accompanied by a statement of facts by someone signing on behalf of what appears to be the German law firm of Reinhard Skuhra Weise & Partner GbR.

DISCUSSION

The renewed petition requests that the applicable non-statutory regulation requirements of 37 CFR 1.497(a)-(b), 1.66, and 1.68 be suspended or waived because, as indicated in the statement of facts accompanying the renewed petition, "[n]o legal representative of Mr. Schulz's estate has been appointed or is required by the applicable law to be appointed" and that "[n]o heirs of Mr. Schulz exist that can sign an oath or declaration in compliance with 37 CFR 1.497(a) and (b) on his behalf." 37 CFR 1.183 states

> In an extraordinary situation, when justice requires, any requirement of the regulations in this part which is not a requirement of the statutes may be suspended or waived by the Director or the Director's designee, *sua sponte*, or on petition of the interested party, subject to such other requirements as may be imposed. Any petition under this section must be accompanied by the petition fee set forth in § 1.17(f).

The petition fee has been paid. However, the requirement that a legal representative of the deceased make the application on behalf of the deceased is a statutory requirement (35 U.S.C. § 117) and not a non-statutory regulatory requirement.

Additionally, even if the requirement was a non-statutory regulatory requirement, it is not clear that the instant situation is an extraordinary situation. Although the statement of facts indicates that no legal representative of the deceased inventor's estate has been appointed or is required by the applicable law to be appointed and that no heirs of the deceased exist that can sign a declaration on his behalf, it would seem that the deceased inventor's property must be distributed in some manner, e.g., something comparable to probate court in the United States, where a state official is assigned to administer the estate. It seems unlikely that the deceased's property would remain in some sort of legal limbo.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.183 is **DISMISSED** without prejudice.

Applicant is required to submit a proper declaration within a time period of **TWO (2) MONTHS** from the mail date of this Decision. A proper declaration is described above. THIS PERIOD FOR RESPONSE MAY BE EXTENDED UNDER 37 CFR 1.136(a). FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT. Any request for reconsideration of this decision should include a cover letter entitled "Submission Under 37 CFR 1.42."

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

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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.
13/121,348	05/09/2011	Kazunobu Hashimoto	046969-5562 (467547)	8072

55694 7590 10/27/2011

DRINKER BIDDLE & REATH (DC)
1500 K STREET, N.W.
SUITE 1100
WASHINGTON, DC 20005-1209

EXAMINER	
ART UNIT	PAPER NUMBER
1742	

NOTIFICATION DATE	DELIVERY MODE
10/27/2011	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):

DBRIPDocket@dbr.com
penelope.mongelluzzo@dbr.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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OCT 27 2011

In re application of Kazunobu Hashimoto et al. Serial No. 13/121,348 Filed: March 28, 2011 Attorney Docket No: 046969-5562 (467547)	: : : : : :	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 May 09, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
   a. Documentation of prior office action:

i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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MAILED

JUN 13 2011

PCT LEGAL ADMINISTRATION

International Truck Intellectual Property Company,
4201 WINFIELD ROAD
WARRENVILLE IL 60555

In re Application of :
RENFROW, Allen, et al. :
Application No.: 13/121,380 :
PCT No.: PCT/IN2008/000631 :
Int. Filing Date: 29 September 2008 :
Priority Date: None :
Docket No.: D6418 :
For: AUXILIARY POWER UNIT :
HAVING SELF-CONTAINED :
ELECTRIC POWER DISTRIBUTION :

DECISION

ON PETITION UNDER

37 CFR 1.47(a)

This is a decision on applicants' Petition Under 37 CFR 1.47(a), filed in the United States Patent and Trademark Office (USPTO) on 28 March 2011.

BACKGROUND

On 28 March 2011, applicants filed, *inter alia*, a transmittal letter, the basic national fee, a declaration of the inventors and this petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47 must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) proof of pertinent facts, namely that the inventor refuses to sign after being presented with the application papers or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on behalf of himself or herself and the nonsigning applicant.

Items (1), (3) and (4) have been satisfied. The $200 petition fee will be charged to deposit account no. 14-0603, as authorized. Applicant states the last known address of the non-signing inventor. The declaration is executed by the signing inventors on behalf on the non-signing inventors.

Item (2) has not been satisfied. Applicants claim to have presented Mr. Renfrow with a complete copy of the application papers including the declaration on 17 March 2011. Applicants filed this petition stating that the inventor had not returned a signed copy of the declaration on 28 March 2011. The letter did not indicate a response date for the inventor and applicants did not allow a sufficient time period for response to permit an inference of non-cooperation. A reasonable period for response is considered one month.

CONCLUSION

For the above reasons, applicant's petition under 37 CFR 1.47(a) is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Failure to timely file the proper response will result in abandonment of this application. Extensions of time under 37 CFR 1.136(a) are available.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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OCT 26 2011

PCT LEGAL ADMINISTRATION

International Truck Intellectual Property Company,
4201 WINFIELD ROAD
WARRENVILLE IL 60555

In re Application of :
RENFROW, Allen, et al. :
Application No.: 13/121,380 :
PCT No.: PCT/IN2008/000631 :
Int. Filing Date: 29 September 2008 :
Priority Date: None :
Docket No.: D6418 :
For: AUXILIARY POWER UNIT :
HAVING SELF-CONTAINED :
ELECTRIC POWER DISTRIBUTION :

DECISION

ON PETITION UNDER

37 CFR 1.47(a)

This is a decision on applicants' Renewed Petition Under 37 CFR 1.47(a), filed in the United States Patent and Trademark Office (USPTO) on 17 June 2011.

BACKGROUND

On 13 June 2011, the Office mailed Decision On Petition Under 37 CFR 1.47(a), dismissing applicants' petition without prejudice and setting a two month period for reply.

On 16 June 2011, applicants filed a declaration executed by the previously non-signing inventor.

On 17 June 2011, applicants filed a renewed petition under 37 CFR 1.47(a)

DISCUSSION

As applicants have obtained the cooperation of the previously non-signing inventors, this petition under 37 CFR 1.47(a) is moot.

CONCLUSION

For the above reasons, applicant's petition under 37 CFR 1.47(a) is **DISMISSED AS MOOT**.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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CHALKER FLORES, LLP
14951 NORTH DALLAS PARKWAY, SUITE 400
DALLAS, TX 75254

MAILED
NOV 09 2011
OFFICE OF PETITIONS

APPLICANT(S): DRAPER, et al.
Appl. No.: 13/121,395
International Filing Date: October 2, 2009
Title: METHOD FOR MEASURING CARBON NANOTUBES TAKEN-UP BY A PLURALITY OF LIVING CELLS
Attorney Docket No.: UTDA:1157
Pub. No.: US 2011/0203927 A1
Pub. Date: August 25, 2011

This is a decision on the request for correction of patent application publication under 37 CFR 1.221(b), received on September 22, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains material error since the Office failed to publish the amendment of May 12, 2011 to add the priority information and a statement of federally funded research.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The errors noted by requestor with respect to entry of the preliminary amendment is not Office error. The patent application publication does not include a mistake regarding the failure to include preliminary amendments to the specification because patent application publications are not required to include preliminary amendments. See 37 CFR 1.215(a). The "failure to include an amendment is not an Office error." See MPEP 1130(b). The publication accurately reflected the specification as filed.

[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).

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.12(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under § 1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under 35, United States Code, whichever is later.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MARTIN D MOYNIHAN d/b/a PRTSI
PO BOX 16446
ARLINGTON VA 22215

MAILED
MAR 09 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Amdursky, et al.	:	ON PETITION
Application No. 13/121,413	:	
Filed: March 29, 2011	:	
Attorney Docket Number: 50896	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed March 29, 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 2856 for docketing and examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

Jose Dees
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 65504-021US1	Application Number (if known): 13/121,426	Filing date: March 29, 2011
First Named Inventor: Sean Dennis Simpson		
Title: ACID PRODUCTION BY FERMENTATION		

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 3/29/2011
Name (Print/Typed) Faustino A. Lichauco	Registration Number 41,942

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

[X] *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: 65504-021US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Sean Dennis Simpson	Art Unit	: Not yet Assigned
Serial No.	: 13/121,426	Examiner	: Not yet Assigned
Filed	: March 29, 2011	Conf. No.	: 9092
Title	: ACID PRODUCTION BY FERMENTATION		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT ON ELIGIBILITY FOR GREEN TECH PILOT PROGRAM

Applicant requests that this application be made special pursuant to the Pilot Program for Green Technologies as set forth in the Federal Register.[1]

The invention is believed to be eligible for the Pilot Program because of its material contribution to the development of renewable energy resources and the reduction of greenhouse gas emissions, specifically the generation of fuel alcohols from carbon monoxide (CO) via a fermentation process and the reduction of greenhouse gases produced during the fermentation processes.

In broad terms, the invention relates to the use of a gas fermentation process to capture carbon and produce useful products. More specifically, a carbon monoxide-containing gas that is obtained as a waste product of an industrial process is used as a substrate during anaerobic fermentation in a bioreactor to produce one or useful products such as lactate/lactic acid.

The methods and systems claimed may be useful for reducing the total atmospheric carbon emissions from an industrial process. For example, claim 32 recites providing gas obtained as a by-product of an industrial process for fermentation. The waste gas streams from industrial processes are often flared off (burnt) to produce significant quantities of carbon dioxide–a greenhouse gas. It will be appreciated that such industrial plants contribute significantly to greenhouse gas emissions and the methods described herein enable the carbon to be captured to generate useful products.

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

This reduces the emission of the greenhouse gases and limits the damaging effects that they have on the environment.

Lactate/lactic acid is also a precursor for several biodegradable polymers such as polylactic acid. These types of plastics provide a sustainable alternative to conventional plastics produced from petroleum oil and their production from waste products results in lower CO_2 emissions.

Accordingly, the subject matter of this application plays a material role in the development of renewable energy resources and the reduction of greenhouse gas emissions. Applicant therefore requests that the examination be accelerated under the Pilot Program.

Pursuant to the requirements of the Pilot Program, please apply the $300 publication fee to Deposit Account No. 50-4189, referencing Attorney Docket No. 65504-021US1. No other fees are believed to be due. However, to the extent any fees are due, or if a refund is forthcoming, please adjust the above-mentioned deposit account referencing the above-mentioned attorney docket number.

Respectfully submitted,

Date: March 29, 2011

Faustino A. Lichauco
Reg. No. 41,942

Customer No. 69713
Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge, MA 02138
Telephone: (617) 500-2533
Facsimile: (617) 500-2499

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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NOV 16 2011

OCCHIUTI ROHLICEK & TSAO, LLP
10 FAWCETT STREET
CAMBRIDGE MA 02138

In re Application of	:	
SIMPSON, Sean *et al.*	:	DECISION ON PETITION
Application No. 13/121426	:	TO MAKE SPECIAL UNDER
Filed: March 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 65504-021US1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 29, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

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MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO IL 60661

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AUG 12 2011

PCT LEGAL ADMINISTRATION

In re Application of :
PULFORD, et al. :
U.S. Application No.: 13/121,447 : DECISION ON PETITION
PCT No.: PCT/GB2009/002332 :
Int. Filing Date: 01 October 2009 : UNDER 37 CFR 1.182
Priority Date: 02 October 2008 :
Attorney's Docket No.: 03495-24022US01 :
For: IMMUNOGENIC PEPTIDES :

This decision is in response to applicant's correspondence filed 17 June 2011 in the United States Patent and Trademark Office (USPTO). The filing is being treated as a petition under 37 CFR 1.182 to change the name of inventor Amanda Liggins. As authorized, the required $400.00 petition will be charged to deposit account 13-0017.

BACKGROUND

On 01 October 2009, applicant filed international application PCT/GB2009/002332, which claimed priority of an earlier application filed 02 October 2008. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 02 April 2011.

On 29 March 2011, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, among other items, the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an Information Disclosure Statement, an Application Data Sheet and a preliminary amendment.

On 19 April 2011, applicant was mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) informing applicant of the need to provide an executed oath or declaration of the inventor, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International Application number and international filing date. Applicant was given two months to respond.

On 17 June 2011, applicant responded with an executed declaration of the inventors and response discussed herein.

DISCUSSION

The Manual of Patent Examining Procedure (MPEP) section 605.04 provides guidance for instances where a discrepancy exists between the inventor's name as it appears on the published international application and the filed declaration is more than a mere typographical or transliteration error. It explains that:

In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. Applicants are also strongly encouraged to submit an application data sheet (37 CFR 1.76) showing the new name. The petition should be directed to the attention of the Office of Petitions. The petition must include an appropriate petition fee and a statement signed by the inventor setting forth both names and the procedure whereby the change of name was effected, or a copy of the court order.

If an application data sheet is not submitted, the petition may still be granted, but the patent may not reflect the correct spelling of the inventor's name.

Applicant has provided a statement indicating that Ms. Anderson has signed the declaration using her maiden name as a result of her divorce. As shown above, applicant is required to provide the USPTO with a copy of the divorce decree or a statement from Ms. Anderson avowing to the circumstances described in applicant's response.

CONCLUSION

For the reasons stated above, applicant's petition under 37 CFR 1.182 is **DISMISSED**.

Applicant is hereby afforded **TWO (2) MONTHS** to file a proper response as detailed above. The response should be titled, "Renewed Petition Under 37 CFR 1.182."

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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500 WEST MADISON STREET
SUITE 3400
CHICAGO IL 60661

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NOV 01 2011
PCT LEGAL ADMINISTRATION

In re Application of :
PULFORD, et al. :
U.S. Application No.: 13/121,447 : DECISION ON PETITION
PCT No.: PCT/GB2009/002332 :
Int. Filing Date: 01 October 2009 : UNDER 37 CFR 1.182
Priority Date: 02 October 2008 :
Attorney Docket No.: 03495-24022US01 :
For: IMMUNOGENIC PEPTIDES :

This decision is response to applicant's "Renewed Petition Under 37 CFR" filed in the United States Patent and Trademark Office (USPTO) on 29 September 2011.

BACKGROUND

On 12 August 2011, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.182. Applicant was afforded two months to file any request for reconsideration.

On 29 September 2011, applicant filed the petition under 37 CFR 1.182 discussed herein.

DISCUSSION

The present petition is accompanied by a copy of the divorce decree of Ms. Amanda Anderson. As such, it is appropriate to grant applicant's petition at this time. In addition, applicant has provided as supplemental Application Data Sheet reflecting the name change. Therefore, the inventor will be listed as Amanda Anderson on the published application.

CONCLUSION

The petition under 37 CFR 1.182 to change the inventor's name from Amanda Liggins to Amanda Anderson is **GRANTED**.

The application has an international filing date of 01 October 2009 under 35 U.S.C. 363 and will be given a date of **17 June 2011** under 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4).

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
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ROBERTS MLOTKOWSKI SAFRAN & COLE, P.C.
Intellectual Property Department
P.O. Box 10064
MCLEAN VA 22102-8064

MAILED

MAY 27 2011

PCT LEGAL ADMINISTRATION

In re Application of :
SCHAFMEISTER, Arndt :
Application No.: 13/121,460 :
PCT No.: PCT/EP2009/006218 :
Int. Filing Date: 27 August 2009 : DECISION
Priority Date: 27 August 2008 :
Att. Docket No.: 740116-952 :
For: ELECTRICAL CONNECTION :
TERMINAL :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 29 March 2011, is **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

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OFFICE OF PETITIONS

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROALND CLARKE PLACE
RESTON VA 20191

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

In re Application of
LEICHSENRING, et al
Application No.: 13/121,507
Filed: November 21, 2011
Attorney Docket No.: P39890
For: RECORDING MEDIUM, REPROCUCTION DEVICE, INTEGRATED CIRCUIT, REPRODUCTION METHOD, AND PROGRAM

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 29, 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 Diane Goodwyn 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 Art Unit 2484 for action on the merits commensurate with this decision.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED

APR 28 2011

OFFICE OF PETITIONS

In re Application of :
WIDEN, BO :
Application No. 13/121,521 :
Effective Date: March 29, 2011 :
Attorney Docket No. **0226-0135PUS1** :

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 March 29, 1011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a copy of the inventor's passport as evidence that Bo Widen is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Initial Patent Examination for processing. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

Doc Code: PET.RELIEF
Document Description: Certification and Request for Japan Events Relief

PTO/SB/425 (03-11)

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 1 of 2)

Nonprovisional Application Number or Control Number (if applicable):	Patent Number (if applicable):
Not Yet Assigned	
First Named Inventor:	Title of Invention:
Rei MIYASAKA	MULTILAYER COATING APPARATUS AND MULTILAYER COATING METHOD

APPLICANT/PATENTEE/REEXAMINATION PARTY HEREBY CERTIFIES AND REQUESTS THE FOLLOWING FOR THE ABOVE-IDENTIFIED APPLICATION/PATENT/REEXAMINATION PROCEEDING.

1. FOR PATENT APPLICATIONS AND REEXAMINATION PROCEEDINGS PENDING IN THE USPTO AS OF MARCH 11, 2011, IN WHICH A COMMUNICATION FROM THE USPTO IS SOUGHT TO BE REMAILED:

   a. One or more inventors, an assignee, or a correspondence address (for the application/proceeding) is in an area of Japan affected by the earthquake and/or tsunami of March 11, 2011.

   b. A reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding.

   c. The statutory or non-statutory time period set for response has not yet expired.

   d. Withdrawal and reissuance of the Office communication is requested.

   e. It is acknowledged that if this request is not made within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956), this request may not be granted.

   f. The need for the reissuance of the Office communication was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   g. This request is being sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2. FOR PATENTEES WHO WERE UNABLE TO TIMELY PAY A PATENT MAINTENANCE FEE DURING THE SIX-MONTH GRACE PERIOD FOLLOWING THE WINDOW TO PAY THE MAINTENANCE FEE:

   a. The original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011.

   b. The delay in paying the fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee.

   d. This request and payment of the maintenance fee during the six-month grace period following the window to pay the maintenance fee is being mailed to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or being transmitted via facsimile to: 571-273-6500.

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 2 of 2)

3. FOR PATENTEES WHO NEED TO FILE A PETITION TO ACCEPT A DELAYED MAINTENANCE FEE PAYMENT UNDER 37 CFR 1.378(c):

   a. The maintenance fee payment was required to have been paid after March 10, 2011.

   b. A petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/66 – Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))) is being promptly filed accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)).

   c. The delay in payment of the maintenance fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   d. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment.

   e. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

   f. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c).

   g. This request and the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) is being submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

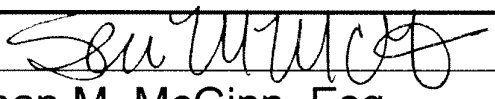
(4.) FOR NONPROVISIONAL PATENT APPLICATIONS FILED WITHOUT AN EXECUTED OATH OR DECLARATION OR PAYMENT OF THE BASIC FILING FEE, SEARCH FEE, AND/OR EXAMINATION FEE:

   a. The nonprovisional patent application was filed on or after March 11, 2011, and prior to April 12, 2011.

   b. The late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee.

   d. This request, together with the executed oath or declaration or the basic filing fee, search fee, or examination fee, as well as the reply to the Notice to File Missing Parts, is being submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature 	Date March 29, 2011
Name (Print/Typed) Sean M. McGinn, Esq.	Practitioner Registration Number 34,386

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA VA 22182-3817

MAILED

APR 06 2011

OFFICE OF PETITIONS

In re Application of :
Miyasaka et al. :
Application No. 13/121,538 : DECISION ON PETITION
Date Deposited: March 29, 2011 :
Attorney Docket No. FJ-2009-074-PC-US :

This is a decision on the request filed March 29, 2011, seeking relief under the provisions of an announcement by the Under Secretary and Director of the United States Patent and Trademark Office on March 17, 2011, http://www.uspto.gov/patents/announce/japan_relief_2011mar17.pdf, providing relief to inventors and patent owners in areas affected by the earthquake and resulting tsunami of March 11, 2011.

The request for relief is **DISMISSED**.

As set forth in the announcement, the Office action or notice will be re-mailed and the period for response will be restarted if:

(1) The patent application or reexamination proceeding is pending in the USPTO as of March 11, 2011, and a reply to an Office action (final, non-final, or other), a notice of allowance, or other Office notice is outstanding;

(2) One or more inventors, an assignee or a correspondence address is in the area of Japan affected by the earthquake and resultant tsunami of March 11, 2011;

(3) The period for response has not yet expired; and

(4) Applicant requests relief. The request must be made by using the form PTO/SB/425 or be accompanied by a copy of the announcement.

The request must be made prior to expiration of the statutory or non-statutory time period set for response and within sufficient time so that withdrawal and reissuance of the Office

communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956). The use of the form PTO/SB/425 or the inclusion of a copy of the announcement will be treated as a representation that the need for the reissuance of the Office communication was due to the effects of the earthquake and resulting tsunami of March 11, 2011.

The instant petition is dismissed since it lacks item (1).

With respect to item (1), no reply from applicant was due at time the request was filed March 29, 2011. Further, there is no outstanding Office notice or action pending against this application. Therefore, there is no relief that can be given to applicant. Accordingly, the petition is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITIONS
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

By 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 inquires concerning this decision should be directed to the undersigned at 571-272-7751.

All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Doc Code: PET.RELIEF
Document Description: Certification and Request for Japan Events Relief

PTO/SB/425 (03-11)

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 1 of 2)

Nonprovisional Application Number or Control Number (if applicable): 13/121,538	Patent Number (if applicable):
First Named Inventor: Rei MIYASAKA, et al.	Title of Invention: MULTILAYER COATING APPARATUS AND MULTILAYER COATING METHOD

APPLICANT/PATENTEE/REEXAMINATION PARTY HEREBY CERTIFIES AND REQUESTS THE FOLLOWING FOR THE ABOVE-IDENTIFIED APPLICATION/PATENT/REEXAMINATION PROCEEDING.

1. FOR PATENT APPLICATIONS AND REEXAMINATION PROCEEDINGS PENDING IN THE USPTO AS OF MARCH 11, 2011, IN WHICH A COMMUNICATION FROM THE USPTO IS SOUGHT TO BE REMAILED:

   a. One or more inventors, an assignee, or a correspondence address (for the application/proceeding) is in an area of Japan affected by the earthquake and/or tsunami of March 11, 2011.

   b. A reply or response to an Office action (final, non-final, or other), a notice of allowance, or other Office notice (hereinafter collectively referred to as "Office communication") is outstanding.

   c. The statutory or non-statutory time period set for response has not yet expired.

   d. Withdrawal and reissuance of the Office communication is requested.

   e. It is acknowledged that if this request is not made within sufficient time so that withdrawal and reissuance of the Office communication occur prior to expiration of the statutory or non-statutory time period (as permitted to be extended under 37 CFR 1.136(a), or as extended under 37 CFR 1.550(c) or 1.956), this request may not be granted.

   f. The need for the reissuance of the Office communication was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   g. This request is being sent via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2. FOR PATENTEES WHO WERE UNABLE TO TIMELY PAY A PATENT MAINTENANCE FEE DURING THE SIX-MONTH GRACE PERIOD FOLLOWING THE WINDOW TO PAY THE MAINTENANCE FEE:

   a. The original window of time to pay the maintenance fee without the surcharge required by 37 CFR 1.20(h) expired on or after March 11, 2011.

   b. The delay in paying the fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(h) for paying a maintenance fee during the six-month grace period following the window to pay the maintenance fee.

   d. This request and payment of the maintenance fee during the six-month grace period following the window to pay the maintenance fee is being mailed to: Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, VA 22314; or being transmitted via facsimile to: 571-273-6500.

OPAP
APR 27 2011
PATENT & TRADEMARK OFFICE
IAP15

CERTIFICATION AND REQUEST FOR RELIEF DUE TO EVENTS OF MARCH 11, 2011, IN JAPAN (Page 2 of 2)

3. FOR PATENTEES WHO NEED TO FILE A PETITION TO ACCEPT A DELAYED MAINTENANCE FEE PAYMENT UNDER 37 CFR 1.378(c):

   a. The maintenance fee payment was required to have been paid after March 10, 2011.

   b. A petition under 37 CFR 1.378(c) (using USPTO form PTO/SB/66 – Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent (37 CFR 1.378(c))) is being promptly filed accompanied by the applicable maintenance fee payment (but not the surcharge under 37 CFR 1.20(i)).

   c. The delay in payment of the maintenance fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   d. The USPTO is requested to *sua sponte* waive the surcharge in 37 CFR 1.20(i) for accepting a delayed maintenance fee payment.

   e. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed by March 11, 2012, in order to be entitled to a waiver of the surcharge under 37 CFR 1.20(i).

   f. It is acknowledged that the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) must be filed within twenty-four months from the expiration date of the patent. *See* 35 U.S.C 41(c).

   g. This request and the petition to accept a delayed maintenance fee payment under 37 CFR 1.378(c) is being submitted via EFS-Web or by mail directed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4. FOR NONPROVISIONAL PATENT APPLICATIONS FILED WITHOUT AN EXECUTED OATH OR DECLARATION OR PAYMENT OF THE BASIC FILING FEE, SEARCH FEE, AND/OR EXAMINATION FEE:

   a. The nonprovisional patent application was filed on or after March 11, 2011, and prior to April 12, 2011.

   b. The late filing of the oath or declaration or the basic filing fee, search fee, or examination fee was due to the effects of the earthquake and/or tsunami of March 11, 2011.

   c. The USPTO is requested to *sua sponte* waive the surcharge set forth in 37 CFR 1.16(f) for the late filing of the oath or declaration or basic filing fee, search fee, and/or examination fee.

   d. This request, together with the executed oath or declaration or the basic filing fee, search fee, or examination fee, as well as the reply to the Notice to File Missing Parts, is being submitted via EFS-Web or by mail directed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature		Date	April 27, 2011
Name (Print/Typed)	Sean M. McGinn, Esq.	Practitioner Registration Number	34,386

Note: *Signatures of all the inventors, § 1.41(b) applicants, or assignees of record of the entire interest or their representative(s), or reexamination requesters at the appeal stage are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

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SUITE 200
VIENNA VA 22182-3817

MAILED

MAY 16 2011

OFFICE OF PETITIONS

In re Application of :
Rei Miyasaka :
Application No. 13/121,538 : DECISION ON PETITION
Date Deposited: March 29, 2011 :
Attorney Docket No. FJ-2009-074-PC-US :

This is a decision on the renewed request filed April 27, 2011, seeking relief under the provisions of "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan", 1365 Off. Gaz. Pat. Office 170 (April 19, 2011).

The above-identified application was deposited on March 29, 2011 without:

1. [x] An executed oath or declaration or

2. Payment of the: [ ] basic filing fee, [ ] search fee and/or [ ] examination fee

The relevant item(s) was/were filed on April 27, 2011. The instant submission requests a waiver of the surcharge for late filing of these item(s). The certifications for granting of relief are considered to be met by the submission of the request.

The request for relief is **GRANTED**.

The $130.00 late surcharge fee in the above-identified application is waived.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-7751. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,547	03/29/2011	Kazuo ITOYA	88333(47762)	1025

21874 7590 07/12/2011

EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER	
NILAND, PATRICK DENNIS	
ART UNIT	PAPER NUMBER
1762	
MAIL DATE	DELIVERY MODE
07/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

July 12, 2011 BC

In re application of	:	DECISION ON REQUEST TO
ITOYA, KAZUO et al.	:	PARTICIPATE IN PATENT
Serial No. 13/121,547	:	PROSECUTION HIGHWAY
Filed: March 29, 2011	:	PROGRAM AND
Attorney Docket No.: 88333(47762)	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 29, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
   a. Documentation of prior office action:

i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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LAW OFFICES OF ERIC KARICH
2807 ST. MARK DR.
MANSFIELD, TX 76063

MAILED
JUN 06 2011
PCT LEGAL ADMINISTRATION

In re Application of TOUSSAINT :
U.S. Application No.: 13/121,568 :
PCT Application No.: PCT/NL2009/000168 : DECISION
Int. Filing Date: 01 September 2009 :
Priority Date Claimed: 14 August 2008 :
Attorney Docket No.: 0585-49UA :
For: FILTER CLEANING DEVICE :

This is in response to applicant's "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 29 March 2011.

BACKGROUND

On 01 September 2009, applicant filed international application PCT/NL2009/000168, which claimed priority of an earlier Netherlands application filed 14 August 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 18 February 2010. The thirty-month period for paying the basic national fee in the United States expired on 14 February 2011.

On 15 February 2011, international application PCT/NL2009/000168 became abandoned as to the United States for failure to timely pay the basic national fee.

On 29 March 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 01 September 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 29 March 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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MAILED

SEP 12 2011

PCT LEGAL ADMINISTRATION

CLARK HILL, P.C.
500 WOODWARD AVENUE, SUITE 3500
DETROIT MI 48226

In re Application of
RUNDE, David M.
Application No.: 13/121,569
Attorney's Docket No.: None
PCT No.: PCT/CA2009/001443
Int. Filing Date: 08 October 2009
Priority Date: 14 October 2008
For: HEAD RESTRAINT AND SEAT STOW FLAT HANDLE

: DECISION

This decision is in response to applicants' petition under 37 CFR 1.182 filed 01 August 2011.

BACKGROUND

On 29 March 2011, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US) electronically via EFS-Web. The submission included, *inter alia*, a Transmittal Letter (Form PTO-1390), an Application Data Sheet (ADS), and a declaration of the inventor. The international application number keyed into EFS-Web was PCT/US09/01443. The number appearing on the Transmittal Letter is also PCT/US2009/001443. However, the international application number appearing in the declaration of the inventor and in the ADS is PCT/CA2009/001443.

On 13 June 2011, a Notification was issued indicating that a petition under 37 CFR 1.182, including the petition fee set forth in 37 CFR 1.17(f), to correct the above-stated error regarding the international application number was required.

On 01 August 2011, applicants submitted the instant petition under 37 CFR 1.182.

DISCUSSION

The petition fee has been paid. A review of the application file including counsel's statements in the instant submission reveals that the present application should in fact be the national stage application of international application **PCT/CA2009/001443**.

Declaration of the Inventor

The declaration of the inventor filed 16 June 2011 is also in compliance with 37 CFR 1.497(a)-(b). (The declaration of the inventor filed 29 March 2011 included an incorrect filing date for international application number PCT/CA2009/001443.)

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.182 is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone (571) 272-3301

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Hildebrand, Christa
Norris McLaughlin & Marcus PA
875 Third Avenue, 8th Floor
New York NY 10022

MAILED
AUG 19 2011
PCT LEGAL ADMINISTRATION

In re Application of :
DIESSEL et al :
Application No.: 13/121,581 :
PCT No.: PCT/EP2009/006891 :
Int. Filing Date: 24 September 2009 : DECISION
Priority Date: 01 October 2008 :
Attorney's Docket No.: 100717-830 :
For: Apparatus for automatically performing :
Analyses :

This decision is to petitioner's "RESPONSE TO NOTICE TO FILE MISSING PARTS" filed 01 August 2011, which is being treated as a petition under 37 CFR 1.181, requesting the acceptance of the claims as filed via the substitute specification on March 29, 2011.

BACKGROUND

On 29 March 2011 applicants filed via EFS-WEB entry into the United States Patent and Trademark Office (USPTO) for entry into the national stage in the U.S. under 35 U.S.C. 371, which was accompanied by, *inter alia*, the U.S. basic national fee. However, no executed oath or declaration was filed at such time.

On 12 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicant, inter alia, that an "Oath or Declaration of the inventors, in compliance with 37 CFR 1.47(a) and (b), identifying the application by the International application number and international filing date, and the additional claim fee of $390 as a non-small entity. The notice set a reply of two months from its date of mailing or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

On 13 June 2011, applicants filed an executed declaration and a response to notice to file missing parts indicating that a substitute specification filed on March 29, 2011.

On 25 July 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF DEFECTIVE RESPONSE" (Form PCT/DO/EO/916) indicating that... additional claim fees of $390.00 as a non-small entity, including any required multiple dependent cliam fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. The Notice gave a time limit of One Month, and no extension of this time limit may be granted under 37 1.136 but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

On 01 August 2011, applicants responded to the notice to file missing parts by indicating that the USPTO calculated incorrectly the claims as the calculation was based on the Original International application rather than the substitute specification filed on March 29, 2001.

DISCUSSION

37 CFR § 1.121 indicates the manner of making amendments in an US patent application, the relevant part shown below:

> (a) *Amendments in applications, other than reissue applications.* Amendments in applications, other than reissue applications, are made by filing a paper, in compliance with § 1.52, directing that specified amendments be made.
>
> (b) *Specification.* Amendments to the specification, other than the claims, computer listings (§ 1.96) and sequence listings (§ 1.825), must be made by adding, deleting or replacing a paragraph, by replacing a section, or by a substitute specification, in the manner specified in this section...
>
> (3)*Amendment by substitute specification.* The specification, other than the claims, may also be amended by submitting:
>
> (i)An instruction to replace the specification; and
> (ii)A substitute specification in compliance with §§ 1.125(b) and (c).
>
> (c)*Claims.* Amendments to a claim must be made by rewriting the entire claim with all changes (*e.g.*, additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).
>
> (1)*Claim listing.* All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (*e.g.*, Claims 1–5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.
>
> (2)*When claim text with markings is required.* All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of "currently amended," and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if

> strike-through cannot be easily perceived. Only claims having the status of "currently amended," or "withdrawn" if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn— currently amended."
>
> (3)*When claim text in clean version is required.* The text of all pending claims not being currently amended shall be presented in the claim listing in clean version, *i.e.*, without any markings in the presentation of text. The presentation of a clean version of any claim having the status of "original," "withdrawn" or "previously presented" will constitute an assertion that it has not been changed relative to the immediate prior version, except to omit markings that may have been present in the immediate prior version of the claims of the status of "withdrawn" or "previously presented." Any claim added by amendment must be indicated with the status of "new" and presented in clean version, *i.e.*, without any underlining.

37 CFR § 1.125 indicates the manner for substitute specification, the relevant below:

> (b)Subject to § 1.312, a substitute specification, excluding the claims, may be filed at any point up to payment of the issue fee if it is accompanied by a statement that the substitute specification includes no new matter.

A review of the claim amendment, substitute specification for the claims, filed on March 29, 2011 shows that applicants did not properly complied with the 37 CFR 1.121. Applicants provided a substitute specification for the claims which is excluded for claims as indicated by 37 CFR 1.125 and applicants did not provide status identifiers and the claim listing for the claim amendments as stipulated under 37 CFR 1.121. Therefore, the amended claims were not accepted.

As a result, the original claims based on International Application PCT/EP2009/006891 are proper claims for the National Stage filing.

Applicant will be charged $390.00 as a small entity for the additional claims to Deposit Account No. 14-1263 as stipulated in the Response to Notice of File Missing Pats. Accordingly, applicants have responded to the outstanding Notice of Missing Parts and the Notification of Defective Response.

CONCLUSION

The petition under 37 CFR 1.181 is **DISMISSED**.

If reconsideration of the merits of the petition under 37 CFR 1.181 is desired, applicant must file a request for reconsideration within TWO (2) MONTHS from the mail date of this Decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.181." Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Tel: (571) 272-3276
Fax: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MICHAEL BEST & FRIEDRICH LLP
100 E WISCONSIN AVENUE
Suite 3300
MILWAUKEE WI 53202

MAILED

APR 29 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
HAURI, et al.	:	
Application No.: 13/121,647	:	
PCT No.: PCT/EP2009/055413	:	DECISION ON PETITION
Int. Filing Date: 05 May 2009	:	
Priority Date: 06 May 2008	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: 016466-9026-00	:	
For: MARKER FOR A NAVIGATION SYSTEM	:	

The petition to revive under 37 CFR 1.137(b) filed 29 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/121,648	Filing date:	29 March 2011
First Named Inventor:	Jaroslav BELIK		
Title of the Invention:	PIPE SECTION GUIDE SYSTEM WITH FLEXIBLE MEMBER		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2009/058995

The international filing date of the corresponding PCT application(s) is/are: 30 September 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/121,648
First Named Inventor:	Jaroslav BELIK

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 29 March 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 29 March 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-24	1-24	Same claims.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Matt Moscicki/	Date April 18, 2011
Name (Print/Typed) Matthew R. Moscicki	Registration Number 57,524

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.
13/121,648	03/29/2011	Jaroslav Belik	1814-34802	1656

92297 7590 06/09/2011

Conley Rose P.C
P.O.Box 3267
Houston, TX 77253

EXAMINER	
STEPHENSON, DANIEL P	
ART UNIT	PAPER NUMBER
3676	
MAIL DATE	DELIVERY MODE
06/09/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 0 9 2011

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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Conley Rose P.C
P.O.Box 3267
Houston TX 77253

In re application of	:	**DECISION ON REQUEST TO**
Jaroslav Belik	:	**PARTICIPATE IN PATENT**
Application No. 13/121,648	:	**PROSECUTION HIGHWAY**
Filed: March 29, 2011	:	**PROGRAM AND PETITION**
For: PIPE SECTION GUIDE SYSTEM WITH FLEXIBLE MEMBER	:	**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 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.

In light of the petition being properly submitted via EFS-Web as is required, the request to participate in the PPH program complies with the above requirements, the above-identified application has been accorded "special" status.

All other inquiries concerning the examination or status of the application should be directed to the Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision as soon as any pre-exam processing has been completed.

Any inquiry regarding this decision should be directed to Mikado Buiz, Quality Assurance Specialist, at (571) 272-6578.

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 06/09/11

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United States Patent and Trademark Office
P.O. Box 1450
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FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

MAILED

JUL 21 2011

OFFICE OF PETITIONS

In re Application of :
Hermann Bujard e tal. :
Application No. 13/121,673 : ON PETITION
Filed: May 31, 2011 :
Attorney Docket No. 097179-0103 :

This is a decision regarding your request under 37 CFR 1.28. for acceptance of a fee deficiency submission and loss of small entity status filed June 29, 2011.

On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc.. 154 F.33d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission in the amount of $815, under 37 CFR 1.28, is hereby accepted and the petition is **GRANTED**. Status as a small entity has also been removed.

This matter is being referred to Technology Center 1632 for examination in due course.

Inquiries related to this communication should be directed to the Office of Petitions Staff at (571) 272-3282.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
OCT 07 2011
OFFICE OF PETITIONS

GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO CA 94080

In re Application of	:	
GROGAN et al.	:	
Application No. 13/121,675	:	DECISION DISMISSING PETITION
Filed: March 29, 2011	:	UNDER 37 CFR 1.78(a)(6)
Attorney Docket No. P4254R1	:	

This is a decision on the petition under 37 CFR § 1.78(a)(6), filed July 14, 2011 to accept an unintentionally delayed claim under 35 U.S.C. § 119(e) for benefit of priority to the prior-filed provisional applications set forth in the previously filed amendment and Application Data Sheet (ADS).

The petition is **DISMISSED AS MOOT**.

The petition is unnecessary for the ADS was timely submitted within the time period set out in 37 CFR § 1.78(a)(5) and therefore a petition is not required.

However, it should be noted that the amendment filed March 29, 2011 is not acceptable as drafted since it improperly incorporates by reference the prior filed applications. An incorporation by reference statement added after an application's filing date is not effective because no new matter can be added to an application after its filing date (*see* 35 U.S.C. § 132(a)). If an incorporation by reference statement is included in an amendment to the specification to add a benefit claim after the filing date of the application, the amendment would not be proper. When a benefit claim is submitted after the filing of an application, the reference to the prior application cannot include an incorporation by reference statement of the prior application. *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).

A corrected filing receipt showing the benefit claim to the two provisional applications accompanies this decision.

Any questions concerning this decision may be directed to Jose' G Dees at (571) 272-1569. All other inquiries concerning either the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to Technology Center AU 1639 for consideration by the examiner of applicant's entitlement to claim benefit of priority under 35 U.S.C. § 119(e) to the prior-filed applications.

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

ATTACHMENT: Corrected Filing Receipt

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	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/121,675	07/14/2011	1639	1484	P4254R1	22	3

CONFIRMATION NO. 1990

CORRECTED FILING RECEIPT

9157
GENENTECH, INC.
1 DNA WAY
SOUTH SAN FRANCISCO, CA 94080

OC000000050156621

Date Mailed: 10/03/2011

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)

Jane Grogan, San Francisco, CA;
Wai Lee Wong, Los Altos, CA;
Judy Young, San Carlos, CA;

Assignment For Published Patent Application

GENENTECH, INC

Power of Attorney: The patent practitioners associated with Customer Number 09157

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US09/58797 09/29/2009
which claims benefit of 61/176,406 05/07/2009
and claims benefit of 61/194,850 09/30/2008

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: 07/18/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/121,675**

Projected Publication Date: 10/27/2011

Non-Publication Request: No

Early Publication Request: No

Title

BIOLOGICAL MARKERS PREDICTIVE OF RHEUMATOID ARTHRITIS RESPONSE TO LYMPHOTOXIN ANTAGONISTS

Preliminary Class

506

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,681	03/29/2011	Seung-Ho Seo	2016-44	1147

52706 7590 06/13/2011

IPLA P.A.
3550 WILSHIRE BLVD.
17TH FLOOR
LOS ANGELES, CA 90010

EXAMINER	
FARAHMAND, ASHIL S	

ART UNIT	PAPER NUMBER
2472	

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.

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IPLA P.A.
3550 Wilshire BlVD.
17th Floor
Los Angeles CA 90010

In re Application of: Seo et al.
Application No. 13/121681
Filed: 3/29/11
For: Method of Blocking and Searching for Host in IPV6 Network

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed April 7, 2011, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is
(a) a Paris Convention application which either
(i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
(ii) validly claims priority to a PCT application that contains no priority claims,

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the KIPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the KIPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim.

Where the KIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application;

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the KR application(s);
b. An English translation of the allowable/patentable claim(s), if the claims were published in a language other than English); and
c. A statement that the English translation is accurate;

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s) and
b. Submit a claim correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
a. A copy of all the office action(s) (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
b. An English language translation of the KIPO office action(s) (if the office action(s) are not in the English language); and
c. A statement that the English translation is accurate;

(6) Applicant must submit:
a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application); and

(7) The required petition fee under 37 CFR 1.17(h) if submitted before May of 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 Tod Swann at 571-272-3612

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Tod Swann/
Tod Swann
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LEYDIG VOIT & MAYER LTD
700 THIRTEENTH ST NW
SUITE 300
WASHINGTON DC 20005-3960

MAILED
APR 04 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Yu, et al.	:	ON PETITION
Application No. 13/121,712	:	
Filed: March 30, 2011	:	
Attorney Docket Number: 404608	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed March 30, 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 and are not the only practical medium by which to disclose the subject matter sought to be patented in the utility application.

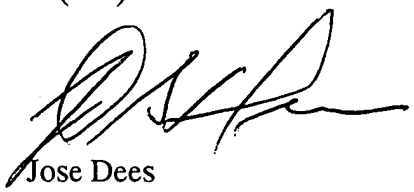
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

The application is being forwarded to Group Art Unit 2886 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.



Jose Dees
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

RANKIN, HILL & CLARK LLP
23755 Lorain Road - Suite 200
North Olmsted OH 44070-2224

MAILED

APR 2 1 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
WEI, et al.	:	DECISION ON PETITION
Application No.: 13/121,717	:	
PCT No.: PCT/EP2009/056861	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 04 June 2009	:	
Priority Date: 04 June 2008	:	
Atty. Docket No.: HUB-34550	:	
For: METHOD FOR THE SUPPLY OF GROWTH COMPONENTS TO CELL CULTURES	:	

The petition to revive under 37 CFR 1.137(b) filed 30 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply form the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has provided the proper reply in the form of payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

86765
LGCHEM
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, NJ 07090

MAILED

JUL 14 2011

PCT LEGAL ADMINISTRATION

In re Application of :
KO *et al* :
Application No.: 13/121,755 :
Receipt Date: March 30, 2011 : **DECISION**
Attorney's Docket No.: LGCHEM 3.9-160 CON :
For: APPARATUS FOR PRODUCING :
ALCOHOLS FROM OLEFINS :

This application is before the Office of PCT Legal Administration for matters arising under 35 U.S.C. 371.

BACKGROUND

On March 30, 2011, applicants filed papers using the USPTO EFS-Web system to enter the national stage of PCT/KR2010/000283. These papers included a transmittal letter titled "Utility Patent Application Transmittal" (PTO/SB/05).

DISCUSSION

The sole issue to be decided by this office is whether the above-captioned application should have been treated as a national stage application under 35 U.S.C. 371 of PCT/KR2010/000283.

Any intended filing of an international application as a national stage application must clearly be identified as such and must satisfy all the conditions set forth in 35 U.S.C. 371(c). Otherwise, the submission will be considered as being made under 35 U.S.C. 111(a). 37 CFR 1.495(g). Section 1893.03(a) of the Manual of Patent Examining Procedure states, in part:

> In accordance with the notice at 1077 O.G. 13 (April 14, 1987) . . . if there are any conflicting instructions as to whether the filing is under 35 U.S.C. 111(a) or 35 U.S.C. 371, the application will be accepted as filed under 35 U.S.C. 111(a).

Here, applicants submitted the application electronically as a "U.S. National Stage under 35 USC 371" of "PCT/KR10/00283." However, the transmittal letter (Form PTO/SB/05) used clearly states under the title that it is "Only for new nonprovisional applications under 37 CFR 1.53(b)."

Section 1893.03(a) of the MPEP[1] specifically indicates that an application filed with a Form PTO/SB/05 transmittal letter has a conflicting instruction.

Therefore, the above-captioned application must be processed as a 35 U.S.C. 111(a) application.

CONCLUSION

The papers deposited on March 30, 2011 constitute a filing under 35 U.S.C. 111(a), not 35 U.S.C. 371.

This application is being forwarded to the Office of Patent Application Processing for continued processing as a filing under 35 U.S.C. 111(a).

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

[1] MPEP § 1893.03(a) states, in part: "A conflicting instruction will be present, for example, where applicant includes in the initial submission under 35 U.S.C. 371, a "Utility Patent Application Transmittal" (Form PTO/SB/05) . . ."

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No.:	13/121,755	Filing Date:	March 30, 2011
First Named Inventor:	Dong-Hyun Ko		
Title of the Invention:	APPARATUS FOR PRODUCING ALCOHOLS FROM OLEFINS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/KR2010/000283

The international date of the corresponding PCT application(s) is/are: January 15, 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 appliction(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.**

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO
(continued)

Application No.:	13/121,755
First Named Inventor:	Dong-Hyun Ko

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.

[x] Has already been filed in the above-identified U.S. application on April 6, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

[ ] Are attached.

[x] Have already been filed in the above-identified U.S. application on April 6, 2011

II. Claims Correspondence Table: See attached sheets

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/Nicole Ho/	Date	September 9, 2011
Name (Print/Typed)	Nicole Ho	Registration Number	64,482

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 37 CFR § 1.6(a)(4).

Dated: September 9, 2011 Electronic Signature for Nicole Ho: /Nicole Ho/

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	5	Identical
5	6	Substantially similar: US claim 5 recites "middle" rather than "meddle" and "entering" rather than "inflowing" in order to correct the grammatical errors.
6	9	Identical
7	10	Identical
8	12	Identical
9	13	Substantially similar: US claim 9 recites "the same as the diameter" rather than "the same with the diameter" and "entering" rather than "inflowing" in order to correct grammatical errors.
10	14	Identical
11	16	Substantially similar: US claim 11 recites "a" rather than "the" in order to provide proper antecedent basis.
12	17	Substantially similar: US claim 12 recites "an" rather than "the" in order to provide proper antecedent basis.
13	19	Substantially similar: US claim 13 recites "a" rather than "the" in order to provide proper antecedent basis.
14	20	Substantially similar: US claim 14 recites "entering" rather than "inflowing" and "the same as the diameter" rather than "the same to the diameter" in order to correct gramatical errors.
15	22	Identical
16	23	Substantially similar: US claim 16 recites "is connected to" rather than "located by connecting to" in order to correct grammatical errors and recites "a" rather than "the" to provide proper antecedent basis.
17	24	Substantially similar: US claim 17 recites "a" rather than "the" in order to provide proper antecedent basis.

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
18	26	Substantially similar: US claim 18 recites "and reacting" rather than "and then makes to react" in order to correct grammatical errors.
19	28	Substantially similar: US claim 19 recites "a" rather than "the" in order to provide proper antecedent basis.
20	31	Substantially similar: US claim 20 recites "middle" rather than "meddle" in order to correct the misspelling.

ADVANCE E-MAIL

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II

(PCT Rules 44*bis*.3(c) and 72.2)

To:

CHO, In-Je
11th Fl., Unik Bldg.
#706-13 Yeoksam-dong, Gangnam-gu
Seoul 135-918
RÉPUBLIQUE DE CORÉE

Date of mailing *(day/month/year)* 18 August 2011 (18.08.2011)	
Applicant's or agent's file reference PP10-0101	**IMPORTANT NOTIFICATION**
International application No. PCT/KR2010/000283	International filing date *(day/month/year)* 15 January 2010 (15.01.2010)
Applicant LG CHEM, LTD. et al	

1. **Transmittal of the translation to the applicant.**

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OA, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer

Philippe Becamel

e-mail: pt12.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference PP10-0101	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/KR2010/000283	International filing date *(day/month/year)* 15 January 2010 (15.01.2010)	Priority date *(day/month/year)* 16 January 2009 (16.01.2009)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant LG CHEM, LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 09 August 2011 (09.08.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Philippe Becamel e-mail: pt12.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	02.09.2010
Applicant's or agent's file reference: PP10-0101	FOR FURTHER ACTION: See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/KR2010/000283	15.01.2010	16.01.2009

International Patent Classification (IPC) or both national classification and IPC
C07C29/152, C07C29/157

Applicant
LG CHEM, LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I — Basis of the opinion
- ☐ Box No. II — Priority
- ☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV — Lack of unity of invention
- ☒ Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI — Certain documents cited
- ☐ Box No. VII — Certain defects in the international application
- ☐ Box No. VIII — Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/KR2010/000283

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (means)

☐ on paper

☐ in electronic form

b. (time)

☐ in the international application as filed

☐ together with the international application in electronic form

☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/KR2010/000283

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-31	YES
	Claims	None	NO
Inventive step (IS)	Claims	1-31	YES
	Claims	None	NO
Industrial applicability (IA)	Claims	1-31	YES
	Claims	None	NO

2. Citations and explanations:

Reference is made to the following documents:

D1: KR 10-2008-0105004 A (LG CHEM. LTD.) 3 December 2008

D2: US 2006-0004231 A1 (PETER ZEHNER and one other individual) 5 January 2006

D3: US 4312837 A1 (PAPP; ROGER and one other individual) 26 January 1982

D4: KR 10-2008-0104710 A (LG CHEM. LTD.) 3 December 2008

D5: US 2007-0282132 A1 (STEPHEN BEADLE and five other individuals) 6 December 2007

D6: US 2001-0003785 A1 (GUIDO PROTZMANN and three other individuals) 14 June 2001

1. Novelty and Inventive Step

1.1 Claims 1-31

Claims 1, 24 and 31 relate to a method for producing alcohols or an apparatus for producing alcohols, wherein a hydroformylation reactor is equipped with a distributor plate in its interior which has a broad contact surface

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

for providing a sufficient reaction area for reactants such as olefins and synthesis gas, whereby the production yield of aldehydes is improved, and even though the invention according to said claims and document D1, which represents the closest prior art, disclose a method for providing reactants to the interior of the reactor through a nozzle in the reactor for hydroformylation of olefins, the invention according to claims 1, 24 and 31 is different from document D1 in that a distributor plate is provided in the interior of the reactor whereby the efficiency is improved even more, and this difference is not disclosed anywhere in other documents cited in the international search report, nor is it self-evident to a person of ordinary skill in the art. As such, it is deemed that the invention according to claims 1, 24 and 31 is novel and involves an inventive step (PCT Article 33(2) and (3)).

Since claims 2-23 and 25-30 are dependent on claims 1 and 24 respectively, it is deemed that the claimed invention is novel and involves an inventive step (PCT Article 33(2) and (3)).

2. Industrial Applicability

It is deemed that the invention according to claims 1-31 is industrially applicable (PCT Article 33(4)).

DECLARATION

I, Myung-Sam Lee, a translator of NewKorea International Patent & Law Office, No. 301, 3rd Fl., Buok Bldg. #648-18, Yeoksam-dong, Gangnam-gu, Seoul 135-911, Republic of Korea, solemnly and sincerely declare as follows:

1. I am well acquainted with the Korean and English languages.

2. The attached is a true English language translation of the all claims indicated as allowable in the International Preliminary Report on Patentability (IPRP) for WO 2010/082793 A2 published on July 22, 2010 (PCT/KR2010/000283 filed on January 15, 2010 - Priority: Korean Patent Application No. 10-2009-0003732 filed on January 16, 2009) by LG Chem, Ltd. with the Korean Intellectual Patent Office.

And I make this solemn declaration conscientiously believing the same to be true.

This 7th day of September, 2011

Myungsam Lee

Myung-Sam LEE

"English translation of the allowable claims according to the International Preliminary Report on Patentability"

What is claimed is:

1. An apparatus for producing alcohols, comprising:

a hydroformylation reactor comprising:

a spraying means for spraying olefins and a synthesis gas (CO/H_2) toward a catalyst mixture solution inside a reactor;

a reactor outlet for discharging a reaction mixture of the olefins and the synthesis gas; and

a distributor plate for converting a flow of the olefins and the synthesis gas (CO/H_2), in which the distributor plate is installed between the spraying means and the reactor outlet.

2. The apparatus for producing alcohols of claim 1, wherein the hydroformylation reactor comprises a circulation pipe for circulating the reaction mixture by recovering the reaction mixture from the reactor outlet and then resupplying to the spraying means, in which the circulation pipe is connected to the reactor outlet and the spraying means.

3. The apparatus for producing alcohols of claim 2, wherein the hydroformylation reactor is connected to a catalyst/aldehydes separator comprising:

a separation pipe for separating the reaction mixture from the circulation flow, in which the separation pipe is separated from any one part of the circulation pipe;

a catalyst/aldehydes separation machine for separating the catalyst mixture solution and aldehydes from the reaction mixture, in which the catalyst/aldehydes separation machine is connected to the separation pipe;

a supplying pipe of the catalyst mixture solution for supplying the catalyst mixture solution to the circulation pipe, in which the supplying pipe is connected to any one part of the circulation pipe and the catalyst/aldehydes separation machine; and

an aldehyde recovering pipe for recovering aldehydes, in which the aldehyde recovering pipe is connected to the catalyst/aldehydes separation machine.

4. The apparatus for producing alcohols of claim 1, wherein the catalyst mixture solution comprises a transition metal catalyst, ligand and solvent.

5. The apparatus for producing alcohols of any one of claims 1 to 4, further comprising a hydrogenation reactor for producing alcohols by adding hydrogen to the recovered aldehydes from the hydroformylation reactor.

6. The apparatus for producing alcohols of claim 5, wherein the hydrogenation reactor is connected to a distillation column comprising:

an inlet part for inflowing the hydrogenation reaction product passed through the hydrogenation reactor;

a low boiling point component outlet part for discharging the low boiling point component among the inflowed hydrogenation reaction products;

a middle boiling point component outlet part for discharging the meddle boiling point component among the

inflowed hydrogenation reaction products; and

a high boiling point component outlet part for discharging the high boiling point component among the inflowed hydrogenation reaction products.

7. The apparatus for producing alcohols of any one of claims 1 to 4, further comprising an aldol condensation reactor for producing aldehydes having an increased carbon number by an aldol condensation of aldehydes recovered from the hydroformylation reactor.

8. The apparatus for producing alcohols of claim 7, wherein the hydrogenation reactor for producing alcohols by adding hydrogen to aldehydes having the increased carbon number produced from the aldol condensation reactor is connected to the aldol condensation reactor.

9. The apparatus for producing alcohols of claim 5, wherein the hydrogenation reactor comprises a loop reactor or

dual fixed reactors.

10. The apparatus for producing alcohols of claim 1, wherein the spraying means comprises an ejector installed with a nozzle.

11. The apparatus for producing alcohols of claim 10, wherein a diameter of the nozzle is 1 mm to 500 mm.

12. The apparatus for producing alcohols of claim 1, wherein the spraying means comprises a venturi tube.

13. The apparatus for producing alcohols of claim 12, wherein the venturi tube comprises an inlet part for inflowing the olefins and the synthesis gas and a diffusion part toward the distributor plate, in which the diffusion part is connected to the inlet part; and the diameter of the diffusion part inlet is the same with the diameter of the inlet part tube, and the diameter of the diffusion part

outlet is 1.0 to 10 times longer than that of the diffusion part inlet.

14. The apparatus for producing alcohols of claim 1, wherein the distributor plate is located between 1/3 and 2/3 of the length from the end of the spraying means to the reactor outlet.

15. The apparatus for producing alcohols of claim 1, wherein a shape of the distributor plate is a flat shape, a convex shape or a concavo shape corresponding to the spraying means.

16. The apparatus for producing alcohols of claim 5, wherein the hydrogenation reactor comprises:

the spraying means for spraying the recovered aldehydes and hydrogen gas from the hydroformylation reactor to the catalyst mixture solution that is charged inside the reactor;

the reactor outlet for discharging the reaction mixture

of aldehydes and hydrogen gas, in which the reactor outlet is located at the bottom of the reactor; and

the circulation pipe for circulating the reaction mixture by recovering the reaction mixture from the reactor outlet and then supplying them to the spraying means, in which the circulation pipe is connected to the reactor outlet and the spraying means.

17. The apparatus for producing alcohols of claim 16, wherein the spraying means of the hydrogenation reactor comprises the ejector installed with the nozzle.

18. The apparatus for producing alcohols of claim 17, wherein the diameter of the nozzle is 1 mm to 500 mm.

19. The apparatus for producing alcohols of claim 16, wherein the spraying means comprises the venturi tube.

20. The apparatus for producing alcohols of claim 19,

wherein the venturi tube comprises an inlet part for inflowing the aldehydes and the hydrogen gas, and an diffusion part toward the reactor outlet, in which the diffusion part is connected to the inlet part; and the diameter of the diffusion part inlet is the same as the diameter of the inlet part tube, and the diameter of the diffusion part outlet is 1.0 to 10 times longer than that of the diffusion part inlet.

21. The apparatus for producing alcohols of claim 20, wherein the length of the diffusion part is 0.1 to 100 times longer than that of the inlet part.

22. The apparatus for producing alcohols of claim 20, wherein the length of the venturi diffusion part is 0.01 to 0.95 times longer than that of the reactor.

23. The apparatus for producing alcohols of claim 5, wherein the hydrogenation reactor comprises:

The spraying means for spraying the recovered aldehydes and hydrogen gas from the hydroformylation reactor inside the reactor;

a nickel catalyst layer having a high activity, in which the nickel catalyst layer is located at an inflow part of aldehydes and hydrogen;

a copper catalyst layer having a low activity, in which the copper catalyst layer is located by connecting to the nickel catalyst layer; and

a reactor outlet for discharging the hydrogenation reaction mixture, in which the reactor outlet is located by connecting to the copper catalyst layer.

24. The method for producing alcohols, comprising:

hydroformlyating for promoting a hydroformylation reaction of micro-bubble and a catalyst mixture solution by forming the micro-bubble of the olefins and the synthesis gas through spraying the synthesis gas (CO/H_2) and olefins in the catalyst mixture solution and converting the flow of the

synthesis gas (CO/H_2) and the olefins by using a distributor plate; and

hydrogenating for obtaining the product of the hydrogenation reaction containing alcohols by adding hydrogen to aldehydes that are the product obtained from the hydroformylation step.

25. The method for producing alcohols of claim 24, wherein the catalyst mixture solution comprises a transition metal catalyst, ligand and solvent.

26. The method for producing alcohols of claim 24, wherein the hydrogenation step forms the micro-bubbles of the aldehydes and the hydrogen gas by spraying the aldehydes and the hydrogen gas in the hydrogenation catalyst mixture solution, and then makes to react the micro-bubbles with the hydrogenation catalyst mixture solution.

27. The method for producing alcohols of claim 26,

wherein the hydrogenation catalyst mixture solution comprises Raney-Ni or copper powder.

28. The method for producing alcohols of claim 24, wherein for the hydrogenation step, the hydrogenation reaction is preformed by passing the recovered aldehydes and the hydrogen gas through the catalyst layer that is composed of dual layers of Ni catalyst layer having a high activity and Cu catalyst layer having a low activity.

29. The method for producing alcohols of claim 24 or 26, wherein a speed of the spraying is performed at 0.1 to 100 m/sec.

30. The method for producing alcohols of claim 24, further comprising an aldol condensation step for obtaining the aldehydes having an increased carbon number by the aldol condensation of the aldehydes recovered from the hydroformylation step.

31. A apparatus for producing alcohols, comprising:

a hydroformylation reactor comprising a spraying means for spraying olefins and a synthesis gas (CO/H_2) into a solution of catalyst mixture that is charged inside the reactor, in which the spraying means is installed at the upper part of the reactor; a reactor outlet for discharging the reaction mixture of the synthesis gas and olefins, in which the reactor outlet is located at the bottom part of the reactor; a distributor plate for converting the flow of olefins and the synthesis gas, in which the distributor plate is installed between the spraying means and the reactor outlet; and a circulation pipe for circulating the reaction mixture by recovering the reaction mixture from the reactor outlet and then supplying to the spraying means, in which the circulation pipe is connected to the reactor outlet and the spraying means;

a catalyst/aldehydes separator comprising a separation pipe for separating the reaction mixture from the circulation

flow, in which the separation pipe is separated from any one part of the circulation pipe; a catalyst/aldehydes separation machine for separating the catalyst mixture solution and aldehydes from the reaction mixture, in which the catalyst/aldehydes separation machine is connected to the separation pipe; a supplying pipe of the catalyst mixture solution for supplying the catalyst mixture solution to the circulation pipe, in which the supplying pipe is connected to any one part of the circulation pipe and the catalyst/aldehydes separation machine; and an aldehyde recovering pipe for recovering aldehydes, in which the aldehyde recovering pipe is connected to the catalyst/aldehydes separation machine;

a hydrogenation reactor for adding hydrogen to the recovered aldehydes; and

a distillation column comprising an inlet part for inflowing the hydrogenation reaction product passed through the hydrogenation reactor; a low boiling point component outlet part for discharging the low boiling point component

among the hydrogenation reaction products; a middle boiling point component outlet part for discharging the meddle boiling point component among the hydrogenation reaction products; and a high boiling point component outlet part for discharging the high boiling point component among the hydrogenation reaction products.

[청구항 1] 반응기 내부에 촉매 혼합용액을 향해 올레핀 및 합성기체(CO/H_2)를 분사하는 분사수단;
상기 올레핀 및 합성기체의 반응혼합물이 배출되는 반응기 출구; 및
상기 분사수단과 반응기 출구 사이에 장착되고, 상기 올레핀 및 합성기체(CO/H_2)의 흐름을 전환하는 분산판;을 포함하는
하이드로포밀화 반응부;를 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 2] 제 1 항에 있어서,
하이드로포밀화 반응부는 상기 반응기 출구 및 상기 분사수단에 연결되고, 상기 반응기 출구로부터 상기 반응혼합물을 회수하여 상기 분사수단으로 재공급하여 반응혼합물을 순환시키는 순환 배관을 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 3] 제 2 항에 있어서,
상기 알코올 제조 장치는
상기 순환 배관의 어느 한 곳으로부터 분리되어 반응혼합물을 순환 흐름으로부터 분리하는 분리배관;
상기 분리배관과 연결되고, 반응혼합물로부터 촉매 혼합용액 및 알데히드를 분리하는 촉매/알데히드 분리장치;
상기 촉매/알데히드 분리장치와 순환 배관의 어느 한 곳과 연결되어 촉매 혼합용액을 순환배관으로 공급하는 촉매 혼합용액 공급배관; 및
상기 촉매/알데히드 분리장치에 연결되어 알데히드를 회수하는 알데히드 회수배관;을 포함하여 이루어진 촉매/알데히드 분리부가 상기 하이드로포밀화 반응부에 연결된 것을 특징으로 하는 알코올 제조 장치.

[청구항 4] 제 1 항에 있어서,
상기 촉매 혼합용액은 전이금속 촉매, 리간드 및 용매를 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 5] 제 1 항 또는 제 4 항 중 어느 한 항에 있어서,
상기 알코올 제조 장치는 상기 하이드로포밀화 반응부로부터 회수된 알데히드에 수소를 첨가하여 알코올을 제조하는 수소화 반응부를 더 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 6] 제 5 항에 있어서,
상기 알코올 제조 장치는
상기 수소화 반응부를 통과한 수소화 반응 생성물이 유입되는

유입부;
유입된 수소화 반응 생성물 중 저비점 성분이 배출되는 저비점 성분 배출부;
유입된 수소화 반응 생성물 중 중비점 성분이 배출되는 중비점 성분 배출부; 및
유입된 수소화 반응 생성물 중 고비점 성분이 배출되는 고비점 성분 배출부;를 포함하는 증류장치부가 상기 수소화 반응부에 연결되는 것을 특징으로 하는 알코올 제조 장치.

[청구항 7] 제 1 항 또는 제 4 항 중 어느 한 항에 있어서,
상기 알코올 제조 장치는 상기 하이드로포밀화 반응부로부터 회수된 알데히드를 알돌축합하여 탄소수가 증가된 알데히드를 제조하는 알돌축합 반응부를 더 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 8] 제 7 항에 있어서,
상기 알돌축합 반응부로부터 제조된 탄소수가 증가된 알데히드에 수소를 첨가하여 알코올을 제조하는 수소화 반응부가 상기 알돌축합 반응부에 연결되는 것을 특징으로 하는 알코올 제조 장치.

[청구항 9] 제 5 항에 있어서,
상기 수소화 반응부는 루프반응기 또는 이중 고정층 반응기를 포함하여 이루어진 것을 특징으로 하는 알코올 제조 장치.

[청구항 10] 제 1 항에 있어서,
상기 분사수단은 노즐이 장착된 이젝터를 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 11] 제 10 항에 있어서,
상기 노즐의 직경은 1 mm 내지 500 mm인 것을 특징으로 하는 알코올 제조 장치.

[청구항 12] 제 1 항에 있어서,
상기 분사수단은 벤투리 관을 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 13] 제 10 항에 있어서,
상기 벤투리 관은 올레핀과 합성기체가 유입되는 유입부 및 이 유입부에 연결되고 분산판을 향하고 있는 확산부를 포함하고,
상기 확산부 입구의 직경은 상기 유입부의 관 직경과 같으며,
상기 확산부 출구의 직경은 상기 확산부 입구 직경의 1.0 내지 10 배인 것을 특징으로 하는 알코올 제조 장치.

[청구항 14] 제 1 항에 있어서,
상기 분산판은 분사수단 말단으로부터 반응기 출구까지 길이의

1/3 내지 2/3 사이에 위치하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 15] 제 1 항에 있어서,
상기 분산판은 형태가 상기 분사수단에 대응하여 편평한 형태, 볼록한 형태, 또는 오목한 형태인 것을 특징으로 하는 알코올 제조 장치.

[청구항 16] 제 5 항에 있어서,
상기 수소화 반응부는
반응기 내부에 장입되어 있는 촉매 혼합용액에 상기 하이드로포밀화 반응부로부터 회수된 알데히드 및 수소 가스를 분사하는 분사수단;
반응기 하부에 위치하여 알데히드 및 수소 가스의 반응혼합물이 배출되는 반응기 출구; 및
상기 반응기 출구 및 상기 분사수단에 연결되고, 반응기 출구로부터 반응혼합물을 회수하여 상기 분사수단으로 공급하여 반응혼합물을 순환시키는 순환 배관;을 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 17] 제 16 항에 있어서,
상기 수소화 반응부의 분사수단은 노즐이 장착된 이젝터를 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 18] 제 17 항에 있어서,
상기 노즐의 직경은 1 mm 내지 500 mm인 것을 특징으로 하는 알코올 제조 장치.

[청구항 19] 제 16 항에 있어서,
상기 분사수단은 벤투리 관을 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 20] 제 19 항에 있어서,
상기 벤투리 관은 알데히드와 수소가스가 유입되는 유입부 및 상기 유입부에 연결되고 반응기 출구를 향하고 있는 확산부를 포함하고,
상기 확산부 입구의 직경은 상기 유입부의 관 직경과 같으며,
상기 확산부 출구의 직경은 상기 확산부 입구 직경의 1.0 내지 10 배인 것을 특징으로 하는 알코올 제조 장치.

[청구항 21] 제 20 항에 있어서,
상기 확산부의 길이는 유입부 길이의 0.1 내지 100 배인 것을 특징으로 하는 알코올 제조 장치.

[청구항 22] 제 20 항에 있어서,
상기 벤투리 확산부의 길이는 상기 반응기 길이의 0.01 내지 0.95

배인 것을 특징으로 하는 알코올 제조 장치.

[청구항 23] 제 5 항에 있어서,
상기 수소화 반응부는 상기 하이드로포밀화 반응부로부터 회수된 상기 알데히드 및 상기 수소를 상기 반응기 내부에 분사하는 분사수단;
상기 알데히드 및 상기 수소가 유입되는 부분에 위치하는 고활성 니켈 촉매층;
상기 니켈 촉매층과 연결되어 위치하는 저활성 구리 촉매층; 및
상기 구리 촉매층과 연결되어 위치하고 수소화 반응혼합물이 배출되는 반응기 출구;
를 포함하는 것을 특징으로 하는 알코올 제조 장치.

[청구항 24] 촉매 혼합용액 내에 올레핀 및 합성기체(CO/H_2)를 분사하여 상기 올레핀 및 상기 합성기체의 미세기포를 형성시키고, 분산판을 이용하여 상기 올레핀 및 상기 합성기체의 흐름을 전환시켜 상기 미세기포와 상기 촉매 혼합용액의 하이드로포밀화 반응을 촉진시키는 하이드로포밀화 단계; 및
상기 하이드로포밀화 단계의 생성물인 알데히드에 수소를 첨가하여 알코올을 포함하는 수소화 반응 생성물을 얻는 수소화 단계;를 포함하는 것을 특징으로 하는 알코올 제조방법.

[청구항 25] 제 24 항에 있어서,
상기 촉매 혼합용액은 전이금속 촉매, 리간드 및 용매를 포함하는 것을 특징으로 하는 알코올 제조방법.

[청구항 26] 제 24 항에 있어서,
상기 수소화 단계는 알데히드 및 수소 가스를 수소화 촉매 혼합용액 내에 분사하여 상기 알데히드 및 상기 수소 가스의 미세기포를 형성시키고, 상기 미세기포 및 상기 수소화 촉매 혼합용액을 반응시키는 것을 특징으로 하는 알코올의 제조방법.

[청구항 27] 제 26 항에 있어서,
상기 수소화 촉매 혼합용액은 라니-니켈(Raney-Ni) 또는 구리 분말을 포함하는 것을 특징으로 하는 알코올의 제조방법.

[청구항 28] 제 24 항에 있어서,
상기 수소화 단계는 회수된 알데히드 및 수소 가스를 고활성 Ni 촉매층 및 저활성 Cu 촉매층의 이중 층으로 구성된 촉매 층을 통과시켜 수소화 반응시키는 것을 특징으로 하는 알코올의 제조방법.

[청구항 29] 제 24 항 또는 제 26 항에 있어서,
상기 분사는 0.1 내지 100 m/sec의 속도로 분사되는 것을 특징으로 하는 알코올의 제조방법.

[청구항 30] 제 24 항에 있어서,
상기 올레핀으로부터의 알코올의 제조방법은 상기 하이드로포밀화 단계로부터 회수된 알데히드를 알돌축합하여 탄소수가 증가된 알데히드를 얻는 알돌축합 단계를 더 포함하는 것을 특징으로 하는 알코올의 제조방법.

[청구항 31] 반응기 상부에 장착되어 올레핀 및 합성가스(CO/H_2)를 반응기 내부에 장입되어 있는 촉매 혼합용액 내에 분사하는 분사 수단; 반응기 하부에 위치하여 올레핀 및 합성가스의 반응혼합물이 배출되는 반응기 출구; 상기 분사 수단과 반응기 출구 사이에 장착되고, 올레핀 및 합성가스의 흐름을 전환하는 분산판; 상기 반응기 출구 및 상기 분사 수단에 연결되고, 반응기 출구로부터 반응혼합물을 회수하여 상기 분사 수단으로 공급하여 반응혼합물을 순환시키는 순환 배관을 포함하는 하이드로포밀화 반응부;
상기 순환 배관의 어느 한 곳으로부터 분리되어 반응혼합물을 순환 흐름으로부터 분리하는 분리배관; 상기 분리배관과 연결되고, 반응혼합물로부터 촉매 혼합용액 및 알데히드를 분리하는 촉매/알데히드 분리장치; 상기 촉매/알데히드 분리장치와 순환 배관의 어느 한 곳과 연결되어 촉매 혼합용액을 순환배관으로 공급하는 촉매 혼합용액 공급배관; 및 상기 촉매/알데히드 분리장치에 연결되어 알데히드를 회수하는 알데히드 회수배관을 포함하는 촉매/알데히드 분리부;
상기 회수된 알데히드에 수소를 첨가하는 수소화 반응부; 및 상기 수소화 반응부를 통과한 수소화 반응 생성물이 유입되는 유입부; 상기 수소화 반응 생성물 중 저비점 성분이 배출되는 저비점 성분 배출부; 상기 수소화 반응 생성물 중 중비점 성물이 배출되는 중비점 성분 배출부; 및 상기 수소화 반응 생성물 중 고비점 성물이 배출되는 고비점 성분 배출부를 포함하는 증류장치부;를 포함하는 알코올 제조 장치.

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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FEB 14 2012

PCT LEGAL ADMINISTRATION

MICHAEL BEST & FRIEDRICH LLP (Mke)
100 E WISCONSIN AVENUE
Suite 3300
MILWAUKEE WI 53202

In re Application of
RAULEDER et al.
Application No.: 13/121,759
PCT No.: PCT/EP2009/062515
Int. Filing Date: 28 September 2009
Priority Date: 30 September 2008
Attorney's Docket No.: 024010-9228-US00
For: PRODUCTION OF SOLAR-GRADE SILICON FROM SILICON DIOXIDE

DECISION

This decision is in response to applicants' "PETITION TO ACCEPT CORRECT ENGLISH TRANSLATION" filed 03 February 2012, which has properly been treated as a petition under 37 CFR 1.181. No petition fee is required.

BACKGROUND

On 28 September 2009, applicants filed international application PCT/EP2009/062515, which designated the United States and claimed a priority date of 30 September 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 30 March 2011.

On 30 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee and a purported translation into English of the international application as filed.

On 18 May 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an executed oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 13 July 2011, applicants filed a response including, *inter alia*, a declaration of inventors.

On 18 July 2011, the United States Designated/Elected Office (DO/EO/US) issued a Filing Receipt and a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495 (Form PCT/DO/EO/903) according the application a 35 U.S.C. § 371(c)(1), (c)(2), and (c)(4) date of 13 July 2011 and a 35 U.S.C. 371 date of 13 July 2011.

On 03 February 2012, applicants filed the instant "PETITION TO ACCEPT CORRECT ENGLISH TRANSLATION" which has properly been treated as a petition under 37 CFR 1.181.

DISCUSSION

A review of the English translation filed with the 03 February 2012 submission, the English translation filed with 30 March 2011 submission, and the published international application, it is apparent that the translation filed 30 March 2011 was not sufficient. The English translation filed 03 February 2012 is accepted. Because the translation filed 30 March 2011 was not sufficient, the requirements of 35 U.S.C. 371(c) for entry into the national stage in the United States of America were not completed as of the 35 U.S.C. 102(e) and 371 dates indicated in the NOTIFICATION OF ACCEPTANCE mailed 18 July 2011. Accordingly, the NOTIFICATION OF ACCEPTANCE and the Filing Receipt, both mailed 18 July 2011, are hereby VACATED.

CONCLUSION

The petition under 37 CFR 1.181 is **GRANTED** for the reasons set forth above.

For the reasons set forth above, the NOTIFICATION OF ACCEPTANCE and the Filing Receipt, both mailed 18 July 2011, are VACATED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for processing in accordance with this decision, that is for mailing of (1) a corrected NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495 (Form PCT/DO/EO/903) indicating both the 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date and the 35 U.S.C. 371 date as **03 February 2012**, and (2) a new Filing Receipt.

/Daniel Stemmer/

Daniel Stemmer
PCT Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/121,805	03/30/2011	Shinichi Kudo	88361(47762)	1998

21874 7590 07/12/2011
EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER	
LI, AIQUN	

ART UNIT	PAPER NUMBER
1763	

MAIL DATE	DELIVERY MODE
07/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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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July 12, 2011 BC

In re application of	:	DECISION ON REQUEST TO
KUDO, SHINICHI et al.	:	PARTICIPATE IN PATENT
Serial No. 13/121,805	:	PROSECUTION HIGHWAY
Filed: March 30, 2011	:	PROGRAM AND
Attorney Docket No.: 88361(47762)	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 30, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
   a. Documentation of prior office action:

i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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:	13/121,813	Filing date:	March 30, 2011
First Named Inventor:	Ryuji MIMURA		
Title of the Invention:	GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM AND INFORMATION MEM		

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/JP2009/060180

The international date of the corresponding PCT application(s) is/are: June 3, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/121,813
First Named Inventor:	Ryuji MIMURA

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 30, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 30, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	6	US claim 1 corresponds to patentable claim 6 of the PCT applicat
2	2	US claim 2 depends from claim 1.
3	3	US claim 3 depends from claim 1.
4	4	US claim 4 depends from claim 1.
5	5	US claim 5 depends from claim 1.
6	6	Cancelled in the US application as it now corresponds to claim 1
7	7	US claim 7 includes the features of patentable claim 6 of the PCT
8	8	US claim 8 is cancelled
9	9	US claim 9 includes the features of patentable claim 6 of the PCT

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Alan J. Kasper/	Date April 4, 2011
Name (Print/Typed) Alan J. Kasper	Registration Number 25,426

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

STATEMENT

I, Kuniaki KAWAMURA of Nippon Brunswick Bldg. 9th Floor, 5-27-7, Sendagaya, Shibuya-ku, Tokyo 151-0051 JAPAN hereby, declare that I am the conversant with Japanese and English languages and that I am the translator of the documents attached and certify that to the best of my knowledge and belief the attached is a true and correct translation of:

The original claims of the corresponding PCT application No. PCT/JP2009/060180

K. Kawamura

Kuniaki KAWAMURA

March 25, 2011

Date

The original claims of the corresponding PCT application No. PCT/JP2009/060180

1. A game device, comprising:

position storage means for storing a position of a user character that moves in a game space according to an operation of a user;

determination means for determining whether or not the position of the user character satisfies a positional condition regarding the position of the user character; and

display control means for controlling, based on a determination result obtained by the determination means, display-output related to a game character that is not being operated by the user.

2. The game device according to claim 1, further comprising

display control information storage means for storing, in association with the positional condition, display control information regarding the control of the display-output related to the game character,

wherein the determination means determines whether or not the position of the user character satisfies the positional condition associated with the display control information, and

wherein the display control means controls the display-output related to the game character based on the display control information associated with the positional condition

satisfied by the position of the user character.

3. The game device according to claim 1,

wherein the display control means comprises expression control means for controlling an expression of the game character based on the determination result obtained by the determination means.

4. The game device according to claim 1,

wherein the game device executes a sport game that is played between a first team to which the user character belongs and a second team using a moving object,

wherein the positional condition comprises a condition regarding the position of the user character and a position of an opponent character belonging to the second team, and

wherein the determination means determines whether or not the position of the user character and the position of the opponent character satisfy the positional condition.

5. The game device according to claim 1,

wherein the game device executes a sport game that is played between a first team to which the user character belongs and a second team using a moving object,

wherein the game character is a teammate character belonging to the first team and being in possession of the moving object,

wherein the positional condition comprises a condition

regarding the position of the user character and a position of the teammate character or a position of the moving object, and

wherein the determination means determines whether or not the position of the user character, and the position of the teammate character or the position of the moving object satisfy the positional condition.

6. The game device according to claim 1,

wherein the game device executes a sport game that is played between a first team to which the user character belongs and a second team using a moving object,

wherein the game character is a teammate character belonging to the first team and being in possession of the moving object, and

wherein the game device further comprises:

pass execution means for causing, based on an instruction operation of the user, the teammate character to execute a pass toward a position determined based on the position of the user character;

reference time information storage means for storing, in association with the positional condition, reference time information regarding a reference period of time to be taken until the pass is executed; and

wait means for suspending the execution of the pass based on the reference time information associated with the positional condition satisfied by the position of the user character.

7. A method for controlling a game device, comprising:

reading storage content of position storage means for storing a position of a user character that moves in a game space according to an operation of a user;

determining whether or not the position of the user character satisfies a positional condition regarding the position of the user character; and

controlling, based on a determination result obtained in the determining, display-output related to a game character that is not being operated by the user.

8. A program for causing a computer to function as:

means for reading storage content of position storage means for storing a position of a user character that moves in a game space according to an operation of a user;

determination means for determining whether or not the position of the user character satisfies a positional condition regarding the position of the user character; and

display control means for controlling, based on a determination result obtained by the determination means, display-output related to a game character that is not being operated by the user.

9. A computer-readable information storage medium storing a program, the program causing a computer to function as:

means for reading storage content of position storage means for storing a position of a user character that moves in

a game space according to an operation of a user;

determination means for determining whether or not the position of the user character satisfies a positional condition regarding the position of the user character; and

display control means for controlling, based on a determination result obtained by the determination means, display-output related to a game character that is not being operated by the user.

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)

(PCT Rules 44*bis*.3(c) and 72.2)

To:

HARUKA PATENT & TRADEMARK ATTORNEYS
Nippon Brunswick Bldg. 9th Floor
5-27-7, Sendagaya, Shibuya-ku, Tokyo
1510051
JAPON

Date of mailing *(day/month/year)* 19 May 2011 (19.05.2011)	
Applicant's or agent's file reference KN-0663	IMPORTANT NOTIFICATION
International application No. PCT/JP2009/060180	International filing date *(day/month/year)* 03 June 2009 (03.06.2009)
Applicant KONAMI DIGITAL ENTERTAINMENT CO., LTD. et al	

RECEIVED
11.5.27

1. **Transmittal of the translation to the applicant.**

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer

Masashi Honda

e-mail: pt08.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference KN-0663	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/060180	International filing date *(day/month/year)* 03 June 2009 (03.06.2009)	Priority date *(day/month/year)* 30 September 2008 (30.09.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONAMI DIGITAL ENTERTAINMENT CO., LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☒	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 10 May 2011 (10.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Masashi Honda
Facsimile No. +41 22 338 82 70	e-mail: pt08.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference KN-0663	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/060180	03.06.2009	30.09.2008

International Patent Classification (IPC) or both national classification and IPC

Applicant
KONAMI DIGITAL ENTERTAINMENT CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I — Basis of the opinion
- ☐ Box No. II — Priority
- ☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV — Lack of unity of invention
- ☒ Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI — Certain documents cited
- ☐ Box No. VII — Certain defects in the international application
- ☐ Box No. VIII — Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/060180

Box No. I **Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/060180

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:

   ☐ paid additional fees

   ☐ paid additional fees under protest and, where applicable, the protest fee

   ☐ paid additional fees under protest but the applicable protest fee was not paid

   ☐ not paid additional fees

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

   ☐ complied with

   ☒ not complied with for the following reasons:

The inventions in claims 1-5 and 7-9 are not found to be novel with respect to the inventions described in the documents cited in the ISR, and do not have a special technical feature. The claims of the present application are found to include two inventions having the special technical features shown below.

Invention 1: Claims 1-5 and 7-9
The technical feature is the configuration of the game device of the invention in claim 1.

Invention 2: Claims 6
The technical feature is the configuration of the game device of the invention in claim 6.

4. Consequently, this opinion has been established in respect of the following parts of the international application:

   ☒ all parts

   ☐ the parts relating to claims Nos. _____

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/060180

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	6	YES
	Claims	1-5, 7-9	NO
Inventive step (IS)	Claims	6	YES
	Claims	1-5, 7-9	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2003-210848 A (Namco Ltd.), 29 July 2003, abstract; paragraphs [0052] and [0053]and [0163] to [0175]; fig. 4 to 8 & US 2003/0144045 A1

Document 2: JP 11-342269 A (Konami Co., Ltd.), 14 December 1999, paragraphs [0053] to [0055]; fig. 10 and 11 & JP 2904775 B & US 6168519 B1 & EP 962891 A2

Document 3: JP 7-178246 A (Sega Enterprises, Ltd.), 18 July 1995, paragraphs [0013] to [0018]; fig. 4

Document 4: JP 2004-73241 A (Namco Ltd.), 11 March 2004, claims; fig. 2 to 13 and 18

The invention as in claims 1-4 and 7-9 is not novel and does not involve an inventive step because the invention is described in document 1 cited in the ISR.

Document 1 (paragraph [0171]) describes the matter of changing the expression of a partner character when a position condition is satisfied.

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The invention as in claims 1-2, 4-5, and 7-9 is not novel and does not involve an inventive step because the invention is described in document 2 cited in the ISR and document 3 cited in the ISR.

The invention described in document 2 has the function of displaying a guide mark at the foot of a nearby friendly player who is able to pass. Also, the invention described in document 3 has the function of finding a friendly player in a range based on the position of the player character and displaying a mark and name on the head of the friendly player.

The invention as in claims 1-2 and 7-9 is not novel and does not involve an inventive step because the invention is described in document 4 cited in the ISR.

The invention described in document 4 has the function of performing special display of another character overlapping the player character when it is determined that a situation has occurred in which the player character and another character overlap.

The invention as in claim 6 is not described in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

None of the documents describes a game device wherein a sports game is executed using a moving object which moves between a first team to which the user character belongs and a second team, the game character is a friendly character belonging to the first team and holding the moving object, and the game device includes a pass execution means for causing the friendly character to pass to a position based on the position of the user character on the basis of user instruction control, a standard time information storage means

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

for storing standard time information related to the standard time until the pass is executed in association with a position condition, and a delay means for delaying pass execution on the basis of standard time information associated with the position condition satisfied by the position of the user character.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,813	04/12/2011	Ryuji Mimura	Q123872	2092

23373 7590 07/28/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
07/28/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of:
MIMURA, RYUJI, et al
Serial No.: 13/121813
Filed: 04/12/2011
Attorney Docket No. : Q123872
Title: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM AND INFORMATION MEMORY MEDIUM

: DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed April 4, 2011 to make the above-identified application special.

The request and petition are **dismissed**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the IPAU, JPO, EPO, KIPO, or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition met all conditions except Item #5 above.

The request to participate in the PPH program and petition failed to include an English translation of the latest JPO/PCT office action. A Japanese language PCT office action was received on the filing date of the application. The record indicates, however, the office action only without an English translation and a statement that the English translation is accurate. In order to grant this PPH petition, it is suggested that applicant submit an English translation of the latest PCT office action and statement of accuracy.

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 **dismissed**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Docket No: Q123872
Ryuji MIMURA	
Appln. No.: 13/121,813	Group Art Unit: Not Yet Assigned
Confirmation No.: 2092	Examiner: Not Yet Assigned
Filed: April 12, 2011	

For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM AND INFORMATION MEMORY MEDIUM

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 28, 2011, please consider the remarks as submitted herewith on the accompanying pages.

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.
13/121,813	04/12/2011	Ryuji Mimura	Q123872	2092

23373 7590 09/26/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
VO, PETER DUNG BA	

ART UNIT	PAPER NUMBER
3718	

NOTIFICATION DATE	DELIVERY MODE
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):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of MIMURA, RYUJI Application No. 13/121,813 Filed: March 30, 2011 Attorney Docket No. Q1238723 For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM AND INFORMATION MEMORY MEDIUM	:	DECISION ON REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION 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 29, 2011, to make the above-identified application special.

The request and petition are Dismissed.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(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.

The request to participate in the PPH program and petition met all conditions except Item #5 above.

The JPO Office action and PCT search report issued by JPO Examiner Masashi Honda do not show any positive search opinion regarding the patentability of claims 1-5 and 7-9. An Office action and/or search opinion showing the patentability of claims 1-5 and 7-9 are required. Since the PCT search report only indicates claim 6 was allowable and petitioner also states that the PCT allowed claim 6 corresponds to the US claim 1 in the petition, at least the US claims 7-9 can not contain a same scope as the allowed claim 6 in the PCT search report. In order to grant the petition, claims 7-9 should be cancelled.

Applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via EFS-Web.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Ryuji MIMURA

Appln. No.: 13/121,813

Confirmation No.: 2092

Filed: April 12, 2011

Docket No: Q123872

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM AND INFORMATION MEMORY MEDIUM

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 26, 2011, please consider the remarks as submitted herewith on the accompanying pages.

REMARKS

In response to the Decision Dismissing the Request to Participate in the Patent Prosecution Highway (PPH) Program dated September 26, 2011, Applicant files herewith a revised Claims Correspondence Table, clearly pointing out that all of the claims pending in the application are either substantially the same as the claim found patentable in the international stage (claim 1) or are narrower than and dependent from that claim (claims 2-5, 7 and 9).

The basis for these claims complying with applicable rules is that they meet the requirements as set forth in http://www.uspto.gov/web/offices/com/sol/og/2010/week08/TOC.htm#ref17, specifically:

> *(a) 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 amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.*
>
> *(b) Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format requirements, the claims in the U.S. application are of the same or similar scope as the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application, or the claims in the U.S. application are narrower in scope than the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.*

(c) In this regard, a claim that is narrower in scope occurs when a claim indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application is amended to be further limited by an additional feature that is supported in the written description of the U.S. application. The claim(s) with the narrower scope must be written in dependent form in the U.S. application for which participation in the PCT-PPH pilot program is requested. (emphasis added)

In view of this submission, Applicant believes that they are fully compliant with the foregoing section and respectfully requests reconsideration of the Request to Participate in the Patent Prosecution Highway (PPH) Program.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/
Alan J. Kasper
Registration No. 25,426

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 26, 2011

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
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/121,813
First Named Inventor:	Ryuji MIMURA

d. (1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.

☐ Is attached.

☑ Has already been filed in the above-identified U.S. application on March 30, 2011

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 30, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	6	US claim 1 corresponds to patentable claim 6 of the PCT application.
2	2	US claim 2 is narrower than, and depends from claim 1.
3	3	US claim 3 is narrower than, and depends from claim 1.
4	4	US claim 4 is narrower than, and depends from claim 1.
5	5	US claim 5 is narrower than, and depends from claim 1.
6	6	Cancelled in the US application as it now corresponds to claim 1
7	7	US claim 7 includes all of the features of patentable claim 6 of the PCT application
8	8	US claim 8 is cancelled
9	9	US claim 9 includes all of the features of patentable claim 6 of the PCT application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Alan J. Kasper/	Date: October 26, 2011
Name (Print/Typed) Alan J. Kasper	Registration Number 25,426

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.
13/121,813	04/12/2011	Ryuji Mimura	Q123872	2092

23373 7590 11/04/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER
VO, PETER DUNG BA

ART UNIT	PAPER NUMBER
3718	

NOTIFICATION DATE	DELIVERY MODE
11/04/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of MIMURA, RYUJI Application No. 13/121,813 Filed: March 30, 2011 Attorney Docket No. Q1238723 For: GAME DEVICE, METHOD FOR CONTROLLING GAME DEVICE, PROGRAM AND INFORMATION MEMORY MEDIUM	:	DECISION ON REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION 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 October 26, 2011, to make the above-identified application special.

The request and petition are denied.

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.

The request to participate in the PPH program and petition met all conditions except Item #5 above.

The JPO Office action and PCT search report issued by JPO Examiner Masashi Honda do not show any positive search opinion regarding the patentability of claims 1-5 and 7-9. An Office action and/or search opinion showing the patentability of claims 1-5 and 7-9 are required. Since the PCT search report only indicates claim 6 was allowable and petitioner also states that the PCT allowed claim 6 corresponds to the US claim 1 in the petition, at least the US claims 7-9 can not contain a same scope as the allowed claim 6 in the PCT search report. In particular, newly amended or added independent claims 7 and 9 do not contain the limitations "position storage means for storing a position of a user character that moves in a game space according to an operation of a user; determination means for determining whether or not the position of the user character satisfies a positional condition regarding the position of the user character; and display control means for controlling, based on a determination result obtained by the determination means, display-output related to a game character that is not being operated by the user" as recited in the JPO/PCT allowed claim 6.

The applicant's argues that the newly amended/added independent claims 7 and 9 are narrower than the JPO/PCT allowed claim 6 is not true. To the contrary, claims 7 and 9 are not narrower than the JPO/PCT allowed claim 6 because there are many limitations omitted from the JPO/PCT allowed claim 6 as explained above.

Applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. The application will be forwarded to the Technology Center Art Unit 3718 for action in its regular turn.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

Petition is **denied**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

JUN 07 2011

PCT LEGAL ADMINISTRATION

AUTOLIV ASP
3350 AIRPORT ROAD
OGDEN UT 84405

In re Application of :
Still et al. :
Application No.: 13/121,896 : DECISION
PCT No.: PCT/US2008/070270 :
Int. Filing Date: 17 July 2008 : ON
Priority Date: N/A :
Attorney Docket No.: 14542 (11721-175) : PETITION
For: Method For Making An Electronic Assembly :

The petition to revive under 37 CFR 1.137(b) filed on 30 March 2011 in the above-captioned application is hereby **GRANTED** as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. The required reply has been filed. No terminal disclaimer is required. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

The surcharge under 37 CFR 1.492(h) will be charged to Deposit Account 23-1925, as authorized in the Transmittal Letter filed on 30 March 2011.

This application is being returned to the Office of Patent Application Processing for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **30 March 2011**.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Allan E. Dyer

Application No. 13121908

Filed: June 27,2011

Attorney Docket No. 17582NP

:
:
: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-AUG-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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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	13121908	Confirmation Number	2950	Filing Date	2011-03-30
Attorney Docket Number (optional)	17582NP	Art Unit	3771	Examiner	
First Named Inventor	Allan E. Dyer				
Title of Invention	DYNAMIC LOGARITHMIC SPINAL DECOMPRESSION TABLE AND METHOD				

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
Allan	E.	DYER	

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	/Alyssa Ann Finamore/	Date (YYYY-MM-DD)	2011-08-29
Name	Alyssa Ann Finamore	Registration Number	55177

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: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/121,945	Filing date:	March 30, 2011
First Named Inventor:	Naoki Yoshida		
Title of the Invention:	PRINTER		

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/JP2010/067347

The international date of the corresponding PCT application(s) is/are: October 4, 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.

PTO/SB/20PCT-US (09-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

(continued)

Application No.:	13/121,945
First Named Inventor:	Naoki Yoshida

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

[X] Is attached

[ ] Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

[ ] Are attached.

[X] Have already been filed in the above-identified U.S. application on March 30, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
3	3	In US Application, claim 3 is changed to be an independent claim.
4		In PCT Application, claim 4 refers to claim 2 or 3. However, in US Application, claim 4 refers to claim 3 alone.
5		In PCT Application, claim 5 refers to claim 2 or 3. However, in US Application, claim 5 refers to claim 3 alone.
6	6	In PCT Application, claim 6 refers to any one of claims 1 to 3. However, in US Application, claim 6 refers to claim 3 alone.
7	7	In PCT Application, claim 7 refers to any one of claims 1 to 3. However, in US Application, claim 7 refers to claim 3 alone.
8	8	In PCT Application, claim 8 refers to any one of claims 1 to 7. However, in US Application, claim 8 refers to claim 3 alone.
9	9	In PCT Application, claim 9 refers to any one of claims 1 to 8. However, in US Application, claim 9 refers to claim 3 alone.
10		In PCT Application, claim 10 refers to any one of claims 1 to 9. However, in US Application, claim 10 refers to claim 3 alone.
11		In PCT Application, claim 11 refers to any one of claims 1 to 10. However, in US Application, claim 11 refers to claim 3 alone.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date May 16, 2011
Name (Print/Typed) Sean M. McGinn, Esq.	Registration Number 34,386

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.
13/121,945	03/30/2011	Naoki Yoshida	KP-12275	3623

21254 7590 10/21/2011

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER	
ART UNIT	PAPER NUMBER
2882	

MAIL DATE	DELIVERY MODE
10/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA VA 22182-3817

In re Application of
Naoki YOSHIDA
Application No.: 13/121,945
Filed: 30 March 2011
Attorney Docket No.: KP-12275
For: PRINTER

: 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 16 May 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/121,954	03/31/2011	Hirotaka Minato	1163-0890PUS1	3817

2292 7590 06/10/2011

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER	
ART UNIT	PAPER NUMBER
2611	

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):

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
MINATO, HIROTAKA et al.	:	DECISION ON REQUEST TO
Application No. 13/121,954	:	PARTICIPATE IN PATENT
Filed: March 31, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **1163-0890PUS1**	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 2, 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.

The application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Doris To/

Doris To
Quality Assurance Specialist
Technology Center 2600
Communications

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/121,969	Filing date:	March 31, 2011
First Named Inventor:	Minoru GENTA et al.		
Title of the Invention:	BIOMASS DECOMPOSITION APPARATUS AND METHOD THEREOF, AND SUGAR-SOLUTION PROD		

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/JP2010/065175

The international date of the corresponding PCT application(s) is/are: September 3, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/121,969
First Named Inventor:	Minoru GENTA et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 31, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on March 31, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical, except for multiple dependency
4	4	Identical, except for multiple dependency
5	5	Identical, except for multiple dependency
6	6	Identical, except for multiple dependency
7	7	Identical, except for multiple dependency
8	8	Identical, except for multiple dependency
9	9	Identical, except for multiple dependency
10	10	Identical, except for multiple dependency
11	11	Identical
12	12	Identical, except for multiple dependency
13	13	Identical
14	14	Identical, except for multiple dependency
15	15	Identical

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Stephen G. Adrian/	Date 20011-03-31
Name (Print/Typed) Stephen G. Adrian	Registration Number 32,878

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/121,969	03/31/2011	Minoru Genta	110390	4010

38834 7590 10/25/2011

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
LEUNG, JENNIFER A	

ART UNIT	PAPER NUMBER
1774	

NOTIFICATION DATE	DELIVERY MODE
10/25/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentmail@whda.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WG

October 24, 2011

In re application of Minoru Genta et al. Serial No. 13/121,969 Filed: March 31, 2011 For: BIOMASS DECOMPOSITION APPARATUS AND METHOD THEREOF, AND SUGAR-SOLUTION PRODUCTION SYSTEM USING BIOMASS MATERIAL	:	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed March 31, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Amy E. Rinaldo
Oakland Law Group PLLC
38955 Hills Tech Drive
Farmington Hills MI 48331

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APR 17 2012

OFFICE OF PETITIONS

In re Application of :
RINKE, Lawrence :
Application No.: 13/121,980 : DECISION REFUSING STATUS
PCT No.: PCT/US09/055356 : UNDER 37 CFR 1.47(b)
Int. Filing Date: 28 August 2009 :
Priority Date: 01 October 2008 :
Docket No.: 2305-1000US :
For: **WOUND CARE DEVICE** :

This is a decision on applicants' "PETITION UNDER 37 C.F.R. 1.47(b)" filed in the U.S. Patent and Trademark Office (USPTO) on 20 September 2011.

BACKGROUND

On 28 August 2009, applicants filed international application No. PCT/US09/055356 which claimed a priority date of 01 October 2008, and which designated the United States.

The deadline for submission of a copy of the international application (unless previously communicated by the International Bureau) and payment of the basic national fee was set to expire 30 months from the priority date, i.e. 01 April 2011.

On 31 March 2011, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia,* the basic national fee.

On 20 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that, *inter alia,* an oath or declaration in compliance with 37 CFR 1.497 and a surcharge for providing the oath or declaration later than 30 months from the priority date were required.

On 20 September 2011, applicants filed the present petition which requests that the application be accepted without the signature of the sole inventor Lawrence M. Rinkel on the

grounds he is unavailable to execute the application papers. The petition was accompanied by, *inter alia,* a declaration of the inventor executed by Amy E. Rinaldo, as authorized, a statement of the attorney Amy E. Rinaldo, and the requisite petition fee. The surcharge for the late declaration was paid on June 10, 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 (1), (2) and (5) set forth above.

The statement of Amy E Rinaldo presented to support the proof of pertinent facts of inventor Lawrence M. Rinkel's refusal to sign the application is insufficient. Amy E. Rinaldo states that "Mr. Rinke indicated that he would not sign anything and would not be involved in the patent application." What does "indicated" mean? Further, Amy E. Rinaldo stated that "despite repeated verbal and written request, Mr. Rinke has continued to refuse to sign the Declaration." These statements seem to suggest that Mr. Rinke has provided a reason for his refusal to sign the declaration and such reason should be stated in the petition. MPEP 409.03(d) requires that 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 and whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the petition.

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. **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.

With regard to item (2), petitioner has not filed an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116.The declaration signed by the attorney Amy E. Rinaldo does not indicate the title or position of the person signing if signing on behalf of a corporation See MPEP 409.03(b).

With regard to item (5), petitioner has not demonstrated a proprietary interest in the subject matter of the application. The assignment does not clearly indicate that the invention described in the 37 CFR 1.47(b) application was assigned to the 37 CFR 1.47(b) applicant. Further, a statement under 37 CFR 3.73(b) by the assignee has not been submitted. See MPEP §409.03(f).

Therefore, in that applicants have not satisfied items (1), (2) and (5) above, the petition under 37 CFR 1.47(b) may not be properly granted at this time.

CONCLUSION

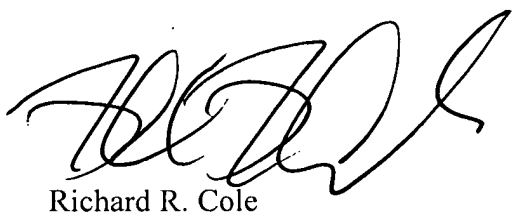
For the reasons above the petition is **DISMISSED** without prejudice.

The Notice of Acceptance of Application under 35 USC 371 and 37 CFR 1.495 mailed June 29, 2011 and the Filing Receipt mailed June 29, 2011 were issued in error and are VACATED.

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop PCT, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

Telephone inquiries should be directed to Jose' G Dees at (571) 272-1569

Jose' G. Dees
Petitions Examiner
Office of Petitions
Fax: (571) 273-8300



Richard R. Cole
PCT Legal Examiner
Office of PCT Legal Administration

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NOV 10 2011
OFFICE OF PETITIONS

BARNES & THORNBURG LLP
P.O. Box 2786
CHICAGO, IL 60690-2786

APPLICANT(S): BARTHOLOMEW, et al.
Appl. No.: 13/121,981
International Filing Date: September 30, 2009
Title: PULSE PARATHYROID HORMONE FOR TREATMENT OF THE HEMATOPOIETIC SYNDROME, STROMAL CELL LOSS, AND VASCULAR INJURY RESULTING FROM ACUTE EXPOSURE TO LETHAL RADIATION
Attorney Docket No.: 21726-114381
Pub. No.: US 2011/0178016 A1
Pub. Date: July 21, 2011

This is a decision on the request for correction of 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 material error since the Office failed to publish the amendment of March 31, 2011 to add the priority information and a statement of government support.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The errors noted by requestor with respect to entry of the preliminary amendments are not Office error. The patent application publication does not include a mistake regarding the failure to include preliminary amendments to the specification because patent application publications are not required to include preliminary amendments. See 37 CFR 1.215(a). The "failure to include an amendment is not an Office error." See MPEP 1130(b). The publication accurately reflected the specification as filed.

[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).

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.12(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under § 1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under 35, United States Code, whichever is later.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

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JUN 16 2011

PCT LEGAL ADMINISTRATION

Madrone Associates Inc
16233 LILAC LANE
Los Gatos CA 95032

In re Application of	:	
ZHAO	:	
Application No.: 13/122,003	:	
PCT No.: PCT/CN10/00331	:	DECISION ON
Int. Filing Date: 26 March 2010	:	
Priority Date: 13 April 2009	:	under 37 CFR 1.497(d)
Atty Docket No.: YD1001-PCT331	:	
For: INTEGRATED VERTICAL GREENING MODULE	:	

This is a decision on applicant's' "Statement by Omitted Inventor under 37 CFR 1.497(d)" along with an executed declaration, filed on 31 March 2010 in the United States Patent and Trademark Office (USPTO), and treated as a petition under 37 CFR 1.497(d) to add LIN ZHAO as an inventor.

BACKGROUND

On 31 March 2011, applicant filed a request entry into the national stage in the United States of America under 35 U.S.C. § 371 with, *inter alia*, the requisite basic national fee.

DISCUSSION

Where the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and 37 CFR 1.497(d) names an inventive entity different from the inventive entity set forth in the international application, the oath or declaration must be accompanied by: (1) a statement from each person being added as an inventor that any error in inventorship occurred without deceptive intention on his or her part; (2) the fee set forth in § 1.17(i); and (3) if an assignment has been executed by any of the original named inventors, the written consent of the assignee(s) (See 37 CFR 3.73(b)).

With respect to Item (1), Petitioner has provided a statement from inventor Lin Zhao that any error in inventorship occurred without deceptive intention on his part. Thus, Item (1) is satisfied. Applicant satisfied Item (2) above with the submission of the petition fee.

However, with regard to Item (3), since the PCT publication identifies a legal entity as an applicant, confirmation that the entity is not an assignee, which must provide consent to the addition of the inventor, is required and has not been provided. Clarification by the attorney of record regarding whether the legal entity is an assignee is required. If an assignee is identified, the Written Consent of the assignee consenting to the addition of Anant Adke as inventor in this application to correct the inventorship under 37 CFR 1.497(d)(3) is required. Item (3) above is not yet satisfied. Accordingly, applicant has not met all of the requirements to add inventor Lin ZHAO in the above-identified international application. The petition under 37 CFR 1.497(d) is hereby dismissed.

Applicant is also advised that a declaration, in compliance with 37 CFR 1.497(a) and (b), has not been provided identifying Lin ZHAO and is required to satisfy the requirements of 35 U.S.C. 371 (c)(4) for entrance into the national stage in the United States.

CONCLUSION

The petition under 37 CFR 1.497(d) to add inventor in the above-captioned application is **DISMISSED WITHOUT PREJUDICE.** The written consent of the assignee to add co-inventor LIN ZHAO in the above-identified international application is required.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571)272-3286

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PCT LEGAL ADMINISTRATION

Madrone Associates Inc
16233 LILAC LANE
Los Gatos CA 95032

In re Application of	:	
ZHAO	:	
Application No.: 13/122,003	:	
PCT No.: PCT/CN10/00331	:	DECISION ON PETITION
Int. Filing Date: 26 March 2010	:	
Priority Date: 13 April 2009	:	UNDER 37 CFR 1.497(d)
Atty Docket No.: YD1001-PCT331	:	
For: INTEGRATED VERTICAL GREENING MODULE	:	

This is a decision on applicant's' "Renewed Petition under 37 CFR 1.497(d)" filed on 21 June 2011 in the United States Patent and Trademark Office (USPTO) to add LIN ZHAO as an inventor.

BACKGROUND

On 31 March 2011, applicant filed a request entry into the national stage in the United States of America under 35 U.S.C. § 371 with, *inter alia*, the requisite basic national fee. On 16 June 2011, a decision dismissing the petition was mailed indicating that the written consent of the assignee may be required.

DISCUSSION

Where the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and 37 CFR 1.497(d) names an inventive entity different from the inventive entity set forth in the international application, the oath or declaration must be accompanied by: (1) a statement from each person being added as an inventor that any error in inventorship occurred without deceptive intention on his or her part; (2) the fee set forth in § 1.17(i); and (3) if an assignment has been executed by any of the original named inventors, the written consent of the assignee(s) (See 37 CFR 3.73(b)).

Petitioner previously satisfied Items (1) and (2). With the renewed petition, applicant has satisfied Item (3) as he has confirmed that there is no assignee in the above referenced application. Accordingly, applicant has now met all of the requirements to add inventor Lin

ZHAO in the above-identified international application. The petition under 37 CFR 1.497(d) is hereby granted.

Applicant is also advised that a declaration, in compliance with 37 CFR 1.497(a) and (b), has not been provided identifying Lin ZHAO and is required to satisfy the requirements of 35 U.S.C. 371 (c)(4) for entrance into the national stage in the United States.

CONCLUSION

The petition under 37 CFR 1.497(d) to add inventor in the above-captioned application is **GRANTED.**

The application will be forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements indicating that a declaration identifying Lin ZHAO, in compliance with 37 CFR 1.497(a) and (b), has not been provided.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571)272-3286

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Alexandria, VA 22313-1450
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MOMENTIVE PERFORMANCE MATERIALS INC.
c/o Dilworth & Barrese, LLP
1000 Woodbury Road
Suite 405
Woodbury NY 11797

MAILED

JUN 24 2011

PCT LEGAL ADMINISTRATION

In re Application of :
ZHU, Aijun :
Application No.: 13/122,039 :
PCT No.: PCT/US06/042708 :
Int. Filing Date: 31 October 2006 : DECISION ON PETITION
Priority Date: NONE : UNDER 37 CFR 1.137(b)
ATTY Docket No.: 1302-81 PCT US :
For: SILICONE GEL-FOAMING :
COMPOSITIONS AND HYSTERETIC :
SILICONE GEL AND DEVICE :
COMPRISING THE GEL :
:

This decision is in response to applicant's PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) in application serial number 13/122,039. The petition was filed in the United States Patent and Trademark Office (USPTO) on 31 March 2011.

BACKGROUND

On 31 October 2006, applicant filed international application, PCT/US08/77467, with no claim for foreign priority.

The thirty-month period for paying the basic national fee in the United States expired on 30 April 2009. This application became abandoned with respect to the United States at midnight on 30 April 2009 for failure to pay the required basic national fee and providing the documents as required by 35 U.S.C. 371 (c).

On 31 March 2011, applicant submitted national stage papers with the United States Designated/Elected Office (DO/EO/US) along with the required basic national filing fee, petition fee, and petition under 37 CFR 1.137(b).

Application No.: 11/795,393

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by:

(1) The required reply, unless previously filed;

(2) The petition fee as set forth in 37 CFR 1.17(m);

(3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Director may require additional information where there is a question whether the delay was unintentional; and,

(4) Any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d) required pursuant to 37 CFR 1.137(d).

The required reply in a national stage application abandoned for failure to pay the required basic national fee and documents as required by 35 U.S.C. 371 (c), may be met by submitting the basic national fee and the national stage application documents.

Regarding item (1), applicant has provided the required reply.

Regarding item (2), applicant has paid the $1620 petition fee.

Regarding item (3), the statement satisfies the requirement.

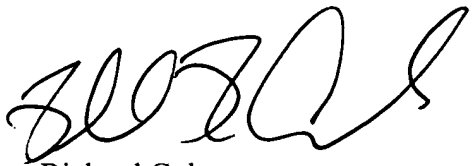
Regarding item (4), because the international application was filed after 8 June 1995, no terminal disclaimer is required.

Accordingly, the petition is deemed to satisfy the requirements under 37 CFR 1.137(b).

CONCLUSION

The petition under 37 CFR 1.137(b) is **GRANTED.**

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.



Gwendolyn Blackwell
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6094

Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration

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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
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Montreal QC H2Y 2E2 CA CANADA

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JUN 02 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Luc Riopel	:	
Application No.: 13/122,041	:	
PCT No.: PCT/CA2009/001238	:	
Int. Filing Date: 09 September 2009	:	PETITION UNDER
Priority Date: 09 September 2008	:	
Attorney's Docket No.: 11629-003	:	
For: AMBIOPHONIC HEADREST	:	37 CFR 1.137(b)

This decision is in response to applicant's "PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION UNDER 37 C.F.R. 1.137(b)," filed on 31 March 2011.

BACKGROUND

On 09 September 2009, this international application was filed, claiming an earliest priority date of 09 September 2008.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 09 March 2011. This international application became abandoned with respect to the United States at midnight on 09 March 2011 for failure to pay the required basic national fee.

On 31 March 2011, applicant filed the instant petition under 37 CFR 1.137(b) and a Transmittal letter for entry into the national stage in the United States, which was accompanied by the basic national fee, and the petition fee. No executed declaration or oath was filed at such time.

On 19 April 2011, applicants filed an executed declaration.

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; (2) the petition fee as set forth in § 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

Petitioner has provided: (1) the proper reply by submitting the basic national filing fee, (2) the petition fee set forth in §1.17(m) and (3) the proper statement under 137(b)(3) as noted below. In this application, no terminal disclaimer is required.

Applicant's statement that "the failure to comply with 35 USC 371 was unintentional during the entire period" is being construed as a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, the statement in the petition is being accepted in satisfaction of 37 CFR 1.137(b)(3).

Accordingly, the petition is deemed to satisfy requirements (1), (2), (3), and (4) under 37 CFR 1.137(b).

DECISION

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

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Commissioner for Patents
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P.O. Box 1450
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26710
QUARLES & BRADY LLP
411 E. Wisconsin Ave.
Suite 2040
Milwaukee, WI 53202-4497

MAILED

JUN 02 2011

PCT LEGAL ADMINISTRATION

In re Application of
RITCHIE-BLAND, Gary
Application No.: 13/122,051
PCT No.: PCT/GB2009/051261
Int. Filing Date: 25 September 2009
Priority Date: 03 October 2008
Docket No.: 920257.00009
For: PROTECTION ASSEMBLY FOR ELONGATE FLEXIBLE MEMBER AND METHOD OF INSTALLATION OF SUCH MEMBER

DECISION

This application is before the Office of PCT Legal Administration for matters arising under 35 U.S.C. 371.

BACKGROUND

On 31 March 2011, applicant filed papers electronically with the USPTO EFS-Web system to enter the national stage of PCT/GB2009/051261 at 15:23:55 using attorney docket number 920257.00009. This application was given U.S. application number 13/122,045. No fees were paid.

A second set of national stage papers for PCT/GB2009/051261 was filed at 15:33:17 on the same day using the same attorney docket number. The second filing was denoted as U.S. application number 13/122,051. Fees totaling $1,408.00 were provided in the second application.

On 18 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905) requesting an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge fee for U.S. application number 13/122,051.

DISCUSSION

As is evident from the above recited facts, two sets of papers to enter the national stage were submitted for international application of PCT/GB2009/051261. The end result for an international application designating the United States of America is a single

U.S. national stage application.

The language of 35 U.S.C. 363 and 371 refers to the national stage of the PCT in the singular only; thus, only one national stage application may develop from an international application. Both filings indicate that each filing is a "U.S. National Stage under 35 USC 371" of PCT/GB2009/051261. No conflicting instructions appear in any of the application papers.

Therefore, the submission of two sets of national stage papers to enter the United States was improper.

CONCLUSION

Both applications will be merged into one national stage application for PCT/GB2009/051261 and denoted as U.S. application No.**13/122,051**.

Applicant must use only U.S. application No.**13/122,051** for all correspondence to the national stage application of PCT/GB2009/051261.

Applicant is advised that U.S. application No. 13/122,045 is no longer a valid U.S. National stage application.

This application is being forwarded to the DO/EO/US for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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VAN DYKE, GARDNER, LINN & BURKHART, LLP
SUITE 207
2851 CHARLEVOIX DRIVE, S.E.
GRAND RAPIDS, MI 49546

MAILED
AUG 24 2011
PCT LEGAL ADMINISTRATION

In re Application of MOORE et al	:	
U.S. Application No.: 13/122,058	:	
PCT Application No.: PCT/CA2008/001758	:	
Int. Filing Date: 03 October 2008	:	DECISION
Priority Date Claimed: none	:	
Attorney Docket No.: PER04 P-108	:	
For: SYSTEM AND METHOD FOR DYNAMIC PROVISIONING	:	

This is in response to applicant's petition under 37 CFR 1.47(a) filed 13 July 2011.

BACKGROUND

On 03 October 2008, applicant filed international application PCT/CA2008/001758. A copy of the international application was communicated to the USPTO from the International Bureau on 08 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 04 April 2011.

On 31 March 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 15 April 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

On 13 July 2011, applicant filed the present petition under 37 CFR 1.47(a).

On 22 July 2011, the DO/EO/US mailed a Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) an oath or declaration by each applicant on his or her own behalf and on behalf of the nonsigning joint inventors, (2) factual proof that the missing joint inventors refuse to join in the application or cannot be reached after diligent effort, (3) the fee set forth in §1.17(i), and (4) the last known addresses of the nonsigning joint inventors.

With regard to item (1) above, applicant has submitted a declarations signed by the available inventors each on his/her own behalf and on behalf of the nonsigning inventor.

With regard to item (2) above, MPEP 409.03(d) states in relevant part,

> A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. A copy of the application papers should be sent to the last known address of the nonsigning inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney. . . . It is reasonable to require that the inventor be presented with the application papers before a petition under 37 CFR 1.47 is granted since such a procedure ensures that the inventor is apprised of the application to which the oath or declaration is directed. In re Gray, 115 USPQ 80 (Comm'r Pat. 1956).
>
> Where a refusal of the inventor to sign the application papers is alleged, the circumstances of the presentation of the application papers and of the refusal must be specified in a statement of facts by the person who presented the inventor with the application papers and/or to whom the refusal was made. Statements by a party not present when an oral refusal is made will not be accepted.
>
> Proof that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature, but the inventor refused to accept delivery of the papers or expressly stated that the application papers should not be sent, may be sufficient. When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the statement of facts. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. The document may be redacted to remove material not related to the inventor's reasons for refusal.
>
> When it is concluded by the 37 CFR 1.47 applicant that a nonsigning inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in the statement of facts in support of the petition or directly in the petition. If there is documentary evidence to support facts alleged in the petition or in any statement of facts, such evidence should be submitted. Whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the petition.

The petition states that joint inventor Philip Steele refuses to sign the application papers. The petition adequately demonstrates that a bona fide attempt was made to present a copy of the application papers to Steele for signature and that Steele received such papers (see affidavit of

Kristjan Spence, ¶¶8-9). Furthermore, the petition sufficiently illustrates that Steele refuses to sign. In particular, Steele's failure to return an executed declaration in response to the correspondence received by him constitutes a constructive refusal to cooperate. Thus, it can be concluded with reasonable certainty that Steele refuses to join in the application.

With regard to item (3) above, applicant has provided the requisite petition fee.

With regard to item (4) above, the petition states the last known address of the nonsigning inventor.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.47(a) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 03 October 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 13 July 2011.

As set forth in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at the last known address of record and will be published in the *Official Gazette*.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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Philip Steele
5537 Fourth Line
Hillsburgh, Ontario
N0B 1Z0
CANADA

MAILED
AUG 24 2011
PCT LEGAL ADMINISTRATION

In re Application of MOORE et al
U.S. Application No.: 13/122,058
PCT Application No.: PCT/CA2008/001758
Int. Filing Date: 03 October 2008
Priority Date Claimed: none
For: SYSTEM AND METHOD FOR DYNAMIC PROVISIONING

Dear Philip Steele:

You are named as a joint inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost set forth in 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. If you choose to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office
Telephone: 571-272-3303
Facsimile: 571-273-0459

VAN DYKE, GARDNER, LINN & BURKHART, LLP
SUITE 207
2851 CHARLEVOIX DRIVE, S.E.
GRAND RAPIDS, MI 49546
Attorney Docket No.: PER04 P-108

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/122,066	03/31/2011	Hiroyuki Kagaya	88399(47762)	5151

21874 7590 07/12/2011

EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER	
FUNG, CHING-YIU	
ART UNIT	PAPER NUMBER
1787	
MAIL DATE	DELIVERY MODE
07/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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July 12, 2011 BC

In re application of	:	DECISION ON REQUEST TO
KAGAYA, HIROYUKI et al.	:	PARTICIPATE IN PATENT
Serial No. 13/122,066	:	PROSECUTION HIGHWAY
Filed: March 31, 2011	:	PROGRAM AND
Attorney Docket No.: 88399(47762)	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed March 31, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
   a. Documentation of prior office action:

i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy; and

b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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FEB 23 2012
OFFICE OF PETITIONS

DIEHL SERVILLA LLC
33 WOOD AVE SOUTH
SECOND FLOOR, SUITE 210
ISELIN, NJ 08830

In re Application of	
Achim MULLER et al.	**: DECISION ON REQUEST TO**
Application No.: 13/122,110	**: PARTICIPATE IN THE PATENT**
Filed: May 31, 2011	**: PROSECUTION HIGHWAY PILOT**
Attorney Docket No.: HFP0018-00US	**: PROGRAM AND PETITION**
For: Implantation Device for Metabolite Sensors	**: TO MAKE SPECIAL UNDER : 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed December 23, 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; and

(6) Applicant must submit an IDS listing the documents cited by the EPO examiner in the EPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Joanne Hama at (571) 272-2911 or to the undersigned at (571) 272-7099.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-FI (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE NATIONAL BOARD OF PATENTS AND REGISTRATION OF FINLAND (NBPR) AND THE USPTO

Application No:	13/122,113	Filing date:	April 21, 2011
First Named Inventor:	Ville Makinen		
Title of the Invention:	TECHNIQUES FOR PRESENTING VEHICLE-RELATED INFORMATION		

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/FI2008/050550

The international filing date of the corresponding PCT application(s) is/are: 3 October 2008

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-FI (01-11)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE NBPR AND THE USPTO

(continued)

Application No.:	13/122,113
First Named Inventor:	Ville Makinen

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 14, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Correspondence with amended claims filed with Chapter II Demand.
3	3	Correspondence with amended claims filed with Chapter II Demand.
4	4	Correspondence with amended claims filed with Chapter II Demand.
5	5	Correspondence with amended claims filed with Chapter II Demand.
6	6	Correspondence with amended claims filed with Chapter II Demand.
7	7	Correspondence with amended claims filed with Chapter II Demand.
8	8	Correspondence with amended claims filed with Chapter II Demand.
9	9	Correspondence with amended claims filed with Chapter II Demand.
10	10	Correspondence with amended claims filed with Chapter II Demand.
11	11	Correspondence with amended claims filed with Chapter II Demand.
12	12	Correspondence with amended claims filed with Chapter II Demand.
13	13	Correspondence with amended claims filed with Chapter II Demand.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael Hsu/	Date 5/17/2011
Name (Print/Typed) Michael K. Hsu	Registration Number 46,782

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.
13/122,113	04/21/2011	Ville Makinen	3187.012US1	5703

21186 7590 06/02/2011
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER	
ART UNIT	PAPER NUMBER
2612	

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):

uspto@slwip.com
request@slwip.com

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SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS MN 55402

In re Application of	:	
MAKINEN, VILLE, et al.	:	DECISION ON REQUEST TO
Application No. 13/122,113	:	PARTICIPATE IN PATENT
Filed: April 21, 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. **3187.012US1**	:	PROGRAM AND PETITION
	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed May 17, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application be (a) a national stage entry of the corresponding PCT application, or (b) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (c) a national stage application that claims domestic/foreign priority to the corresponding PCT application, (d) a national application which forms the basis for the priority claim in the corresponding PCT application, or (e) a continuation application of the U.S. application which satisfies one of the above (a) to (d) scenarios.
(2) A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the corresponding PCT application(s) which indicates at least one claim in the PCT application has novelty, inventive step, and industrial applicability.
(3) A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application(s).
(4) English translations of the documents in (2) and (3) (if the documents are not in the English language).
(5) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims which were indicated as having novelty, inventive step, and industrial applicability in the corresponding PCT application(s).
(6) Examination of the U.S. application has not begun;

(7) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA. WO/IPEA, IPER) of the corresponding PCT application(s).

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Ken Wieder at 571-272-2986.

All other inquiries concerning the examination or status of the application should be directed to Patent Application Information Retrieval (PAIR) system.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Kenneth A. Wieder/

Kenneth A. 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
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JUL 22 2011

PCT LEGAL ADMINISTRATION

BERENBAUM WEINSHIENK PC
370 17TH STREET
SUITE 4800
DENVER CO 80202

In re Application of: AMIGHI, Karim, et al.
U.S. Application No.: 13/122,134
PCT Application No.: PCT/EP2009/062821
International Filing Date: 02 October 2009
Priority Date: 02 October 2008
Attorney's Docket No.: 14455.941US02
For: INHALABLE PARTICLES COMPRISING TIOTROPIUM

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to the "Petition For Review And Processing By The PCT Legal Office Under 37 CFR 1.182" filed on 07 June 2011. Applicants have paid the required petition fee.

BACKGROUND

On 01 June 2011, this Office mailed a notification indicating that a petition under 37 CFR 1.182 was required to clarify the record as to the correct international application number for the present national stage application. The notification indicated that the original application submission on 31 March 2011 referenced two different international applications. Specifically, while the ADS and Form PTO-1390 Transmittal Letter filed by applicants identified the application as the U.S. national stage of international application number PCT/**EP**2009/062821, the information provided by applicants during the electronic filing process identified the application as the U.S. national stage of international application PCT/**US**2009/062821.

On 07 June 2011, applicants filed the petition under 37 CFR 1.182 considered herein.

DISCUSSION

The petition filed on 07 June 2011 confirms that the correct international application number for the present national stage application is PCT/**EP**2009/062821. The petition notes that the correct international application was present in multiple locations in the materials filed on 31 March 2011, including the Form PTO-1390 Transmittal Letter, the ADS, and the declaration. In addition, the petition was accompanied by the required petition fee.

Applicants' 07 June 2011 submission satisfies the requirements for a grantable petition under 37 CFR 1.182 to correct the inconsistency in the international application numbers identified in applicants' 31 March 2011 filing. Accordingly, the application materials filed on 31

March 2011 will be treated as directed to international application of PCT/**EP**2009/062821. Such materials, including payment of the U.S. basic national fee, were filed prior to the expiration of thirty months from the priority date of PCT/**EP**2009/062821, thereby avoiding abandonment of the international application with respect to the United States.

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

The present application will be treated as the U.S. national stage under 35 U.S.C. 371 of PCT/**EP**2009/062821.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 31 March 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 976-162	Application Number (if known):	Filing date: March 31, 2011

First Named Inventor: Johannes G. Wijmans

Title: GAS SEPARATION PROCESS USING MEMBRANES WITH PERMEATE SWEEP TO REMOVE CO2 FROM FUEL COMBUSTION EXHAUST

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature	Date March 31, 2011
Name (Print/Typed) Kathi Bean	Registration Number 36,644

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.

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.
13/122,136	03/31/2011	Johannes G. Wijmans	976-162US	6139

26909 7590 08/03/2011

MEMBRANE TECHNOLOGY AND RESEARCH INC.
1360 WILLOW ROAD SUITE 103
MENLO PARK, CA 94025-1516

EXAMINER	
ART UNIT	PAPER NUMBER
1776	

MAIL DATE	DELIVERY MODE
08/03/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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MEMBRANE TECHNOLOGY AND RESEARCH INC.
1360 WILLOW ROAD SUITE 103
MENLO PARK CA 94025-1516

AUG 0 3 2011

In re Application of	:	
WIJMANS, JOHANNES G.	:	DECISION ON PETITION
Application No. 13/122,136	:	TO MAKE SPECIAL UNDER
Filed: 03/31/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 976-162US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to 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

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Alexandria, VA 22313-1450
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FEB 08 2012
OFFICE OF PETITIONS

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

In re Application of Carmeliet et al. :
Application No. 13/122,137 :
Int'l Filing Date: October 2, 2009 : Decision on Request
Attorney Docket No. DECLE194.001APC :
Pub. No. US 2011/0250209 A1 :
Pub. Date: October 13, 2011 :

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed December 8, 2011.

The request is **dismissed**.

Applicants request the application be republished because of the mistake in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

The mistake identified in the instant request is not a material Office mistake as required under 37 C.F.R. § 1.221(b). Specifically, the mistake does not affect the public's ability to appreciate

[1] *See* Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000). *See also* Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. *See* MPEP § 1130(B). Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicants are advised that a "request for republication of an application previously published" may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office's electronic filing system requirements, the publication fee set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a "Pre-Grant Publication" and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BANNER & WITCOFF, LTD.
1100 13TH STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

MAILED

OCT 18 2011

PCT LEGAL ADMINISTRATION

In re Application of EKLUND :
U.S. Application No.: 13/122,208 :
PCT Application No.: PCT/GB2009/002346 :
Int. Filing Date: 02 October 2009 :
Priority Date Claimed: 02 October 2008 : DECISION
Attorney Docket No.: 054730.00038 :
For: NEW PROCESS FOR PREPARING :
DIKETONES AND MEDICAMENTS :

This is in response to applicant's petition under 37 CFR 1.182 filed 31 August 2011.

BACKGROUND

On 02 October 2009, applicant filed international application PCT/GB2009/002346, which claimed priority of an earlier United Kingdom application filed 02 October 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 08 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 04 April 2011.

On 01 April 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US) via the EFS-Web electronic filing system of the USPTO. The submission identified the international application number as "PCT/US09/02346" in the EFS-Web user interface. However, the applicant's name and the title of invention are inconsistent with the bibliographic data for international application number PCT/US2009/002346.

On 12 July 2011, this Office mailed a communication which identified the above-noted discrepancy

On 31 August 2011, applicant filed the instant petition under 37 CFR 1.182.

DISCUSSION

The petition states that applicant inadvertently entered the incorrect international application number when submitting the application via EFS-Web. Because the 01 April 2011

submission included at least one document which identified the correct international application number, correction of the national stage application is permissible. Applicant's explanation for the error is accepted.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 02 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 11 May 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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LGCHEM
Lerner, David, Littenberg, Krumholz & Mentlik, LLP
600 South Avenue West
Westfield NJ 07090

MAILED

SEP 13 2011

PCT LEGAL ADMINISTRATION

In re Application of :
LEE, Jin Kyu :
Application No.: 13/122,210 :
PCT No.: PCT/KR2009/005406 :
Int. Filing Date: 23 September 2009 :
Priority Date: 14 October 2008 :
Attorney Docket No.: LGCHEM 3.3-164 :
For: BATTERY MODULE ASSEMBLY :
OF IMPROVED COOLING :
EFFICIENCY :

DECISION

This decision is in response to applicants' statement under MPEP 1893.01(e), filed in the United State Patent and Trademark Office on 12 July 2011.

BACKGROUND

On 22 June 2011, the Office mailed Notification of Defective Response (Form PCT/DO/EO/916) indicating that the declaration did not comply with 37 CFR 1.497(a)-(b) as there was a discrepancy in the spelling of inventor Kang's name.

On 12 July 2011, applicants filed a statement under MPEP 1893.01(e).

DISCUSSION

Applicants state the fifth inventor's name is "Dal Mo Kang" as stated in the declaration, but that the name in the international application contained a transliteration error. The correction of the error in the inventor's name is accepted under MPEP 1893.01(e). The declaration complies with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, applicant's statement under 1893.01(e) is **GRANTED**.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	Unknown	Filing date:	Herewith
First Named Inventor:	Barry L. Butler		
Title of the Invention:	SOLAR COLLECTOR		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2009/059283

The international filing date of the corresponding PCT application(s) is/are: October 1, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	Unknown
First Named Inventor:	Barry L. Butler

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☑ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-21	1-21	Identical

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew B. Turner/	Date March 30, 2011
Name (Print/Typed) Andrew B. Turner	Registration Number 63121

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
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/122,237	04/01/2011	Barry L. Butler	POS0114PUSA	7222

22045 7590 08/04/2011

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER	
ART UNIT	PAPER NUMBER
3748	

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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BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD MI 48075

In re Application of:
BUTLER, BARRY L.
Serial No.: 13/122237
Filed: April 1, 2011
Attorney Docket No. : POS0114PUSA
Title: SOLAR COLLECTOR

: DECISION ON A REQUEST TO
: PARTICIPATE IN PATENT
: PCT/PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed April 1, 2011 to make the above-identified application special.

The request and petition are **granted.**

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the JPO, EPO, KIPO, or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WINSTEAD PC
P.O. BOX 131851
DALLAS, TX 75313

MAILED

FEB 03 2012

OFFICE OF PETITIONS

In re Application of Alan Henry Foy :
Application No. 13/122,253 :
Int'l Filing Date: October 7, 2009 :
Attorney Docket No. 51026-P090WOUS :
Pub. No. US 2011/0273306 A1 :
Pub. Date: November 10, 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 13, 2011.

The request is **dismissed**.

Applicant requests the application be republished because of the mistakes in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

The failure to include changes made by the preliminary amendment filed April 1, 2011, was not an Office mistake. Specifically, a copy of the application, as amended, was not submitted in

[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).

compliance with 37 C.F.R. § 1.215(c) and, although 37 C.F.R. § 1.215(a) provides the Office with the discretion to include changes made by a preliminary amendment in a publication when certain criteria are satisfied, it does *not* require the Office to include such changes in the publication. Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicant is 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:

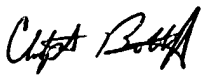
http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

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

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JUN 02 2011

PCT LEGAL ADMINISTRATION

Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

In re Application of:
CHOI, Yun-Young, et al.
U.S. Application No.: 13/122,294
PCT No.: PCT/KR2009/005717
International Filing Date: 07 October 2009
Priority Date: 07 October 2008
Attorney's Docket No.: 0202-0574
For: APPARATUS AND METHOD FOR VCO CALIBRATION USING FAST FREQUENCY COMPARISON BASED PHASE MANIPULATION

DECISION ON PETITION UNDER 37 CFR 1.47(a)

This decision is issued in response to applicants' "Petition Under 37 C.F.R. §1.47(a) For Filing By Other Than All Of The Inventors" filed 01 April 2011. Applicant has paid the required petition fee.

BACKGROUND

On 07 October 2009, applicants filed international application PCT/KR2009/005717. The international application claimed a priority date of 07 October 2008, and it designated the United States. On 15 April 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 07 April 2011.

On 01 April 2011, applicants filed materials to initiate the present national stage application under 35 U.S.C. 371 including, among other materials, payment of the basic national fee, a partially executed declaration, and the petition under 37 CFR 1.47(a) considered herein. The petition seeks acceptance of the application without the signature of non-signing co-inventor Hoon-Tae KIM, whom applicants assert has refused to execute the application.

DISCUSSION

A grantable petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17; (2) a statement of the last known address of the non-signing inventor; (3) an oath or declaration executed by the other inventors on behalf of themselves and the non-signing

inventor; and (4) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort.

Applicants here have paid the required petition fee, and the petition states the last known address of the non-signing inventor. Items (1) and (2) are therefore satisfied.

Regarding item (3), section 409.03(a) of the Manual of Patent Examining Procedure (MPEP) states that:

> 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 joint inventors on behalf of the nonsigning inventor(s), unless otherwise indicated.

Here, applicants have filed a Korean language declaration that includes what appears to be an English translation of the Korean text. The declaration is executed by one of the two inventors of record, and the declaration includes an unsigned signature block for the non-signing inventor, Hoon-Tae KIM. However, the Korean/English declaration document filed by applicants is not a form provided by the USPTO, and applicants have not submitted a statement confirming that the English translation contained in the declaration form is accurate, as required under such circumstances (see 37 CFR 1.69(b)). Until applicants provide the statement required by 37 CFR 1.69(b) confirming the accuracy of the English translation contained on the declaration form, the declaration filed herein may not be accepted. In view of the above, on the present record, item (3) of a grantable petition under 37 CFR 1.47(a) is not satisfied.

Regarding item (4), MPEP section 409.03(d)(II) states that, before it can be concluded that an inventor has refused to execute the application papers, "[a] copy of the application papers should be sent to the last known address of the nonsigning inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney." The MPEP also states the following:

> 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.

Here, applicants have provided a statement of facts from Hyuk R. Kwon, with supporting documents, providing an acceptable firsthand showing that a request for signature, accompanied by a copy of the complete application, was delivered to the non-signing inventor and that the non-signing inventor has failed to provide the signed declaration in response to such request. These materials provide an acceptable showing that the non-signing inventor has refused to execute the application. Item (4) of a grantable petition is therefore satisfied.

CONCLUSION

The petition under 37 CFR 1.47(a) for acceptance of the declaration without the signature of the non-signing co-inventor Hoon-Tae KIM is **DISMISSED** without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should be entitled "Renewed Petition Under 37 CFR 1.47(a)" and must include the additional materials required to satisfy item (3) of a grantable petition, as discussed above and in the MPEP, that is, a statement in compliance with 37 CFR 1.69(b) confirming that the English translation contained in the declaration form filed herein is an accurate translation of the Korean language declaration. No additional petition fee is required.

Failure to file a proper response will result in abandonment of the application. Extensions of time are available under 37 CFR 1.136(a)

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 11 2011

PCT LEGAL ADMINISTRATION

Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

In re Application of:
CHOI, Yun-Young, et al.
U.S. Application No.: 13/122,294
PCT No.: PCT/KR2009/005717
International Filing Date: 07 October 2009
Priority Date: 07 October 2008
Attorney's Docket No.: 0202-0574
For: APPARATUS AND METHOD FOR VCO CALIBRATION USING FAST FREQUENCY COMPARISON BASED PHASE MANIPULATION

DECISION ON RENEWED PETITION UNDER 37 CFR 1.47(a)

This decision is issued in response to applicants' "Response To Decision On Petition Under 37 C.F.R. §1.47(a)" filed on 06 June 2011, treated herein as a renewed petition under 37 CFR 1.47(a). No additional petition fee is required.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed 02 June 2011. The decision dismissed without prejudice applicants' petition under 37 CFR 1.47(a), finding that applicants had not satisfied all the requirements of a grantable petition. Specifically, applicants had failed to provide a statement under 37 CFR 1.69(b) confirming the accuracy of the English translation contained in the filed declaration, as required before the declaration could be accepted in satisfaction of the declaration requirement of a grantable petition.

On 06 June 2011, applicants filed the materials considered herein as a renewed petition under 37 CFR 1.47(a).

DISCUSSION

The renewed petition was accompanied by a "Statement Under 37 C.F.R. §1.69(b)" confirming the accuracy of the English translation contained in the partially executed Korean/English declaration filed herein on 01 April 2011. Based on this submission, such declaration, which is executed by one of the two inventors of record and contains an unsigned signature block for non-signing inventor Hoon-Tae KIM, may be accepted as having been executed by the signing inventor on his own behalf and on behalf of the non-signing inventor.

In view of the above, applicants have now satisfied the final element of a grantable petition under 37 CFR 1.47(a).

CONCLUSION

Applicants' renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application is accepted without the signature of non-signing co-inventor Hoon-Tae KIM.

A notice of the acceptance of the application will be published in the Official Gazette, and a letter informing the non-signing inventor of the application will be forwarded to the inventor's last-known address, as set forth in the petition.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 01 April 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 11 2011

PCT LEGAL ADMINISTRATION

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Hoon-Tae KIM
1005-2002 Yeongtong Tranchae
Mangpo-dong Yeongtong-gu
Suwon-si, Gyeonggi-do 443-440
REPUBLIC OF KOREA

In re Application of: CHOI, Yun-Young, et al.
U.S. Application No.: 13/122,294
PCT No.: PCT/KR2009/005717
International Filing Date: 07 October 2009
Priority Date: 07 October 2008
Attorney's Docket No.: 0202-0574
For: APPARATUS AND METHOD FOR VCO CALIBRATION USING FAST FREQUENCY COMPARISON BASED PHASE MANIPULATION

Dear Hoon-Tae KIM:

You are identified as an inventor in the above identified United States patent application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. 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.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

Counsel Of Record:
Raymond B. Persino
Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PROPERTY OFFICE (JPO) AND THE USPTO

Application No.:	13/122,295	Filing Date:	April 1, 2011
Confirmation No.:	7554	Attorney Docket No.:	Q123967
First Named Inventor:	Taku OTANI		
Title of the Invention:	GAME DEVICE, GAME DEVICE CONTROL METHOD, PROGRAM, AND INFORMATION STORAGE MEDIUM		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/062006

The international date of the corresponding PCT application(s) is/are: June 30, 2009

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)

☐ Is attached.

☑ 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 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 1, 2011

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 1, 2011

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

BETWEEN THE JAPAN PROPERTY OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	13/122,295
First Named Inventor:	Taku OTANI

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 of this U.S. Patent Application is the same as claim 1 of the corresponding PCT application.
2	2	Claim 2 of this U.S. Patent Application is the same as claim 2 of the corresponding PCT application.
3	3	Claim 3 of this U.S. Patent Application is the same as claim 3 of the corresponding PCT application.
4	4	Claim 4 of this U.S. Patent Application is the same as claim 4 of the corresponding PCT application.
5	5	Claim 5 of this U.S. Patent Application is the same as claim 5 of the corresponding PCT application.
6	6	Claim 6 of this U.S. Patent Application has been cancelled.
7	7	Claim 7 of this U.S. Patent Application and claim 7 of the corresponding PCT Application are almost same except that the phrase "non-transitory" is added to claim 7 of this U.S. Application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

IV. Payment of Fees:

☑ **The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.**

☐ **Credit Card.**

SEND ALL CORRESPONDENCE TO:
The address associated with Customer Number:

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Signature	*/Alan J. Kasper/*	Date	May 13, 2011
Name (Print/Typed)	Alan J. Kasper	Registration Number	25,426

STATEMENT

I, Kuniaki KAWAMURA of Nippon Brunswick Bldg. 9th Floor, 5-27-7, Sendagaya, Shibuya-ku, Tokyo 151-0051 JAPAN hereby, declare that I am the conversant with Japanese and English languages and that I am the translator of the documents attached and certify that to the best of my knowledge and belief the attached is a true and correct translation of:

The claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application No. PCT/JP2009/062006

K. Kawamura

Kuniaki KAWAMURA

March 29, 2011

Date

The claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application No. PCT/JP2009/062006

1. A game device, comprising:

depression operation receiving means for receiving a depression operation of a player and outputting information regarding a position depressed by the player;

depressed position acquiring means for acquiring the position depressed by the player based on the information output from the depression operation receiving means;

judgment means for judging whether or not the position depressed by the player is included within a judgment subject area;

game processing executing means for executing game processing based on a result of the judging by the judgment means; and

judgment subject area changing means for changing, in a case where it is judged that the position depressed by the player is not included within the judgment subject area, a position of the judgment subject area based on the position depressed by the player.

2. The game device according to claim 1, wherein the judgment subject area changing means comprises:

means for judging whether or not a state in which it is judged that the position depressed by the player is not

included within the judgment subject area has continued for a reference period of time; and

means for changing the position of the judgment subject area in a case where the state in which it is judged that the position depressed by the player is not included within the judgment subject area has continued for the reference period of time.

3. The game device according to claim 1, further comprising display control means for displaying, on display means, a game screen containing a game character and a focused area having brightness thereof set higher than brightness of another area,

wherein the display control means comprises means for controlling a positional relation between a display position of the game character and a display position of the focused area based on a positional relation between the position depressed by the player and the judgment subject area.

4. The game device according to claim 1, further comprising display control means for displaying, on display means, a game screen containing a first game character and a second game character,

wherein the display control means comprises means for controlling a positional relation between a display position of the first game character and a display position of the second game character based on a positional relation between

the position depressed by the player and the judgment subject area.

5. A method of controlling a game device, comprising:

acquiring information output from depression operation receiving means for receiving a depression operation of a player and outputting the information regarding a position depressed by the player;

acquiring the position depressed by the player based on the information output from the depression operation receiving means;

judging whether or not the position depressed by the player is included within a judgment subject area;

executing game processing based on a result of the judging; and

changing, in a case where it is judged that the position depressed by the player is not included within the judgment subject area, a position of the judgment subject area based on the position depressed by the player.

6. A program for causing a computer to function as:

means for acquiring information output from depression operation receiving means for receiving a depression operation of a player and outputting the information regarding a position depressed by the player;

depressed position acquiring means for acquiring the position depressed by the player based on the information

output from the depression operation receiving means;

judgment means for judging whether or not the position depressed by the player is included within a judgment subject area;

game processing executing means for executing game processing based on a result of the judging by the judgment means; and

judgment subject area changing means for changing, in a case where it is judged that the position depressed by the player is not included within the judgment subject area, a position of the judgment subject area based on the position depressed by the player.

7. A computer-readable information storage medium having a program recorded thereon, the program causing a computer to function as:

means for acquiring information output from depression operation receiving means for receiving a depression operation of a player and outputting the information regarding a position depressed by the player;

depressed position acquiring means for acquiring the position depressed by the player based on the information output from the depression operation receiving means;

judgment means for judging whether or not the position depressed by the player is included within a judgment subject area;

game processing executing means for executing game

processing based on a result of the judging by the judgment means; and

judgment subject area changing means for changing, in a case where it is judged that the position depressed by the player is not included within the judgment subject area, a position of the judgment subject area based on the position depressed by the player.

請求の範囲

[請求項1] プレイヤの押圧操作を受け付け、前記プレイヤの押圧位置に関する情報を出力する押圧操作受付手段と、

前記押圧操作受付手段から出力される前記情報に基づいて、前記プレイヤの押圧位置を取得する押圧位置取得手段と、

前記プレイヤの押圧位置が判定対象領域内に含まれるか否かを判定する判定手段と、

前記判定手段の判定結果に基づいてゲーム処理を実行するゲーム処理実行手段と、

前記プレイヤの押圧位置が前記判定対象領域内に含まれないと判定された場合、前記プレイヤの押圧位置に基づいて、前記判定対象領域の位置を変更する判定対象領域変更手段と、

を含むことを特徴とするゲーム装置。

[請求項2] 請求項１に記載のゲーム装置において、

前記判定対象領域変更手段は、

前記プレイヤの押圧位置が前記判定対象領域内に含まれないと判定される状態が基準期間にわたって継続したか否かを判定する手段と、

前記プレイヤの押圧位置が前記判定対象領域内に含まれないと判定される状態が前記基準期間にわたって継続した場合、前記判定対象領域の位置を変更する手段と、を含む、

ことを特徴とするゲーム装置。

[請求項3] 請求項１に記載のゲーム装置において、

ゲームキャラクタと、他の領域よりも明度が高く設定された注目領域と、を含むゲーム画面を表示手段に表示する表示制御手段を含み、

前記表示制御手段は、前記ゲームキャラクタの表示位置と前記注目領域の表示位置との位置関係を、前記プレイヤの押圧位置と前記判定対象領域との位置関係に基づいて制御する手段を含む、

ことを特徴とするゲーム装置。

[請求項4] 請求項１に記載のゲーム装置において、

第１のゲームキャラクタと第２のゲームキャラクタとを含むゲーム画面を表示手段に表示する表示制御手段を含み、

前記表示制御手段は、前記第１のゲームキャラクタの表示位置と前記第２のゲームキャラクタの表示位置との位置関係を、前記プレイヤの押圧位置と前記判定対象領域との位置関係に基づいて制御する手段を含む、

ことを特徴とするゲーム装置。

[請求項5] プレイヤの押圧操作を受け付け、前記プレイヤの押圧位置に関する情報を出力する押圧操作受付手段から出力される前記情報を取得するステップと、

前記押圧操作受付手段から出力される前記情報に基づいて、前記プレイヤの押圧位置を取得する押圧位置取得ステップと、

前記プレイヤの押圧位置が判定対象領域内に含まれるか否かを判定する判定ステップと、

前記判定ステップにおける判定結果に基づいてゲーム処理を実行するゲーム処理実行ステップと、

前記プレイヤの押圧位置が前記判定対象領域内に含まれないと判定された場合、前記プレイヤの押圧位置に基づいて、前記判定対象領域の位置を変更する判定対象領域変更ステップと、

を含むことを特徴とするゲーム装置の制御方法。

[請求項6] プレイヤの押圧操作を受け付け、前記プレイヤの押圧位置に関する情報を出力する押圧操作受付手段から出力される前記情報を取得する手段、

前記押圧操作受付手段から出力される前記情報に基づいて、前記プレイヤの押圧位置を取得する押圧位置取得手段、

前記プレイヤの押圧位置が判定対象領域内に含まれるか否かを判定する判定手段、

前記判定手段の判定結果に基づいてゲーム処理を実行するゲーム処理実行手段、及び、

前記プレイヤの押圧位置が前記判定対象領域内に含まれないと判定された場合、前記プレイヤの押圧位置に基づいて、前記判定対象領域の位置を変更する判定対象領域変更手段、

としてコンピュータを機能させるためのプログラム。

[請求項7] プレイヤの押圧操作を受け付け、前記プレイヤの押圧位置に関する情報を出力する押圧操作受付手段から出力される前記情報を取得する手段、

前記押圧操作受付手段から出力される前記情報に基づいて、前記プレイヤの押圧位置を取得する押圧位置取得手段、

前記プレイヤの押圧位置が判定対象領域内に含まれるか否かを判定する判定手段、

前記判定手段の判定結果に基づいてゲーム処理を実行するゲーム処理実行手段、及び、

前記プレイヤの押圧位置が前記判定対象領域内に含まれないと判定された場合、前記プレイヤの押圧位置に基づいて、前記判定対象領域の位置を変更する判定対象領域変更手段、

としてコンピュータを機能させるためのプログラムを記録したコンピュータ読み取り可能な情報記憶媒体。

CLAIMS CORRESPONDENCE TABLE

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	The claim 1 of this U.S. Patent Application is the same as the claim 1 of the corresponding PCT application.
2	2	The claim 2 of this U.S. Patent Application is the same as the claim 2 of the corresponding PCT application.
3	3	The claim 3 of this U.S. Patent Application is the same as the claim 3 of the corresponding PCT application.
4	4	The claim 4 of this U.S. Patent Application is the same as the claim 4 of the corresponding PCT application.
5	5	The claim 5 of this U.S. Patent Application is the same as the claim 5 of the corresponding PCT application.
6	6	The claim 6 of this U.S. Patent Application has been cancelled.
7	7	The claim 7 of this U.S. Patent Application and the claim 7 of the corresponding PCT Application are almost same except that the phrase "non-transitory" is added to the claim 7 of this U.S. Application.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/062006

A. CLASSIFICATION OF SUBJECT MATTER
A63F13/00(2006.01)i, A63B69/00(2006.01)i, A63F13/06(2006.01)i, A63F13/10(2006.01)i

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
A63F13/00-13/12, 9/24, A63B69/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Jitsuyo Shinan Koho 1922-1996 Jitsuyo Shinan Toroku Koho 1996-2009
Kokai Jitsuyo Shinan Koho 1971-2009 Toroku Jitsuyo Shinan Koho 1994-2009

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2008-48932 A (Konami Digital Entertainment Co., Ltd.), 03 June, 2008 (03.06.08), Abstract; full text & EP 2078546 A & WO 2008/023740 A1 & KR 10-2009-0038462 A	1-7
A	JP 2001-246154 A (Konami Co., Ltd., KCE Tokyo, Inc.), 11 September, 2001 (11.09.01), Par. Nos. [0052] to [0057]; Figs. 8 to 10 & TW 474830 B & KR 10-2001-0087245 A & CN 1311047 A	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 another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
31 August, 2009 (31.08.09)	08 September, 2009 (08.09.09)
Name and mailing address of the ISA/ Japanese Patent Office	Authorized officer
Facsimile No.	Telephone No.

Form PCT/ISA/210 (second sheet) (April 2007)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/062006

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2007-229450 A (SSD Co., Ltd.), 13 September, 2007 (13.09.07), Abstract; Par. Nos. [0020] to [0047]; Figs. 3 to 5 (Family: none)	1-7
A	JP 2006-247258 A (Konami Sports & Life Co., Ltd.), 21 September, 2006 (21.09.06), Par. Nos. [0095] to [0099]; Fig. 20 & US 2008/0146329 A1 & WO 2006/098282 A1	1-7
A	JP 2002-273038 A (Kabushiki Kaisha Sutaffu), 24 September, 2002 (24.09.02), Par. No. [0028]; Figs. 11, 12 (Family: none)	1-7

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference KN-0671	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/062006	International filing date *(day/month/year)* 30 June 2009 (30.06.2009)	Priority date *(day/month/year)* 02 October 2008 (02.10.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONAMI DIGITAL ENTERTAINMENT CO., LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 10 May 2011 (10.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Applicant's or agent's file reference KN-0671	Date of mailing *(day/month/year)* **FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/062006	30.06.2009	02.10.2008

International Patent Classification (IPC) or both national classification and IPC

Applicant
KONAMI DIGITAL ENTERTAINMENT CO., LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I — Basis of the opinion
- ☐ Box No. II — Priority
- ☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV — Lack of unity of invention
- ☒ Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI — Certain documents cited
- ☐ Box No. VII — Certain defects in the international application
- ☐ Box No. VIII — Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062006

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062006

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	1-7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2008-48932 A (Konami Digital Entertainment Co., Ltd.), 03 June 2008, abstract; entire text & EP 2078546 A & WO 2008/023740 A1 & KR 10-2009-0038462 A

Document 2: JP 2001-246154 A (Konami Co., Ltd., KCE Tokyo, Inc.), 11 September 2001, paragraphs [0052] to [0057]; fig. 8 to 10 & TW 474830 B & KR 10-2001-0087245 A & CN 1311047 A

Document 3: JP 2007-229450 A (SSD Co., Ltd.), 13 September 2007, abstract; paragraphs [0020] to [0047]; fig. 3 to 5 (Family: none)

Document 4: JP 2006-247258 A (Konami Sports & Life Co., Ltd.), 21 September 2006, paragraphs [0095] to [0099]; fig. 20 & US 2008/0146329 A1 & WO 2006/098282 A1

Document 5: JP 2002-273038 A (Kabushiki Kaisha Sutaffu), 24 September 2002, paragraph [0028]; fig. 11 and 12 (Family: none)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062006

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The invention as in claims 1-7

The invention as in claims 1-7 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art. In particular, none of the documents discloses the feature of the invention as in claims 1-7 wherein "when it is determined that the pressing position of the aforementioned player is not included in the aforementioned region for determination, on the basis of the aforementioned player pressing position, the position of the aforementioned region for determination is changed"; and by this means, there is the advantageous effect that "shifts in the standing position of a player during game play can be accommodated".

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)*
Applicant's or agent's file reference KN-0671	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/062006	30.06.2009	02.10.2008

International Patent Classification (IPC) or both national classification and IPC

Applicant
KONAMI DIGITAL ENTERTAINMENT CO., LTD.

1. This opinion contains indications relating to the following items:

☒	Box No. I	Basis of the opinion
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062006

Box No. I Basis of this opinion

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   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062006

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	1-7	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2008-48932 A (Konami Digital Entertainment Co., Ltd.), 03 June 2008, abstract; entire text & EP 2078546 A & WO 2008/023740 A1 & KR 10-2009-0038462 A

Document 2: JP 2001-246154 A (Konami Co., Ltd., KCE Tokyo, Inc.), 11 September 2001, paragraphs [0052] to [0057]; fig. 8 to 10 & TW 474830 B & KR 10-2001-0087245 A & CN 1311047 A

Document 3: JP 2007-229450 A (SSD Co., Ltd.), 13 September 2007, abstract; paragraphs [0020] to [0047]; fig. 3 to 5 (Family: none)

Document 4: JP 2006-247258 A (Konami Sports & Life Co., Ltd.), 21 September 2006, paragraphs [0095] to [0099]; fig. 20 & US 2008/0146329 A1 & WO 2006/098282 A1

Document 5: JP 2002-273038 A (Kabushiki Kaisha Sutaffu), 24 September 2002, paragraph [0028]; fig. 11 and 12 (Family: none)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/062006

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The invention as in claims 1-7

The invention as in claims 1-7 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art. In particular, none of the documents discloses the feature of the invention as in claims 1-7 wherein "when it is determined that the pressing position of the aforementioned player is not included in the aforementioned region for determination, on the basis of the aforementioned player pressing position, the position of the aforementioned region for determination is changed"; and by this means, there is the advantageous effect that "shifts in the standing position of a player during game play can be accommodated".

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.
13/122,295	04/01/2011	Taku Otani	Q123967	7554

23373 7590 05/23/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
05/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of	:	
OTANI, TAKU	:	DECISION ON REQUEST TO
Application No. 13/122,295		PARTICIPATE IN PATENT
Filed: April 1, 2001	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. Q123967	:	PROGRAM AND PETITION
Title: GAME DEVICE, GAME DEVICE CONTROL METHOD, PROGRAM, AND INFORMATION STORAGE MEDIUM	:	TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 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 disclose an eligible relationship to one or more PCT applications filed in the KIPO, JPO, EPO or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

This application will be forwarded and docketed to an examiner for examination commensurate with the petition decision.

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 Lewis, the SPE of Art Unit 3714 and 571-272-7673 for Class 463/36 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

_____

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

JUN 21 2011

PCT LEGAL ADMINISTRATION

Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

In re Application of :
LEE, Young-Taek, et al. :
Application No.: 13/122,300 :
PCT No.: PCT/KR2009/005721 : DECISION
Int. Filing Date: 07 October 2009 :
Priority Date: 07 October 2008 : ON PETITION UNDER
Docket No.: 0202-0575 :
For: APPARATUS AND METHOD FOR COMPENSATING FOR IQ MISMATCH IN MOBILE COMMUNICATION SYSTEM : 37 CFR 1.47(a)

This is a decision on applicants' Petition Under 37 CFR 1.47(a), filed in the United States Patent and Trademark Office (USPTO) on 01 April 2011.

BACKGROUND

On 01 April 2011, applicants filed, *inter alia*, a transmittal letter, the basic national fee, a declaration of the inventors and this petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47 must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) proof of pertinent facts, namely that the inventor refuses to sign after being presented with the application papers or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on behalf of himself or herself and the nonsigning applicant.

Items (1) and (3) have been satisfied. The $200 petition fee has been paid. Applicant states the last known address of the non-signing inventor.

Item (2) has not been satisfied. Applicants claim to have presented Mr. Renfrow with a complete copy of the application papers including the declaration on 24 March 2011. Applicants filed this petition stating that the inventor had not returned a signed copy of the declaration on 01 April 2011. Applicants did not allow a sufficient time period for response to permit an inference of non-cooperation. A reasonable period for response is considered one month.

Item (4) has not been satisfied. The declaration contains foreign language text, but is not a USPTO form and is not accompanied by a statement that the foreign text is accurately translated in the English. 37 CFR 1.69. A statement under 37 CFR 1.69 or a new oath or declaration is required.

CONCLUSION

For the above reasons, applicant's petition under 37 CFR 1.47(a) is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Failure to timely file the proper response will result in abandonment of this application. Extensions of time under 37 CFR 1.136(a) are available.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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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SEP 16 2011

PCT LEGAL ADMINISTRATION

Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

In re Application of :
LEE, Young-Taek, et al. :
Application No.: 13/122,300 :
PCT No.: PCT/KR2009/005721 :
Int. Filing Date: 07 October 2009 :
Priority Date: 07 October 2008 :
Docket No.: 0202-0575 :
For: APPARATUS AND METHOD FOR COMPENSATING FOR IQ MISMATCH IN MOBILE COMMUNICATION SYSTEM :

DECISION

ON PETITION UNDER

37 CFR 1.47(a)

This is a decision on applicants' Petition Under 37 CFR 1.47(a), filed in the United States Patent and Trademark Office (USPTO) on 19 July 2011.

BACKGROUND

On 21 June 2011, the Office mailed Decision On Petition Under 37 CFR 1.47(a), dismssing applicant's petition without prejudice and setting a two month period for reply.

On 19 July 2011, applicants filed a renewed petition under 37 CFR 1.47(a).

DISCUSSION

A petition under 37 CFR 1.47 must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) proof of pertinent facts, namely that the inventor refuses to sign after being presented with the application papers or cannot be reached after diligent effort, (3) a statement of the last known address of the inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on behalf of himself or herself and the nonsigning applicant.

Items (1) and (3) were previously satisfied. The $200 petition fee has been paid. Applicant states the last known address of the non-signing inventor, Hoon-Tae Kim as #1005-2002, Yeongtong Tanchae, Mangpo-dong, Yeongtong-gu-Suwon-si, Gyeonggi-do 443-400, Republic of Korea.

Items (2) and (4) have been satisfied.

CONCLUSION

For the above reasons, applicant's petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including accordation of a 35 U.S.C. §371(c)(1), (c)(2) and (c)(4) date of **01 April 2011**

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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SEP 16 2011

PCT LEGAL ADMINISTRATION

Hoon-Tae Kim
#1005-2002, Yeongtong Tanchae
Mangpo-dong, Yeongtong-gu-Suwon-si
Gyeonggi-do 443-400
Republic of Korea

In re Application of
LEE, Young-Taek, et al.
Application No.: 13/122,300
PCT No.: PCT/KR2009/005721
Int. Filing Date: 07 October 2009
Priority Date: 07 October 2008
Docket No.: 0202-0575
For: APPARATUS AND METHOD FOR COMPENSATING FOR IQ MISMATCH IN MOBILE COMMUNICATION SYSTEM

Dear Mr. Kim:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

Jefferson IP Law, LLP
1130 Connecticut Ave., NW
Suite 420
Washington DC 20036

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/122,368	Filing date:	April 1, 2011
First Named Inventor:	Graeme S. Bayley		
Title of the Invention:	Lavatory System with Hand Dryer		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

PCT/US10/51647.

The corresponding PCT application number(s) is/are:

The international date of the corresponding PCT application(s) is/are:

October 6, 2010.

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-US (09-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/122,368
First Named Inventor:	Graeme S. Bayley

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on April 5, 2011.

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on April 5, 2011.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1 and 11	Amended in US application to incorporate the subject matter of claim 11.
2-10,12-33, 35-38, 41-50, 53, 54, and 56	2-10,12-33, 35-38, 41-50, 53, 54, and 56	Claims in US application contain language similar to that of corresponding claims in PCT application.
34	34	Amended in US application to be in independent form.
39	39	Amended in US application to be in independent form.
40	40	Amended in US application to be in independent form.
51	51	Amended in US application to be in independent form.
55	55	Amended in US application to be in independent form.
57	57	Amended in US application to be in independent form.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date April 5, 2011
Name (Print/Typed) J. Mark Wilkinson	Registration Number 48865

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

BOYLE FREDRICKSON S.C.
840 NORTH PLANKINTON AVENUE
MILWAUKEE, WI 53203

MAILED
JUL 15 2011
PCT LEGAL ADMINISTRATION

In re Application of BAYLEY et al :
U.S. Application No.: 13/122,368 :
PCT Application No.: PCT/US2010/051647 :
Int. Filing Date: 06 October 2010 : COMMUNICATION
Priority Date Claimed: 07 October 2009 :
Attorney Docket No.: 1965.004 :
For: LAVATORY SYSTEM WITH HAND DRYER :

This application is before the Office of PCT Legal Administration for consideration of issues arising under the PCT.

BACKGROUND

On 06 October 2010, applicant filed international application PCT/US2010/051647, which claimed priority of an earlier United States application filed 07 October 2009. The thirty-month period for paying the basic national fee in the United States expires on 07 April 2012.

On 01 April 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

DISCUSSION

Pursuant to PCT Article 23, the DO/EO/US shall not process a national stage application prior to thirty months from the priority date unless specifically requested to do so by applicant. See also 35 U.S.C. 371(f). A review of the transmittal letter (Form PTO-1390) reveals that applicant did not make an express request to begin national examination procedures. Accordingly, any processing of the present application by the DO/EO/US was premature.

CONCLUSION

This application will be held in the United States Designated/Elected Office (DO/EO/US) and processing will begin on the proper commencement date.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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MAY 18 2011

PCT LEGAL ADMINISTRATION

WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400
900 SECOND AVENUE SOUTH
MINNEAPOLIS MN 55402

In re Application of: JOHNSON, Mat
U.S. Application No.: 13/122,374
PCT No.: PCT/US2009/031547
International Filing Date: 21 January 2009
Priority Date: 17 January 2008
Attorney's Docket No.: G86.12-0004
For: METHOD AND SYSTEM FOR SITUATIONAL LANGUAGE INTERPRETATION

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 01 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/US2009/031547 became abandoned with respect to the United States at midnight on 17 July 2010 based on applicant's failure to request entry into national stage in the United States and pay the basic national fee prior to the expiration of thirty months from the priority date.

The present petition for revival was accompanied by payment of the petition fee and the "required reply" in the form of a request for entry into the U.S. national stage and payment of the small entity basic national fee. In addition, the petition includes a statement that "[t]he delay caused by the abandonment of the application was unintentional," which is construed herein as the statement required by 37 CFR 1.137(b)(3), that is, a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." In view of the above, the requirements of 37 CFR 1.137(b) have been satisfied. Accordingly, the request to revive the international application with respect to the United States is appropriately granted.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/122,396	Filing date:	April 1, 2011
First Named Inventor:	CHOE, Mun-Son		
Title of the Invention:	MODIFIED SULFUR BINDER AND THE FABRICATION METHOD THEREOF, HYDRAULIC MODIFIED SULFUR MATERIAL COMPOSITION ...		

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/KR2008/006086

The international filing date of the corresponding PCT application(s) is/are: October 15, 2008

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the 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.:	13/122,396
First Named Inventor:	CHOE, Mun-Son

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
Claims 1-38	Claims 1-38	Claims 1-37 are identical to corresponding claims 1-37 of the PCT application because the present application is a national stage application of the PCT application. Corresponding claim 38 of the PCT application was a multiple dependent claim while claim 38 in the present application was amended to remove multiple claim dependency.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 4/18/2011
Name (Print/Typed) Abe Hershkovitz / Dinh Nguyen	Registration Number 45,293/54,923

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.
13/122,396	04/01/2011	Mun-Son Choe	PK1021460	8443

40401 7590 07/13/2011

Hershkovitz & Associates, LLC
2845 Duke Street
Alexandria, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
1731	

NOTIFICATION DATE	DELIVERY MODE
07/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@hershkovitz.net
patent@hershkovitz.net

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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BC

July 12, 2011

In re application of	:	DECISION ON REQUEST TO
CHOE, MUN-SON et al.	:	PARTICIPATE IN PATENT
Serial No. 13/122,396	:	PROSECUTION HIGHWAY
Filed: April 1, 2011	:	PROGRAM AND
Attorney Docket No: PK1021460	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed April 19, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the IPA, JPO, KIPO, EPO, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work

product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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Commissioner for Patents
United States Patent and Trademark Office
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JUN 29 2011

PCT LEGAL ADMINISTRATION

WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington DC 20005-1503

In re Application of:
Ogawa, Nobuhiro, et al.
U.S. Application No.: 13/122,419
PCT No.: PCT/JP2009/005203
International Filing Date: 07 October 2009
Priority Date: 10 October 2008
Attorney's Docket No.: 2011_0442A
For: STRUCTURE OF CROSS-SHAPED GROOVE OF SCREW FOR FIT WITH DRIVER BIT

DECISION

This decision is issued in response to the "Notice Of Large Entity Status And Payment Of Fee Deficiency" filed 18 May 2011. No petition fee is required.

BACKGROUND

On 10 October 2009, applicants filed international application PCT/JP2009/005203. The application claimed a priority date of 10 October 2008, and it designated the United States. On 15 April 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submitting payment of the U.S. basic national fee was thirty months from the priority date, i.e., 10 April 2011.

On 04 April 2011, applicants filed materials to initiate the present national stage application including, among other materials, a Transmittal Letter (Form PTO-1390) that included an assertion of small entity status, an executed declaration, an English translation of the international application, and payment of the small entity basic national fee, search fee, and examination fee.

On 21 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) and filing receipt indicating that the 35 U.S.C. 371(c) date for the present application was 04 April 2011. The filing receipt identified the applicants as a small entity.

On 18 May 2011, applicants filed the "Notice Of Large Entity Status And Payment Of Fee Deficiency" considered herein.

DISCUSSION

37 CFR 1.28(c) states as follows:

> If status as a small entity is established in good faith, and fees as a small entity are paid in good faith, in any application or patent, and it is later discovered that such status as a small entity was established in error, or that through error the Office was not notified of a loss of entitlement to small entity status as required by § 1.27(g)(2), the error will be excused upon: compliance with the separate submission and itemization requirements of paragraphs (c)(1) and (c)(2) of this section, and the deficiency payment requirement of paragraph (c)(2) of this section

In the "Notice Of Large Entity Status And Payment Of Fee Deficiency" filed 18 May 2011, applicants state that the small entity assertion contained in the materials filed on 04 April 2011 was erroneous, but that this erroneous statement was inadvertent and made without deceptive intent. Applicants' submission also specifically itemizes the fee deficiencies resulting from the erroneous assertion of small entity status (a total of $490). Pursuant to the authorization contained in applicants' original 04 April 2011 submission, Deposit Account No. 23-0975 will be charged the required deficiency payment.

Applicants present submission satisfies the requirements of 37 CFR 1.28(c).

CONCLUSION

Applicants' request under 37 CFR 1.28(c) is **GRANTED.**

USPTO records will be updated to remove the erroneous indication of small entity status.

Deposit Account No. 23-0975 will be charged the deficiency fees itemized in applicants' present submission, as required to complete the applicable large entity fees. Specifically, the Deposit Account will be charged: $165 (to complete the basic national fee); $110 (to complete the examination fee); and $215 (to complete the search fee).

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including the issuance of a corrected filing receipt which does not identify the applicants as a small entity.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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MELISSA LECK
101 CARNEGIE CENTER
PATENT DEPARTMENT
PRINCETON NJ 08540

MAILED
MAR 21 2012
OFFICE OF PETITIONS

In re Application of	:	DECISION
Wang, et al.	:	ON PETITION
Application No. 13/122,439	:	
Filed: April 4, 2011	:	
Attorney Docket Number: PB0881	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed April 4, 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 2872 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

Jose Dees
Petitions Examiner
Office of Petitions

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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.
13/122,442	04/14/2011	Mads Peter Andersen	742111-264	9120

7590 08/25/2011

ROBERTS MLOTKOWSKI SAFRAN & COLE, P.C.
Intellectual Property Department
P.O. Box 10064
MCLEAN, VA 22102-8064

EXAMINER	
ART UNIT	PAPER NUMBER
2857	
NOTIFICATION DATE	DELIVERY MODE
08/25/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/122546	Filing date:	April 4, 2011
First Named Inventor:	Atsushi Ishii		
Title of the Invention:	PARTICULATE PHARMACEUTICAL COMPOSITION		

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/JP2011/053052

The international date of the corresponding PCT application(s) is/are: February 14, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/122546
First Named Inventor:	Atsushi Ishii

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
Claims 1-4	Claims 1-4	No Substantial difference in corresponding claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Raymond R. Tabandeh/	Date April 25, 2011
Name (Print/Typed) Raymond R. Tabendeh	Registration Number 43945

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT and TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED
APR 03 2012
PCT LEGAL ADMINISTRATION

In re Application of	:	
Michael Brunet	:	
Application No.: 13/122,551	:	DECISION ON
PCT No.: PCT/FR2008/051784	:	
Int. Filing Date: 02 October 2008	:	PETITION
Priority Date: N/A	:	
Attorney's Docket No.: LAVO17.002APC	:	UNDER 37 CFR 1.181
For: INTERIOR TRIM ASSEMBLY FOR A MOTRO VEHICLE AND MOTOR VEHICLE	:	

This decision is in response to the "PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181(a)," filed on 28 February 2012 requesting the removal of the holding of abandonment because the required payment of additional claim fees of $650.00 was timely filed with the aforementioned application.

BACKGROUND

On 04 April 2011, applicant filed via EFS-WEB entry into the national stage in the United States, which was accompanied by, inter alia, the basic national fee as required by 35 U.S.C. 371(c)(1). However, no executed declaration accompanied the initial filing.

On 15 April 2011, applicant filed a "RESPONSE TO FORMALITIES NOTICE," which indicated that the "Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410," and an executed declaration.

On 22 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification of Insufficient Fees (DO/EO/US)"(PCT/DO/EO/923)" indicating additional claim fees of $650 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

On 27 February 2012, the DO/EO/US mailed a "NOTIFICATION OF ABANDONMENT," which stated that "applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/9050 mailed 04/22/2011 within the time period set therein"

On 28 February 2012, applicant filed the instant petition under 37 CFR 1.181 requesting that the abandonment mailed on February 27, 2012 be withdrawn because applicant has authorized the USPTO to charge any additional fees to Account No.: 11-1410 in the submission of April 15, 2011.

DISCUSSION

A review of application shows that applicant had authorized the USPTO on April 15, 2011 to charge any additional fees which may be required, which would include the additional claim fee of $650.00.

Consequently, the aforementioned application was improperly abandoned for failure to pay the additional claim fee of $650.00.

Applicant has been charged $650 to Deposit Account No: 11-1410 which is $260.00 for a 5 total claims over 20 and $390.00 for multiple dependent claim surcharge.

CONCLUSION

For reasons above, the petition under 37 CFR 1.181 is **GRANTED.**

The Notification of Abandonment (PCT/DO/EO/909) mailed 27 February 2012 was in error and is hereby **VACATED**.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

JUN 21 2011

PCT LEGAL ADMINISTRATION

WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington DC 20005-1503

In re Application of :
YAMASAKI, Tatsuya : DECISION
Application No.: 13/122,569 :
PCT No.: PCT/JP2009/067152 :
Int. Filing Date: 01 October 2009 :
Priority Date Claimed: 07 October 2008 :
Attorney's Docket No.: 2011_0530A :
For: ELECTRIC LINEAR MOTION ACTUATOR :
AND ELECTRIC BRAKE SYSTEM :

This decision is in response to applicant's submission filed 19 April 2011, which has properly been treated as a petition under 37 CFR 1.181.

BACKGROUND

On 01 October 2009, applicant filed international application PCT/JP2009/067152 which designated the U.S. and claim a priority date of 07 October 2008. The thirty-month period for paying the basic national fee in the United States expires at midnight on 07 April 2011.

On 05 April 2011, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the Basic National Fee and an unexecuted declaration of the inventor.

On 07 April 2011, applicant filed an executed declaration of the inventor.

On 15 April 2011, the United States Designated/Elected Office (DO/EO/US) issued a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that applicant must provide an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b). The NOTIFICATION indicated that the declaration of the inventor filed 05 April 2011 was unexecuted.

On 19 April 2011, applicant filed the instant submission, which has properly been treated as a petition under 37 CFR 1.181.

DISCUSSION

The petition in effect requests that the NOTICE OF MISSING REQUIREMENTS mailed 15 April 2011 be vacated.

The NOTICE OF MISSING REQUIREMENTS mailed 15 April 2011 appears to have failed to take into consideration the declaration of the inventor filed 07 April 2011. Accordingly, this NOTIFICATION is hereby VACATED.

Declaration of Inventors

The declaration filed 07 April 2011 is in compliance with 37 CFR 1.497(a)-(b). This declaration was filed within thirty months of the priority date.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

The NOTIFICATION OF MISSING REQUIREMENTS mailed 15 April 2011 is VACATED.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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www.uspto.gov

SOFER & HAROUN LLP
317 MADISON AVENUE, SUITE 910
NEW YORK NY 10017

MAILED

DEC 19 2011

OFFICE OF PETITIONS

Applicants: Gaubicher, et al.
Appl. No.: 13/122,592
International Filing Date: October 7, 2009
Title: ELECTRODE COMPRISING A MODIFIED COMPLEX OXIDE AS ACTIVE SUBSTANCE
Attorney Docket: 1202-023
Pub. No.: US 20110250497 A1
Pub. Date: October 13, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on October 31, 2011, for the above-identified application.

The request is granted.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BRENDA HERSCHBACH JARRELL
CHOATE, HALL & STEWART LLP
TWO INTERNATIONAL PLACE
BOSTON, MA 02110

MAILED
SEP 28 2011
PCT LEGAL ADMINISTRATION

In re Application of:
FOUNG et al
US Application No.: 13/122,598
PCT Application No.: PCT/US2008/078884
Int. Filing Date: 10 May 2008
Atty Docket No.: 2002850-0079
For: HEPATITIS ANTIBODIES AND USES THEREOF

DECISION ON

REQUEST UNDER

37 CFR 1.497(d)

This is a decision on applicants' "PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. & 1.497(d) to add joint inventor Zhen-yong Keck into the application.

BACKGROUND

On 10 May 2008, applicants filed international application No. PCT/US2008/078884.

On 05 April 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States of America. Filed with the Transmittal Letter was, inter alia, the requisite basic national fee. No executed declaration was submitted at such time.

On 26 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicants that an "Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date" has not been provided and required applicants to furnish the missing item.

On 26 July 2011, applicants filed a declaration with inventors Steven Foung and inventor Zhen-yong Keck's signatures.

On 18 August 2011, the DO/EO/US mailed a "NOTIFICATION OF DEFECTIVE RESPONSE" (Form PCT/DO/EO/916) which informed applicants that Zhen-yong Keck was not listed in the international application and requires deletion or a petition.

On 02 September 2011, applicants submitted the present petition to add an inventor to the application.

DISCUSSION

A submission under 37 CFR 1.497(d) must include:

(1) a statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;

(2) The processing fee as set forth in § 1.17(i).

(3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see § 3.73(b) of this chapter)

A review of the application file reveals that applicants have satisfied item (1)-(3) under 37 CFR 1.497(d).

With respect to item (1), the statement submitted by Zhen-yong Keck is sufficient because the error in inventorship occurred without any deceptive intent.

With respect to item (2), the processing fee of $130 has been charged to the deposit account No." 03-1721

With respect to item (3), The Board of Trustees of the Leland Stanford Junior Univeristy, the assignee, consents to the correction of inventorship to the above application and it has filed the requisite papers establishing its right to take action under 37 CFR §3.73(b), since the assignment has been recorded in USPTO at Reel/Frame 026691/0827.

CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.147(d) is **GRANTED.**

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Shian Luong
PCT Special Programs Examiner
Office of PCT Legal Administration
Telephone: (571) 272-4557

Boris Milef
Senior PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BRENDA HERSCHBACH JARRELL
CHOATE, HALL & STEWART LLP
TWO INTERNATIONAL PLACE
BOSTON, MA 02110

MAILED
SEP 28 2011
PCT LEGAL ADMINISTRATION

In re Application of:
FOUNG et al
US Application No.: 13/122,598
PCT Application No.: PCT/US2008/078884
Int. Filing Date: 10 May 2008
Atty Docket No.: 2002850-0079
For: HEPATITIS ANTIBODIES AND USES THEREOF

DECISION ON

REQUEST UNDER

37 CFR 1.497(d)

This is a decision on applicants' "PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. & 1.497(d) to add joint inventor Zhen-yong Keck into the application.

BACKGROUND

On 10 May 2008, applicants filed international application No. PCT/US2008/078884.

On 05 April 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States of America. Filed with the Transmittal Letter was, inter alia, the requisite basic national fee. No executed declaration was submitted at such time.

On 26 April 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905) which informed applicants that an "Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date" has not been provided and required applicants to furnish the missing item.

On 26 July 2011, applicants filed a declaration with inventors Steven Foung and inventor Zhen-yong Keck's signatures.

On 18 August 2011, the DO/EO/US mailed a "NOTIFICATION OF DEFECTIVE RESPONSE" (Form PCT/DO/EO/916) which informed applicants that Zhen-yong Keck was not listed in the international application and requires deletion or a petition.

On 02 September 2011, applicants submitted the present petition to add an inventor to the application.

DISCUSSION

A submission under 37 CFR 1.497(d) must include:

(1) a statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;

(2) The processing fee as set forth in § 1.17(i).

(3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see § 3.73(b) of this chapter)

A review of the application file reveals that applicants have satisfied item (1)-(3) under 37 CFR 1.497(d).

With respect to item (1), the statement submitted by Zhen-yong Keck is sufficient because the error in inventorship occurred without any deceptive intent.

With respect to item (2), the processing fee of $130 has been charged to the deposit account No." 03-1721

With respect to item (3), The Board of Trustees of the Leland Stanford Junior Univeristy, the assignee, consents to the correction of inventorship to the above application and it has filed the requisite papers establishing its right to take action under 37 CFR §3.73(b), since the assignment has been recorded in USPTO at Reel/Frame 026691/0827.

CONCLUSION

For the reasons above, applicants' petition under 37 CFR 1.147(d) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Shian Luong
PCT Special Programs Examiner
Office of PCT Legal Administration
Telephone: (571) 272-4557

Boris Milef
Senior PCT Legal Examiner
Office of PCT Legal Administration

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

Modified PTO/SB/20PCT-JP (01-2010)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/122,607	Filing Date:	April 5, 2011
First Named Inventor:	Kouta ONODERA	Attorney Docket No.:	2011_0391A
Title of the Invention:	HEARING AID		

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/JP2010/005921**

The international date of the corresponding PCT application(s) is/are: **October 1, 2010**

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)

[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. **(Please note that the first reference listed on the ISR is 59-093678, which is the application number, but a copy of the publication of the application, i.e., reference 60-014600, is filed with the IDS**
[ ] 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.
[X] Has already been filed in the above-identified U.S. application on April 5, 2011.

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

[] Are attached.
[X] Have already been filed in the above-identified U.S. application on April 5, 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.

The USPTO is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492, which may be required by this paper to Deposit Account No. 23-0975.

Modified PTO/SB/20PCT-JP (01-2010)
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.:	13/122,607
First Named Inventor:	Kouta ONODERA

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	3	Claim 1 in the US application has been amended to include the limitations of allowable claim 3 and intervening claim 2 in the PCT application
4	4	PCT claim 4 depended from claim 3, US claim 4 has been amended to depend from claim 1, which includes the limitations of claims 1, 2, and 3 of the PCT
5	5	Same
6	6	US claim amended to remove multiple dependency
7	7	PCT claim 7 depended from claim 3, US claim 7 has been amended to depend from claim 1, which includes the limitations of claims 1, 2, and 3 of the PCT

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jeffrey R. Filipek/ 2011.04.05 15:43:50 -04'00'	Date: April 5, 2011
Name: (Print/Type) Jeffrey R. Filipek	Registration No. 41,471

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
SHINJYU GLOBAL IP
South Forest Bldg., 1-4-19,
Minamimori-machi, Kita-ku,
Osaka-shi, Osaka
5300054

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	November 30, 2010 (30.11.2010)
Applicant's or agent's file reference: P602565P0	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/005921	October 1, 2010 (01.10.2010)	October 20, 2009 (20.10.2009)

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. H04R25/00(2006.01)i

Applicant
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.

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
Japan Patent Office (ISA/JP) 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 1008915	November 19, 2010 (19.11.2010)	Yuji Takeda
Facsimile No.		Telephone No. 03-3581-1101 extension 3591

Form PCT/ISA/237 (cover sheet)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/005921

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☑ the international application in the language in which it was filed.

   ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/005921

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	1-7	YES
	Claims		NO
Inventive step (IS)	Claims	3 - 5, 7	YES
	Claims	1, 2, 6	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

2. Citations and explanations:

Citation 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 59-093678 (Laid-open No. 60-014600) (Siemens Aktiengesellschaft), 31 January 1985 (31.01.1985), Page 6 Line 13 - Page 9 Line1, Figs. 1 - 5 & US 004680799 A1 & EP 000129788 A1 & DE 083018579 U1 & AT 000034268 E & CA 001236208 A & ES 000280199 U & DK 000310284 A

Citation 2: JP 2001-325997 A (CMC Magnetics Corp.), 22 November, 2001 (22.11.2001), Paragraph【0021】- 【0061】, Figs. 1 - 3 (Family: none)

Citation 3: JP 2003-297440 A (Toshiba Battery), 17 October, 2003 (17.10.2003), Paragraph【0004】, Fig. 1 (Family: none)

Citation 4: JP 2005-129296 A (Matsushita Electric Industrial Co., Ltd.), 19 May, 2005 (19.05.2005), entire text; all drawings (Family: none)

Citation 5: JP 05-130011 A (NEC Corp.) , 25 May, 1993 (25.05.1993), entire text; all drawings & GB 002261108 A & HK 000087297 A

Citation 6: JP 59-228355 A (Matsushita Electric Industrial Co., Ltd.), 21 December, 1984 (21.12.1984), entire text; all drawings (Family: none)

Citation 7: JP 2001-238296 A (Matsushita Electric Industrial Co., Ltd.), 31 August, 2001 (31.08.2001), entire text; all drawings (Family: none)

The inventions pertaining to Claims 1, 2, and 6 do not involve in an inventive step because of Patent Literature 1 (page 6, lines 13 to page 9, line 1) cited in the International Search Report, Patent Literature 2 (paragraphs 0021 to 0061, FIGS. 1 to 3) cited in the International Search Report, and Patent Literature 3 (paragraph 0004, FIG. 1) cited in the International Search Report. It would be easy for a person skilled in the art to add a lid portion that is provided inside a battery case and that opens and closes the air holes of a battery in conjunction with the operation of pulling out the battery case, such as that in Patent Literature 2, to a hearing aid having a switching part for cutting off the supply of power from a battery to a control device in conjunction with the operation of pulling at least part of a battery case out of a main body case, such as that in Patent Literature 1 (see page 8, line 15, to page 9, line 1). Furthermore, it is common knowledge that an air battery is often used as the power supply for a hearing aid, such as in Patent Literature 3. As to Claim 6, see the text of paragraph 0036 in Patent Literature 2.
The inventions pertaining to Claims 3, 4, 5, and 7 are not mentioned in any of the Patent Literature 1 to 7 cited in the International Search Report, and would not be self-evident to a person skilled in the art. They also involve in an inventive step with respect to Patent Literature 1 to 7.

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
新樹グローバル・アイピー特許業務法人

様

あて名
〒530-0054
日本国大阪府大阪市北区南森町１丁目４番１９号
サウスホレストビル

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)	30. 11. 2010
出願人又は代理人 の書類記号　P602565P0	今後の手続きについては、下記２を参照すること。

国際出願番号 PCT／JP2010／005921	国際出願日 (日.月.年)　01. 10. 2010	優先日 (日.月.年)　20. 10. 2009

国際特許分類（IPC）Int.Cl. H04R25/00(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
19. 11. 2010

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員）　5Z　8947 武田　裕司 電話番号　０３－３５８１－１１０１　内線　３５９１

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／００５９２１

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／JP2010／005921

第Ⅴ欄 新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1． 見解

新規性（N）	請求項	1－7	有
	請求項		無
進歩性（ＩＳ）	請求項	3－5，7	有
	請求項	1，2，6	無
産業上の利用可能性（ＩＡ）	請求項	1－7	有
	請求項		無

2． 文献及び説明

文献１：日本国実用新案登録出願 59-093678 号（日本国実用新案登録出願公開 60-014600 号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（シーメンス、アクチエンゲゼルシヤフト）1985.01.31，第６ページ第１３行－第９ページ第１行，第１－５図 & US 004680799 A1 & EP 000129788 A1 & DE 083018579 U1 & AT 000034268 E & CA 001236208 A & ES 000280199 U & DK 000310284 A

文献２：JP 2001-325997 A（シーエムシー　マグネティックス　コーポレーション）2001.11.22，段落【００２１】－【００６１】，第１－３図（ファミリーなし）

文献３：JP 2003-297440 A（東芝電池株式会社）2003.10.17，段落【０００４】，第１図（ファミリーなし）

文献４：JP 2005-129296 A（松下電器産業株式会社）2005.05.19，全文，全図（ファミリーなし）

文献５：JP 05-130011 A（日本電気株式会社）1993.05.25，全文，全図 & GB 002261108 A & HK 000087297 A

文献６：JP 59-228355 A（松下電器産業株式会社）1984.12.21，全文，全図（ファミリーなし）

文献７：JP 2001-238296 A（松下電器産業株式会社）2001.08.31，全文，全図（ファミリーなし）

請求項１，２，６に係る発明は、国際調査報告で引用された文献１（第６ページ第１３行－第９ページ第１行），国際調査報告で引用された文献２（段落【００２１】－【００６１】，第１－３図）及び国際調査報告で引用された文献３（段落【０００４】，第１図）とにより進歩性を有しない。文献１に記載のような、電池ケースの少なくとも一部を本体ケース外に引き出す操作に連動して、電池から制御装置への電力供給を断つスイッチング手段を有する補聴器（第８ページ第１５行－第９ページ第１行の記載参照。）に、文献２のような、電池ケース内に設けられており、電池ケースを引き出す操作に連動して電池の空気孔を開閉する蓋体を備えるようにすることは、当業者にとって容易である。なお、文献３に記載のように、補聴器の電源として空気電池がよく使われていることは周知の事項である。請求項６ついては、文献２の段落【０

補充欄

いずれかの欄の大きさが足りない場合

第 V 欄の続き

０３６】の記載を参照されたい。

請求項３－５，７に係る発明は、国際調査報告で引用された文献１－７のいずれにも記載されておらず、当業者にとって自明なものでもない。また、文献１－７に対して進歩性を有する。

Statement of Translation

I hereby declare and state:

that I am thoroughly conversant in both the Japanese language and the English language;

that I am capable of performing translation from the Japanese language into English language; and

that the attached document represents a true and complete English translation of all claims which were indicated as having novelty, inventive and industrial applicability in the PCT Application No. PCT/JP2010/005921 .

Signed this 10th day of March , 2011.

Masafumi MOTOYAMA

All claims which were indicated as having novelty, inventive step and industrial applicability

CLAIMS

1. A hearing aid, comprising:

a main body case;

a battery case that is provided so that it can be pulled from inside the main body case to the outside of the main body case, and houses an air battery;

a control device that is actuated by the electromotive force of the air battery held in the battery case;

a microphone and a speaker that are electrically connected to the control device;

switching part configured to cut off the supply of power from the air battery to the control device in conjunction with the operation of pulling at least part of the battery case out of the main body case; and

a lid portion that is provided inside the main body case or inside the battery case, and opens and closes an air hole of the air battery in conjunction with the operation of pulling at least part of the battery case out of the main body case.

2. The hearing aid according to Claim 1,

wherein the switching part cuts off the power from the air battery to the control device and the lid portion covers the air hole of the air battery in a storage state in which part of the battery case has been pulled out of the main body case.

3. The hearing aid according to Claim 2,

further comprising a protrusion that is provided to the main body case and that biases the air battery to the lid portion side in a storage state in which the lid portion is stowed inside the battery case and part of the battery case has been pulled out of the main body case.

All claims which were indicated as having novelty, inventive step and industrial applicability

4. The hearing aid according to Claim 3,

further comprising a power supply terminal that is provided between the air battery and the lid portion inside the battery case, and that biases the air battery to the opposite side from the lid portion in a usage state in which the battery case is stowed inside the main body case.

5. The hearing aid according to Claim 4,

wherein the power supply terminal has a hollow part that makes the air hole non-closeable, inside the portion that comes into contact with the air battery.

6. The hearing aid according to any of Claims 1 to 5,

wherein the lid portion is formed from an elastic member.

7. The hearing aid according to Claim 3,

wherein the protrusion has a flat top face in the center portion, and is formed so that its height gradually decreases from the top face toward the two ends.

All claims which were indicated as having novelty, inventive step and industrial applicability

【書類名】請求の範囲

【請求項１】

本体ケースと、

前記本体ケース内から前記本体ケース外に引き出し自在に設けられ、空気電池を収納する電池ケースと、

前記電池ケース内に収納される前記空気電池の起電力により起動される制御装置と、

前記制御装置に電気的に接続されたマイクロフォンおよびスピーカと、

前記電池ケースの少なくとも一部を前記本体ケース外に引き出す操作に連動して、前記空気電池から前記制御装置への電力供給を断つスイッチング手段と、

前記本体ケース内、あるいは前記電池ケース内に設けられており、前記電池ケースの少なくとも一部を前記本体ケース外に引き出す操作に連動して前記空気電池の空気孔を開閉する蓋体と、

を備えている補聴器。

【請求項２】

前記電池ケースの一部を前記本体ケース外に引き出した保管状態において、

前記スイッチング手段は、前記空気電池から前記制御装置への通電を断ち、

前記蓋体は、前記空気電池の空気孔を覆う、

請求項１に記載の補聴器。

【請求項３】

前記本体ケースに設けられており、前記電池ケース内に前記蓋体を収納し前記電池ケースの一部を前記本体ケース外に引き出した保管状態において前記空気電池を前記蓋体側に付勢する突起を、さらに備えている、

請求項２に記載の補聴器。

【請求項４】

前記電池ケース内の前記蓋体と前記空気電池との間に設けられており、前記電池ケースを前記本体ケース内に収納した使用状態で前記空気電池を前記蓋体とは反対側に付勢する電源端子を、さらに備えている、

請求項３に記載の補聴器。

【請求項５】

前記電源端子は、前記空気電池と接触する部分の内側に、前記空気孔を非閉塞とする中空部を有する、

請求項４に記載の補聴器。

【請求項６】

前記蓋体は、弾性部材によって形成される、

請求項１から５のいずれか１項に記載の補聴器。

【請求項７】

前記突起は、中央部分に平坦面である頂面部を有し、前記頂面部から両端部分に向かって徐々に高さが小さくなるように形成されている、

請求項３に記載の補聴器。

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.
13/122,607	04/05/2011	Kouta Onodera	2011_0391A	1970

52349 7590 08/17/2011
WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
08/17/2011	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):

ddalecki@wenderoth.com
eoa@wenderoth.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington DC 20005-1503

In re Application of	**: DECISION ON REQUEST TO**
Kouta ONODERA	**: PARTICIPATE IN THE PATENT**
Application No.: 13/122,607	**: PROSECUTION HIGHWAY**
Filed: 05 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 2011_0391A	**: TO MAKE SPECIAL UNDER**
For: HEARING AID	**: 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 05 April 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-5) and (8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

Regarding the requirement of condition (6), applicant has failed to submit a translation of the Search Report (PCT/ISA/210).

Regarding the requirement of condition (7), it cannot be determined if requirement (7) is met since requirement (6) has not been met.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	Attorney Docket No. 2011_0391A
Kouta ONODERA	:	**Confirmation No. 1970**
Serial No. 13/122,607	:	Group Art Unit 2614
Filed April 5, 2011	:	
HEARING AID	:	

REPLY TO DECISION DISMISSING REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Decision issued by the U.S. Patent and Trademark Office (PTO) on August 17, 2011, the Request to Participate in the Patent Prosecution Highway Program was dismissed for lack of a translation of the Search Report (PCT/ISA/210). See lines 13 and 14 on page 2 of the Decision.

Accordingly, submitted herewith is an English translation of said International Search Report.

In view of the above, it is submitted that the Request to Participate in the Patent Prosecution Highway Program is complete and should be granted.

Respectfully submitted,

Kouta ONODERA

/Jeffrey R. Filipek/

By 2011.08.23 12:13:40 -04'00'

Jeffrey R. Filipek
Registration No. 41,471
Attorney for Applicant

JRF/fs
Washington, D.C. 20005-1503
Telephone (202) 721-8200
Facsimile (202) 721-8250
August 23, 2011

The USPTO is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492, which may be required by this paper to Deposit Account No. 23-0975.

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.
13/122,607	04/05/2011	Kouta Onodera	2011_0391A	1970

52349 7590 08/26/2011

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
08/26/2011	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):

ddalecki@wenderoth.com
eoa@wenderoth.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington DC 20005-1503

In re Application of	**: DECISION ON REQUEST TO**
Kouta ONODERA	**: PARTICIPATE IN THE PATENT**
Application No.: 13/122,607	**: PROSECUTION HIGHWAY**
Filed: 05 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 2011_0391A	**: TO MAKE SPECIAL UNDER**
For: HEARING AID	**: 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 05 April 2011 and renewed 23 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate

if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS Technology Center 2600

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/122,680	Filing date:	April 5, 2011
First Named Inventor:	Masahiro HASHIMOTO		
Title of the Invention:	METHOD OF MANUFACTURING TRANSFER MASK AND METHOD OF MANUFACTURING SEMICONI		

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/JP2010/067733

The international date of the corresponding PCT application(s) is/are: October 8, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/122,680
First Named Inventor:	Masahiro HASHIMOTO

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on April 5, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 5, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 is identical to Japanese Claim 1
2	2	US Claim 2 is identical to Japanese Claim 2
3	3	Claim 3 is substantially identical except that the US claim refers t
4	4	Claim 4 is substantially identical except that the US claim refers t
5	5	US Claim 5 is identical to Japanese Claim 5
6	6	Claim 6 is substantially identical except that the US claim refers t
7	7	Claim 7 is substantially identical except that the US claim refers t
8	8	Claim 8 is substantially identical except that the US claim refers t
9	9	US Claim 9 is identical to Japanese Claim 9
10	10	US Claim 10 is identical to Japanese Claim 10
11	11	Claim 11 is substantially identical except that the US claim refers
12	11	Claim 12 is substantially identical with PCT claim 11 except that U

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /John M. Bird/ # 46,027, John M. Bird for:	Date 2011-05-10
Name (Print/Typed) Alan J. Kasper	Registration Number 25426

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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.
13/122,680	05/05/2011	Masahiro Hashimoto	Q123922	1587

23373 7590 08/26/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ART UNIT	PAPER NUMBER
1721	

NOTIFICATION DATE	DELIVERY MODE
08/26/2011	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):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BC

8/26/11

In re application of	:	DECISION ON REQUEST TO
Masahiro Hashimoto et al.	:	PARTICIPATE IN PATENT
Serial No. 13/122,680	:	PROSECUTION HIGHWAY
Filed: April 05, 2011	:	PROGRAM AND
Attorney Docket No: Q123922	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed May 11, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the APO, IPA, JPO, KIPO, NBPR, NPI, EPO, Rospatent, IPOS, SPTO, PRV, UK IPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work

product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:		Filing date:	
First Named Inventor:	Sang Jung AN et al.		
Title of the Invention:	SPM NANOPROBES AND THE PREPARATION METHOD THEREOF		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/KR2009/004300

The international filing date of the corresponding PCT application(s) is/are: July 31, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Sang Jung AN

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☑ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 is identical.
2	2	Same claim limitation. Added the term "wherein" for clarity.
3	3	Same claim limitation. Added the term "wherein";
		added "is" after "density" for clarity.
4	4	Same claim limitation. Added the term "wherein" for clarity.
5	5	Same claim limitation. Added the term "wherein" for clarity.
6	6	Same claim limitation. Added the term "wherein" for clarity
7	7	Same claim limitation. Added the term "wherein" for clarity
8	8	Same claim limitation. Removed the term "the steps of" and added ":";
		removed the second instance of the term "the" from phrase
		"wherein the the ratio" to correct typographical error.
9	9	Same claim limitation. Added the term "wherein" for clarity.
10	10	Same claim limitation. Added the term "wherein" for clarity.
11	11	Same claim limitation. Added the term "wherein" for clarity.
12	12	Same claim limitation. Added the term "wherein" for clarity.
13	13	Same claim limitation. Added the term "wherein" for clarity.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Yong Beom Hwang/	Date April 5, 2011
Name (Print/Typed) Yong Beom Hwang	Registration Number 61,373

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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VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA PA 19103

MAILED

APR 27 2011

PCT LEGAL ADMINISTRATION

In re Application of :
AN et al. :
Application No.: 13/122,682 : DECISION ON PETITION
PCT No.: PCT/KR2009/004300 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 31 July 2009 :
Priority Date: 01 August 2008 :
Attorney Docket No.: DSP-PT013 (PX11001) :
For: SPM NANOPROBES AND THE :
PREPARATION METHOD THEREOF

The petition to revive under 37 CFR 1.137(b) filed 05 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has submitted the required reply (basic national fee) and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office PCT Legal Administration
Tel.: 571-272-3298

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.
13/122,682	04/05/2011	Sang Jung An	DSP-PT013 (PX11001)	1593

3624 7590 07/26/2011

VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER	
KIM, ROBERT H	

ART UNIT	PAPER NUMBER
2881	

NOTIFICATION DATE	DELIVERY MODE
07/26/2011	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):

eoffice@volpe-koenig.com

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VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA PA 19103

In re Application of
AN et al.
Application No.: 13/122,682
Filed: 05 April 2011
Attorney Docket No.: DSP-PT013 (PX11001)
For: SPM NANOPROBES AND THE PREPARATION METHOD THEREOF

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 05 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS Technology Center 2800 - Semiconductors,
Electrical & Optical Systems & Components

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SHOOK, HARDY & BACON L.L.P.
(NIKE, INC.)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BLVD.
KANSAS CITY MO 64108-2613

MAILED

APR 29 2011

PCT LEGAL ADMINISTRATION

In re Application of :
DEAN, et al. :
Application No.: 13/122,697 :
PCT No.: PCT/US2009/058618 : DECISION ON PETITION
Int. Filing Date: 28 September 2009 :
Priority Date: 26 September 2008 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: NIKE.144116 :
For: SYSTEMS AND METHODS FOR UTILIZING :
PHYLON BISCUITS TO PRODUCE A :
REGIONALIZED-FIRMNESS MIDSOLE :

The petition to revive under 37 CFR 1.137(b) filed 05 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

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(NIKE, INC.)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BLVD.
KANSAS CITY MO 64108-26

MAILED
MAY 20 2011
PCT LEGAL ADMINISTRATION

In re Application of :
DEAN et al. :
Application No.: 13/122,702 :
PCT No.: PCT/US2009/058623 : DECISION ON PETITION
Int. Filing Date: 28 September 2009 : UNDER 37 CFR 1.137(b)
Priority Date: 26 September 2008 :
Attorney Docket No.: NIKE.144117 :
For: SHOE WITH A FLAT FORMED SHOE UPPER :

The petition to revive under 37 CFR 1.137(b) filed 05 April 2011 in the above-captioned application is hereby GRANTED as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298

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JUN 06 2011

PCT LEGAL ADMINISTRATION

SHOOK, HARDY & BACON L.L.P.
(NIKE, INC.)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BLVD.
KANSAS CITY MO 64108-2613

In re Application of BEREND et al.	:	
Application No.: 13/122,703	:	DECISION ON
PCT No.: PCT/US09/58624	:	
Int. Filing: 28 September 2009	:	PETITION TO REVIVE
Priority Date: 26 September 2008	:	
Attorney Docket No.: NIKE.144118	:	UNDER 37 CFR 1.137(b)
For: SHOE HAVING A MIDSOLE WITH HEEL SUPPORT	:	

The petition to revive under 37 CFR 1.137(b) filed 05 April 2011 in the above captioned application is hereby **GRANTED** as follows:

Applicants' statement that "the entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

Applicant paid the basic national fee ($330) and the petition fee ($1620). The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing including issuance of a Notification of Missing Requirements indicating that an executed oath or declaration, in compliance with 37 CFR 1.497(a) and (b), and the surcharge for filing the oath or declaration after the thirty month period, is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3286

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MAILED
JUN 01 2011
PCT LEGAL ADMINISTRATION

In re Application of :
DEAN *et al* :
U.S. Application No.: 13/122,705 :
PCT No.: PCT/US2009/058620 :
Int. Filing Date: 28 September 2009 :
Priority Date: 26 September 2008 :
Attorney Docket No.: NIKE.144119 :
For: EFFICIENT METHOD AND SYSTEM FOR CUSTOMIZED MANUFACTURE OF SHOES :

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicants' petition to revive under 37 CFR 1.137(b) filed with the national stage papers on 05 April 2011 is hereby **GRANTED** as follows:

The proper fees and the petition fee have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

A declaration in compliance with 37 CFR 1.497(a) and (b) was not submitted.

This application is being forwarded to the United States Designated/Elected Office for further processing including mailing a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a $130.00 surcharge fee are required.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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(NIKE, INC.)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BLVD.
KANSAS CITY MO 64108-2613

MAILED

APR 29 2011

PCT LEGAL ADMINISTRATION

In re Application of :
LIEBENO :
Application No.: 13/122,707 :
PCT No.: PCT/US2009/058626 : DECISION ON PETITION
Int. Filing Date: 28 September 2009 :
Priority Date: 26 September 2008 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: NIKE.144121 :
For: STOCKFIT ASSEMBLY FIXTURE FOR :
SHOE PRODUCTION :

The petition to revive under 37 CFR 1.137(b) filed 05 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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APR 20 2011

PCT LEGAL ADMINISTRATION

SHOOK, HARDY & BACON L.L.P.
(NIKE, INC.)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BLVD.
KANSAS CITY MO 64108-26

In re Application of :
CRISP, Melody :
Application No.: 13/122,712 :
PCT No.: PCT/US2009/058628 : DECISION ON PETITION
Int. Filing Date: 28 September 2009 : UNDER 37 CFR 1.137(b).
Priority Date: 26 September 2008 :
Attorney Docket No.: NIKE.144189 :
For: METHOD FOR EFFICIENT AND :
LOCALIZED PRODUCTION OF SHOES

The petition to revive under 37 CFR 1.137(b) filed 05 April 2011 in the above-captioned application is hereby GRANTED as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298

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46726
BSL HOME APPLIANCES CORPORATION
Intellectual Property Dept
100 Bosch Blvd.
New Bern, NC 28562

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AUG 01 2011

PCT LEGAL ADMINISTRATION

In re Application of :
BUNUEL MAGDALENA *et al* :
U.S. Application No.: 13/122,795 :
PCT No.: PCT/EP2009/063535 :
Int. Filing Date: 16 October 2009 :
Priority Date: 17 October 2008 :
Attorney Docket No.: 2008P02702WOUS :
For: PLATE MATERIAL AND METHOD FOR MANUFACTURING A PLATE MATERIAL :

DECISION

This decision is in response to applicants' petition under 37 CFR 1.47(a) filed 31 May 2011.

BACKGROUND

On 02 May 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a $130.00 surcharge fee was required. Applicants were given two months to respond with extensions of time available.

On 31 May 2011, applicants filed the subject petition which was accompanied by, *inter alia*, a $130.00 surcharge fee; a $200.00 petition fee; a declaration signed by six inventors on behalf of the nonsigning inventor; and documentary evidence in support of the petition (Attachments A - F).

DISCUSSION

Applicants claim that Rene SCHMALENSTROT refuses to cooperate in the above-identified application and have filed the subject petition.

A petition under 37 CFR 1.47(a) requires: (1) the petition fee; (2) factual proof that the missing joint inventor cannot be located or refuses to cooperate; (3) a statement of the last known address of the nonsigning joint inventor; (4) and an oath or declaration executed by the signing joint inventors on their behalf and on behalf of the nonsigning joint inventors. All items have been satisfied.

Concerning item (1), the petition fee of $200.00 has been paid.

Regarding item (2), the 37 CFR 1.47(a) applicants submitted evidence showing that a copy of the application and declaration were mailed to the nonsigning inventor on 13 May 2011. A copy of the postal receipt in a foreign language (Attachment A) was provided.

Ms. Claudia Leister, a patent paralegal, claims in her declaration (Attachment B) that she then contacted Mr. SCHMALENSTROT by telephone on 20 May 2011. Ms. Leister states that she verified that the nonsigning inventor received the application and declaration. Mr. SCHMALENSTROT indicated that he would not sign the document unless he was given certain certificates regarding his completion of certain tasks. The 37 CFR 1.47(a) applicants were unwilling to provide such a document for various reasons. Mr. SCHMALENSTROT told Ms. Leister that he would not sign the declaration unless provided the certificates.

The statements by Mr. SCHMALENSTROT to Ms. Leister constitute an express oral refusal to cooperate as contemplated in section 409.03(d)(II) of the MPEP. Item (2) is satisfied.

With regards to item (3), the last known address of Mr. SCHMALENSTROT was provided.

Concerning item (4), the 37 CFR 1.47(a) applicants submitted a declaration signed by six of the seven named co-inventors on behalf of themselves and the nonsigning joint inventor. The residence, address and citizenship of both inventors are recorded on the declaration.

This declaration meets the requirements of section 409.03(a)(A) and is in compliance with 37 CFR 1.497(a) and (b). Item (4) is also satisfied

All requirements of 37 CFR 1.47(a) are complete.

CONCLUSION

Applicants' petition under 37 CFR 1.47(a) is **GRANTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 16 October 2009 under 35 U.S.C. 363, and a 35 U.S.C. 371 date of 31 May 2011.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record and will be published in the Official Gazette.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

UNITED STATES PATENT AND TRADEMARK OFFICE

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Rene Schmalenstrot
Fahrenzampstr. 79
Bunde 32257,
Germany

MAILED

AUG 01 2011

PCT LEGAL ADMINISTRATION

In re Application of
BUNUEL MAGDALENA *et al*
U.S. Application No.: 13/122,795
PCT No.: PCT/EP2009/063535
Int. Filing Date: 16 October 2009
Priority Date: 17 October 2008
Attorney Docket No.: 2008P02702WOUS
For: PLATE MATERIAL AND METHOD FOR MANUFACTURING A PLATE MATERIAL

Dear Mr. Schmalenstrot:

You are named as an inventor in the above-captioned United States national stage application, filed under the provisions of 37 CFR 1.47(a) and 35 U.S.C. 116. Should a patent be granted, you will be designated as an inventor.

As a named inventor, you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or to make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent agent or attorney presenting written authorization from you. The counsel for the applicant is listed below. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

BSL HOME APPLIANCES CORPORATION
IP Dept
100 Bosch Blvd.
New Bern, NC 28562

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SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE FL 32614

MAILED
JUN 07 2011
PCT LEGAL ADMINISTRATION

In re Application of
POMEL, Vincent et al.
Application No.: 13/122,799
PCT No.: PCT/EP2009/062664
Filing Date: 30 September 2009
Priority Date: 3 October 2008
ATTY Docket No.: SER.169
For: 4-MORPHOLINO-PYRIDO[3,2-D]PYRIMIDINES

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

This decision is in response to applicant's PETITION UNDER 37 C.F.R. 1.137(b) filed in the United States Patent and Trademark Office (USPTO) on 6 April 2011.

BACKGROUND

On 30 September 2009, applicant filed international application, PCT/EP2009/062664, which claimed priority of an earlier United States application filed 3 October 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 8 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 4 April 2011.

On 5 April 2011, international application PCT/EP2009/062664 became abandoned as to the United States for failure to timely pay the basic national fee.

On 06 April 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the

filing of a grantable petition was unintentional, and (4) a terminal disclaimer in the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

The application has an International Filing Date under 35 U.S.C. 363 of 30 September 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 6 April 2011.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.

Shane Thomas
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6095

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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DEC 05 2011

PCT LEGAL ADMINISTRATION

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of: DOI, Takashi, et al.
U.S. Application No.: 13/122,834
PCT No.: PCT/JP2009/067378
International Filing Date: 06 October 2009
Priority Date: 06 October 2009
Attorney's Docket No.: 0283-0320PUS1
For: Process for Preparing Aromatic Aldehyde Compound

DECISION ON PETITION UNDER 37 CFR 1.181

This decision is issued in response to applicants' "Petition Under 37 CFR § 1.181 To Waive Extension Of Time Fee" filed 23 September 2011. No petition fee is required.[1]

BACKGROUND

On 06 October 2009, applicants filed international application PCT/JP2009/067378. The application did not claim an earlier priority date, and it designated the United States. On 15 April 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 06 April 2011.

On 06 April 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee, an English translation of the international application as filed, a preliminary amendment, and an executed "Japanese Language Declaration" (which includes what appears to be an English translation of the Japanese language text).

On 03 May 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) indicating that the declaration filed by applicants on 06 April 2011 could not be accepted without a statement confirming that the English language translation of the Japanese declaration language contained in the declaration document was an accurate translation of the Japanese language text.

On 01 July 2011, applicants filed a "Letter Regarding Response To Missing Requirements" arguing that a statement confirming the translation contained in the declaration was not required in the present case. The submission was not accompanied by the required statement confirming the accuracy of the translation.

[1] The $130 petition fee included with the present submission will be refunded to applicants.

On 09 September 2011, a Communication was mailed confirming that the statement regarding the accuracy of the English translation in the declaration document is required. The Communication also indicated that, because the failure to include the required statement was not inadvertent, applicants' 01 July 2011 submission was not considered a bona fide response to the Notification Of Missing Requirements that would permit a new response period to be provided.

On 23 September 2011, applicants filed a further response to the Notification Of Missing Requirements including a "Confirmation Of Accuracy Of Translation Of Declaration" document, payment of the required three-month extension fee, and the "Petition Under 37 CFR § 1.181 To Waive Extension Of Time Fee" considered herein.

DISCUSSION

Applicants' 23 September 2011 submission includes the required statement confirming the accuracy of the English language translation contained in the dual language declaration filed herein. The submission also includes payment of the three-month extension fee required for this submission to be considered a timely response to the Notification Of Missing Requirements mailed on 03 May 2011. Applicants have therefore now filed an acceptable response to the Notification Of Missing Requirements.

The petition included with applicants' present submission requests a refund of the three-month extension fee. Applicants argue that their 01 July 2011 submission was submitted in good faith as a timely and bona fide response to the Notification Of Missing Requirements and that, accordingly, the Communication mailed on 09 September 2011 in response to applicants' 01 July 2011 submission should have provided applicants with a new one-month period to reply.

The circumstances in which applicants may be granted a new time period for reply are set forth in 37 CFR 1.135(c) as follows (emphasis added):

> When reply by the applicant is a *bona fide* attempt to advance the application to final action, and is substantially a complete reply to the non-final Office action, but consideration of some matter or compliance with some requirement **has been inadvertently omitted**, applicant may be given a new time period for reply under § 1.134 to supply the omission.

In the present case, applicants' 01 July 2011 submission did not include the statement confirming the English translation in the declaration that was expressly required by the Notification Of Missing Requirements. Moreover, nothing in the record indicates that the failure to include the required statement was inadvertent. To the contrary, the 01 July 2011 submission argued that such statement was not properly required. Because the failure to include the required statement was not inadvertent, the 01 July 2011 submission is not a bona fide response to the Notification Of Missing Requirements, as defined in 37 CFR 1.135(c). It therefore would not have been appropriate to provide applicants with a new time period for reply based on such submission.

In view of the above, the three-month extension of time fee is necessary for the proper reply to the Notification Of Missing Requirements filed on 23 September 2011 to be considered

timely, as required to avoid abandonment of the application. Applicants' petition for a refund of this fee is therefore dismissed.

CONCLUSION

Applicants' petition for a refund of the three-month extension fee filed on 23 September 2011 is **DISMISSED** without prejudice.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 06 April 2011

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PROPERTY OFFICE (JPO) AND THE USPTO

Application No.:	13/122,872	Filing Date:	April 6, 2011
Confirmation No.:	3247	Attorney Docket No.:	Q123921
First Named Inventor:	Masaru TANABE		
Title of the Invention:	METHODS OF MANUFACTURING A MASK BLANK SUBSTRATE, A MASK BLANK, A PHOTOMASK, AND A SEMICONDUCTOR 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 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/JP2010/054511

The international date of the corresponding PCT application(s) is/are: March 17, 2010

I. List of Required Documents:

a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.

d. (1) An information disclosure statement listing the documents cited in 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 6, 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 6, 2011

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

BETWEEN THE JAPAN PROPERTY OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	13/122,872
First Named Inventor:	Masaru TANABE

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US claim 1 is identical to PCT claim 1.
2	2	US claim 2 is substantially identical to PCT claim 2 except that an editorial amendment is made in the preamble of US Claim 2.
3	3	US claim 3 is identical to PCT claim 3.
4	4	US claim 4 is substantially identical to PCT claim 4 except that an editorial amendment is made in the preamble of US claim 4 and that US claim refers to claim 1 only.
5	5	US claim 5 is substantially identical to PCT claim 5 except that an editorial amendment is made in the preamble of US claim 5 and that US claim refers to claim 2 only.
6	6	US claim 6 is substantially identical to PCT claim 6 except that an editorial amendment is made in the preamble of US claim 6 and that US claim refers to claim 1 only.
7	7	US claim 7 is substantially identical to PCT claim 7 except that an editorial amendment is made in the preamble of US claim 7 and that US claim refers to claim 1 only.
8	8	US claim 8 is substantially identical to PCT claim 8 except that an editorial amendment is made in the preamble of US claim 8 and that US claim refers to claim 1 only.
9	9	US claim 9 is substantially identical to PCT claim 9 except that an editorial amendment is made in the preamble of US claim 9 and that US claim refers to claim 1 only.
10	10	US claim 10 is substantially identical to PCT claim 10 except that an editorial amendment is made in the preamble of US claim 10 and that US claim refers to claim 1 only.
11	11	US claim 11 is substantially identical to PCT claim 11 except that an editorial amendment is made in the preamble of US claim 11 and that US claim refers to claim 1 only.
12	12	US claim 12 is substantially identical to PCT claim 12 except that an editorial amendment is made in the preamble of US claim 12.
13	13	US claim 13 is substantially identical to PCT claim 13 except that an editorial amendment is made in the preamble of US claim 13.
14	14	US claim 14 is substantially identical to PCT claim 14 except that an editorial amendment is made in the preamble of US claim 14 and that US claim refers to claim 1 only.
15	15	US claim 15 is substantially identical to PCT claim 15 except that US claim refers to claim 1 only.
16	16	US claim 16 is identical to PCT claim 16.

17	17	US claim 17 is identical to PCT claim 17.
18	4	New US claim 18 is identical with PCT claim 4 except that US claim 18 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 18..
19	5	New US claim 19 is identical with PCT claim 5 except that US claim 19 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 19.
20	6	New US claim 20 is identical with PCT claim 6 except that US claim 20 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 20.
21	7	New US claim 21 is identical with PCT claim 7 except that US claim 21 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 21.
22	8	New US claim 22 is identical with PCT claim 8 except that US claim 22 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 22.
23	9	New US claim 23 is identical with PCT claim 9 except that US claim 23 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 23.
24	10	New US claim 24 is identical with PCT claim 10 except that US claim 24 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 24.
25	11	New US claim 25 is identical with PCT claim 11 except that US claim 25 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 25.
26	12	New US claim 26 is identical with PCT claim 12 except that US claim 26 refers to claim 25 corresponding to PCT claim 11 and an editorial amendment is made in the preamble of US claim 26.
27	13	New US claim 27 is identical with PCT claim 12 except that US claim 26 refers to claim 25 corresponding to PCT claim 11 and an editorial amendment is made in the preamble of US claim 27.
28	14	New US claim 28 is identical with PCT claim 14 except that US claim 28 refers to claim 3 only and an editorial amendment is made in the preamble of US claim 28.
29	15	New US claim 29 is identical with PCT claim 15 except that US claim 29 refers to claim 3 only.
30	16	New US claim 30 is identical with PCT claim 16 except that US claim 30 refers to claim 29 corresponding to PCT claim 15.
31	17	New US claim 31 is identical with PCT claim 17 except that US claim 31 refers to claim 30 corresponding to PCT claim 16.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

IV. Payment of Fees:

☑ **The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.**

☐ **Credit Card.**

SEND ALL CORRESPONDENCE TO:
The address associated with Customer Number:

WASHINGTON OFFICE 23373 CUSTOMER NUMBER				
Signature	*/Alan J. Kasper/*	Date	April 7, 2011	
Name (Print/Typed)	Alan J. Kasper	Registration Number		25,426

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Masaru Tanabe

Serial No.: Unassigned

Filed:

For: METHODS OF MANUFACTURING A MASK BLANK SUBSTRATE, A MASK BLANK, A PHOTOMASK, AND A SEMICONDUCTOR DEVICE

TRANSLATOR'S DECLARATION

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I, Noriyasu Ikeda, of c/o Aspire International Patent Firm, Hibiya Daibiru Bldg., 2-2, Uchisaiwaicho 1-chome, Chiyoda-ku, Tokyo, Japan, hereby certify that I am conversant with both the Japanese and the English languages, and that I have prepared the English translation attached hereto, which is a full, true and faithful translation of the claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application PCT/JP2010/054511 filed March 17, 2010 to the best of my knowledge and belief.

I further declare that all statements made in this declaration of my own knowledge are true and that all statements made on information and belief and believed to be true; and further, that these statements are 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 this application or any Patent issued thereon.

March 28, 2011
Date

Name: Noriyasu Ikeda

CLAIMS

1. A method of manufacturing a mask blank substrate for use in a photomask to be chucked on a mask stage of an exposure apparatus, comprising:

a step of preparing a substrate having a precision-polished main surface,

a step of measuring a before-chucking main surface shape in an actual measurement region of the main surface,

a step of obtaining, through simulation, an after-chucking main surface shape of the substrate when the photomask manufactured from the substrate is set in the exposure apparatus, based on the before-chucking main surface shape of the substrate and a shape of the mask stage,

a step of selecting the substrate in which the after-chucking main surface shape has a flatness of a first threshold value or less in a virtual calculation region thereof,

a step of performing correction for the selected substrate by calculating a first approximate curve approximate to a cross-sectional shape along a first direction in a correction region of the after-chucking main surface shape, calculating an approximate curved surface from the first approximate curve, and subtracting the approximate curved surface from the after-chucking main surface shape, thereby calculating an after-correction main surface shape, and

a step of selecting the substrate in which the after-correction main surface shape has a flatness of a second threshold value or less in the correction region.

2. The mask blank substrate manufacturing method according to claim 1, wherein the step of calculating the after-correction main surface shape performs correction by calculating a second approximate curve approximate to

a cross-sectional shape along a second direction perpendicular to the first direction, calculating an approximate curved surface from the second approximate curve, and subtracting the approximate curved surface, calculated from the second approximate curve, further from the after-chucking main surface shape having been subjected to the correction of subtracting the approximate curved surface calculated from the first approximate curve.

3. A method of manufacturing a mask blank substrate for use in a photomask to be chucked on a mask stage of an exposure apparatus, comprising a step of preparing a substrate having a precision-polished main surface, a step of measuring a before-chucking main surface shape in an actual measurement region of the main surface, a step of obtaining, through simulation, an after-chucking main surface shape of the substrate when the photomask manufactured from the substrate is set in the exposure apparatus, based on the before-chucking main surface shape of the substrate and a shape of the mask stage, a step of selecting the substrate in which the after-chucking main surface shape has a flatness of a first threshold value or less in a virtual calculation region thereof, a step of performing correction for the selected substrate by calculating a first approximate curve approximate to a cross-sectional shape along a first direction in a correction region of the after-chucking main surface shape, calculating a second approximate curve approximate to a cross-sectional shape along a second direction perpendicular to the first direction, calculating an approximate curved surface from the first approximate curve and the second approximate curve, and subtracting the approximate curved surface from the after-chucking main surface shape, thereby calculating an after-correction main surface shape, and a step of selecting the substrate in which the after-correction main surface shape has a flatness of a second threshold value or less in the correction region.

4. The mask blank substrate manufacturing method according to any

of claims 1 to 3, wherein the first approximate curve is a quadratic curve or a quartic curve.

5. The mask blank substrate manufacturing method according to any of claims 2 to 4, wherein the second approximate curve is a quadratic curve or a quartic curve.

6. The mask blank substrate manufacturing method according to any of claims 1 to 5, wherein the first threshold value is 0.32μm and the second threshold value is 0.16μm.

7. The mask blank substrate manufacturing method according to any of claims 1 to 5, wherein the first threshold value is 0.24μm and the second threshold value is 0.08μm.

8. The mask blank substrate manufacturing method according to any of claims 1 to 7, wherein the actual measurement region is a region including the virtual calculation region and the correction region and the virtual calculation region is a region including the correction region.

9. The mask blank substrate manufacturing method according to any of claims 1 to 8, wherein the virtual calculation region is a 142mm square region.

10. The mask blank substrate manufacturing method according to any of claims 1 to 9, wherein the correction region is a 132mm square region.

11. The mask blank substrate manufacturing method according to any of claims 1 to 10, comprising a step of selecting the substrate in which the before-chucking main surface shape has a flatness of 0.4μm or less in an actual calculation region thereof.

12. The mask blank substrate manufacturing method according to claim 11, wherein the actual calculation region is a region including the virtual calculation region and the correction region.

13. The mask blank substrate manufacturing method according to

claim 11, wherein the actual calculation region is a 142mm square region.

14. The mask blank substrate manufacturing method according to any of claims 1 to 13, wherein the exposure apparatus irradiates exposure light to the photomask through a slit which is movable in the first direction and extends in the second direction.

15. A method of manufacturing a mask blank, comprising forming a thin film on the main surface, on the side where the before-chucking main surface shape was measured, of the mask blank substrate obtained by the method according to any of claims 1 to 14.

16. A method of manufacturing a photomask, comprising forming a transfer pattern in the thin film of the mask blank obtained by the method according to claim 15.

17. A method of manufacturing a semiconductor device, comprising a step of chucking the photomask obtained by the method according to claim 16 on a mask stage of an exposure apparatus which is capable of performing main surface shape correction, and exposing and transferring the pattern of the photomask to a resist film of a wafer.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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13122872

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
~~13/121,172~~	03/25/2011	Hirohisa Tomita	92870-803947 (000600US)	6226

20350 7590 10/25/2011

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER	
ART UNIT	PAPER NUMBER
3724	

NOTIFICATION DATE	DELIVERY MODE
10/25/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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WG

October 24, 2011

In re application of Masaru Tanabe Serial No. 13/122,872 Filed: May 4, 2011 For: METHODS OF MANUFACTURING A MASK BLANK SUBSTRATE, A MASK BLANK, A PHOTOMASK, AND A SEMICONDUCTOR DEVICE	: : : : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed April 7, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	Not yet assigned	Filing date:	Herewith
First Named Inventor:	Yoko HAMANO		
Title of the Invention:	Improved Fluid Cooling		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/005030

The international date of the corresponding PCT application(s) is/are: 10 August 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	Not yet assigned
First Named Inventor:	Yoko HAMANO

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☑ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-24	1-24	Claims in US application are same as patentable claims in PCT application

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jon M. Isaacson/	Date April 6, 2011
Name (Print/Typed) Jon M. ISAACSON	Registration Number 60436

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/122,877	04/06/2011	Yoko Hamano	IDF-0018	3260

23377 7590 08/01/2011
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER	
ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
08/01/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eofficemonitor@woodcock.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA PA 19104-2891

In re Application of:
HAMANO, YOKO, et al
Serial No.: 13/122877
Filed: 04/06/2011
Attorney Docket No. : IDF-0018
Title: FLUID COOLING

: DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed April 6, 2011 to make the above-identified application special.

The request and petition are **dismissed**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the IPAU, JPO, EPO, KIPO, or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition met all conditions except Item #2 above.

The request to participate in the PPH program and petition failed to include a copy of the PCT allowed claims. Applicant asserts in the petition that a copy of allowable claims from the PCT application is attached. The record indicates, however, that the only claims submitted are those pending examination in the U.S. application, filed on April 6, 2011. Even assuming the applicant is correct in asserting that the U.S. application claims 1-24 are identical to the allowable PCT claims (which will satisfy Item #3), the applicant still needs to submit a copy of the allowable claims from the PCT application for review.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via EFS-Web.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **dismissed**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

DOCKET NO.: IDF-0018 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
HAMANO et al.
Application No.: 13/122877
Filing Date: April 6, 2011
For: FLUID COOLING

Confirmation No.: 3260

Group Art Unit: 3744
Examiner: Not yet assignment

FILED VIA EFS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF DECISION TO DISMISS ON A REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR § 1.102(a)

The request to participate in patent prosecution highway program ("Request") and petition to make special under 37 CFR § 1.102(a) ("Petition") of the above-identified application were dismissed in a decision dated August 1, 2011 ("Decision"). In the Decision, the examiner asserted that applicants' Request and Petition met all of the requirements to participate in the PPH program, except that the Request and Petition did not include a copy of the allowed claims from the PCT application. Decision, page 2. For the reasons that follow, applicants respectfully request reconsideration of the Decision.

On April 6, 2011, applicants filed a listing of claims 1-24 on pages 14-16 of the specification. Claims 1-24 that were filed on April 6, 2011, are the same claims that were filed, examined, and allowed in the PCT application. Thus, applicants submit that the copy of claims 1-24 that were filed on April 6, 2011, is a copy of the allowable claims from the PCT application.

On August 29, 2011, applicants' undersigned attorney and Examiner Yuen discussed the Decision in a telephonic interview. Applicants' undersigned attorney would like to thank the examiner for taking the time to discuss the Decision. During the interview, Examiner

Yuen indicated that the deficiencies in applicants' Request and Petition would be overcome by filing the present request for reconsideration of the Decision, including a statement that the copy of claims 1-24 that were filed on April 6, 2011, is a copy of the allowable claims from the PCT application. Inasmuch as applicants stated the same in the preceding paragraph, applicants submit that this request for reconsideration of the Decision should overcome any deficiencies in applicants' original Request and Petition.

Applicants believe that the present remarks are responsive to each of the points raised by the examiner in the Decision. Should the examiner have any questions or concerns that might be efficiently resolved by way of a telephonic interview, the examiner is invited to call applicants' undersigned attorney, Jon M. Isaacson, at **206-332-1102**.

Date: August 30, 2011

/Jon M. Isaacson/
Jon M. Isaacson
Registration No. 60,436

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/122,877	04/06/2011	Yoko Hamano	IDF-0018	3260

23377 7590 09/12/2011
WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA, PA 19104-2891

EXAMINER	
ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
09/12/2011	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):

eofficemonitor@woodcock.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WOODCOCK WASHBURN LLP
CIRA CENTRE, 12TH FLOOR
2929 ARCH STREET
PHILADELPHIA PA 19104-2891

In re Application of	:	
HAMANO, YOKO, et al	:	DECISION ON REQUEST TO
Application No. 13/122,877	:	PARTICIPATE IN PATENT
Filed: April 06, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. IFD-0018	:	PROGRAM AND PETITION
For: FLUID COOLING	:	TO MAKE SPECIAL UNDER
		37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 30, 2011 to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.
In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. Upon completion of pre-examination processing, this application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Cheryl Tyler, SPE of Art Unit 3744, and 571-272-4834 for Class 165 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/122,892	Filing date:	April 06, 2011
First Named Inventor:	Shunsuke YASUI		
Title of the Invention:	BATTERY MODULE AND BATTERY MODULE ASSEMBLY USING SAME		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/006740

The international date of the corresponding PCT application(s) is/are: December 10, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/122,892
First Named Inventor:	Shunsuke YASUI

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 6, 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 6, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	substantially the same
2	2	substantially the same
3	3	substantially the same
4	4	substantially the same
5	5	substantially the same
6	6	substantially the same
7	7	substantially the same
8	8	substantially the same
9	9	substantially the same
10	10	substantially the same
11	11	substantially the same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature AAMER S. AHMED 58,958	Date May 18, 2011
for Name (Print/Typed) Michael E. Fogarty	Registration Number 36,139

VERIFICATION OF TRANSLATION

I. the below named translator, hereby declare:

1. That my name and address are as stated below;

2. That I am a competent with the English and Japanese languages, and to the best of my knowledge and belief the translation of the Claims of PCT Application and the Written Opinion of the International Search Report (WOISA), in which the Claims of PCT Application were indicated as having novelty, inventive step and industrial applicability in the below-identified corresponding PCT Application: PCT/JP2009/006740, in a true and complete translation.

Full name of the translator: Hiroshi Fukuda

Signature of the translator: H. Fukuda

Address: c/o Panasonic Corporation,
Intellectual Property Rights Operations Company,
IP Solutions Center,
6F Osaka Business Park Panasonic Tower,
2-1-61, Shiromi, Chuo-ku, Osaka-shi,
Osaka, 540-6206 Japan

Date: March 8, 2011

PATENT COOPERATION TREATY

From THE JAPAN PATENT OFFICE

INTERNATIONAL SEARCHING AUTHORITY

To:
PANASONIC CORPORATION
Attn. Naito, Hiroki
1006, Oaza Kadoma
Kadoma-shi
Osaka 571-8501
JAPAN

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)* 16.03.2010
Applicant's or agent's file reference P055149P0	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/006740	10.12.2009	10.12.2008

International Patent Classification (IPC) Int. Cl. H01M2/10(2006.01)i, H01M2/12(2006.01)i, H01M2/20(2006.01)i

Applicant
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 or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Date of completion of this opinion	
05.03.2010	
Name and mailing address of the ISA/JP Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915 Japan	Authorized officer Taro Moriyasu Telephone No. 03-3581-1101 (3477)
	4X 9347

Form PCT/ISA/237 (cover sheet) (July 2009)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.
PCT/JP2009/006740

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the bases of:

a. format of material

☐ on paper

☐ in electronic form

b. time of filing/furnishing

☐ contained in the international application as filed

☐ filed together with the international application in electronic form

☐ furnished subsequently to this Authority for the purpose of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.
PCT/JP2009/006740

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations:

Literature 1: JP 2002-134078 A (TOYOTA MOTOR CORPORATION) 2002.05.10, [0010], [0013]-[0017], [Fig. 1], [Fig. 2]

Literature 2: EP 1450422 A1 (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 2004.08.25, [0027]-[0028], [0041]-[0043], Fig. 1, Fig. 3
& JP 2003-162993 A, [0040]-[0041], [0054]-[0056], [Fig. 1], [Fig. 3]
& US 2005/0079408 A1 & WO 03/047013 A1

Literature 3: JP 2008-117756 A (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 2008.05.22, [0037], [0050]-[0053], [Fig. 6]
& EP 2077592 A1, [0014], [0027]-[0030], FIG. 6 & WO 2008/044430 A1

Literature 4: JP 10-40881 A (YUASA CORPORATION) 1998.02.13, [0004]-[0005], [0010], [Fig. 1]

Claims 1 to 11
The invention written in claims 1 to 11 has novelty and inventive step because it is not disclosed in any literature cited in the International Search Report and is not obvious even for a skilled person in the art.

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

NAITO, Hiroki
c/o Panasonic Corporation, 1006, Oaza Kadoma,
Kadoma-shi, Osaka
5718501
JAPON

Date of mailing *(day/month/year)* 02 February 2010 (02.02.2010)	
Applicant's or agent's file reference P055149P0	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/006740	International filing date *(day/month/year)* 10 December 2009 (10.12.2009)
International publication date *(day/month/year)* **Not yet published**	Priority date *(day/month/year)* 10 December 2008 (10.12.2008)
Applicant PANASONIC CORPORATION et al	

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).

2. *(If applicable)* The **letters "NR"** appearing in the right-hand column denote **a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau** under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, **the attention of the applicant is directed** to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

3. *(If applicable)***An asterisk (*)** appearing next to a date of receipt, in the right-hand column, denotes **a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b)** (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
10 December 2008 (10.12.2008)	2008-314030	JP	28 January 2010 (28.01.2010)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Yoshiko Kuwahara
e-mail PT07.PCT@WIPO.INT
Telephone No. +41 22 338 74 07

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
内藤浩樹
様

あて名
〒571-8501
大阪府門真市大字門真１００６番地
パナソニック株式会社内

PCT

国際調査報告及び国際調査機関の見解書
又は国際調査報告を作成しない旨の決定
の送付の通知書
（法施行規則第41条）
〔ＰＣＴ規則44.1〕

出願人又は代理人 の書類記号　P055149P0	発送日 (日.月.年)　16.03.2010
	今後の手続きについては、下記1及び4を参照。
国際出願番号 ＰＣＴ／ＪＰ２００９／００６７４０	国際出願日 (日.月.年)　10.12.2009
出願人（氏名又は名称） パナソニック株式会社	

1．☑ 国際調査報告及び国際調査機関の見解書が作成されたこと、及びこの送付書とともに送付することを、出願人に通知する。
ＰＣＴ19条の規定に基づく補正書及び説明書の提出
出願人は、国際出願の請求の範囲を補正することができる（ＰＣＴ規則46参照）。
いつ　補正書の提出期間は、通常国際調査報告の送付の日から２月である。
どこへ　直接次の場所へ　The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: +41 22 338 82 70
詳細な手続については、添付用紙の備考を参照すること。

2．☐ 国際調査報告が作成されないこと、及び法第8条第2項（ＰＣＴ17条(2)(a)）の規定による国際調査報告を作成しない旨の決定及び国際調査機関の見解書をこの送付書とともに送付することを、出願人に通知する。

3．☐ 法施行規則第44条（ＰＣＴ規則40.2）に規定する追加手数料の納付に対する異議の申立てに関して、出願人に下記の点を通知する。
☐ 異議の申立てと当該異議についての決定を、その異議の申し立てと当該異議についての決定の両方を指定官庁へ送付することを求める出願人の請求とともに、国際事務局へ送付した。
☐ 当該異議についての決定は、まだ行われていない。決定されしだい出願人に通知する。

4．今後の手続：　出願人は次の点に注意すること。
優先日から１８月経過後、国際出願は国際事務局によりすみやかに国際公開される。出願人が公開の中止又は延期を望むときは、国際出願又は優先権の主張の取下げの通知がＰＣＴ規則90の2.1及び90の2.3にそれぞれ規定されているように、国際公開の事務的な準備が完了する前に国際事務局に到達しなければならない。
出願人は、国際調査機関の見解書に対して、非公式コメントを提出することができる。国際事務局は、国際予備審査報告が作成された場合又は作成される場合を除いて、このコメントをすべての指定官庁に送付する。これらのコメントは公開されるが、優先日から３０月が経過するまでは公開されない。
いくつかの指定官庁については、出願人が国内段階の開始を優先日から３０月まで（官庁によってはさらに遅くまで）延期することを望むときは、優先日から１９月以内に、国際予備審査の請求書が提出されなければならない。そうでなければ、出願人はそれらの指定官庁に対して優先日から２０月以内に、国内段階の開始のための所定の手続を取らなければならない。
その他の指定官庁については、１９月以内に国際予備審査の請求書が提出されない場合にも、３０月の（あるいはさらに遅い）期限が適用される。
様式ＰＣＴ／ＩＢ／３０１の付属書類を参照。個々の指定官庁で適用される期限の詳細については、ＰＣＴ出願人の手引、国内段階を参照。

名称及びあて名 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	権限のある職員　4X　9347 特　許　庁　長　官 電話番号　０３－３５８１－１１０１　内線　３４７７

様式ＰＣＴ／ＩＳＡ／２２０　（２００９年７月）　（添付用紙を参照）

注　　意

1．国際調査報告の発送日から起算する条約第19条（1）及び規則46.1に従う国際事務局への補正期間に注意してください。

2．条約22条（2）に規定する期間に注意してください。

3．法律又は契約等の制限により、国際調査報告に記載した非特許文献の写しの一部又は全てが送付されない場合があります。

4．文献の写しの請求について

国際調査報告に記載した文献の複写

特許庁にこれらの引用文献の写しを請求することもできますが、独立行政法人工業所有権情報・研修館（特許庁庁舎２階）で公報類の閲覧・複写および公報以外の文献複写等の取り扱いをしています。

〔担当及び照会先〕

〒１００－００１３　東京都千代田区霞が関３丁目４番３号（特許庁庁舎２階）

独立行政法人工業所有権情報・研修館

【公 報 類】　閲覧部　ＴＥＬ　03－3581－1101　内線3811～2

【公報以外】　資料部　ＴＥＬ　03－3581－1101　内線3831～3

注意　特許庁に対して文献の写しの請求をすることができる期間は、国際出願日から７年です。

様式ＰＣＴ／ＩＳＡ／２２０の備考

この備考は、ＰＣＴ19条の規定に基づく補正書の提出に関する基本的な指示を与えるためのものである。この備考は特許協力条約並びにこの条約に基づく規則及び実施細則の規定に基づいている。この備考とそれらの規定とが相違する場合には、後者が適用される。詳細な情報については、ＰＣＴ出願人の手引も参照すること。

ＰＣＴ19条の規定に基づく補正書の提出に関する指示

出願人は、国際調査報告及び国際調査機関の見解書を受領した後、国際出願の請求の範囲を補正する機会が一回ある。しかし、国際出願のすべての部分（請求の範囲、明細書及び図面）が、国際予備審査の手続においても補正できるもので、例えば出願人が仮保護のために補正書を公開することを希望する場合又は国際公開前に請求の範囲を補正する別の理由がある場合を除き、通常ＰＣＴ19条の規定に基づく補正書を提出する必要はないことを強調しておく。さらに、仮保護は一部の国のみで与えられるだけであることも強調しておく（ＰＣＴ出願人の手引、附録Ｂ参照）。

国際調査機関がＰＣＴ17条(2)の規定により国際調査報告を作成しない旨の決定をしたときは、ＰＣＴ19条の規定により請求の範囲を補正することができないことに、出願人は注意されたい（ＰＣＴ出願人の手引き、国際段階、第296段落参照）。

補正の対象となるもの

ＰＣＴ19条の規定により請求の範囲のみ補正することができる。
国際段階においてＰＣＴ34条の規定に基づく国際予備審査の手続きにおいて請求の範囲を（更に）補正することができる。
明細書及び図面は、ＰＣＴ34条の規定に基づく国際予備審査の手続においてのみ補正することができる。
国内段階に移行する際、ＰＣＴ28条（又はＰＣＴ41条）の規定により、国際出願のすべての部分を補正することができる。

いつ

国際調査報告の送付の日から２月又は優先日から１６月の内どちらか遅く満了するほうの期間内。しかし、その期間の満了後であっても国際公開の技術的な準備の完了前に国際事務局が補正を受領した場合には、その補正書は、期間内に受理されたものとみなすことを強調しておく（ＰＣＴ規則46.1）。

補正書を提出すべきところ

補正書は、国際事務局のみに提出でき、受理官庁又は国際調査機関には提出してはいけない（ＰＣＴ規則46.2）。
国際予備審査の請求書を提出した／する場合については、以下を参照すること。

どのように

１以上の請求の範囲の削除、１以上の新たな請求の範囲の追加、又は１以上の請求の範囲の記載の補正による。
すでに提出したすべての請求の範囲を差し替えるための完全な一式の請求の範囲を含む差し替え用紙を提出しなければならない。請求の範囲を削除する場合、その他の請求の範囲の番号を付け直す必要はない。請求の範囲の番号を付け直す場合には、アラビア数字で連続番号で付け直さなければならない（実施細則205号(a)）。
補正は国際公開の言語で行う。

補正書にどのような書類を添付しなければならないか

書簡（ＰＣＴ実施細則第205号(b)）

補正書には書簡を添付しなければならない。
書簡は国際出願及び補正された請求の範囲とともに公開されることはない。これを「ＰＣＴ19条(1)に規定する説明書」と混同してはならない（「ＰＣＴ19条(1)に規定する説明書」については、以下を参照）。
書簡は、英語又は仏語を選択しなければならない。ただし、国際出願の言語が英語の場合、書簡は英語で、仏語の場合、書簡は仏語で記載しなければならない。
書簡には、出願時の請求の範囲と補正された請求の範囲との相違について表示しなければならない。特に、国際出願に記載した各請求の範囲との関連で次の表示（２以上の請求の範囲についての同一の表示する場合は、まとめることができる。）をしなければならない。

(i) この請求の範囲は変更しない。
(ii) この請求の範囲は削除する。
(iii) この請求の範囲は追加である。
(iv) この請求の範囲は出願時の１以上の請求の範囲と差し替える。
(v) この請求の範囲は出願時の請求の範囲の分割の結果である。

様式ＰＣＴ／ＩＳＡ／２２０の備考（続き）

次に、添付する書簡中での、補正についての説明の例を示す。

1．［請求の範囲の一部の補正によって請求の範囲の項数が４８から５１になった場合］：
“請求の範囲１－２９、３１、３２、３４、３５、３７－４８項は、同じ番号のもとに補正された請求の範囲と置き換えられた。請求の範囲３０、３３及び３６項は変更なし。新たに請求の範囲４９－５１項が追加された。”
2．［請求の範囲の全部の補正によって請求の範囲の項数が１５から１１になった場合］：
“請求の範囲１－１５項は、補正された請求の範囲１－１１項に置き換えられた。”
3．［原請求の範囲の項数が１４で、補正が一部の請求の範囲の削除と新たな請求の範囲の追加を含む場合］：
“請求の範囲１－６及び１４項は変更なし。請求の範囲７－１３は削除。新たに請求の範囲１５、１６及び１７項を追加。”又は
“請求の範囲７－１３は削除。新たに請求の範囲１５、１６及び１７項を追加。その他の全ての請求の範囲は変更なし。”
4．［各種の補正がある場合］：
“請求の範囲１－１０項は変更なし。請求の範囲１１－１３、１８及び１９項は削除。請求の範囲１４、１５及び１６項は補正された請求の範囲１４項に置き換えられた。請求の範囲１７項は補正された請求の範囲１５、１６及び１７項に分割された。新たに請求の範囲２０及び２１項が追加された。”

“ＰＣＴ19条(1)の規定に基づく説明書”（ＰＣＴ規則46.4）

補正書には、補正並びにその補正が明細書及び図面に与える影響についての説明書を提出することができる（明細書及び図面はＰＣＴ19条(1)の規定に基づいては補正できない）。

説明書は、国際出願及び補正された請求の範囲とともに公開される。

説明書は、国際公開の言語で作成しなければならない。

説明書は、簡潔でなければならず、英語の場合又は英語に翻訳した場合に５００語を越えてはならない。

説明書は、出願時の請求の範囲と補正された請求の範囲との相違を示す書簡と混同してはならない。説明書を、その書簡に代えることはできない。説明書は別紙で提出しなければならず、見出しを付すものとし、その見出しは“ＰＣＴ19条(1)の規定に基づく説明書”の語句を用いることが望ましい。

説明書には、国際調査報告又は国際調査報告に列記された文献との関連性に関して、これらを誹謗する意見を記載してはならない。国際調査報告に列記された特定の請求の範囲に関連する文献についての言及は、当該請求の範囲の補正に関してのみ行うことができる。

国際予備審査の請求書が提出されている場合

ＰＣＴ19条の規定に基づく補正書及び添付する説明書の提出の時に国際予備審査の請求書が既に提出されている場合には、出願人は、補正書（及び説明書）を国際事務局に提出すると同時にその写し及び必要な場合、その翻訳文を国際予備審査機関にも提出することが望ましい（ＰＣＴ規則55.3(a)、62.2の第１文を参照）。詳細は国際予備審査請求書（ＰＣＴ／ＩＰＥＡ／４０１）の注意書参照。

国際予備審査の請求がされた場合は、国際予備審査機関が国際調査機関としては行動しておらず、ＰＣＴ規則66.1の2(b)の規定による国際事務局への通告がなされているという特定の場合を除いて、国際調査機関の見解書は国際予備審査機関の見解書とみなされる。国際予備審査の請求がされると、様式ＰＣＴ／ＩＳＡ２２０の送付日から３月又は優先日から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（ＰＣＴ規則43の2.1(c)）。

国内段階に移行するための国際出願の翻訳に関して

国内段階に移行する際、ＰＣＴ19条の規定に基づいて補正された請求の範囲の翻訳を出願時の請求の範囲の翻訳の代わりに又は追加して、指定官庁／選択官庁に提出しなければならないこともあるので、出願人は注意されたい。

指定官庁／選択官庁の詳細な要求については、ＰＣＴ出願人の手引きの国内段階を参照。

特許協力条約

PCT

国際調査報告

（法８条、法施行規則第40、41条）
〔ＰＣＴ18条、ＰＣＴ規則43、44〕

出願人又は代理人 の書類記号　P055149P0	今後の手続きについては、様式ＰＣＴ／ＩＳＡ／２２０ 及び下記５を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００９／００６７４０	国際出願日 (日.月.年)　１０．１２．２００９	優先日 (日.月.年)　１０．１２．２００８
出願人（氏名又は名称） パナソニック株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条（ＰＣＴ18条）の規定に従い出願人に送付する。
この写しは国際事務局にも送付される。

この国際調査報告は、全部で　3　ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

１．国際調査報告の基礎

ａ．言語に関し、この国際調査は以下のものに基づき行った。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

ｂ．☐ この国際調査報告は、ＰＣＴ規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則43.6の2(a)）。

ｃ．☐ この国際出願は、ヌクレオチド又はアミノ酸配列を含んでいる（第Ｉ欄参照）。

２．☐ 請求の範囲の一部の調査ができない（第Ⅱ欄参照）。

３．☐ 発明の単一性が欠如している（第Ⅲ欄参照）。

４．発明の名称は

☑ 出願人が提出したものを承認する。

☐ 次に示すように国際調査機関が作成した。

＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿

５．要約は

☑ 出願人が提出したものを承認する。

☐ 第Ⅳ欄に示されているように、法施行規則第47条第１項（ＰＣＴ規則38.2）の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から１月以内にこの国際調査機関に意見を提出することができる。

６．図面に関して

ａ．要約書とともに公表される図は、

第　2　図とする。

☑ 出願人が示したとおりである。

☐ 出願人は図を示さなかったので、国際調査機関が選択した。

☐ 本図は発明の特徴を一層よく表しているので、国際調査機関が選択した。

ｂ．☐ 要約とともに公表される図はない。

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２００９／００６７４０

A.　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　H01M2/10(2006.01)i, H01M2/12(2006.01)i, H01M2/20(2006.01)i

B.　調査を行った分野

調査を行った最小限資料（国際特許分類（ＩＰＣ））

Int.Cl.　H01M2/10, H01M2/12, H01M2/20

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１０年
日本国実用新案登録公報	１９９６－２０１０年
日本国登録実用新案公報	１９９４－２０１０年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

C.　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2002-134078 A（トヨタ自動車株式会社）2002.05.10, 【0010】, 【0013】-【0017】, 【図１】, 【図２】（ファミリーなし）	1-11
A	EP 1450422 A1 (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 2004.08.25, [0027]-[0028], [0041]-[0043], Fig.1, Fig.3 & JP 2003-162993 A, 【0040】-【0041】, 【0054】-【0056】, 【図１】, 【図３】& US 2005/0079408 A1 & WO 03/047013 A1	1-11

☑ Ｃ欄の続きにも文献が列挙されている。　☐ パテントファミリーに関する別紙を参照。

＊　引用文献のカテゴリー
「A」特に関連のある文献ではなく、一般的技術水準を示すもの
「E」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「L」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献（理由を付す）
「O」口頭による開示、使用、展示等に言及する文献
「P」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「T」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「X」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Y」特に関連のある文献であって、当該文献と他の１以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「&」同一パテントファミリー文献

国際調査を完了した日	国際調査報告の発送日
０５．０３．２０１０	１６．０３．２０１０

国際調査機関の名称及びあて先	特許庁審査官（権限のある職員）		
日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	守安　太郎	４Ｘ	９３４７
	電話番号　０３－３５８１－１１０１　内線　３４７７		

C（続き）．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2008-117756 A（松下電器産業株式会社）2008.05.22, 【0037】，【0050】－【0053】，【図6】 & EP 2077592 A1, [0014], [0027]-[0030], FIG.6 & WO 2008/044430 A1	1-11
A	JP 10-40881 A（株式会社ユアサコーポレーション）1998.02.13, 【0004】－【0005】，【0010】，【図1】（ファミリーなし）	1-11

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
内藤浩樹
様

あて名
〒571-8501
大阪府門真市大字門真１００６番地
パナソニック株式会社内

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

発送日 (日.月.年)	１６．０３．２０１０
出願人又は代理人 の書類記号　P055149P0	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／ＪＰ２００９／００６７４０	(日.月.年)　１０．１２．２００９	(日.月.年)　１０．１２．２００８

国際特許分類（ＩＰＣ）Int.Cl. H01M2/10(2006.01)i, H01M2/12(2006.01)i, H01M2/20(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
０５．０３．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	4X	9347
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	守安　太郎 電話番号　０３－３５８１－１１０１　内線　３４７７		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００９年７月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／００６７４０

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／JP2009／006740

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	1-11	有
	請求項		無
進歩性（IS）	請求項	1-11	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-11	有
	請求項		無

2. 文献及び説明

文献1：JP 2002-134078 A（トヨタ自動車株式会社）2002.05.10,
【0010】，【0013】-【0017】，【図1】，【図2】

文献2：EP 1450422 A1 (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 2004.08.25,
[0027]-[0028], [0041]-[0043], Fig.1, Fig.3
& JP 2003-162993 A, 【0040】-【0041】，【0054】-【0056】，【図1】，【図3】
& US 2005/0079408 A1 & WO 03/047013 A1

文献3：JP 2008-117756 A（松下電器産業株式会社）2008.05.22,
【0037】，【0050】-【0053】，【図6】
& EP 2077592 A1, [0014], [0027]-[0030], FIG.6 & WO 2008/044430 A1

文献4：JP 10-40881 A（株式会社ユアサコーポレーション）1998.02.13,
【0004】-【0005】，【0010】，【図1】

請求の範囲1-11
請求の範囲1-11に記載された発明は、国際調査報告に引用された何れの文献にも開示されておらず、かつ、当業者といえども自明のものではないので、新規性、進歩性を有する。

DESCRIPTION

BATTERY MODULE AND BATTERY MODULE ASSEMBLY USING SAME

TECHNICAL FIELD

The present invention relates to a battery module having a structure in which failure such as heat generation occurring in a battery cell does not affect other cells, and a battery module assembly using the battery module.

BACKGROUND ART

Recently, from the viewpoint of resource savings and energy savings, secondary batteries such as nickel hydrogen secondary battery, nickel cadmium secondary battery and lithium ion secondary battery, which can be used repeatedly, are increasingly demanded. Among them, the lithium ion secondary battery has light weight, high electromotive force, and large energy density. Therefore, demand for lithium ion secondary batteries is increased as driving power sources for various portable electronic apparatuses and mobile telecommunication apparatuses such as portable telephones, digital cameras, video cameras, notebook-sized personal computers and the like.

On the other hand, in order to reduce the amount of fossil fuel to be used and amount of CO_2 emissions, a battery pack as a power source for driving a motor of an automobile or the like is increasingly expected. The battery pack is configured by using a plurality of battery units each including one or more battery cells in order to obtain a desired voltage or capacity.

In a battery module, as the number of battery units to be mounted is increased, space for routing power lines and control wiring is required. This makes it difficult to reduce the size of the battery module.

Thus, a configuration of a battery unit is disclosed including a plurality of battery cells, in which connecting lines between the cells and wiring for detecting a voltage, a temperature, and the like, are connected by pattern wirings formed on a printed circuit board (see, for example, Patent Literature 1). Similarly, a power source device is disclosed in which a plurality of power source modules are stored in a holder case and connected to each other via an end plate (for example, Patent Literature 2). The end plate is provided with a power source lead and a sensor lead for connecting power source modules. This configuration can reduce connection failure and reduce the size of the power source device.

Furthermore, as the capacity of battery cells to be stored in a battery module is increased, each battery cell itself may generate heat to high temperatures depending on the mode of use. Therefore, in addition to the safety of the cell itself, the safety of the battery module combining a plurality of battery units each of which assembles the cells becomes more important. That is to say, in a cell, an internal pressure rises due to gas generated by overcharge, overdischarge, or internal short-circuit or external short-circuit, and occasionally, an external case of the cell may rupture. Therefore, in general, the cell is provided with a vent mechanism, a safety valve, or the like, for extracting gas, so that internal gas is released when unexpected circumstances occur. At this time, the exhausted gas may ignite, so that the gas may produce smoke, or, although rarely, catch fire.

Then, a power source device is disclosed in which a plurality of cells are stored in a battery chamber in a case, and an open part is provided in a

separation wall facing a safety valve of each cell (see, for example, Patent Literature 3). In this power source device, gas ejected from the cell at an abnormal state is exhausted from an exhaust port via the exhaust chamber.

However, in the battery modules described in Patent Literatures 1 and 2, when one cell abnormally generates heat and a safety valve works, an amount of heat of the cell that generates heat or the influence on the surrounding batteries by ignition to the ejected gas cannot be suppressed. Therefore, the battery units may be deteriorated one after another. In particular, a battery module in which battery units are mounted has a problem of how to suppress and minimize the expansion of the influence of the battery unit in an abnormal state to the surrounding battery units.

Furthermore, in the power source device disclosed in Patent Literature 3, an open part is provided in a separation wall of a case so as to face the safety valve of the battery, thereby exhausting the ejected gas to the outside so that the gas do not fill the battery chamber. However, similar to Patent Literatures 1 and 2, when one cell abnormally generates heat before the safety valve works, the surrounding cells are heated one after another by emission, radiation, or the like, of the heat of the cell that generates heat. Since the amount of heat generation is increased synergistically as the number of the cells stored in the battery chamber is increased, it is not possible to minimize the influence on the surrounding cells. Although a circuit board incorporated in resin is disclosed, connection to a cell, a control method and the like are neither disclosed nor suggested. Furthermore, since the circuit board is incorporated in resin, reduction in size of the battery module is limited.

[Citation List]

[Patent Literature]

Patent Literature 1: Japanese Patent Application Unexamined Publication No. 2000-208118

Patent Literature 2: Japanese Patent Application Unexamined Publication No. 2000-223166

Patent Literature 3: Japanese Patent Application Unexamined Publication No. 2007-27011

SUMMARY OF THE INVENTION

The present invention provides a battery module capable of reducing space for wiring and of minimizing the influence of abnormal heat generation of a battery cell with failure on the surrounding battery cells, and a battery module assembly using the battery module.

The battery module of the present invention includes a plurality of battery units, a housing, a wiring board, and a lid. Each of the battery units is composed of one or more battery cells each having a vent mechanism. At least one surface of the housing is an open end. The housing has a plurality of storage parts partitioned by one or more partition walls. Each battery unit is stored in each storage part. The wiring board covers the open end of the housing, is disposed at the vent mechanism side of the battery cells, and has a connection terminal connected to the battery units. The lid covers the open end of the housing and the wiring board, and has an open part. Through holes are provided in positions facing the battery units and in a different region from that of the connection terminals in the wiring board.

With this configuration, it is possible to store the battery unit in the storage part of the housing with at least the wiring board and the partition wall in a sealed state. Therefore, even if a battery unit is in an abnormal state, gas, which is ejected by opening of a vent mechanism of a cell, is not supplied with oxygen from the outside, and is exhausted to the outside of the battery module in a state of gas via the through hole of the wiring board.

Furthermore, since each battery unit is stored in a partitioned storage part in the housing, heat transfer to the surrounding battery units is suppressed and an influence of the heat can be minimized. Moreover, space necessary for routing power supply wiring, control wiring, or the like, can be considerably reduced by the wiring board. As a result, a battery module having a small size, high safety, and excellent reliability can be achieved.

The battery module assembly of the present invention has a configuration in which a plurality of the battery modules are combined at least one of in series and in parallel. With this configuration, depending on the intended use, a battery module assembly having any voltage or capacity can be achieved.

According to the present invention, a battery module capable of reducing space for wiring and of minimizing the influence of abnormal heat generation of a battery unit with failure on the surrounding battery units, and a battery module assembly using the battery module can be achieved.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a cross-sectional view of a battery cell stored in a battery unit in accordance with a first exemplary embodiment of the present invention.

Fig. 2A is an outline perspective view of a battery module in accordance with the first exemplary embodiment of the present invention.

Fig. 2B is a sectional view taken along line 2B-2B of Fig. 2A.

Fig. 2C is an enlarged sectional view of part 2C in Fig. 2B.

Fig. 3 is an exploded perspective view of the battery module in accordance with the first exemplary embodiment of the present invention.

Fig. 4 is a perspective view illustrating a structure of a lid of the battery module in accordance with the first exemplary embodiment of the

present invention.

Fig. 5A is a perspective view illustrating a wiring board of the battery module in accordance with the first exemplary embodiment of the present invention.

Fig. 5B is a sectional view taken along line 5B-5B of Fig. 5A.

Fig. 5C is a plan view of the wiring board shown in Fig. 5A.

Fig. 6A is a sectional view illustrating a state in which gas ejected when abnormal heat generation occurs in one battery unit is exhausted in the battery module in the first exemplary embodiment of the present invention.

Fig. 6B is an enlarged sectional view of part 6B of Fig. 6A.

Fig. 7A is a sectional view illustrating another example of a wiring board of a battery module in accordance with the first exemplary embodiment of the present invention.

Fig. 7B is an enlarged sectional view of part 7B of Fig. 7A.

Fig. 8 is an exploded perspective view illustrating another example of a battery module in accordance with the first exemplary embodiment of the present invention.

Fig. 9 is a perspective view illustrating another example of a lid in accordance with the first exemplary embodiment of the present invention.

Fig. 10 is an exploded perspective view illustrating another example of a housing in accordance with the first exemplary embodiment of the present invention.

Fig. 11A is an outline perspective view illustrating another example of a battery module in accordance with the first exemplary embodiment of the present invention.

Fig. 11B is a sectional view taken along line 11B-11B of Fig. 11A.

Fig. 12A is a sectional view of a battery module in accordance with a second exemplary embodiment of the present invention.

Fig. 12B is an enlarged sectional view of part 12B in Fig. 12A.

Fig. 13A is a sectional view illustrating another example of a wiring board of a battery module in accordance with the second exemplary embodiment of the present invention.

Fig. 13B is an enlarged sectional view of part 13B in Fig. 13A.

Fig. 14Ais a sectional view illustrating still another example of a wiring board of a battery module in accordance with the second exemplary embodiment of the present invention.

Fig. 14B is an enlarged sectional view of part 14B in Fig. 14A.

Fig. 15 is an exploded perspective view illustrating another example of a battery module in accordance with the second exemplary embodiment of the present invention.

Fig. 16A is an assembly perspective view of a battery module assembly in accordance with a third exemplary embodiment of the present invention.

Fig. 16B is an assembly perspective view of another example of a battery module assembly in accordance with the third exemplary embodiment of the present invention.

Fig. 17 is an exploded perspective view of still another example of a battery module assembly in accordance with the third exemplary embodiment of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Hereinafter, exemplary embodiments of the present invention are described with reference to drawings in which the same reference numerals

are given to the same components. Note here that the present invention is not limited to the contents mentioned below as long as it is based on the basic features described in this specification. Furthermore, in the below description, a non-aqueous electrolyte secondary battery such as a lithium ion battery (hereinafter, referred to as a "battery") is described as an example of a battery cell. However, the present invention is not limited to this example.

(FIRST EXEMPLARY EMBODIMENT)

Fig. 1 is a cross-sectional view of a battery cell constituting a battery unit in accordance with a first exemplary embodiment of the present invention. Hereinafter, even when a battery unit includes only one cell, it is referred to as a battery unit, but for convenience of description, it is also referred to as a battery cell.

As shown in Fig. 1, a cylindrical battery includes electrode group 4 formed of positive electrode 1, negative electrode 2 and separator 3. To positive electrode 1, positive electrode lead 8 made of, for example, aluminum is connected. Negative electrode 2 faces positive electrode 1. To one end of negative electrode 2, negative electrode lead 9 made of, for example, copper is connected. Separator 3 is interposed between positive electrode 1 and negative electrode 2. In this state, positive electrode 1, negative electrode 2 and separator 3 are wound to form electrode group 4.

On the top and bottom of electrode group 4, insulating plates 10A and 10B are placed. In this state, electrode group 4 is inserted into battery case 5. The other end of positive electrode lead 8 is welded to sealing plate 6, and the other end of negative electrode lead 9 is welded to the bottom of battery case 5. Furthermore, a non-aqueous electrolyte (not shown) conducting lithium ion is filled in battery case 5. An open end of battery

case 5 is caulked to positive electrode cap 16, current blocking member 18 such as a PTC element, and sealing plate 6 via gasket 7.

Vent mechanism 19 such as a safety valve is opened when failure occurs in electrode group 4. Positive electrode cap 16 is provided with vent hole 17 for extracting gas generated when vent mechanism 19 is opened.

Positive electrode 1 includes positive electrode current collector 1A and positive electrode layer 1B containing positive electrode active material. Positive electrode layer 1B includes a lithium-containing composite oxide such as $LiCoO_2$, $LiNiO_2$, and Li_2MnO_4 or a mixture or a composite compound thereof, as the positive electrode active material. Furthermore, positive electrode layer 1B further includes a conductive agent and a binder. Examples of the conductive agent include graphites such as natural graphites and artificial graphites; and carbon blacks such as acetylene black, Ketjen black, channel black, furnace black, lampblack, thermal black, and the like. Furthermore, examples of the binder include PVDF, polytetrafluoroethylene, polyethylene, polypropylene, aramid resin, polyamide, polyimide, and the like. As positive electrode current collector 1A, aluminum (Al), carbon (C), conductive resin, and the like, can be used.

As the non-aqueous electrolyte, an electrolyte solution obtained by dissolving a solute in an organic solvent, or a so-called a polymer electrolyte layer including the electrolyte solution and immobilized by a polymer can be used. Examples of the solute of the nonaqueous electrolyte may include $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiAlCl_4$, $LiSbF_6$, LiSCN, $LiCF_3SO_3$, $LiN(CF_3CO_2)$, $LiN(CF_3SO_2)_2$, and the like. Furthermore, examples of the organic solvent may include ethylene carbonate (EC), propylene carbonate, butylene carbonate, vinylene carbonate, dimethyl carbonate (DMC), diethyl carbonate, ethyl methyl carbonate (EMC), and the like.

Negative electrode 2 includes negative electrode current collector 11 and negative electrode layer 15 containing negative electrode active material. As negative current collector 11, a metal foil of, for example, stainless steel, nickel, copper, and titanium, and a thin film of carbon and conductive resin are used. As negative electrode layer 15, negative electrode active materials capable of reversibly absorbing and releasing lithium ions can be used. For example, carbon materials such as graphite, silicon (Si), tin (Sn), or the like having a theoretical capacity density of more than 833 mAh/cm^3, can be used.

Hereinafter, a battery module in accordance with this exemplary embodiment is described in detail with reference to Fig. 2A to Fig. 5. Fig. 2A is an outline perspective view of the battery module in accordance with this exemplary embodiment. Fig. 2B is a sectional view taken along line 2B-2B of Fig. 2A. Fig. 2C is an enlarged sectional view of part 2C in Fig. 2B. Fig. 3 is an exploded perspective view of the battery module in accordance with this exemplary embodiment. Fig. 4 is a perspective view illustrating a structure of a lid of the battery module in accordance with this exemplary embodiment. Fig. 5A is a perspective view illustrating a wiring board of the battery module in accordance with this exemplary embodiment. Fig. 5B is a sectional view taken along line 5B-5B of Fig. 5A. Fig. 5C is a plan view of Fig. 5A.

As shown in Fig. 2A and Fig. 3, battery module 100 includes housing 50, lid 20 and wiring board 30. Housing 50 is made of, for example, an insulating resin material such as polycarbonate resin. Lid 20 is fitted with housing 50. Inside this fitted body, a plurality of battery units 40 electrically connected to wiring board 30 are stored. For example, each battery unit 40 including one cell is stored in a sealed space formed by

storage part 54 of housing 50 and wiring board 30. Basically, each battery unit 40 communicates with the outside via through hole 36 formed in wiring board 30, which is described below in detail.

Hereinafter, with reference to the drawings, each component constituting battery module 100 is described. As shown in Fig.3, housing 50 has an open end on the side where housing 50 is fitted with lid 20. That is to say, one surface of housing 50 is an open end. Housing 50 includes a plurality of storage parts 54 for individually accommodating battery units 40 from the open end. That is to say, the inside of housing 50 is partitioned by partition walls 52. In a case that a cell as battery unit 40 has, for example, an outer diameter of 18 mm and height of 65 mm, the height of partition wall 52 is about 65 mm with the thickness of connection plate 34 of wiring board 30 mentioned below added.

Lid 20 covers the open end of housing 50 and wiring board 30. As shown in Fig. 4 showing lid 20 upside down, lid 20 includes exhaust chamber 24 formed by peripheral wall 22 and open part 26 provided in a part of peripheral wall 22.

Wiring board 30 covers the open end of housing 50 and disposed at a vent mechanism side of each battery unit 40. Furthermore, as shown in Figs. 5A to 5C, wiring board 30 formed of ,for example, a glass-epoxy substrate includes connection terminals 32, connection plates 34, through holes 36, and power supply wiring (power line: not shown) connecting at least neighboring connection terminal 32 and connection plate 34 to each other. That is to say, the power supply wiring connects battery units 40. Each of connection terminal 32 is connected to a first electrode (for example, a positive electrode) at the vent mechanism side of each battery unit 40. Each of connection plate 34 is connected to a second electrode (for example,

a negative electrode). Connection terminals 32 and connection plates 34 are formed of, for example, a nickel plate, a lead wire, or the like, and connected to the power supply wiring formed of, for example, copper foil via, for example, solder.

Each through hole 36 formed in wiring board 30 is provided in a position facing each battery unit 40 and in a different region from that of the connection terminals 32. As shown in Fig. 2C, each connection terminal 32 is provided such that it does not protrude from wiring board 30 in the thickness direction of wiring board 30, and electrically connected to a first electrode of each battery unit 40 by, for example, spot welding.

Thus, since battery units 40 can be connected to each other via wiring board 30, space necessary for routing power supply wiring, control wiring, or the like can be considerably reduced. Therefore, it is not necessary to provide a clearance space or a through hole in partition wall 52 of housing 50 forming storage part 54 for storing each battery unit 40. Consequently, each battery unit 40 can be stored in storage part 54 formed by partition walls 52 and wiring board 30 so as to be sealed. As a result, gas ejected from a battery unit in an abnormal state cannot enter the storage part of the neighboring battery unit. Therefore, even if the gas ignites and catches fire, entry of flame is prevented, and the influence thereof can be inhibited reliably.

Hereinafter, in battery module 100, an operation and an effect of battery module 100 when abnormal heat generation and the like occurs in one of battery units 40 are described with reference to Figs. 6A and 6B. Fig. 6A is a sectional view illustrating a state in which gas, which is ejected when abnormal heat generation occurs in one of battery units 40, is exhausted in battery module 100, and Fig. 6B is an enlarged sectional view

of part 6B of Fig. 6A.

As shown in Fig. 6B, when battery unit 40 abnormally generates heat and a pressure of gas generated in an outer case rises, a vent mechanism, for example, a safety valve works and the gas is ejected. The ejected gas is sprayed from vent hole 17 of positive electrode cap 16 into storage part 54 formed by wiring board 30 and partition walls 52 of housing 50.

As shown in Fig. 6A, gas 45 is exhausted from through hole 36 of wiring board 30 into exhaust chamber 24 of lid 20 without filling storage part 54. Gas 45 is finally exhausted from open part 26 provided in lid 20 to the outside of battery module 100.

When gas 45 is rapidly ejected from battery unit 40, the risk that gas 45 ignites and catches fire is generally increased. However, in battery module 100 having the above-mentioned configuration, an amount of oxygen in storage part 54 is limited, and oxygen is not supplied from the outside because storage part 54 is a sealed space. Therefore, the possibility that the gas ignites is extremely low, and the gas is exhausted from through hole 36 of wiring board 30 in a state of gas 45. Thus, since explosive expansion of gas 45 due to ignition does not occur, battery module 100 does not rupture at all. Furthermore, partition walls 52 of housing 50 can prevent heat of battery unit 40 that abnormally generates heat from being transferred to the neighboring battery unit. As a result, an influence of heat transfer from the storage part storing the battery unit that abnormally generates heat to a battery unit stored in another storage part can be considerably suppressed.

According to this exemplary embodiment, battery unit 40 can be stored in storage part 54 of housing 50 with at least wiring board 30 and

partition walls 52 in a sealed state. Therefore, since gas 45 ejected when battery unit 40 is in an abnormal state is not supplied with oxygen from the outside, it can be exhausted to the outside of battery module 100 in a state of gas from through hole 36 of wiring board 30. Therefore, it is possible to achieve a battery module having an excellent safety in which fire or smoke due to ignition of gas 45 do not occur.

Furthermore, since each battery unit 40 is stored in storage part 54 partitioned by partition walls 52 in housing 50, an amount of heat transferred to the surrounding battery units is suppressed, thus enabling the influence thereof to be minimized. In addition, space necessary for routing power supply wiring, control wiring, or the like, can be considerably reduced by wiring board 30. As a result, a battery module having a smaller size, higher safety and an excellent reliability can be achieved.

This exemplary embodiment describes a glass-epoxy substrate as an example of wiring board 30, but not limited to this. For example, as shown in a sectional view of Fig. 7A, wiring board 60 composed of flexible substrate 62 and reinforcing member 64 supporting flexible substrate 62 may be used. Flexible substrate 62 is configured by sandwiching power supply wiring (not shown) and/or control wiring (not shown) made of, for example, copper foil by polyimide resin, polyethylene terephthalate resin (PET), or the like. Reinforcing member 64 is attached to flexible substrate 62.

As shown in Fig. 7B, wiring board 60 has connection terminals 32 each connected to a first electrode of battery unit 40. It is preferable that connection terminal 32 is formed in state in which, for example, a nickel plate is exposed taking spot welding or the like into consideration.

As reinforcing member 64, polyphenylene sulfide (PPS) resin, polycarbonate (PC) resin, polyether ether ketone (PEEK) resin, phenol resin,

UNILATE, glass epoxy resin, ceramic, and the like can be used. Note here that the above-mentioned resin may contain filler such as carbon fiber and glass fiber. Furthermore, as wiring board 60, a bus bar and the like may be formed in the same material as that of reinforcing member 64 by insert molding. Thus, it is possible to enhance the mechanical strength of wiring board 60, and to improve deformation resistance or heat resistance of wiring board 60 with respect to the pressure of the ejected gas. Therefore, it is possible to enhance the reliability and safety. In this way, use of flexible substrate 62 enhances the workability and facilitates handling, and reinforcement of flexible substrate 62 with reinforcing member 64 improves the sealing degree of storage part 54.

Furthermore, this exemplary embodiment describes an example of a structure in which housing 50 and lid 20 are fitted with each other, and thereby peripheral wall 22 of lid 20 and partition walls 52 of housing 50 hold wiring board 30. However, the present invention is not limited to this. For example, as shown in a battery module shown in an exploded perspective view of Fig. 8, supporting member 65 supporting wiring board 30 may be interposed between lid 20 and wiring board 30. Supporting member 65 includes at least outer peripheral frame 66 supporting the outer peripheral part of wiring board 30 and supporting parts 68 provided in positions facing partition walls 52 of housing 50. In a case that supporting part 68 of supporting member 65 makes space in exhaust chamber 24 of lid 20 small, a part of supporting part 68 may be provided with a concave portion or a hole so as to communicate with open part 26 of lid 20. Thus, with partition walls 52 of housing 50 and supporting parts 68 of supporting member 65, wiring board 30 can be reliably fixed. Therefore, deformation of wiring board 30 on one of partition walls 52 between neighboring storage

parts 54 due to the pressure of the ejected gas can be suppressed. As a result, the sealing degree of storage part 54 is improved, thus suppressing the entry of heat or gas into the neighboring battery units 40 more efficiently. Thus, it is possible to achieve a battery module with further improved reliability and safety.

Alternatively, instead of providing supporting member 65, as shown in Fig. 9, rib parts 28 each having opening hole 28A may be provided in positions of exhaust chamber 24 of lid 20 facing partition walls 52 of housing 50. Thus, partition walls 52 of housing 50 and rib parts 28 of lid 20 can fix wiring board 30, and the battery module can be made smaller or thinner. Furthermore, rib parts 28 of lid 20 and partition walls 52 of housing 50 sandwich wiring board 30 reliably, and thus the sealing degree of each storage part 54 storing each battery unit 40 can be further improved.

Furthermore, this exemplary embodiment describes an example in which power supply wiring is formed on wiring board 30. However, the present invention is not limited to this. For example, voltage detection wiring for detecting a voltage of each battery unit 40 and temperature detection wiring for detecting a temperature of each battery unit 40 may be provided on wiring board 30. In such a case, a temperature detector such as a thermistor is connected to the temperature detection wiring, and each of such temperature detectors can be brought into contact with each battery unit 40 to detect a temperature. Thus, voltages and temperatures of a plurality of battery units 40 can be detected and controlled individually. As a result, since the voltages and temperatures can be controlled by taking property variation or change over time of battery units 40 into consideration, reliability and safety can be further enhanced. Note here that since a large amount of electric current flows in the power supply wiring, it is necessary

to reduce electric loss due to wiring resistance. However, voltage detection wiring and the temperature detection wiring can carry out detection with a small amount of electric current. Therefore, the pattern width of the voltage detection wiring or the temperature detection wiring on wiring board 30 can be considerably narrow as compared with the pattern width of the power supply wiring. As a result, the power supply wiring and a plurality of pairs of the voltage detection wiring and the temperature detection wiring can be disposed efficiently to form wiring board 30. Therefore, space necessary for wiring can be reduced considerably.

Furthermore, this exemplary embodiment describes an example in which the open end is provided on one side of housing 50. However, the present invention is not limited to this. For example, as shown in Fig. 10, housing 50 may have a configuration including frame body 50A having open ends on the facing surfaces and a plurality of storage parts, and closing member 50B for closing one of the open ends. This makes it possible to achieve a battery module having improved assembly property and workability such as connection between battery units 40 and wiring board 30, and thus having excellent productivity.

Furthermore, this exemplary embodiment describes an example in which a plurality of battery units 40 are disposed with vent mechanisms aligned in the same direction. However, the present invention is not limited to this. Fig. 11A is an outline perspective view illustrating another example of a battery module in this exemplary embodiment, and Fig. 11B is a sectional view taken along line 11B-11B of Fig. 11A. In this way, battery units 40 may be stored with the vent mechanisms disposed in the different directions.

As shown in Fig. 11B, in battery module 150, a plurality of battery

units 40, in which the vent mechanisms are disposed alternately, are connected to wiring boards 30A and 30B each other. Then, lids 20A and 20B are fitted with housing 55, and battery units 40 are stored in storage parts 54 of housing 55. Through holes 36A and 36B are respectively provided in wiring boards 30A and 30B in a region which is different from that of connection terminals connected to the vent mechanism side of each battery unit 40 and which faces storage part 54. Also in this case, the same effect as mentioned above can be obtained. Furthermore, connection plate 34 can be eliminated, and connection to a plurality of battery units 40 is easy. Thus, assembly property and workability are considerably improved. This is because unlike battery module 100, it is not necessary that a plurality of battery units 40 and wiring board 30 are connected to each other and then stored in housing 50. That is to say, for example, connection terminal 32 and battery unit 40 can be simultaneously connected, in a state in which battery units 40 are stored in housing 55 and battery units 40 are sandwiched between wiring boards 30A and 30B.

(SECOND EXEMPLARY EMBODIMENT)

Fig. 12A is a sectional view of a battery module in accordance with a second exemplary embodiment of the present invention. Fig. 12B is an enlarged sectional view of part 12B in Fig. 12A. Note here that Fig. 12A is a sectional view of a battery module, which corresponds to the sectional view taken along line 2B-2B of Fig. 2A.

As shown in Fig. 12A, connection terminals 72 having a predetermined shape protrude from wiring board 70 in battery module 200. A predetermined space is provided between wiring board 70 and a first electrode at the vent mechanism side of each battery unit 40. Battery module 200 is different from battery module 100 of the first exemplary

embodiment in these points. Note here that since components other than wiring board 70 are the same as those of the first exemplary embodiment, the description thereof is omitted.

Wiring board 70 formed of, for example, a glass-epoxy substrate includes connection terminals 72, connection plates (not shown), through holes 76, and power supply wiring (power line: not shown) connecting between at least neighboring connection terminal 72 and the connection plate to each other. Connection terminal 72 is connected to a first electrode (for example, a positive electrode) at the vent mechanism side of battery unit 40. The connection plate is connected to a second electrode (for example, a negative electrode). Each through hole 76 is provided in a position facing each battery unit 40 and in a different region from that of the connection terminals 72.

Connection terminal 72 has a C-shaped cross-section having a bottom surface as shown in Fig. 12B, and a bottom surface portion protrudes toward battery unit 40 from wiring board 70 with a predetermined space (corresponding to T in the drawing) in the thickness direction of wiring board 70. Then, a first electrode of battery unit 40 and the bottom surface portion of connection terminal 72 are electrically connected to each other by, for example, spot welding. Connection terminal 72 is formed by pressing a nickel plate.

Also in this configuration, gas ejected from a battery unit in an abnormal state cannot enter a storage part of an adjacent battery unit. Therefore, if the gas ignites and catches fire, entry of flame is prevented, and the influence thereof can be inhibited reliably. In particular, as described in detail in the below-mentioned another example of the battery module, in a case that a battery unit including a plurality of battery cells is

stored in storage part 54 of housing 50, the effect is large. This is because even if a cell that is not disposed in the vicinity of through hole 76 of wiring board 70 is in an abnormal state, space in which the gas ejected from a vent hole of this cell is exhausted can be secured by the predetermined space of connection terminal 72, the gas can be exhausted from through hole 76 easily. As can be understood, space T may be appropriately adjusted according to an amount of gas to be emitted from battery unit 40. A hole may be formed on, for example, the side surface of a folding portion of connection terminal 72, so that the hole has the same function as through hole 76. Thus, exhausting efficiency of gas can be improved.

According to this exemplary embodiment, the same effect as that of the first exemplary embodiment can be obtained. Furthermore, by providing a predetermined space between wiring board 70 and battery unit 40 by connection terminals 72, exhaust resistance of gas to be ejected can be reduced and the gas can be exhausted efficiently and reliably. Furthermore, with a simple structure in which connection terminal 72 is allowed to protrude from wiring board 70, the predetermined spaces between wiring board 70 and battery units 40 can be formed uniformly.

This exemplary embodiment describes an example of connection terminal 72 having a C-shaped cross-section. However, the present invention is not limited to this example. For example, as shown in Figs. 13A and 13B, a predetermined space may be provided between wiring board 70A and each battery unit 40 by providing connection terminal 72 having an L-shaped cross-section. Furthermore, the shape of the connection terminal is not limited to the above-mentioned shapes, and any shapes can be employed as long as they can secure a predetermined space and can be subjected to, for example, spot welding.

Furthermore, as shown in Figs. 14A and 14B, for example, wiring board 70B may be formed by attaching flexible substrate 73 and reinforcing member 74 to each other. In this case, the same effect can be obtained as that in the first exemplary embodiment described with reference to Fig. 7.

Next, another example of a battery module in this exemplary embodiment is described with reference to Fig. 15. Fig. 15 is an exploded perspective view illustrating another example of a battery module in accordance with the second exemplary embodiment of the present invention.

In battery module 300, battery units 340 each including, for example, three cells connected in parallel are used. Then, each battery unit 340 is stored in storage part 354 partitioned by partition walls 352 of housing 350. Battery module 300 is different from battery module 200 in this point.

More specifically, firstly, the vent mechanism sides of three cells are aligned, and first electrodes of the three cells are connected to each other and second electrodes are connected to each other to form battery unit 340. Then, a first electrode of each battery unit 340 is connected to connection terminal 332 of wiring board 330, and a second electrode is connected to a connection plate (not shown). Then, battery units 340 are stored in storage part 354 of housing 350. Similar to the configuration described with reference to Fig. 12B, connection terminals 332 of wiring board 330 protrude from wiring board 330 so that a predetermined space is formed. Connection terminal 332 is connected to a first electrode of one cell constituting battery unit 340 by, for example, spot welding. Furthermore, at least one through hole 336 is provided in wiring board 330, in position which is a different region from that of the connection terminals 332 and which is in, for example, a position facing the vent mechanism part of the other batteries of battery unit 340. Note here that, in wiring board 330, it

is preferable that an opening portion is provided in the periphery of the position on which connection terminal 332 is formed.

Thus, in battery unit 340 including a plurality of battery cells, even if at least one cell is in an abnormal state and ejects gas, the gas can be reliably exhausted from through hole 336 efficiently. Furthermore, for example, by providing an open part around the peripheral portion (periphery) by using connection terminal 332 having a C-shaped cross-section, gas can be exhausted more efficiently.

This exemplary embodiment describes an example in which a battery unit is configured by using three cells. However, the present invention is not limited to this example. For example, according to the required electric capacity, three or more cells may be connected in parallel to form a battery unit. At this time, it is preferable that a plurality of through holes 336 are provided in wiring board 330 as the number of batteries to constitute the battery unit is increased.

(THIRD EXEMPLARY EMBODIMENT)

Figs. 16A and 16B are assembly perspective views showing a battery module assembly in accordance with a third exemplary embodiment of the present invention. Battery module assembly 400 shown in Fig. 16A has a configuration in which four battery modules 100 described in the first exemplary embodiment are arranged and connected by connection member 450. Furthermore, battery module assembly 500 shown in Fig. 16B has a configuration in which two units including two battery modules 100, which is described in the first exemplary embodiment, are piled in two stages longitudinally, and connected by connection member 550. Battery modules 100 are connected in parallel or in series, or combination thereof via connection member 450 or 550.

According to this exemplary embodiment, depending upon the applications of use, highly versatile battery module assemblies 400 and 500 having arrangement space and necessary voltage and capacity can be configured by arbitrarily combining battery modules 100. Note here that instead of battery module 100, any of battery modules 150, 200, and 300, which are described in the first and second exemplary embodiments, may be used.

Next, another example of a battery module assembly is described with reference to Fig. 17. Fig. 17 is an exploded perspective view of another example of a battery module assembly in accordance with this exemplary embodiment. The configuration of battery module assembly 600 is different from that of battery module 300 shown in Fig. 15 in that a plurality of battery units 640 are integrally stored in two-dimensional arrangement.

That is to say, battery module assembly 600 includes housing 650, a plurality of battery units 640, wiring boards 630 and lid 620. Housing 650 includes a plurality of storage parts 654 partitioned by partition walls 652 two-dimensionally in the first direction and the second direction. Battery units 640 are stored in storage parts 654, respectively. Wiring board 630 connects a group of battery units 640 disposed along the first direction among battery units 640 in single-dimensional arrangement. Lid 620 is fitted with housing 650 in which battery units 640 are stored in a sealed state.

Wiring boards 630 are connected in parallel or in series or combination thereof by ECU (Electric Control Unit) 660. That is to say, ECU 660 is a connection member for connecting wiring boards 630. As described above, battery module assembly 600 can be regarded as a battery

module in which battery units 640 are arranged two-dimensionally and they are connected by using a plurality of wiring boards 630 and ECU 660.

Wiring board 630 can detect and control temperatures and/or voltages of the battery cells, and can transmit/receive such information to/from the external apparatus. Lid 620 is provided with an exhaust chamber (not shown) and an open part (not shown) for exhausting the ejected gas such that they correspond to, for example, each wiring board 630. This configuration is similar to the configuration of 22 shown in Fig. 4. Furthermore, ribs may be provided on the rear side of lid 620 such that battery modules connected by each wiring board 630 are partitioned. Furthermore, in wiring board 630, one or more through holes 636 are provided corresponding to the vent mechanism parts of battery units 640.

In this configuration, by using an integrated housing 650, further smaller battery module assembly 600 can be achieved.

Note here that in the exemplary embodiments, a control circuit for detecting and controlling charge and discharge of the battery module, a temperature, or a voltage are not particularly described. However, it is needless to say that a control circuit may be provided in the outside or inside of the battery module.

Furthermore, each exemplary embodiment describes an example of a cylindrical cell as a battery unit. However, the present invention is not limited to this. For example, a rectangular cell may be employed. Furthermore, a cell having a positive electrode terminal, a negative electrode terminal and a vent mechanism at the same side may be employed. Thus, assembly property or workability of each battery unit and a wiring board are considerably improved. Furthermore, a configuration specific to each exemplary embodiment may be combined as possible.

INDUSTRIAL APPLICABILITY

The present invention is useful as a battery module and a battery module assembly, which require high reliability and high safety in, for example, automobiles, bicycles, machine tools, and the like.

REFERENCE MARKS IN THE DRAWINGS

1 positive electrode

1A positive electrode current collector

1B positive electrode layer

2 negative electrode

3 separator

4 electrode group

5 battery case

6 sealing plate

7 gasket

8 positive electrode lead

9 negative electrode lead

10A, 10B insulating plate

11 negative electrode current collector

15 negative electrode layer

16 positive electrode cap

17 vent hole

18 current blocking member

19 vent mechanism

20, 20A, 20B, 620 lid

22 peripheral wall

24 exhaust chamber

26 open part

28 rib part

28A opening hole

30, 30A, 30B, 60, 70, 70A, 70B, 330, 630, 60, 70, 70A, 70B, 330, 630 wiring board

32, 72, 72A, 332 connection terminal

34 connection plate

36, 36A, 36B, 76, 336, 636 through hole

40, 340, 640 battery unit

45 gas

50, 55, 350, 650 housing

50A frame body

50B closing member

52, 352, 652 partition wall

54, 354, 654 storage part

62, 73 flexible substrate

64, 74 reinforcing member

65 supporting member

66 outer peripheral frame

68 supporting part

100, 150, 200, 300 battery module

400, 500, 600 battery module assembly

450, 550 connection member

660 ECU (connection member)

CLAIMS

1. A battery module comprising:

a plurality of battery units each including one or more cells each having a vent mechanism;

a housing having an open end on at least one surface and having a plurality of storage parts partitioned by one or more partition walls, each of the storage parts storing each of the battery units;

a wiring board covering the open end of the housing, being disposed at the vent mechanism side of the cell, and having connection terminals to be connected to the battery units; and

a lid covering the open end of the housing and the wiring board, and having an open part,

wherein through holes are provided in the wiring board in positions facing the battery units and in a different region from that of the connection terminals.

2. The battery module according to claim 1,

wherein the battery units and the wiring board are provided with a predetermined space therebetween.

3. The battery module according to claim 2,

wherein the predetermined space is formed by allowing the connection terminals to protrude from the wiring board toward the battery units.

4. The battery module according to claim 3,

wherein each of the connection terminal is provided with a hole.

5. The battery module according to claim 1,

wherein a rib part is provided on the lid in a position facing each of the partition wall of the housing.

6. The battery module according to claim 1,

wherein the wiring board includes a flexible substrate and a reinforcing member supporting the flexible substrate.

7. The battery module according to claim 1,

further comprising a supporting member provided between the lid and the wiring board, and the supporting member supporting the wiring board.

8. The battery module according to claim 1,

further comprising temperature detectors each capable of detecting a temperature of corresponding one of the battery units,

wherein the wiring board comprises:

power supply wiring connecting battery units, and

a plurality of pairs of temperature detection wiring and voltage detection wiring, and

wherein each of the temperature detection wirings is connected to each of the temperature detectors, and each of the voltage detection wirings is used for detecting a voltage of each of the battery units.

9. The battery module according to claim 1,

wherein the housing comprises a frame body having open ends on two surfaces facing each other; and

a closing member closing one of the open ends of the frame body.

10. The battery module according to claim 1,

wherein the storage parts are disposed in the housing two-dimensionally in a first direction and a second direction,

the wiring board is one of a plurality of wiring boards,

each of the plurality of wiring boards one-dimensionally connects a pair of battery units disposed along the first direction among the battery units stored in the storage parts, and,

a connection member connecting the plurality of wiring boards is further provided.

11. A battery module assembly comprising:

a plurality of the battery modules according to claims 1; and

a connection member connecting the battery modules at least one of in series and in parallel.

ABSTRACT

The battery module includes a plurality of battery units, a housing, a wiring board, and a lid. The battery unit is composed of one or more battery cells each having a vent mechanism. At least one surface of the housing is an open end. The housing has a plurality of storage parts partitioned by one or more partition walls. Each battery unit is stored in each storage part. The wiring board covers the open end of the housing, is disposed at the vent mechanism side of the cell, and has connection terminals connected to the battery units. The lid covers the open end of the housing and the wiring board, and has an open part. Through holes are provided on the wiring board in positions facing the battery units and in a different region from that of the connection terminals.

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(71) 出願人 (米国を除く全ての指定国について): パナソニック株式会社 (PANASONIC CORPORATION) [JP/JP]; 〒5718501 大阪府門真市大字門真１００６番地 Osaka (JP).

(72) 発明者; および

(75) 発明者/出願人 (米国についてのみ): 安井俊介 (YASUI, Shunsuke). 中嶋琢也 (NAKASHIMA, Takuya). 平川靖 (HIRAKAWA, Yasushi). 朝倉淳 (ASAKURA, Jun).

(74) 代理人: 内藤浩樹, 外 (NAITO, Hiroki et al.); 〒5718501 大阪府門真市大字門真１００６番地パナソニック株式会社内 Osaka (JP).

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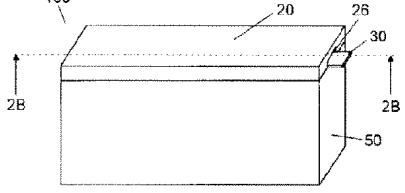
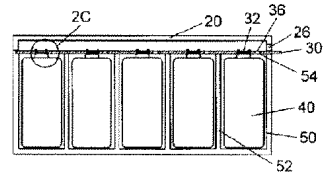
(54) **Title**: BATTERY MODULE AND BATTERY MODULE ASSEMBLY USING SAME

(54) 発明の名称 : 電池モジュールとそれを用いた電池モジュール集合体

[図2A]



[図2B]



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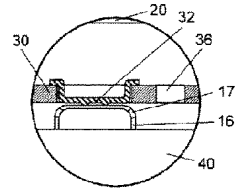

(57) **Abstract**: A battery module comprises multiple battery units, a case, a wiring substrate, and a lid. The battery units are configured with one or more single batteries having a vent mechanism. At least one face of the case is an open end, and the case has multiple storage spaces which are portioned by partition walls, with each battery unit stored in each storage space. The wiring substrate covers the open end of the case and has a connection terminal that is disposed at the vent mechanism side of the single batteries and is connected to the battery units. The lid covers the open end of the case and the wiring substrate, and is provided with an aperture part. A through-hole is provided at a position where the wiring substrate faces the battery units and is provided in a different area than that of the connection terminals.

(57) 要約: 電池モジュールは複数の電池ユニットと、筐体と、配線基板と、蓋体とを有する。電池ユニットはベント機構を有する単電池の１つ以上で構成されている。筐体の少なくとも一面は開口端であり、筐体は隔壁で仕切られた複数の収納部を有し、収納部のそれぞれに各電池ユニットが収納される。配線基板は筐体の開口端を覆うとともに、単電池のベント機構側に配置され、電池ユニットと接続される接続端子を有する。蓋体は筐体の開口端と配線基板とを覆うとともに、開口部が設けられている。配線基板の、電池ユニットに対面する位置で、かつ接続端子と異なる領域には貫通孔が設けられている。

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CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

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明　細　書

発明の名称 ：

電池モジュールとそれを用いた電池モジュール集合体

技術分野

[0001] 本発明は、単電池に発熱などの不具合を生じても他の電池に影響を与えない構造を有する電池モジュールとそれを用いた電池モジュール集合体に関する。

背景技術

[0002] 近年、省資源や省エネルギーの観点から、繰り返し使用できるニッケル水素、ニッケルカドミウムやリチウムイオンなどの二次電池への需要が高まっている。中でもリチウムイオン二次電池は、軽量で起電力が高く、高エネルギー密度を有する。そのため、携帯電話やデジタルカメラ、ビデオカメラ、ノート型パソコンなどの様々な携帯型電子機器や移動体通信機器の駆動用電源として、需要が拡大している。

[0003] 一方、化石燃料の使用量の低減やCO_2の排出量を削減するために、自動車などのモータ駆動用の電源として、電池パックへの期待が大きくなっている。電池パックは、所望の電圧や容量を得るために、１つ以上の電池からなる電池ユニットを複数個用いて構成されている。

[0004] 電池モジュールにおいて、搭載する電池ユニットの数が増加するにしたがって、電源線や制御用の配線を引き回すための空間が必要となる。そのため、電池モジュールを小型化しにくい。

[0005] そこで、複数の単電池で構成された電池ユニットにおいて、各単電池間の接続線や電圧や温度などを検出する配線をプリント基板に形成したパターン配線で接続する構成が開示されている（例えば、特許文献１参照）。同様に、複数の電源モジュールをホルダーケースに収納し、エンドプレートを介して連結する電源装置が開示されている（例えば、特許文献２参照）。そして、エンドプレートに、各電源モジュール間を接続するセンサーリードや電源

リードが設けられている。この構成により、接続不良が低減されるとともに電源装置を小型化できる。

[0006] また、電池モジュールに収納する電池の高容量化が進むに伴って、利用の形態によっては、単電池自身が発熱して高温になる場合がある。そのため、単電池自体の安全性とともに、それらを集合した複数の電池ユニットを組み合わせた電池モジュールにおける安全性がより重要となる。すなわち、単電池は、過充電、過放電あるいは内部短絡や外部短絡により発生するガスで内圧の上昇を生じ、場合によっては、単電池の外装ケースが破裂する可能性がある。そこで、一般に、単電池には、ガス抜きのためのベント機構や安全弁などが設けられ、不測の事態になれば内部のガスを放出するよう構成されている。このとき、排出されるガスへの引火などにより発煙や、まれに発火を生じる場合がある。

[0007] そこで、複数の単電池をケース内の電池室に収納し、各単電池の安全弁と対向する区画壁に開口部を設けた電源装置が開示されている（例えば、特許文献３参照）。この電源装置では、異常状態時に単電池から噴射されるガスが、排気室を介して排出口から排出される。

[0008] しかしながら、特許文献１および特許文献２に示す電池モジュールでは、１個の単電池が異常に発熱し安全弁が作動した場合、発熱した単電池の熱量や噴出するガスへの引火による周囲電池への影響を抑制できない。そのため連鎖的に各電池ユニットが劣化する可能性がある。特に、複数の電池ユニットを搭載する電池モジュールにおいては、異常を生じた電池ユニットの影響を、いかに周囲の電池ユニットへの拡大を抑制して最小限に影響を留めるかが課題である。

[0009] また、特許文献３に示す電源装置では、ケースの区画壁に電池の安全弁に対向して開口部を設け、噴出したガスを電池室内に充満させず外部に排出する。しかし、特許文献１および特許文献２と同様に、安全弁が作動するまで１個の単電池が異常に発熱した場合、発熱した単電池の熱が放射や輻射などにより周囲の単電池を連鎖的に加熱する。電池室内に収納される単電池の数

が増加するほど相乗的に発熱量が増大するため、周囲の単電池への影響を最小限に抑制できない。また、樹脂中に内蔵された回路基板が開示されているが、単電池との接続や制御方法などは、何ら開示も示唆もされていない。さらに、回路基板を樹脂に内蔵するため、電池モジュールの小型化が制限される。

先行技術文献

特許文献

[0010] 特許文献1：特開２０００－２０８１１８号公報

特許文献2：特開２０００－２２３１６６号公報

特許文献3：特開２００７－２７０１１号公報

発明の概要

[0011] 本発明は、配線のためのスペースを削減するとともに、不具合を生じた電池の異常発熱による周囲の電池への影響を最小限に抑制できる電池モジュールとそれを用いた電池モジュール集合体である。

[0012] 本発明の電池モジュールは複数の電池ユニットと、筐体と、配線基板と、蓋体とを有する。電池ユニットはベント機構を有する単電池の１つ以上で構成されている。筐体の少なくとも一面は開口端であり、筐体は隔壁で仕切られた複数の収納部を有し、収納部のそれぞれに各電池ユニットが収納される。配線基板は筐体の開口端を覆うとともに、単電池のベント機構側に配置され、電池ユニットと接続される接続端子を有する。蓋体は筐体の開口端と配線基板とを覆うとともに、開口部が設けられている。配線基板の、電池ユニットに対面する位置で、かつ接続端子と異なる領域には貫通孔が設けられている。

[0013] この構成により、少なくとも配線基板と隔壁により電池ユニットを筐体の収納部内に密閉状態で収納できる。そのため、電池ユニットが異常な状態になっても、電池のベント機構の開放によって噴出するガスには外部から酸素が供給されず、配線基板の貫通孔を介して、ガスの状態で電池モジュールの外部に排出される。また、各電池ユニットが筐体内の隔壁で仕切られた収納

部に収納されるため、周囲の電池ユニットへ熱伝達を抑制し、熱影響を最小限に抑えることができる。さらに、電源配線や制御配線などの引き回しに必要なスペースが、配線基板により大幅に削減できる。その結果、より小型で、安全性の高い信頼性に優れた電池モジュールを実現できる。

[0014] また、本発明の電池モジュール集合体は、上記電池モジュールを、複数個、直列接続および並列接続の少なくとも一方により組み合わせた構成を有する。この構成により、用途に応じて、任意の電圧や容量を有する電池モジュール集合体を実現できる。

[0015] 本発明によれば、配線のためのスペースを削減するとともに、不具合を生じた電池ユニットの異常発熱による周囲の電池ユニットへの影響を最小限に抑制できる電池モジュールおよび電池モジュール集合体を実現できる。

図面の簡単な説明

[0016] [図1]図１は本発明の実施の形態１における電池ユニットに収納される電池の横断面図である。

[図2A]図２Ａは本発明の実施の形態１における電池モジュールの外観斜視図である。

[図2B]図２Ｂは図２Ａの２Ｂ－２Ｂ線における断面図である。

[図2C]図２Ｃは図２Ｂにおける２Ｃ部の拡大断面図である。

[図3]図３は本発明の実施の形態１における電池モジュールの分解斜視図である。

[図4]図４は本発明の実施の形態１における電池モジュールの蓋体の構造を説明する斜視図である。

[図5A]図５Ａは本発明の実施の形態１における電池モジュールの配線基板を説明する斜視図である。

[図5B]図５Ｂは図５Ａの５Ｂ－５Ｂ線における断面図である。

[図5C]図５Ｃは図５Ａに示す配線基板の平面図である。

[図6A]図６Ａは本発明の実施の形態１の電池モジュールにおいて、１つの電池ユニットに異常発熱などを生じた場合に噴出するガスの排気の様子を説明

する断面図である。

[図6B]図６Ｂは図６Ａの６Ｂ部の拡大断面図である。

[図7A]図７Ａは本発明の実施の形態１における電池モジュールの配線基板の別の例を説明する断面図である。

[図7B]図７Ｂは図７Ａの７Ｂ部の拡大断面図である。

[図8]図８は本発明の実施の形態１における電池モジュールの別の例を説明する分解斜視図である。

[図9]図９は本発明の実施の形態１における蓋体の別の例を説明する斜視図である。

[図10]図１０は本発明の実施の形態１における筐体の別の例を説明する分解斜視図である。

[図11A]図１１Ａは本発明の実施の形態１の電池モジュールの別の例を説明する外観斜視図である。

[図11B]図１１Ｂは図１１Ａの１１Ｂ－１１Ｂ線における断面図である。

[図12A]図１２Ａは本発明の実施の形態２における電池モジュールの断面図である。

[図12B]図１２Ｂは図１２Ａにおける１２Ｂ部の拡大断面図である。

[図13A]図１３Ａは本発明の実施の形態２における電池モジュールの配線基板の別の例を説明する断面図である。

[図13B]図１３Ｂは図１３Ａにおける１３Ｂ部の拡大断面図である。

[図14A]図１４Ａは本発明の実施の形態２における電池モジュールの配線基板のさらに別の例を説明する断面図である。

[図14B]図１４Ｂは図１４Ａにおける１４Ｂ部の拡大断面図である。

[図15]図１５は本発明の実施の形態２における電池モジュールの別の例を説明する分解斜視図である。

[図16A]図１６Ａは本発明の実施の形態３における電池モジュール集合体の組立斜視図である。

[図16B]図１６Ｂは本発明の実施の形態３における電池モジュール集合体の別

の例の組立斜視図である。

[図17]図１７は本発明の実施の形態３における電池モジュール集合体のさらに別の例の分解斜視図である。

発明を実施するための形態

[0017] 以下、本発明の実施の形態について、図面を参照しながら、同一部分には同一符号を付して説明する。なお、本発明は、本明細書に記載された基本的な特徴に基づく限り、以下に記載の内容に限定されるものではない。また、以下では単電池として、リチウムイオンなどの非水電解質二次電池（以下、「電池」と記す）を例に説明するが、本発明はこれに限られない。

[0018] （実施の形態１）

図１は、本発明の実施の形態１における電池ユニットを構成する電池の横断面図である。なお、以下では、１個の単電池の場合でも、電池ユニットと記して説明するが、説明の都合により電池と記して説明する場合もある。

[0019] 図１に示すように、円筒型の電池は、正極１と負極２とセパレータ３で構成された電極群４を有する。正極１には例えばアルミニウム製の正極リード８が接続されている。負極２は正極１と対向し、負極２の一端には例えば銅製の負極リード９が接続されている。セパレータ３は正極１と負極２の間に介在している。この状態で正極１と負極２とセパレータ３を捲回することで電極群４が構成されている。

[0020] 電極群４の上下には絶縁板１０Ａ、１０Ｂが装着されている。この状態で電極群４は電池ケース５に挿入される。正極リード８の他方の端部は封口板６に、負極リード９の他方の端部は電池ケース５の底部に溶接されている。さらに、リチウムイオンを伝導する非水電解質（図示せず）が電池ケース５内に注入される。電池ケース５の開放端部は、ガスケット７を介して、正極キャップ１６、ＰＴＣ素子などの電流遮断部材１８および封口板６に対してかしめられる。

[0021] 安全弁などのベント機構１９は電極群４の不具合の際に開放される。正極キャップ１６にはベント機構１９の開放により生じるガスを抜くための排気

孔１７が設けられている。

[0022] 正極１は正極集電体１Ａと正極活物質を含む正極層１Ｂとを有する。正極層１Ｂは、例えばＬｉＣｏＯ$_2$やＬｉＮｉＯ$_2$、Ｌｉ$_2$ＭｎＯ$_4$、またはこれらの混合あるいは複合化合物などの含リチウム複合酸化物を正極活物質として含む。また、正極層１Ｂは、さらに、導電剤と結着剤とを含む。導電剤として、例えば天然黒鉛や人造黒鉛のグラファイト類、アセチレンブラック、ケッチェンブラック、チャンネルブラック、ファーネスブラック、ランプブラック、サーマルブラックなどのカーボンブラック類を含む。また結着剤として、例えばＰＶＤＦ、ポリテトラフルオロエチレン、ポリエチレン、ポリプロピレン、アラミド樹脂、ポリアミド、ポリイミドなどを含む。正極集電体１Ａとしては、アルミニウム（Ａｌ）、炭素（Ｃ）、導電性樹脂などが使用可能である。

[0023] 非水電解質には有機溶媒に溶質を溶解した電解質溶液や、これらを含み高分子で非流動化されたいわゆるポリマー電解質層が適用可能である。非水電解質の溶質としては、ＬｉＰＦ$_6$、ＬｉＢＦ$_4$、ＬｉＣｌＯ$_4$、ＬｉＡｌＣｌ$_4$、ＬｉＳｂＦ$_6$、ＬｉＳＣＮ、ＬｉＣＦ$_3$ＳＯ$_3$、ＬｉＮ（ＣＦ$_3$ＣＯ$_2$）、ＬｉＮ（ＣＦ$_3$ＳＯ$_2$）$_2$などを用いることができる。さらに、有機溶媒としては、例えばエチレンカーボネート（ＥＣ）、プロピレンカーボネート、ブチレンカーボネート、ビニレンカーボネート、ジメチルカーボネート（ＤＭＣ）、ジエチルカーボネート、エチルメチルカーボネート（ＥＭＣ）などを用いることができる。

[0024] 負極２は負極集電体１１と負極活物質を含む負極層１５とを有する。負極集電体１１は、ステンレス鋼、ニッケル、銅、チタンなどの金属箔、炭素や導電性樹脂の薄膜などが用いられる。負極層１５には、黒鉛などの炭素材料や、ケイ素（Ｓｉ）やスズ（Ｓｎ）などのようにリチウムイオンを可逆的に吸蔵および放出する理論容量密度が８３３ｍＡｈ／ｃｍ^{3}を超える負極活物質を用いることができる。

[0025] 以下、本実施の形態における電池モジュールについて、図２Ａから図５を

用いて詳細に説明する。図２Ａは本実施の形態における電池モジュールの外観斜視図、図２Ｂは図２Ａの２Ｂ－２Ｂ線断面図、図２Ｃは図２Ｂの２Ｃ部の拡大断面図である。図３は、本実施の形態における電池モジュールの分解斜視図である。図４は、本実施の形態における電池モジュールの蓋体の構造を説明する斜視図である。図５Ａは、本実施の形態における電池モジュールの配線基板を説明する斜視図、図５Ｂは図５Ａの５Ｂ－５Ｂ線断面図、図５Ｃは図５Ａの平面図である。

[0026] 図２Ａと図３に示すように、電池モジュール１００は、筐体５０と蓋体２０と配線基板３０を有する。筐体５０は例えばポリカーボネート樹脂などの絶縁性樹脂材料で形成されている。蓋体２０は筐体５０と嵌合している。この嵌合体の内部には、配線基板３０と電気的に接続される複数の電池ユニット４０が収納されている。例えば１個の単電池で構成される各電池ユニット４０は、筐体５０の収納部５４と配線基板３０とで形成される密閉空間に収納される。そして、基本的に、以下で詳細に述べる配線基板３０に形成された貫通孔３６により外部の空間と連通される。

[0027] 以下、図面を用いて、電池モジュール１００を構成する各構成要素について説明する。図３に示すように、筐体５０は蓋体２０と嵌合する側に開口端を有する。すなわち筐体５０の一面は開口端である。筐体５０には、開口端から電池ユニット４０を個別に収納するための複数の収納部５４が形成されている。すなわち、筐体５０の内部は隔壁５２で仕切られている。このとき、電池ユニット４０である単電池が、例えば外径１８ｍｍ、高さ６５ｍｍの場合、隔壁５２の高さとしては、６５ｍｍに、後述する配線基板３０の接続板３４の厚みを加えた程度である。

[0028] 蓋体２０は、筐体５０の開口端と配線基板３０を覆う。蓋体２０は、図４に裏返して示すように、外周壁２２により形成される排気室２４と外周壁２２の一部に設けられた開口部２６を有する。

[0029] 配線基板３０は筐体５０の開口端を覆うとともに、電池ユニット４０のベント機構側に配置されている。また、図５Ａから図５Ｃに示すように、例え

ばガラスーエポキシ基板で構成された配線基板３０は、接続端子３２と、接続板３４と、貫通孔３６と、少なくとも隣接する接続端子３２と接続板３４とを接続する電源配線（パワーライン：図示せず）を有する。すなわち電源配線は電池ユニット４０間を接続している。接続端子３２は電池ユニット４０のベント機構側の一方の電極（例えば、正極）と接続される。接続板３４は他方の電極（例えば、負極）と接続される。接続端子３２や接続板３４は、例えばニッケル板やリード線などで構成され、銅箔などで形成された電源配線と、例えばはんだを介して接続される。

[0030] 配線基板３０に形成された各貫通孔３６は、電池ユニット４０のそれぞれと対面する位置であって、かつ接続端子３２と異なる領域に設けられている。接続端子３２は、図２Ｃに示すように、配線基板３０の厚み方向において配線基板３０から突出しないように設けられ、電池ユニット４０の一方の電極と、例えばスポット溶接により電気的に接続される。

[0031] これにより、各電池ユニット４０が、配線基板３０を介して接続できるため、電源配線や制御配線などの引き回しに必要なスペースを大幅に削減できる。そのため、各電池ユニット４０を収納する収納部５４を形成する筐体５０の隔壁５２に、隙間や貫通する穴を設ける必要がない。そのため、電池ユニット４０を隔壁５２と配線基板３０で形成された収納部５４に密閉状態で収納できる。その結果、異常状態の電池ユニットから噴出したガスが、隣接する電池ユニットの収納部に侵入できないので、もしガスが引火により発火しても、炎の侵入を防止し、その影響を確実に阻止できる。

[0032] 以下、電池モジュール１００において、１つの電池ユニット４０に異常発熱などを生じた場合の電池モジュール１００の作用や効果について、図６Ａ、図６Ｂを用いて説明する。図６Ａは、電池モジュール１００において、１つの電池ユニット４０に異常発熱などを生じた場合に噴出するガスの排気の様子を説明する断面図、図６Ｂは図６Ａの６Ｂ部の拡大断面図である。

[0033] 図６Ｂに示すように、電池ユニット４０が異常に発熱し、外装ケース内に発生したガスのガス圧の上昇によりベント機構である、例えば安全弁が作動

し、ガスが噴出する。噴出したガスは、正極キャップ１６の排気孔１７から、配線基板３０と筐体５０の隔壁５２で形成された収納部５４の中に噴出される。

[0034] 図６Ａに示すように、ガス４５は、収納部５４を充満することなく、配線基板３０の貫通孔３６から蓋体２０の排気室２４に排気される。そして、最終的に蓋体２０に設けられた開口部２６から、電池モジュール１００の外部に排出される。

[0035] このとき、電池ユニット４０からガス４５が急激に噴出する場合、一般に引火等により発火する危険性が高くなる。しかし、上記構成の電池モジュール１００では、収納部５４内の酸素量は限られ、さらに密閉空間であるため外部から酸素が供給されない。そのため、ガスに引火する可能性は極めて低く、配線基板３０の貫通孔３６からガス４５の状態で排気される。このようにガス４５の引火による爆発的な膨張を生じないので、電池モジュール１００が破裂することは皆無となる。また、筐体５０の隔壁５２により、異常に発熱した電池ユニット４０の熱の隣接する電池ユニットへの伝達を防止できる。その結果、異常に発熱した電池ユニットが収納された収納部から、別の収納部に収納された電池ユニットへの、伝熱による影響を大幅に抑制できる。

[0036] 本実施の形態によれば、少なくとも配線基板３０と隔壁５２により電池ユニット４０を筐体５０の収納部５４内に密閉状態で収納できる。そのため、電池ユニット４０の異常な状態時に噴出するガス４５には外部から酸素が供給されないので、配線基板３０の貫通孔３６からガスの状態で電池モジュール１００の外部に排出できる。そのため、ガス４５への引火による発火や発煙などが発生しない安全性に優れた電池モジュールを実現できる。

[0037] また、各電池ユニット４０が筐体５０内の隔壁５２で仕切られた収納部５４に収納されるため、周囲の電池ユニットへ熱量の伝達が抑制され、その影響を最小限に抑えることができる。さらに、電源配線や制御配線などの引き回しに必要なスペースが、配線基板３０により大幅に削減できる。この結果

、より小型で、安全性の高い信頼性に優れた電池モジュールを実現できる。

[0038] なお、本実施の形態では、配線基板３０として、ガラス－エポキシ基板を例に説明したが、これに限られない。例えば、図７Ａの断面図に示すように、フレキシブル基板６２とフレキシブル基板６２を支持する補強部材６４で構成された配線基板６０を用いてもよい。フレキシブル基板６２は銅箔などで形成された電源配線（図示せず）や制御配線（図示せず）をポリイミド樹脂やポリエチレンテレフタレート樹脂（ＰＥＴ）などで挟んで構成されている。補強部材６４はフレキシブル基板６２に貼り合せられている。

[0039] 図７Ｂに示すように配線基板６０は、電池ユニット４０の一方の電極と接続される接続端子３２を有する。接続端子３２は、スポット溶接などを考慮して、例えばニッケル板などを露出した状態で形成されることが好ましい。

[0040] また、補強部材６４としては、例えばポリフェニレンサルファイド（ＰＰＳ）樹脂、ポリカーボネート（ＰＣ）樹脂、ポリエーテルエーテルケトン（ＰＥＥＫ）樹脂、フェノール樹脂、ユニレート、ガラスエポキシ樹脂、セラミックなどを用いることができる。なお、上記樹脂中に、炭素繊維やガラス繊維などのフィラーを含有させてもよい。また、配線基板６０として、補強部材６４と同じ材料の間にブスバーなどをインサート成型して構成してもよい。これらにより、配線基板６０の機械的強度を高めて、噴出するガスの圧力による配線基板６０の耐変形性や耐熱性を向上させ、さらに信頼性や安全性を高めることができる。このようにフレキシブル基板６２を用いることで作業性や取り扱いが容易になるとともに、補強部材６４でフレキシブル基板６２を補強することで収納部５４の密閉性を向上させることができる。

[0041] また、本実施の形態では、筐体５０と蓋体２０の嵌合により、蓋体２０の外周壁２２と筐体５０の隔壁５２で配線基板３０を保持する構造を例に説明したが、本発明はこれに限られない。例えば、図８の電池モジュールの分解斜視図に示すように、蓋体２０と配線基板３０との間に、配線基板３０を支持する支持部材６５を介在させてもよい。このとき、支持部材６５は、少なくとも配線基板３０の外周部を支持する外周枠６６と、筐体５０の隔壁５２

と対向する位置に設けた支持部６８とから構成される。このとき、支持部材６５の支持部６８で蓋体２０の排気室２４の空間が狭くなる場合には、支持部６８の一部に蓋体２０の開口部２６に連通するように凹部または穴などを設けてもよい。これにより、筐体５０の隔壁５２と支持部材６５の支持部６８で配線基板３０を確実に固定できる。そのため、噴出するガスの圧力による隣接する収納部５４間の隔壁５２上での配線基板３０の変形が抑制される。その結果、収納部５４の密閉性を向上させ、隣接する電池ユニット４０への熱やガスの侵入をさらに効率的に抑制して、信頼性および安全性をさらに向上した電池モジュールを実現できる。

[0042] また、支持部材６５を設ける代わりに、図９に示すように、蓋体２０の排気室２４の、筐体５０の隔壁５２と対向する位置に、開口穴２８Ａを有するリブ部２８を設けてもよい。これにより、筐体５０の隔壁５２と蓋体２０のリブ部２８で配線基板３０を固定できるとともに、電池モジュールをより小型または薄型にできる。また蓋体２０のリブ部２８と筐体５０の隔壁５２で配線基板３０を確実に挟んで電池ユニット４０が収納される収納部５４の密閉性をさらに向上できる。

[0043] また、本実施の形態では、配線基板３０に電源配線が形成された例で説明したが、本発明はこれに限られない。例えば、各電池ユニット４０の電圧を検出するための電圧検出配線や、温度を検出するための温度検出配線を配線基板３０に設けてもよい。このとき、温度検出配線には、例えばサーミスタなどの温度検出素子が接続され、これらの温度検出素子のそれぞれを各電池ユニット４０と接触させて温度を検出することができる。これにより、複数の電池ユニット４０の電圧および温度を個別に検出して制御できる。その結果、電池ユニット４０の特性ばらつきや経時変化などを考慮して制御できるため、信頼性や安全性をさらに高めることができる。なお、電源配線には大きな電流が流れるため、配線抵抗による電力損失を低減させる必要があるが、電圧検出配線や温度検出配線は微小な電流で検出できる。そのため電圧検出配線や温度検出配線の配線基板３０上でのパターン幅は、電源配線のパタ

一ン幅に比べて大幅に狭くできる。その結果、電源配線と複数対の電圧検出配線と温度検出配線を効率的に配置して配線基板３０に形成できるので、配線に必要なスペースを大幅に削減できる。

[0044] また、本実施の形態では、筐体５０の一方に開口端を有する例で説明したが、本発明はこれに限られない。例えば、図１０に示すように、筐体５０を、対向する二面に開口端を有し、複数の収納部を構成する枠体５０Ａと、その一方の開口端を塞ぐ閉塞部材５０Ｂで構成してもよい。これにより、電池ユニット４０と配線基板３０との接続などの組立性や作業性を向上させ、生産性に優れた電池モジュールを実現できる。

[0045] また、本実施の形態では、ベント機構を同じ方向に揃えて複数の電池ユニット４０を配置した例で説明したが、本発明はこれに限られない。図１１Ａは、本実施の形態の電池モジュールの別の例を説明する外観斜視図、図１１Ｂは図１１Ａの１１Ｂ－１１Ｂ線断面図である。このように電池ユニット４０のベント機構が異なる方向で収納されていてもよい。

[0046] 図１１Ｂに示すように、電池モジュール１５０では、ベント機構の配置方向を互い違いにした複数の電池ユニット４０が配線基板３０Ａ、３０Ｂで互いに接続されている。そして蓋体２０Ａ、２０Ｂと筐体５５を嵌め合わせて、電池ユニット４０が筐体５５の収納部５４に収納されている。配線基板３０Ａ、３０Ｂには、電池ユニット４０のベント機構側と接続する接続端子と異なる領域で、かつ収納部５４と対向する領域に貫通孔３６Ａ、３６Ｂがそれぞれ設けられている。これにより、上記と同様の効果が得られる。さらに、接続板３４を削除できるとともに、複数の電池ユニット４０との接続が容易で、組立性や作業性が大幅に向上する。なぜならば、電池モジュール１００のように、複数の電池ユニット４０と配線基板３０とを接続して筐体５０に収納する必要がなくなるからである。すなわち、筐体５５に電池ユニット４０を収納して、電池ユニット４０を配線基板３０Ａ、３０Ｂで挟んだ状態で、例えば同時に接続端子３２と電池ユニット４０を接続できる。

[0047] （実施の形態２）

図１２Ａは本発明の実施の形態２における電池モジュールの断面図、図１２Ｂは図１２Ａの１２Ｂ部の拡大断面図である。なお、図１２Ａは図２Ａの２Ｂ－２Ｂ線断面図に相当する電池モジュールの断面図である。

[0048] 図１２Ａに示すように、電池モジュール２００では、配線基板７０から所定の形状の接続端子７２が突出している。そして配線基板７０と各電池ユニット４０のベント機構側の一方の電極間に所定の間隔が設けられている。これらの点で、実施の形態１の電池モジュール１００とは異なる。なお、配線基板７０以外の構成要素は、実施の形態１と同様であるので、説明を省略する。

[0049] 例えばガラス－エポキシ基板で構成された配線基板７０は、接続端子７２と、接続板（図示せず）と、貫通孔７６と、少なくとも隣接する接続端子７２と接続板とを接続する電源配線（パワーライン：図示せず）を有する。接続端子７２は電池ユニット４０のベント機構側の一方の電極（例えば、正極）と接続される。接続板は他方の電極（例えば、負極）と接続される。貫通孔７６は、電池ユニット４０のそれぞれと対面する位置であって、かつ接続端子７２と異なる領域に設けられている。

[0050] 接続端子７２は、図１２Ｂに示すように、底面を有するＣ字形状の断面を有し、底面部が配線基板７０の厚み方向において、所定の間隔（図面中のＴに相当）で配線基板７０から電池ユニット４０に向かって突出している。そして、電池ユニット４０の一方の電極と接続端子７２の底面部とが、例えばスポット溶接により電気的に接続される。接続端子７２は、ニッケル板のプレス加工などにより形成される。

[0051] この構成でも、異常状態の電池ユニットから噴出したガスが、隣接する電池ユニットの収納部に侵入できないので、もしガスが引火により発火しても、炎の侵入を防止し、その影響を確実に阻止できる。特に、後述する別の例の電池モジュールで詳細に説明するように、複数本の単電池から構成された電池ユニットを筐体５０の収納部５４に収納する場合において、効果が大きい。これは、配線基板７０の貫通孔７６の近傍に配置されていない単電池が

異常な状態になっても、この単電池の排気孔から噴出するガスの排出するスペースが接続端子７２の所定の間隔により確保され、貫通孔７６から容易に排気できるからである。このように間隔Ｔは収容する電池ユニット４０から排出されるガス量に応じて適宜調整すればよい。なお、接続端子７２の、例えば折れ曲がり部の側面に穴を形成して、貫通孔７６と同様の機能を持たせてもよい。これにより、ガスの排気効率を向上できる。

[0052] 本実施の形態によれば、実施の形態１と同様の効果が得られるとともに、配線基板７０と電池ユニット４０との間に接続端子７２で所定の間隔を設けることにより、噴出するガスの排気抵抗を低減して、効率よく確実に排出できる。また接続端子７２を配線基板７０から突出させる簡単な構造により、配線基板７０と電池ユニット４０との間の所定の間隔を均一に形成することができる。

[0053] なお、本実施の形態では、Ｃ字形状の断面を有する接続端子７２を例に説明したが、本発明はこれに限られない。例えば、図１３Ａと図１３Ｂに示すように、Ｌ字形状の断面を有する接続端子７２Ａにより、配線基板７０Ａと電池ユニット４０との間に所定の間隔を設けてもよい。また、上記形状の接続端子に限られず、所定の間隔を確保でき、例えばスポット溶接できるものであれば、接続端子の形状は任意である。

[0054] また、図１４Ａと図１４Ｂに示すように、例えばフレキシブル基板７３と補強部材７４とを貼り合せて配線基板７０Ｂを構成してもよく、図７を用いて説明した実施の形態１と同様の効果が得られる。

[0055] 次に、本実施の形態における電池モジュールの別の例について、図１５を用いて説明する。図１５は、本実施の形態における電池モジュールの別の例を説明する分解斜視図である。

[0056] 電池モジュール３００では、例えば３個の単電池をまとめて並列に接続された電池ユニット３４０が用いられている。そして各電池ユニット３４０が、筐体３５０の隔壁３５２で仕切られた収納部３５４に収納されている。これらの点で、電池モジュール２００と異なる。

[0057] すなわち、まずベント機構側を揃えて、３個の単電池の一方の電極と他方の電極を互いに接続して電池ユニット３４０を形成する。そして、各電池ユニット３４０の一方の電極と配線基板３３０の接続端子３３２、および他方の電極と接続板（図示せず）とを接続して筐体３５０の収納部３５４に収納する。図１２Ｂを用いて説明したのと同様に、配線基板３３０の接続端子３３２は、配線基板３３０から所定の間隔を形成するように突出している。そして接続端子３３２は電池ユニット３４０を構成する１個の電池の一方の電極と、例えばスポット溶接などで接続される。さらに、配線基板３３０に、接続端子３３２の位置とは異なる領域で、例えば電池ユニット３４０の残りの電池のベント機構部と対向する位置に、少なくとも１つの貫通孔３３６が設けられている。なお、配線基板３３０には、接続端子３３２を形成する位置の周辺に開口部を設けることが好ましい。

[0058] これにより、複数個の電池からなる電池ユニット３４０のうち、少なくとも１個の単電池が異常な状態となり、ガスを噴出しても、ガスを貫通孔３３６により効率よく確実に排出できる。また、例えばＣ字状の断面を有する接続端子３３２を用い、その周辺（周囲）に開口部を設けることにより、さらに効率よくガスを排気できる。

[0059] なお、本実施の形態では、電池ユニットを３個の電池で構成した例で説明したが、本発明はこれに限られない。例えば、要求される電気容量に応じて、３個以上の電池を並列に接続して電池ユニットを形成してもよい。このとき、電池ユニットを構成する電池の個数の増加に伴って、複数の貫通孔３３６を配線基板３３０に設けることが好ましい。

[0060] （実施の形態３）

図１６Ａ、図１６Ｂは、本発明の実施の形態３における電池モジュール集合体の組立斜視図である。図１６Ａに示す電池モジュール集合体４００は、実施の形態１で説明した電池モジュール１００を４個並置して配置し、接続部材４５０で接続して構成されている。また、図１６Ｂに示す電池モジュール集合体５００は、実施の形態１で説明した電池モジュール１００を２個並

置したユニット２つを縦２段に重ね、接続部材５５０で接続して構成されている。各電池モジュール１００は、接続部材４５０または接続部材５５０を介して並列接続または直列接続、あるいは直列接続と並列接続を組み合わせて接続されている。

[0061] 本実施の形態によれば、用途に応じて、配置スペース、必要な電圧や電気容量を有する汎用性の高い電池モジュール集合体４００、５００を、電池モジュール１００を任意に組み合わせることにより構成することができる。なお電池モジュール１００の代わりに実施の形態１、２で説明した電池モジュール１５０、２００、３００のいずれかを用いてもよい。

[0062] 次に電池モジュール集合体の別の例について、図１７を用いて説明する。図１７は、本実施の形態による電池モジュール集合体の別の例を説明する分解斜視図である。電池モジュール集合体６００は、複数の電池ユニット６４０を、２次元配置で一体的に収納する点で、図１５に示す電池モジュール３００の構成と異なる。

[0063] すなわち、電池モジュール集合体６００は、筐体６５０と複数の電池ユニット６４０と配線基板６３０と蓋体６２０とを有する。筐体６５０は隔壁６５２で第１方向と第２方向の２次元に配置に仕切られて形成された複数の収納部６５４を有する。電池ユニット６４０のそれぞれは各収納部６５４に収納されている。配線基板６３０は電池ユニット６４０のうちの、第１方向に沿って配置された電池ユニット６４０の組を１次元に接続している。蓋体６２０はこれらを密閉状態で収納する筐体６５０と嵌合する。

[0064] 配線基板６３０は、ＥＣＵ（Ｅｌｅｃｔｒｉｃ Ｃｏｎｔｒｏｌ Ｕｎｉｔ）６６０により、並列接続または直列接続、あるいは直列接続と並列接続で接続される。すなわちＥＣＵ６６０は配線基板６３０を接続する接続部材である。このように電池モジュール集合体６００は電池ユニット６４０を二次元配置し、複数の配線基板６３０とＥＣＵ６６０で接続した電池モジュールとみなすことができる。

[0065] 配線基板６３０は、電池の温度や電圧を検出して制御するとともに、外部

機器に対してこれらの情報を送受信できる。蓋体６２０には、排気室（図示せず）とともに、噴出するガスを排出する開口部（図示せず）が、例えば各配線基板６３０に対応して設けられている。この構成は図４に示した２２と類似している。さらに、配線基板６３０で接続された電池モジュール間を仕切るように蓋体６２０の裏側にリブを設けてもよい。また、配線基板６３０には、各電池ユニット６４０のベント機構部に対応して、１つ以上の貫通孔６３６が設けられている。

[0066] この構成では、一体化した筐体６５０を用いることにより、さらに小型化した電池モジュール集合体６００を実現できる。

[0067] なお、各実施の形態において、電池モジュールの充放電や、温度または電圧を検出して制御する制御回路については、特に説明や図示をしていないが、制御回路を電池モジュールの外部や内部に設けてもよいことはいうまでもない。

[0068] また、各実施の形態においては、電池ユニットとして円筒型の電池を例に説明したが、本発明はこれに限られない。例えば、角型の電池あってもよい。さらに、正極端子と負極端子およびベント機構が、同じ側に設けた電池であってもよい。これにより、各電池ユニットと配線基板との組立性や作業性が大幅に向上する。また、各実施の形態に特有の構成を、可能な範囲で互いに組み合わせてもよい。

産業上の利用可能性

[0069] 本発明は、自動車、自転車や電動工具などの高い信頼性と安全性が要求される、電池モジュールや電池モジュール集合体として有用である。

符号の説明

[0070] １　正極

１Ａ　正極集電体

１Ｂ　正極層

２　負極

３　セパレータ

４　電極群

５　電池ケース

６　封口板

７　ガスケット

８　正極リード

９　負極リード

１０Ａ，１０Ｂ　絶縁板

１１　負極集電体

１５　負極層

１６　正極キャップ

１７　排気孔

１８　電流遮断部材

１９　ベント機構

２０，２０Ａ，２０Ｂ，６２０　蓋体

２２　外周壁

２４　排気室

２６　開口部

２８　リブ部

２８Ａ　開口穴

３０，３０Ａ，３０Ｂ，６０，７０，７０Ａ，７０Ｂ，３３０，６３０，６０，７０，７０Ａ，７０Ｂ，３３０，６３０　配線基板

３２，７２，７２Ａ，３３２　接続端子

３４　接続板

３６，３６Ａ，３６Ｂ，７６，３３６，６３６　貫通孔

４０，３４０，６４０　電池ユニット

４５　ガス

５０，５５，３５０，６５０　筐体

５０Ａ　枠体

５０Ｂ　閉塞部材

５２，３５２，６５２　隔壁

５４，３５４，６５４　収納部

６２，７３　フレキシブル基板

６４，７４　補強部材

６５　支持部材

６６　外周枠

６８　支持部

１００，１５０，２００，３００　電池モジュール

４００，５００，６００　電池モジュール集合体

４５０，５５０　接続部材

６６０　ＥＣＵ（接続部材）

請求の範囲

[請求項1] ベント機構を有する単電池の１つ以上で構成された複数の電池ユニットと、
少なくとも一面が開口端であり、隔壁で仕切られる複数の収納部を有し、前記収納部のそれぞれに前記電池ユニットのそれぞれを収納する筐体と、
前記筐体の前記開口端を覆うとともに、前記単電池の前記ベント機構側に配置され、前記電池ユニットと接続される接続端子を有する配線基板と、
前記筐体の前記開口端と前記配線基板を覆うとともに、開口部を設けられた蓋体と、を備え、
前記配線基板の、前記電池ユニットに対面する位置で、かつ前記接続端子と異なる領域に、貫通孔が設けられた、
電池モジュール。

[請求項2] 前記電池ユニットと前記配線基板が、所定の間隔を設けて配置された、
請求項１記載の電池モジュール。

[請求項3] 前記接続端子を前記配線基板から前記電池ユニットに向かって突出させることで、前記所定の間隔が形成された、
請求項２記載の電池モジュール。

[請求項4] 前記接続端子に穴が設けられた、
請求項３記載の電池モジュール。

[請求項5] 前記蓋体の、前記筐体の前記隔壁と対向する位置にリブ部が設けられた、
請求項１記載の電池モジュール。

[請求項6] 前記配線基板が、フレキシブル基板と前記フレキシブル基板を支持する補強部材とで構成された、
請求項１記載の電池モジュール。

[請求項7] 前記蓋体と前記配線基板との間に設けられ、前記配線基板を支持する支持部材をさらに備えた、
請求項１記載の電池モジュール。

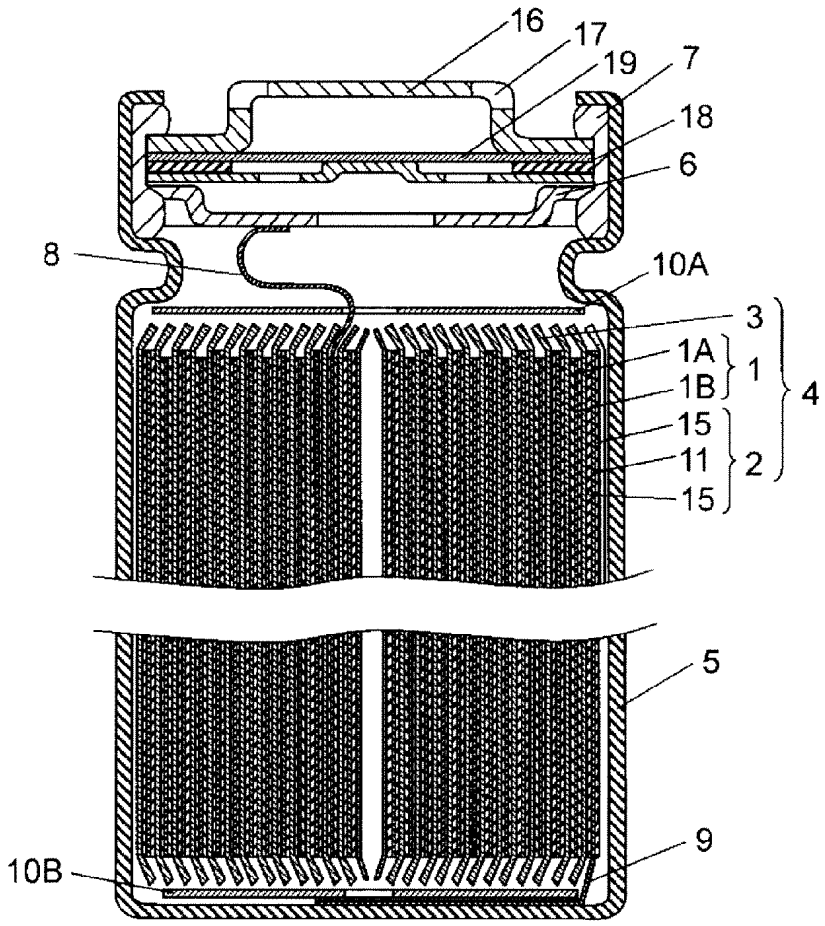
[請求項8] 前記電池ユニットの温度を検知する温度検出素子をさらに備え、
前記配線基板は、
前記電池ユニット間を接続する電源配線と、
温度検出配線と電圧検出配線との複数組と、を有し、
前記温度検出配線は前記温度検出素子に接続され、前記電圧検出配線は前記電池ユニットの電圧を検出するために用いられる、
請求項１記載の電池モジュール。

[請求項9] 前記筐体が、
対向する二面に開口端を有する枠体と、
前記枠体の一方の前記開口端を塞ぐ閉塞部材と、を有する、
請求項１記載の電池モジュール。

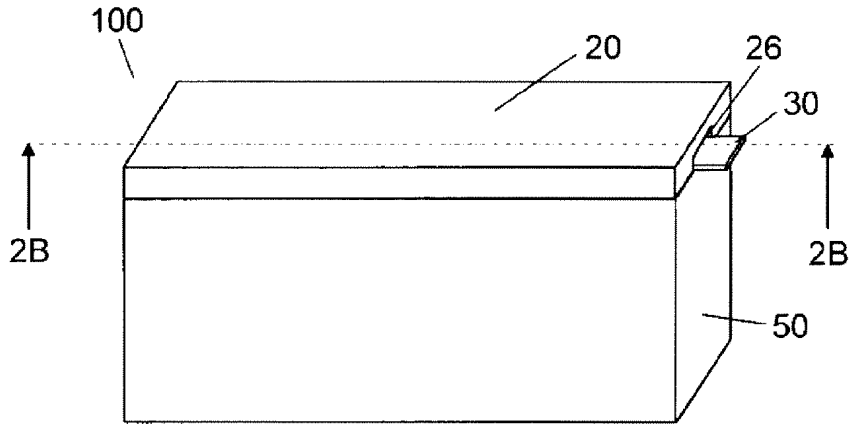
[請求項10] 前記収納部は前記筐体内に第１方向と第２方向の２次元に配置され、
前記配線基板は複数の配線基板の１つであり、
前記複数の配線基板のそれぞれは前記収納部に収納された前記電池ユニットのうちの前記第１方向に沿って配置された電池ユニットの組を１次元に接続し、
前記複数の配線基板を接続する接続部材をさらに備えた、
請求項１記載の電池モジュール。

[請求項11] 複数の、請求項１記載の電池モジュールと、
前記電池モジュールを直列および並列の少なくとも一方により接続する接続部材と、を備えた、
電池モジュール集合体。

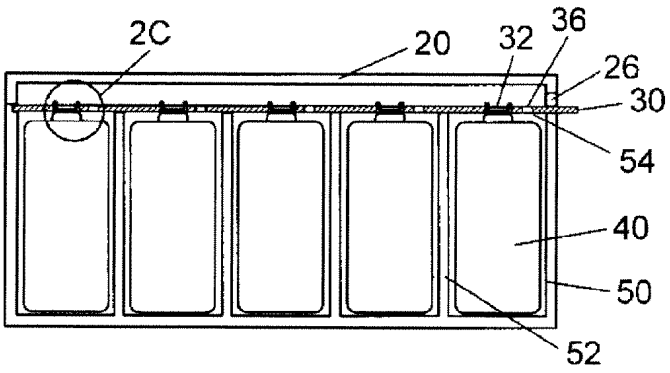
[図1]



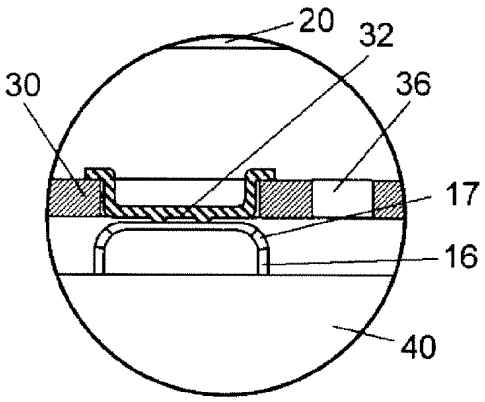
[図2A]



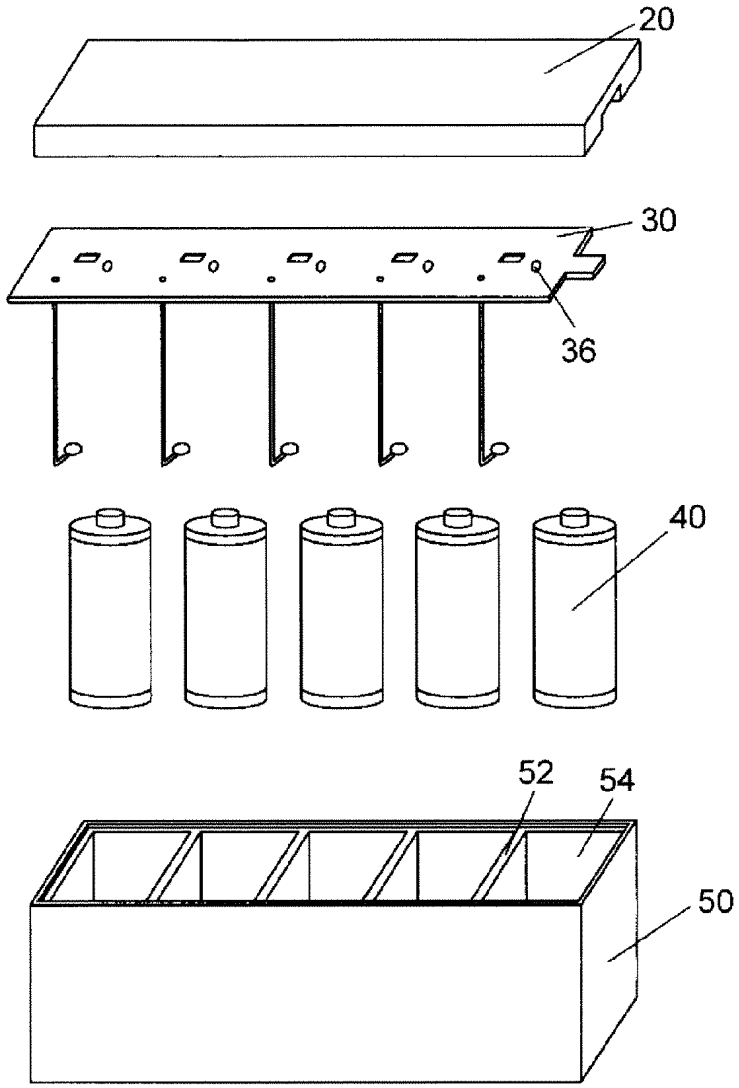
[図2B]



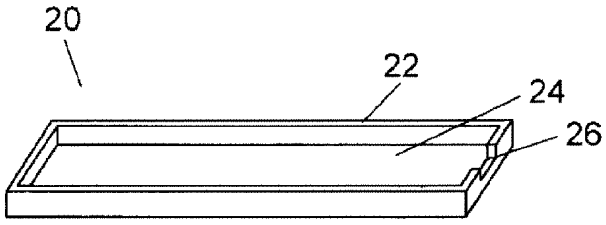
[図2C]



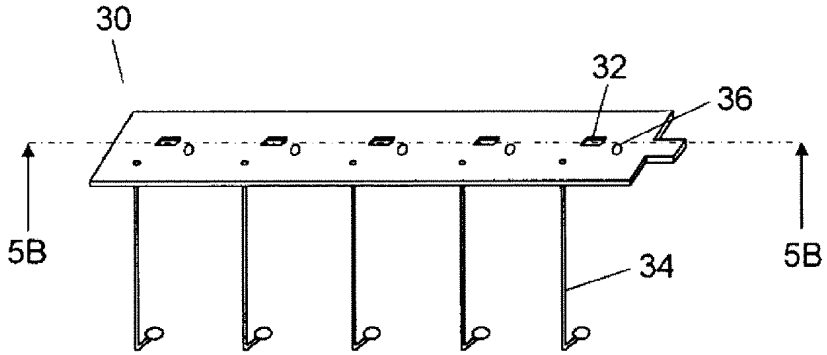
[図3]



[図4]

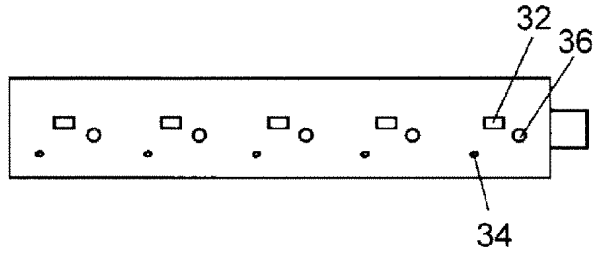


[図5A]

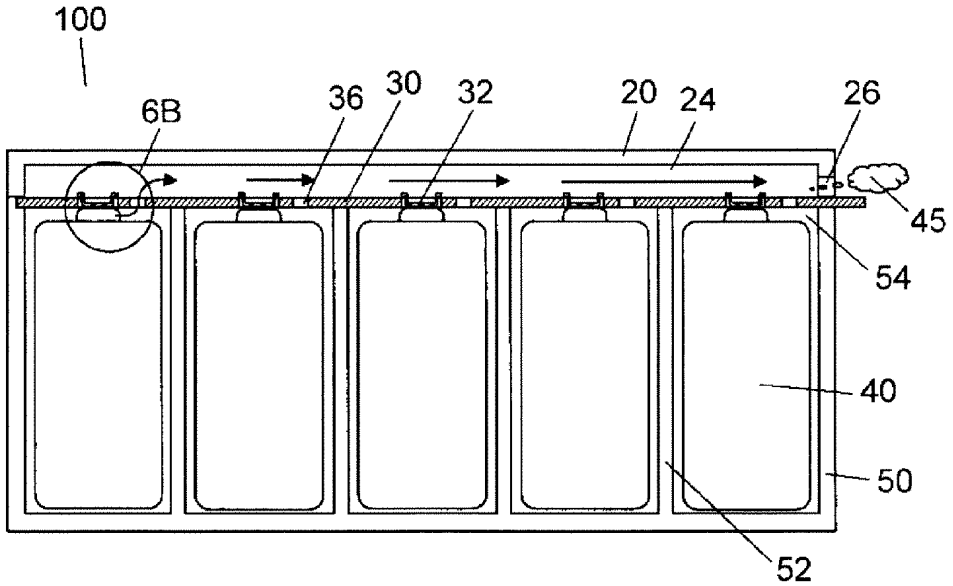


[図5B]

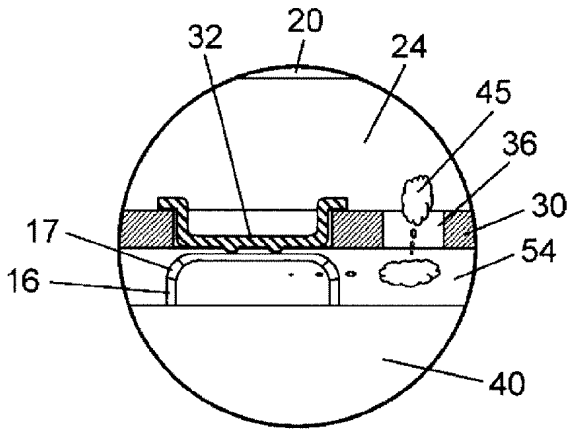
[図5C]



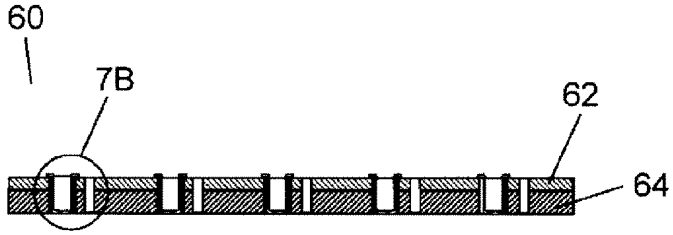
[図6A]



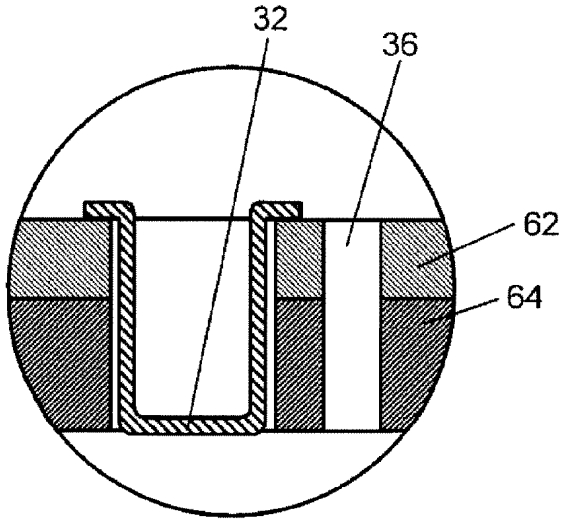
[図6B]



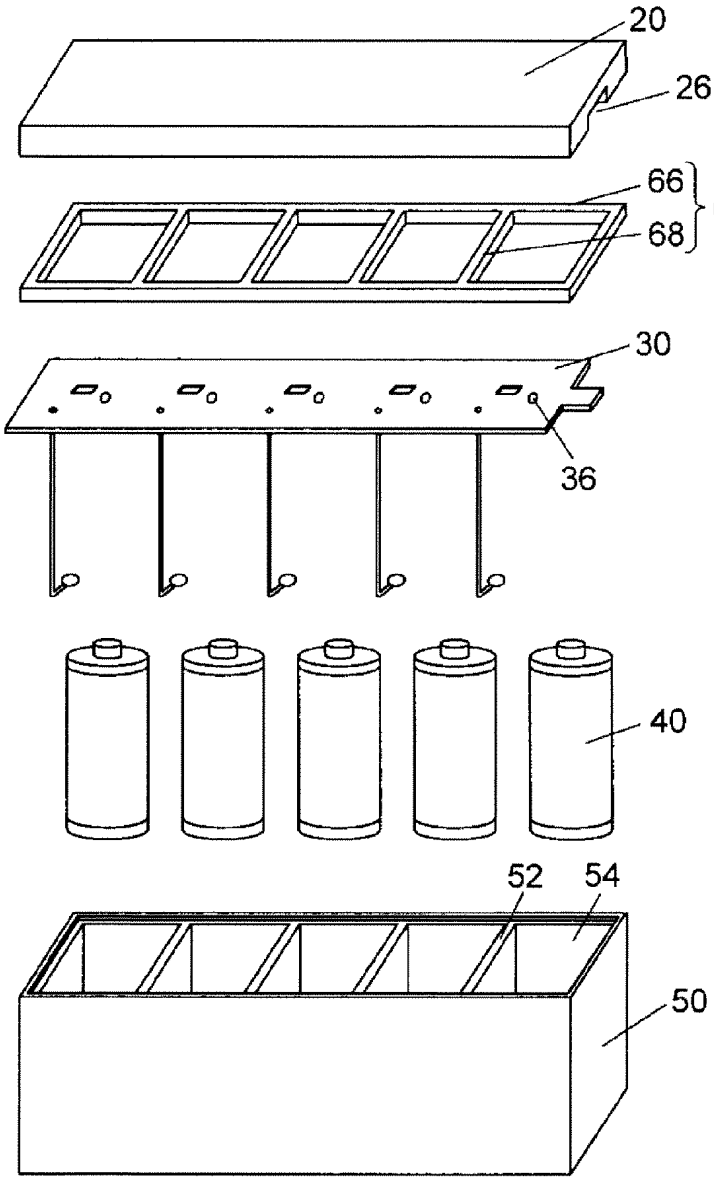
[図7A]



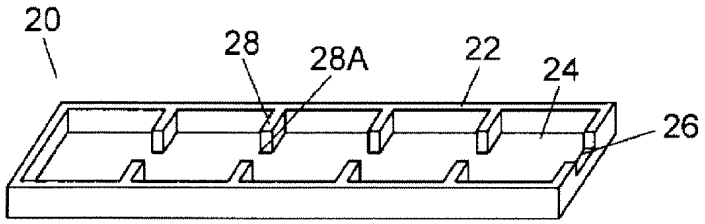
[図7B]



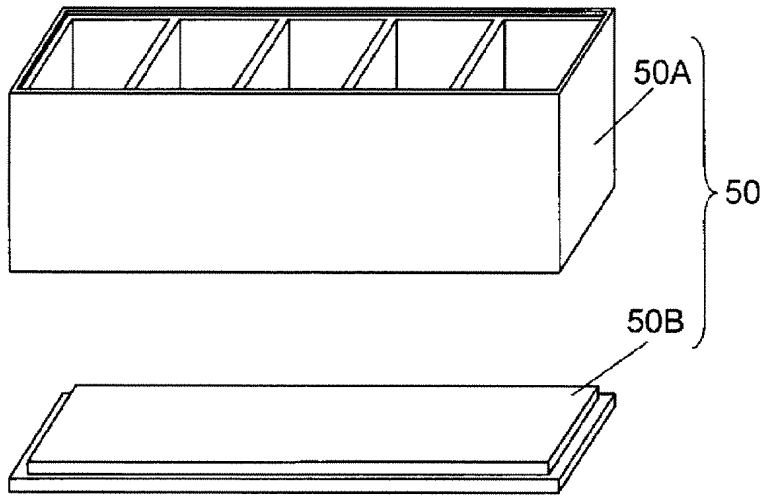
[図8]



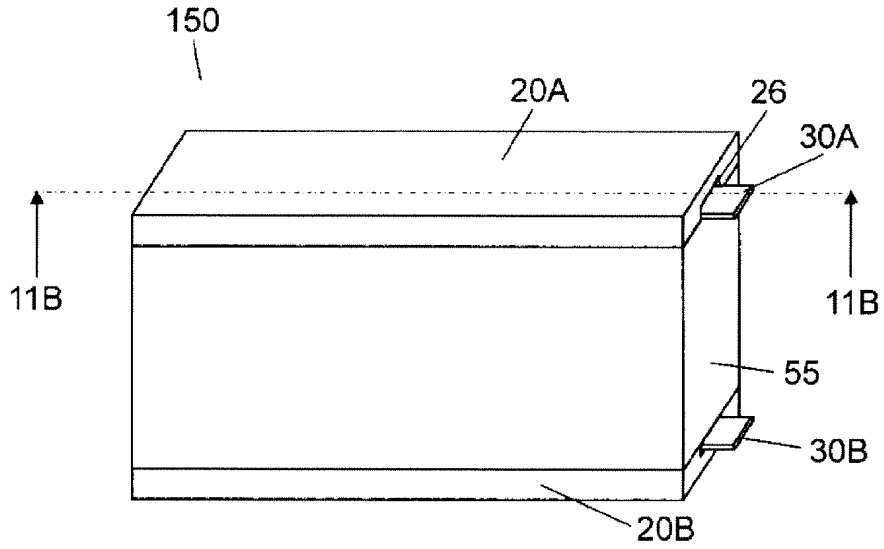
[図9]



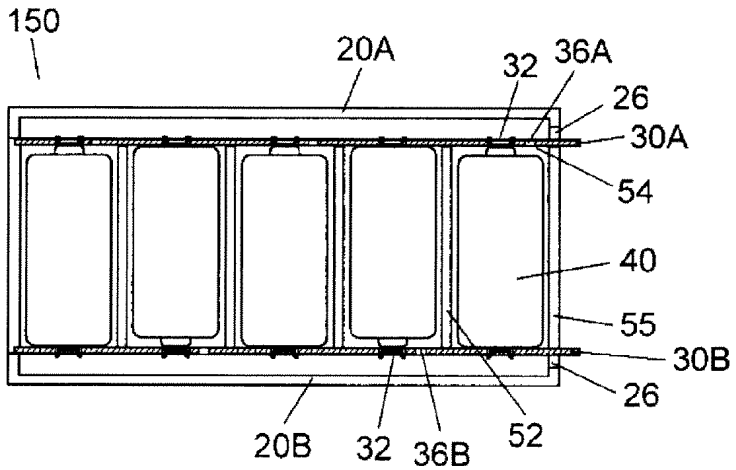
[図10]



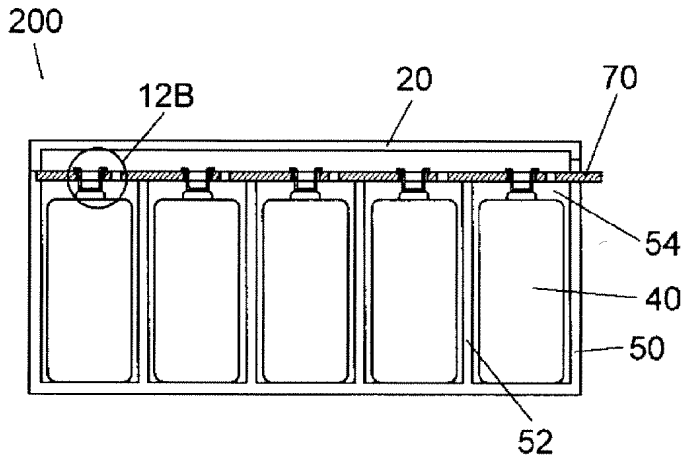
[図11A]



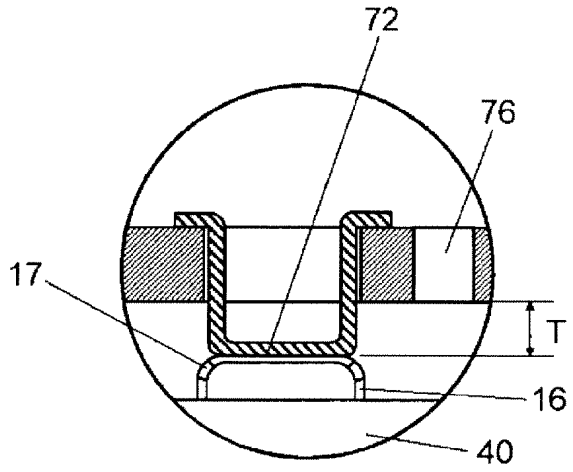
[図11B]



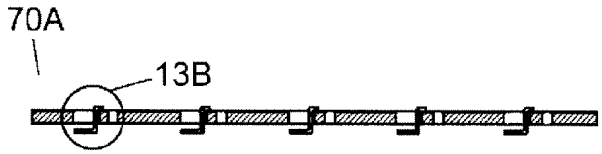
[図12A]



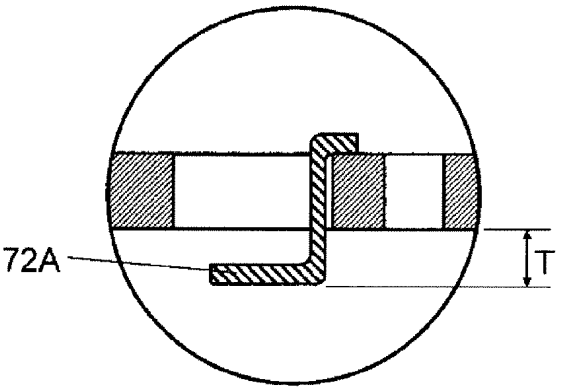
[図12B]



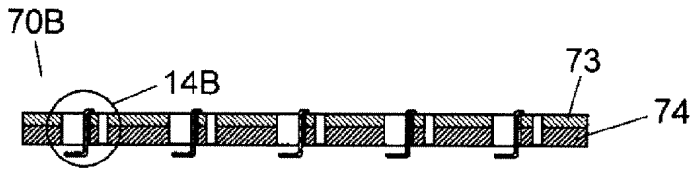
[図13A]



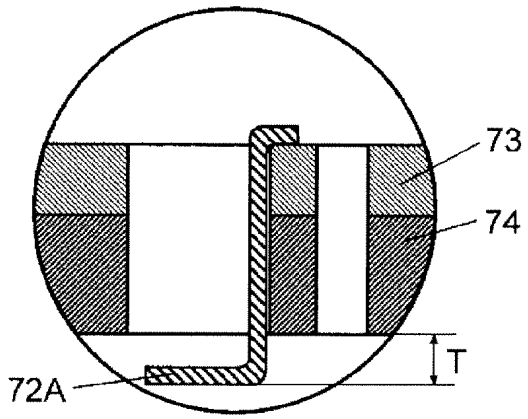
[図13B]



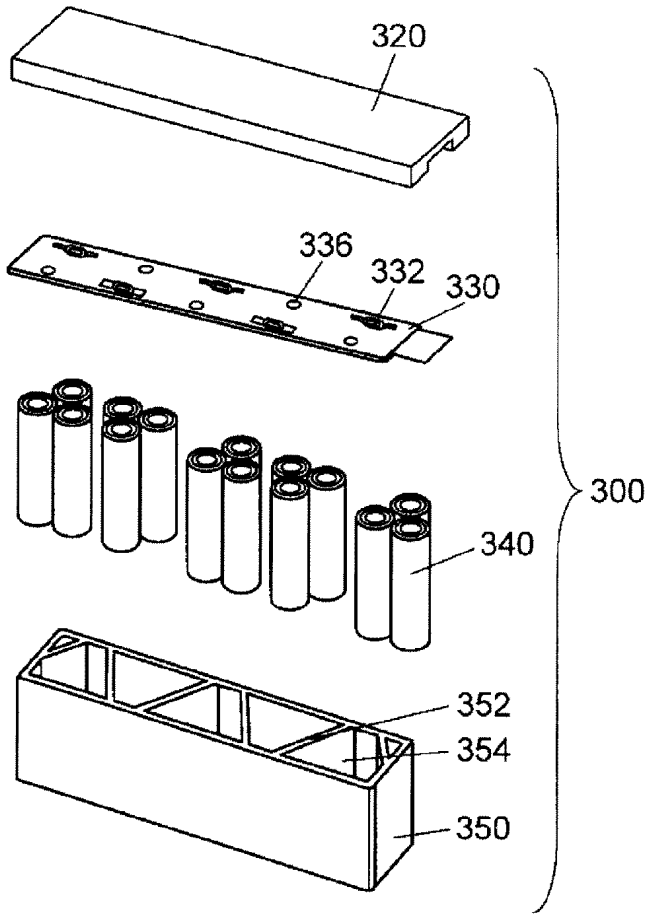
[図14A]



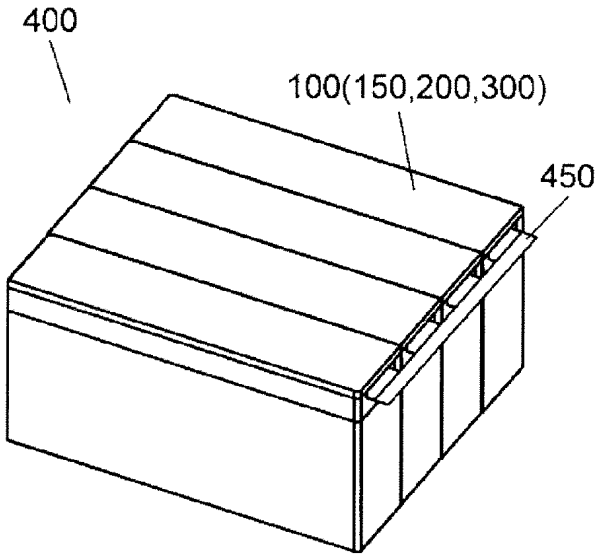
[図14B]



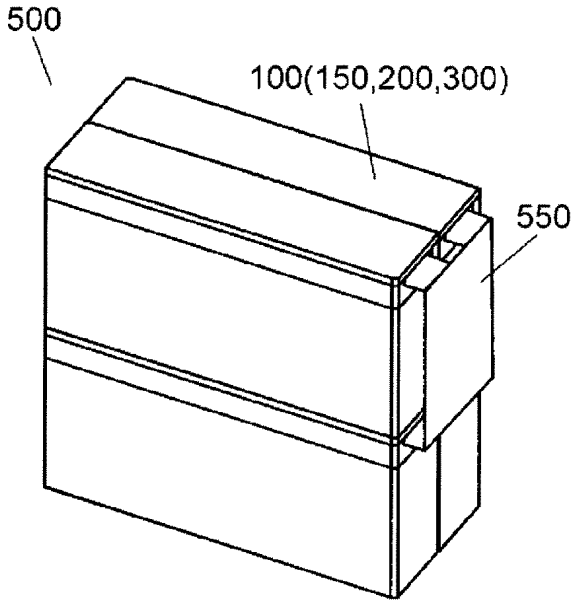
[図15]



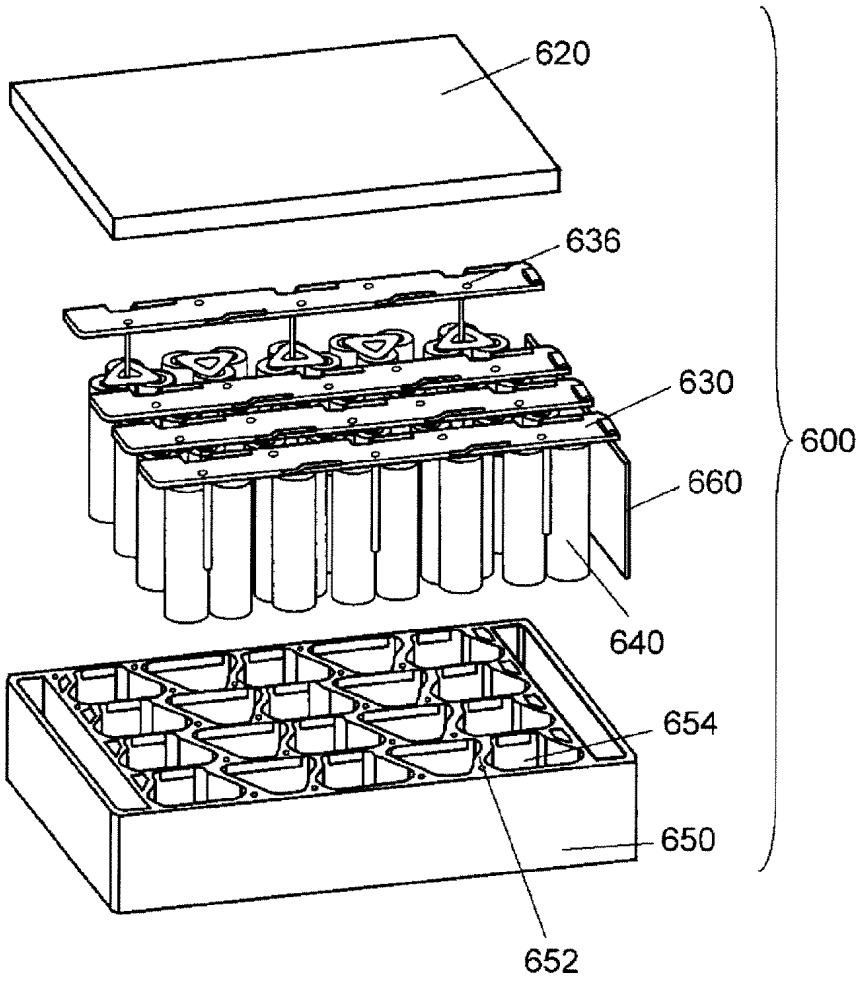
[図16A]



[図16B]



[図17]



INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/006740

A. CLASSIFICATION OF SUBJECT MATTER
H01M2/10(2006.01)i, *H01M2/12*(2006.01)i, *H01M2/20*(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)
H01M2/10, H01M2/12, H01M2/20

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Jitsuyo Shinan Koho 1922-1996 Jitsuyo Shinan Toroku Koho 1996-2010
Kokai Jitsuyo Shinan Koho 1971-2010 Toroku Jitsuyo Shinan Koho 1994-2010

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2002-134078 A (Toyota Motor Corp.), 10 May 2002 (10.05.2002), paragraphs [0010], [0013] to [0017]; fig. 1, 2 (Family: none)	1-11
A	EP 1450422 A1 (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.), 25 August 2004 (25.08.2004), paragraphs [0027] to [0028], [0041] to [0043]; fig. 1, 3 & JP 2003-162993 A paragraphs [0040] to [0041], [0054] to [0056]; fig. 1, 3 & US 2005/0079408 A1 & WO 03/047013 A1	1-11

[X] Further documents are listed in the continuation of Box C. [ ] See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
05 March, 2010 (05.03.10)	16 March, 2010 (16.03.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

Form PCT/ISA/210 (second sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/006740

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2008-117756 A (Matsushita Electric Industrial Co., Ltd.), 22 May 2008 (22.05.2008), paragraphs [0037], [0050] to [0053]; fig. 6 & EP 2077592 A1 paragraphs [0014], [0027] to [0030]; fig. 6 & WO 2008/044430 A1	1-11
A	JP 10-40881 A (Yuasa Corp.), 13 February 1998 (13.02.1998), paragraphs [0004] to [0005], [0010]; fig. 1 (Family: none)	1-11

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２００９／００６７４０

Ａ．　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　H01M2/10(2006.01)i, H01M2/12(2006.01)i, H01M2/20(2006.01)i

Ｂ．　調査を行った分野

調査を行った最小限資料（国際特許分類（ＩＰＣ））

Int.Cl.　H01M2/10, H01M2/12, H01M2/20

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１０年
日本国実用新案登録公報	１９９６　２０１０年
日本国登録実用新案公報	１９９４－２０１０年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

Ｃ．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2002-134078 A（トヨタ自動車株式会社）2002.05.10, 【0010】, 【0013】-【0017】, 【図１】, 【図２】（ファミリーなし）	1-11
A	EP 1450422 A1 (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 2004.08.25, [0027]-[0028], [0041]-[0043], Fig.1, Fig.3 & JP 2003-162993 A, 【0040】-【0041】, 【0054】-【0056】, 【図１】, 【図３】& US 2005/0079408 A1 & WO 03/047013 A1	1-11

☑ Ｃ欄の続きにも文献が列挙されている。　☐ パテントファミリーに関する別紙を参照。

＊　引用文献のカテゴリー
「Ａ」特に関連のある文献ではなく、一般的技術水準を示すもの
「Ｅ」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「Ｌ」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献（理由を付す）
「Ｏ」口頭による開示、使用、展示等に言及する文献
「Ｐ」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「Ｔ」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「Ｘ」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Ｙ」特に関連のある文献であって、当該文献と他の１以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「＆」同一パテントファミリー文献

国際調査を完了した日	国際調査報告の発送日
０５．０３．２０１０	１６．０３．２０１０

国際調査機関の名称及びあて先	特許庁審査官（権限のある職員）	４Ｘ	９３４７
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	守安　太郎 電話番号　０３－３５８１－１１０１　内線　３４７７		

Ｃ（続き）．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2008-117756 A (松下電器産業株式会社) 2008.05.22, 【0037】, 【0050】-【0053】, 【図６】 & EP 2077592 A1, [0014], [0027]-[0030], FIG.6 & WO 2008/044430 A1	1-11
A	JP 10-40881 A (株式会社ユアサコーポレーション) 1998.02.13, 【0004】-【0005】, 【0010】, 【図１】 (ファミリーなし)	1-11

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.
13/122,892	04/06/2011	Shunsuke Yasui	083710-0090	3383

53080 7590 09/13/2011

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER	
WANG, EUGENIA	

ART UNIT	PAPER NUMBER
1726	

NOTIFICATION DATE	DELIVERY MODE
09/13/2011	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):

mweipdocket@mwe.com

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SEP 13 2011

WG

In re application of	:	DECISION ON REQUEST TO
Shunsuke Yasui et al.	:	PARTICIPATE IN PATENT
Serial No. 13/122,892	:	PROSECUTION HIGHWAY
Filed: April 6, 2011	:	PROGRAM AND
For: BATTERY MODULE AND BATTERY	:	PETITION TO MAKE SPECIAL
MODULE ASSEMBLY USING SAME	:	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 May 18, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial

applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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P.O. Box 1450
Alexandria, VA 22313-1450
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JUL 27 2011

PCT LEGAL ADMINISTRATION

NXP, B.V.
NXP INTELLECTUAL PROPERTY & LICENSING
M/S41-SJ
1109 MCKAY DRIVE
SAN JOSE CA 95131

In re Application of :
BESLING, Willem Frederik Adrianus :
Application No.: 13/122,900 :
PCT No.: PCT/IB2009/054192 :
Int. Filing Date: 25 September 2009 : DECISION
Priority Date: 09 October 2008 :
Attorney Docket No.: 81349007 US03 :
For: ENERGY STORAGE SYSTEM :

This decision is in response to applicants' statement under MPEP 1893.01(e), filed in the United State Patent and Trademark Office on 06 April 2011.

BACKGROUND

On 06 April 2011, applicants filed a statement under MPEP 1893.01(e).

DISCUSSION

Applicants state the sixth inventor's name is "Marcel Mulder" as stated in the declaration, but that the name in the international application contained a typographical error. The correction of the typographical error in the inventor's name is accepted under MPEP 1893.01(e). The declaration complies with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, applicant's statement under 1893.01(e) is **GRANTED**.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/122,910	04/06/2011	Makoto Inenaga	378091US99PCT	3483

22850 7590 11/14/2011

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
CHANG, VICTOR S	
ART UNIT	**PAPER NUMBER**
1788	
NOTIFICATION DATE	**DELIVERY MODE**
11/14/2011	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):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.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

11/14/11

CST

In re application of	:	DECISION ON REQUEST TO
Makoto Inenaga	:	PARTICIPATE IN PATENT
Serial No. 13/122,910	:	PROSECUTION HIGHWAY
Filed: April 6, 2011	:	PROGRAM AND
For: TRANSPARENT ADHESIVE SHEET AND IMAGE DISPLAY DEVICE	:	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 September 16, 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 currently undergoing preexamination processing, and will be forwarded to the examiner for action on the merits upon completion of the processing.

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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NOV 03 2011

PCT LEGAL ADMINISTRATION

GREER, BURNS & CRAIN
300 S WACKER DR
25TH FLOOR
CHICAGO, IL 60606

In re Application of: MOCH, Markus, et al.
U.S. Application No.: 13/122,924
PCT No.: PCT/EP2009/007105
International Filing Date: 05 October 2009
Priority Date: 06 October 2008
Attorney's Docket No.: 2322.102857
For: DEVICE AND METHOD FOR MONITORING WATERS

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to the "Petition To Correct The Record" filed on 13 June 2011, considered herein under 37 CFR 1.182. Applicants have paid the required petition fee.

BACKGROUND

On 20 May 2011, this Office mailed a notification indicating that a petition under 37 CFR 1.182 was required to clarify the record as to the correct international application number for the present national stage application. The notification indicated that the original application submission on 06 April 2011 referenced two different international application numbers, specifically, PCT/WO10/40487 (which is not a valid international application) and PCT/EP2009/007105.

On 13 June 2011, applicants filed the "Petition To Correct The Record" considered herein under 37 CFR 1.182.

DISCUSSION

The petition filed on 13 June 2011 confirms that the correct international application number for the present national stage application is PCT/EP2009/007105. The petition notes that the correct international application was present in the initial application materials filed on 06 April 2011, specifically, in the preliminary amendment and in the declaration. In addition, the petition was accompanied by the required petition fee.

Applicants' 13 June 2011 submission satisfies the requirements for a grantable petition under 37 CFR 1.182 to correct the inconsistency in the international application numbers identified in applicants' 06 April 2011 filing. Accordingly, the application materials filed on 06 April 2011 will be treated as directed to international application PCT/EP2009/007105. Such

materials, including payment of the U.S. basic national fee, were filed prior to the expiration of thirty months from the priority date of PCT/EP2009/007105, thereby avoiding abandonment of the international application with respect to the United States.

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

The present application will be treated as the U.S. national stage under 35 U.S.C. 371 of PCT/EP2009/007105.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 400
MCLEAN VA 22102

MAILED

MAR 09 2012

OFFICE OF PETITIONS

In re Application of	:	
DAVIS	:	
Application No. 13/122,939	:	DECISION ON PETITION
Filed: June 10, 2011	:	TO WITHDRAW
Attorney Docket No. 669042000600	:	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 **APPROVED.**

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond, pursuant 37 CFR 10.40(c).

The request was signed by Jonathan Bockman on behalf of the attorneys of record associated with Customer No. 25227.

The attorneys of record associated with Customer No. 25227 have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record has been changed and the new correspondence address is the address indicated below until otherwise properly notified.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

cc: SIMON PETER DAVIS
SAGENSWORTH ROAD, UNIT D4
FAREHAM PO15 5RQ GB

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/122,939	06/10/2011	Simon Peter Davis	669042000600

CONFIRMATION NO. 3693

POWER OF ATTORNEY NOTICE

25227
MORRISON & FOERSTER LLP
1650 TYSONS BOULEVARD
SUITE 400
MCLEAN, VA 22102

OC000000053050559

Date Mailed: 03/09/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/09/2012.

- 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.

/dcgoodwyn/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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KLARQUIST SPARKMAN, LLP
121 SW SALMON STREET
SUITE 1600
PORTLAND, OR 97204

MAILED
OCT 19 2011
PCT LEGAL ADMINISTRATION

In re Application of GRAHAM :
U.S. Application No.: 13/122,948 :
PCT Application No.: PCT/GB2009/051007 :
Int. Filing Date: 12 August 2009 :
Priority Date Claimed: 09 October 2008 : DECISION
Attorney Docket No.: 7156-87025-01 :
For: FLEXIBLE PIPE HAVING PRESSURE :
ARMOUR LAYER AND COMPONENTS :
THEREOF :

This is in response to applicant's request for refund under 37 CFR 1.26 filed 29 August 2011.

BACKGROUND

On 12 August 2009, applicant filed international application PCT/GB2009/051007, which claimed priority of an earlier United Kingdom application filed 09 October 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 15 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 11 April 2011.

On 06 April 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and a preliminary amendment.

On 29 August 2011, applicant filed the present request for refund under 37 CFR 1.26.

DISCUSSION

37 CFR 1.26(a) specifies that the Director may refund any fee paid by mistake or in excess of that required.

On 29 April 2011, applicant's deposit account was charged $390.00 for the presence of at least one multiple dependent claim and $520.00 for excess claims. A review of the preliminary amendment filed 06 April 2011 reveals that there are no proper multiple dependent claims. MPEP 608.01(n), Section I, specifies that a multiple dependent claim is a dependent claim which refers back in the alternative to more than one preceding independent or dependent claim. In the present case, although claim 26 refers back to claims 16 to 25, it does not do so in the alternative. MPEP 608.01(n), Section I.G.2(b) states, "If none of the multiple dependent claims is proper, the multiple dependent claim fee set forth in 37 CFR 1.16(j) will not be required." Accordingly, the $390.00 fee for the presence of multiple dependent claims was charged in error. Furthermore, MPEP 608.01(n), Section I.G.2(b) states, "The fee for any improper multiple dependent claim, whether it is defective for either not being in the alternative form or for being directly or indirectly dependent on a prior multiple dependent claim, will only be one, since only an objection to the form of such a claim will normally be made." Accordingly, claim 26 (as amended on 06 April 2011) counts as only one claim for fee calculation purposes, and the $520.00 fee for excess claims was charged in error. Because the aforementioned fees were paid in excess of that required, refund of such fees under 37 CFR 1.26(a) is appropriate. A total of $910.00 will be refunded to Deposit Account No. 02-4550.

CONCLUSION

For the reasons above, the request for refund under 37 CFR 1.26(a) is GRANTED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

MAILED

JUN 10 2011

PCT LEGAL ADMINISTRATION

In re Application of: HEHL, Karl
U.S. Application No.: 13/122,979
PCT No.: PCT/EP2009/007092
International Filing Date: 05 October 2009
Priority Date: 10 October 2008
Attorney's Docket No.: REPO078US
For: ELECTRICALLY DRIVEN MOLD CLAMPING UNIT ON AN INJECTION MOLDING MACHINE

DECISION
(37 CFR 1.42)

This decision is issued in response to applicant's 07 April 2011 submission of a declaration executed on behalf of deceased inventor Karl HEHL, considered herein as a request for status under 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 05 October 2009, applicant filed international application PCT/E2009/007092. The application claimed a priority date of 10 October 2008, and it designated the United States. On 15 April 2004, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for payment of the basic national fee was 30 months from the priority date, i.e., 10 April 2011.

On 07 April 2011, applicants filed materials to initiate the present national stage application including, among other items, payment of the basic national fee, an English translation of the international application, and a declaration executed on behalf of deceased inventor Karl HEHL by his "daughter and legal representative" Renate KEINATH.

DISCUSSION

37 CFR 1.42 states in part:

> In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

37 CFR 1.497(b)(2) states:

> If the person making the oath or declaration or any supplemental oath or declaration is not the inventor (§§ 1.42, 1.43, or 1.47) the oath or declaration

> shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor would have been required to state. If the person is the legal representative of a deceased inventor, the oath or declaration shall also state that the person is a legal representative and the citizenship, residence, and mailing address of the legal representative.

Pursuant to 37 CFR 1.497(b)(2), the declaration must provide the citizenship, mailing address, and residence information for the legal representative **and** the name and citizenship of the deceased inventor. Here, the filed declaration provides the required information regarding the legal representative; however, the declaration does not comply with 37 CFR 1.497(b)(2) in that it does not provide separate citizenship information for the deceased inventor.

Because the filed declaration does not include all the information required by 37 CFR 1.497(b)(2), the declaration cannot be accepted under 37 CFR 1.42 and 37 CFR 1.497.

CONCLUSION

The request for status under 37 CFR 1.42 with respect to deceased inventor Karl HEHL is **DISMISSED** without prejudice.

Applicants have **TWO (2) MONTHS** from the mail date this decision to submit a proper response under 37 CFR 1.42 and 1.497. Failure to file a proper and timely response will result in abandonment. Extensions of time are available under 37 CFR 1.136(a).

A proper response must include a revised oath or declaration executed on behalf of the deceased inventor by his legal representative containing all the information required under 37 CFR 1.497, including, as discussed above, the citizenship, residence, and mailing address of the legal representative and the name and citizenship of the deceased inventor.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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United States Patent and Trademark Office
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MAILED

AUG 17 2011

PCT LEGAL ADMINISTRATION

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of: HEHL, Karl
U.S. Application No.: 13/122,979
PCT No.: PCT/EP2009/007092
International Filing Date: 05 October 2009
Priority Date: 10 October 2008
Attorney's Docket No.: REPO078US
For: ELECTRICALLY DRIVEN MOLD CLAMPING UNIT ON AN INJECTION MOLDING MACHINE

DECISION ON RENEWED SUBMISSION UNDER 37 CFR 1.42

This decision is issued in response to applicant's "Response To Decision On Petition And Request For Status Under 37 CFR 1.42" filed on 19 July 2011. No petition fee is required.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed on 10 June 2011. The decision dismissed without prejudice applicant's request for status under 37 CFR 1.42 with respect to deceased inventor Karl HEHL, finding that the declaration filed on behalf of the deceased inventor did not include all required information.

On 19 July 2011, applicant filed the "Response To Decision On Petition And Request For Status Under 37 CFR 1.42" considered herein, accompanied by a revised declaration executed on behalf of the deceased inventor.

DISCUSSION

The revised declaration filed on 19 July 2011 is executed on behalf of deceased inventor Karl HEHL by Renate KEINATH. The declaration specifically identifies Renate KEINATH as the "daughter and legal representative" of the deceased inventor, and it includes all information required by 37 CFR 1.497(b)(2) with respect to the legal representative, that is, the legal representative's citizenship, residence, and post office address. The declaration also clearly sets forth the name and citizenship of the deceased sole inventor, as required. In view of the above, the revised declaration filed 19 July 2011 is acceptable under 37 CFR 1.42 and 1.497.

Deposit Account No. 06-1130 will be charged the $130 surcharge for filing the acceptable declaration later than thirty months after the priority date.

CONCLUSION

Applicant's renewed request for status under 37 CFR 1.42 with respect to deceased sole inventor Karl HEHL is **GRANTED**.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,003	04/07/2011	Hyuck Lee	A3-2650	4337

61174 7590 09/19/2011

MAXON IP LLC
46175 WESTLAKE DR.
SUITE 410
POTOMAC FALLS, VA 20165

EXAMINER	
ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
09/19/2011	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):

Justin.kim@maxonip.com
kimcho1010@yahoo.com
INFO@MAXONIP.COM

MAILED

SEP 16 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

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Justin H. Kim
MAXON IP LLC
46175 WESTLAKE DR.
SUITE 410
POTOMAC FALLS, VA 20165

In re Application of: LEE, HYUCK
Application No.: **13/123,003**
Attorney Docket No.: A3-2650
Filed: April 7, 2011
For: COMMUNICATION RELAY SYSTEM, SERVER, AND METHOD FOR 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 7, 2011**, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is
(a) a Paris Convention application which either (i) validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or
(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application (i) validly claims priority to an application filed in the KIPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim, or
(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application (i) validly claims priority to an application filed in the KIPO, or (ii) validly claims priority to a PCT application that contains no priority claims, or (iii) contains no priority claim.

Where the KIPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the KIPO application that contains the allowable/patentable claims and the KIPO priority application claimed in the U.S. application.

(2) Applicant must submit a copy of (a) the allowable/patentable claim(s) from the KR application(s); (b) an English translation of the allowable/patentable claim(s), if the claims were published in a language other than English); and (c) a statement that the English translation is accurate.

(3) 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 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 KR application(s) containing the allowable/patentable claim(s); (b) an English language translation of the KIPO office action(s) (if the office action(s) are not in the English language); and (c) a statement that the English translation is accurate.

(6) Applicant must submit (a) an IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and (b) copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application).

The request to participate in the PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded **"special"** status.

Accordingly, the petition is **GRANTED.**

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Telephone inquiries concerning this decision should be directed to Beatriz Prieto at 571-272-3902. A second point of contact is Hassan Kizou at 571-272-3088.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Beatriz Prieto/

Beatriz Prieto, Quality Assurance Specialist
Technology Center 2400

United States Patent and Trademark Office

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JUN 08 2011

PCT LEGAL ADMINISTRATION

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS MI 48303

In re Application of :
Vegelahn et al. :
Application No.: 13/123,022 and 13/123,016 :
PCT No.: PCT/EP2009/007225 :
Int. Filing Date: 08 October 2009 : DECISION
Priority Date: 09 October 2008 :
Attorney Docket No.: 2693-000135/US/NP :
For: Printing Table Arrangement :

This is in response to the correspondence filed on 07 April 2011.

BACKGROUND

International application PCT/EP2009/007225 was filed on 08 October 2009, claimed an earlier priority date of 09 October2008, and designated the United States. The International Bureau transmitted a copy of the published international application to the USPTO on 15 April 2010. The period for payment of the basic national fee in the United States expired as of midnight on 09 April 2011. Applicants filed *inter alia* a basic national fee directed toward said international application in 13/123,022 on 07 April 2011. Applicants also filed correspondence on the same date, which was assigned to application no. 13/123,016.

DISCUSSION

Review of the record reveals that applicants have filed two sets of correspondence, 13/123,016 and 13/123,022, directed toward the national stage under 35 U.S.C. 371 of the same international application, PCT/EP2009/007225. Any particular international application under the PCT culminates in a single national stage entry in the United States under 35 U.S.C. 371; multiple national stage entries of a single PCT application are not permitted. As such, since these purported national stage entries were both intended as the national stage of the same international application, it would be appropriate to merge the applications. Since a Notice of Acceptance (Form PCT/DO/EO/903) already has been mailed in 13/123,022, and since fees have not been charged and applied to 13/123,016, the papers filed in 13/123,016 are being placed into the '022 application file. All future correspondence should be directed toward 13/123,022.

DECISION

The application papers are **ACCEPTED**, as described above.

Application number 13/123,016 has not been activated, but has been merged with 13/123,022. All further correspondence with respect to this matter should be directed to 13/123,022.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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YOUNG & THOMPSON
209 MADISON STREET
SUITE 500
ALEXANDRIA, VA 22314

MAILED
SEP 21 2011
PCT LEGAL ADMINISTRATION

In re Application of DE FREITAS CAIRES et al :
U.S. Application No.: 13/123,028 :
PCT Application No.: PCT/EP2009/007246 :
Int. Filing Date: 08 October 2009 :
Priority Date Claimed: 08 October 2008 : DECISION
Attorney Docket No.: 0510-1289 :
For: MARKER PEPTIDES FOR DETERMINING :
THE OCCURRENCE OF AN INFLAMMATORY :
STATE IN A SUBJECT :

This is in response to applicant's correspondence filed 30 June 2011, which is being treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 08 October 2009, applicant filed international application PCT/EP2009/007246, which claimed priority of an earlier European Patent Office application filed 08 October 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 15 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 08 April 2011.

On 07 April 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and an executed declaration.

On 02 May 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which identified a discrepancy with respect to the first inventor's name.

On 30 June 2011, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

MPEP 1893.01(e) states in relevant part,

> Where there has been no change of inventorship but the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c). However, where the discrepancy between the name of the inventor indicated in the international application during the international phase and the name of the inventor as it appears in the oath or declaration submitted under 37 CFR 1.497 is the result of a typographical or transliteration error, then a petition under 37 CFR 1.182 will not be required. In such case, the Office should simply be notified of the error.

The petition states that the discrepancy with respect to the first inventor's name was the result of a typographical error in the international application. This statement is a proper notification to the Office in accordance with MPEP 1893.01(e).

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 08 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 07 April 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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OCT 17 2011

PCT LEGAL ADMINISTRATION

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
3404 E. Harmony Road
Mail Stop 35
FORT COLLINS CO 80528

In re Application of :
JILANI, Adel, et al. :
U.S. Application No.: 13/123,040 :
PCT No.: PCT/US2009/030975 :
Int. Filing Date: 14 January 2009 : DECISION
Priority Date: None :
Attorney Docket No.: 200802647US01 :
For: ACOUSTIC PRESSURE :
TRANSDUCER :

This is a decision on applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 05 August 2011. It is being treated as a petition under 37 CFR 1.181 to withdraw the holding of abandonment.

BACKGROUND

On 07 April 2011, applicants filed a transmittal letter to the United States Designated/Elected Office accompanied by, *inter alia*, an information disclosure statement, authorizing the Office to charge any required fees to deposit account no. 08-2025.

On 15 July 2011, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to pay the basic national fee by 30 months from the priority date.

On 05 August 2011, applicant filed a petition under 37 CFR 1.137(b).

DISCUSSION

As applicants had furnished a valid authorization to charge required fees and the account had sufficient funds to cover the basic national fee, this application should not have been held abandoned.

CONCLUSION

For the above reason, applicants' petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment(Form PCT/DO/EO/909) mailed 15 July 2011 is **VACATED**.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Phone: (571) 272-3292

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SEP 13 2011

PCT LEGAL ADMINISTRATION

CLARK & ELBING LLP
101 FEDERAL STREET
BOSTON MA 02110

In re Application of :
AISAKA (deceased) et al. :
Application No.: 13/123,049 : DECISION
Attorney's Docket No.: 50026/078001 :
PCT No.: PCT/JP2009/067565 :
Int. Filing Date: 08 October 2009 :
Priority Date: 09 October 2008 :
For: NOVEL FRUCTOSYL PEPTIDE OXIDASE :

This decision is in response to applicants' petition under 37 CFR 1.182 filed 10 August 2011 and applicants' request for status under 37 CFR 1.42 filed 02 June 2011.

BACKGROUND

On 07 April 2011, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US) electronically via EFS-Web. The submission included, *inter alia*, a Transmittal Letter, an Application Data Sheet (ADS), a preliminary amendment, and a declaration of the inventor. The international application number keyed into EFS-Web was PCT/US09/67565. However, the international application number appearing on the Transmittal Letter, the ADS, the preliminary amendment, and the declaration of the inventors is PCT/JP2009/067565.

On 02 June 2011, applicants filed a submission which included, *inter alia*, a declaration of the inventors with an indication in the declaration that inventor Kazuo AISAKA is deceased. This indication has properly been treated as a request for status under 37 CFR 1.42.

On 13 June 2011, a Notification was issued indicating that a petition under 37 CFR 1.182, including the petition fee set forth in 37 CFR 1.17(f), to correct the above-stated error regarding the international application number was required. The Notification also indicated that a decision on the request for status under 37 CFR 1.42 was held in abeyance until the above-stated inconsistency involving the international application number is resolved.

On 10 August 2011, applicants filed a petition under 37 CFR 1.182.

DISCUSSION

International Application Number

The petition fee under 37 CFR 1.182 has been paid. A review of the application file including counsel's statements in the instant submission reveals that the present application should in fact be the national stage application of international application **PCT/JP2009/067565**.

Request for Status under 37 CFR 1.42

The submission filed 02 June 2011 has been reviewed and has been found in compliance with 37 CFR 1.42.

Declaration of the Inventor

The declaration of the inventor filed 02 June 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.182 is **GRANTED**.

For the reasons set forth above, the request for status under 37 CFR 1.42 is **ACCEPTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone (571) 272-3301

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IpHorgan Ltd.
1130 LAKE COOK ROAD
SUITE 240
BUFFALO GROVE IL 60089

MAILED

JUL 06 2011

PCT LEGAL ADMINISTRATION

In re Application of SETERNES et al.	:	DECISION ON
Application No.: 13/123,163	:	
PCT No.: PCT/GB09/02406	:	WITHDRAWAL OF
Int. Filing: 08 October 2009	:	
Priority Date: 08 October 2008	:	HOLDING OF ABANDONMENT
Attorney Docket No.: FBD 0037 US	:	
For: CHEWABLE GELLED EMULSIONS	:	UNDER 37 CFR 1.181

This is a decision on applicant's "Petition to Withdraw Holding of Abandonment Under 37 CFR 1.181(a)", filed in the US Patent and Trademark Office (USPTO) on 05 May 2011. No petition fee is required.

BACKGROUND

On 08 October 2009, applicant filed an international application PCT/GB09/02406, which claimed a priority date of 08 October 2008. Thus, the thirty month period was set to expire on 08 April 2011.

On 07 April 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, the basic national fee.

On 02 May 2011, the Office mailed a Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to provide a copy of the international application by the 30 month period.

On 05 May 2011, applicant filed the present petition requesting that the USPTO withdraw the holding of abandonment as the applicant had timely filed the request for entry into the U.S. National stage.

DISCUSSION

The Notification of Abandonment indicated that the application was abandoned for failure to provide a copy of the international application by 30 months. The requirement to file a copy of the international application, in compliance with 35 U.S.C. 371(c), was fulfilled as is evident from the Electronic Acknowledgement Receipt. The receipt indicates that a copy of the published international application was submitted. Thus, the 02 May 2011 Notification of Abandonment was mailed in error and is hereby **VACATED**.

CONCLUSION

The petition under 37 CFR 1.181 to withdraw the holding of abandonment is **GRANTED**.

The 02 May 2011 Notification of Abandonment is hereby **VACATED**.

The application will be forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements, indicating that the oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration after the thirty month period, is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration

Telephone: (571) 272-3286
Facsimile: (571) 273-0459

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/123,175	Filing date:	June 29, 2011
First Named Inventor:	DOROTHEE VON LAER		
Title of the Invention:	LCMV-GP-VSV-PSEUDOTYPED VECTORS AND TUMOR-INFILTRATING VIRUS-PRODUCING CELLS FOR THE THERAPY OF TUMORS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2009/007230

The international filing date of the corresponding PCT application(s) is/are: October 8, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/123,175
First Named Inventor:	DOROTHEE VON LAER

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	The US claim is identical to the PCT claim
2	2	The US claim is identical to the PCT claim
3	3	The US claim is identical to the PCT claim, but amended to remove multiple dependency
4	4	The US claim is identical to the PCT claim, but amended to remove multiple dependency
5	5	The US claim is identical to the PCT claim
6	6	The US claim is identical to the PCT claim
7	7	The US claim is identical to the PCT claim
8	8	The US claim is identical to the PCT claim
9	9	The US claim is identical to the PCT claim
10	10	The US claim is identical to the PCT claim
11	11	The US claim is identical to the PCT claim
12	12	The US claim is identical to the PCT claim
13	13	The US claim is identical to the PCT claim
14	14	The US claim is identical to the PCT claim, but amended to remove multiple dependency
15	15	The US claim is identical to the PCT claim, but amended to remove multiple dependency
16	16	The US claim is identical to the PCT claim, but amended to remove multiple dependency
17	17	U.S. Claim is Cancelled
18	18	U.S. Claim is Cancelled
19	19	U.S. Claim is Cancelled

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /JefferyBArnold39540/	Date 2011-08-08
Name (Print/Typed) Jeffery B. Arnold	Registration Number 39540

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.

CLAIM CORRESPONDENCE TABLE (CONTINUED) TO PTO/SB20/PCT-EP

Claims in US Application	Patentable Claims in the Corresponding PCT Application	Explanation Regarding the Correspondence
20	20	U.S. Claim is cancelled
21	21	U.S. Claim is cancelled
22	22	U.S. Claim is cancelled
23	23	U.S. Claim is cancelled
24	24	U.S. Claim is cancelled
25	21	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
26	21	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
27	21	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
28	22	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
29	22	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
30	22	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
31	24	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
32	24	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
33	24	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency
34	24	The US claim is identical in substance to the PCT claim but amended to remove multiple dependency

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United States Patent and Trademark Office
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MAILED

JUN 09 2011

PCT LEGAL ADMINISTRATION

JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON DC 20004

In re Application of :
XU, Weiguo, et al. :
Application No.: 13/123,190 :
PCT No.: PCT/CN2009/073484 :
Int. Filing Date: 25 August 2009 : DECISION
Priority Date: None :
Att. Docket No.: P73938US0 :
For: METHOD OF PRODUCING FLUOROMETHYL 1,1,1,3,3,3-HEXAFLUOROISOPROPYL ETHER :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 07 April 2011, is **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
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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:	13/123,292	Filing date:	2011-04-08
First Named Inventor:	Adrian SPALKA		
Title of the Invention:	Data Processing System For Providing Authorization Keys		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2009/062093

The international filing date of the corresponding PCT application(s) is/are: 2009-09-18

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/123,292
First Named Inventor:	Adrian SPALKA

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on 2011-06-13

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 2011-06-13

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
34	1	Substantially same claim language
35,48	2	Substantially same claim language
36,49	3	Substantially same claim language
37,50	4	Substantially same claim language
38,51	5	Substantially same claim language
39,52	6	Substantially same claim language
40,53	7	Substantially same claim language
41,54	8	Substantially same claim language
42,55	9	Substantially same claim language
43,56	10	Substantially same claim language
44,57	11	Substantially same claim language
45,58	12	Substantially same claim language
46,59	13	Substantially same claim language
47	1,14	Combination of claim 1 and 14 of PCT

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature s/Matthew B. Dernier/	Date 2011-07-20
Name (Print/Typed) Matthew b. Dernier	Registration Number 40,989

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.
13/123,292	06/13/2011	Adrian Spalka	628-46	6572

27538 7590 09/16/2011

GIBSON & DERNIER LLP
SUITE 504,
900 ROUTE 9 NORTH
WOODBRIDGE, NJ 07095

EXAMINER	
ART UNIT	PAPER NUMBER
2431	

MAIL DATE	DELIVERY MODE
09/16/2011	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.

MAILED

SEP 16 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GIBSON & DERNIER LLP
SUITE 504,
900 ROUTE 9 NORTH
WOODBRIDGE NJ 07095

In re Application of: SPALKA, A.
Application No. **13/123,292**
Filed: June 13, 2011
Atty Docket NO. 628-46
For: DATA PROCESSING SYSTEM FOR PROVIDING AUTHORIZATION KEYS

DECISION ON REQUEST TO PARTICIPATE IN PCT-PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(a)

This is a decision on the request to participate in the PCT- Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR §1.102(a), filed **July 20, 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 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. If the claims in the U.S. application for which participation in the PCT-PPH pilot program is requested are identical to the claims from the corresponding PCT application, and are in the English language, applicant may just indicate such in the PCT-PPH request and it will not be necessary for applicant to submit a copy of the claims from the corresponding PCT application.

(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) 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 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 would be Hassan Kizou at (571) 272-3088. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Beatriz Prieto/

Beatriz Prieto
Quality Assurance Specialist
Technology Center 2400

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
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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:	13/123,297	Filing date:	April 25, 2011
First Named Inventor:	Thomas et al.		
Title of the Invention:	707753		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2009/060237

The international filing date of the corresponding PCT application(s) is/are: October 9, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

a and b are in the English language

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/123,297
First Named Inventor:	Thomas 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 May 4, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on May 4, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
		PLEASE SEE ATTACHED SHEET

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Xavier Pillai, Reg. No. 39,799/	Date December 13, 2011
Name (Print/Typed) Xavier Pillai	Registration Number 39,799

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.

CLAIMS INDICATED ALLOWABLE BY THE WRITTEN OPINION OF THE ISA
PCT/US2009/060237

11. The compound or salt of any one of claims 1 to 9, wherein the compound is of formula (Ia), X is N, n = 1, and R^3 to R^{10} is H, and R^1 and R^2 are as follows:

wherein X is N, n = 1, and R^3 to R^{10} is H, and R^1 and R^2 are as follows:

R^1 is 4-methoxyphenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 and R^2 are 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 and R^2 are 4-methoxyphenyl;

R^1 is 4-cyanophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 4-chlorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 4-fluorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 3-fluorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2-fluorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,6-difluorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,4,5-trifluorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,6-difluoro-4-methoxyphenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,5-difluoro-3-propylphenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,6-difluoro-3-hydroxypheny and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,4-difluorophenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is phenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 3-(trifluoromethylphenyl) and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 3-methoxyphenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 4-methoxyphenyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2-pyridyl and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2-pyridyl-1-oxide and R^2 is 6-(2,3-dihydro-benzo[*b*][1,4] dioxinyl);

R^1 is 2,6-difluorophenyl and R^2 is 2,6-difluorophenyl;

R^1 is 2,6-difluorophenyl and R^2 is 7-(3,4-dihydro-*2H*-benzo[*b*][1,4] dioxepinyl);

R^1 is 2,6-difluorophenyl and R^2 is 5-benzo[d][1,4] dioxinyl;

R^1 is 2,6-difluorophenyl and R^2 is 7-(4-methyl-3,4-dihydro-*2H*-pyrido[3,2-b][1,4]oxazinyl);

R^1 is 2,6-difluorophenyl and R^2 is 2-naphthalenyl;

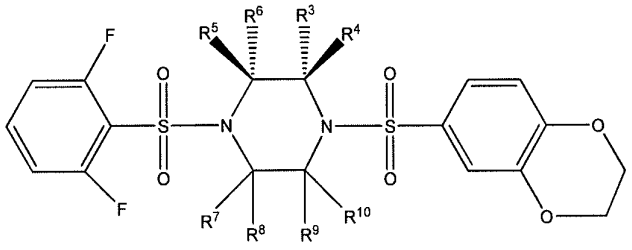
R^1 is 2,6-difluorophenyl and R^2 is 6-(2,2-dimethylchromanyl);

R^1 is 2,6-difluorophenyl and R^2 is 5-(1-methyl-*1H*-indolyl);

R^1 is 2,6-difluorophenyl and R^2 is 6-(2-methylbenzo[d]thiazolyl); or

R^1 is 2,6-difluorophenyl and R^2 is 6-(2,3-dihydrobenzo[b][1,4]dioxinyl).

13. The compound or salt of claim 12, wherein the compound is of formula (Ic):



(Ic),

wherein R^3 to R^{10} are H or methyl, R^3 to R^6 and R^9 and R^{10} are H or methyl and R^7 form C=O, or R^3 to R^8 are H or methyl and R^9 and R^{10} form C=O.

14. The compound or salt of claim 13, wherein (i) R^5 is methyl and R^3, R^4, and R^6 to R^{10} are H; (ii) R^6 is methyl and R^3 to R^5 and R^7 to R^{10} are H; (iii) R^3 is methyl and R^4 to R^{10} are H; (iv) R^4 is methyl and R^3 and R^5 to R^{10} are H; (v) R^3 to R^8 are H and R^9 and R^{10} form C=O; or (vi) R^3 to R^6 and R^7 and R^8 are H and R^7 and R^8 form C=O.

16. The compound or salt of claim 2, wherein X is CH.

17. The compound or salt of claim 16, wherein wherein n is 1.

18. The compound or salt of claim 17, wherein R^3, R^4, and R^5 are H.

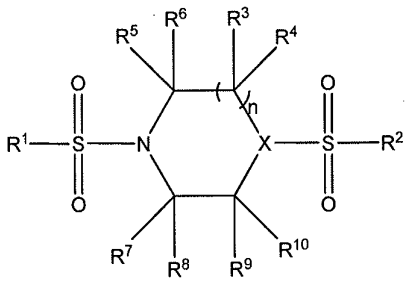
19. The compound or salt of any one of claims 16 to 18, wherein R^1 is selected from the group consisting of 4-methylphenyl, 2-methylphenyl, 2-fluorophenyl, 3-fluorophenyl, 4,2-difluorophenyl, 2,6-difluorophenyl, 2,4,5-trifluorophenyl, 2,6-difluoro-4-trifluoromethylphenyl, 4-chloro-2-fluoro, 3-chloro-2-fluoro, 4-trifluoromethylphenyl, 4-bromo-2-fluorophenyl, 4-methoxyphenyl, and 2-nitrophenyl.

20. The compound or salt according to any one of claims 16 to 19, wherein R^1 is selected from the group consisting of 2,6-difluoro-4-trifluoromethylphenyl, 2,6-difluorophenyl, and 4-methoxyphenyl.

21. The compound or salt of any one of claims 16 to 20, wherein R^2 is 3,4-ethylenedioxyphenyl.

25. The compound or salt of claim 24, wherein R^1 is 2,6-difluorophenyl and R^2 is 6-(2,3-dihydrobenzo[b][1,4]dioxinyl).

36. The method of claim 35, wherein the compound is of formula Ia



(Ia)

,

wherein n = 1 to 3, R^1 and R^2 are aryl, phenyl, or heteroaryl, optionally substituted with one or more substituents selected from the group consisting of C_1-C_{10} alkyl, C_3-C_6 alkylene, C_2-C_{10} alkenyl, C_2-C_{10} alkynyl, C_1-C_{10} haloalkyl, C_1-C_{10} dihaloalkyl, C_1-C_{10} trihaloalkyl, C_3-C_{10} cycloalkyl, C_3-C_{10} cycloalkenyl, C_6-C_{10} aryl, heterocyclyl, heteroaryl, heteroaryloxide, alkylenedioxy, OR^4, SR^4, NR^4R^5, $NCOR^4$, $OCOR^4$, $SCOR^4$, SOR^4, SO_2R^4, $SO_2NR^4R^5$, NO_2, $B(OH)_2$, CN, and halogen,

R^3 and R^4 are independently selected from the group consisting of H, C_1-C_{10} alkyl, C_2-C_{10} alkenyl, C_2-C_{10} alkynyl, C_3-C_{10} cycloalkyl, C_3-C_{10} cycloalkenyl, COR^6, F, and CF_3, or, R^3 and R^4, taken together, form C=O,

R^5 and R^7 to R^{10} are independently H, C_1-C_{10} alkyl, or F,

R^6 is C_1-C_{10} alkyl or C_3-C_{10} cycloalkyl, or

each of R^7 and R^8 and of R^9 and R^{10}, together form C=O

and

X is CH or N.

Leydig Ref: 707753
HHS Ref: E-326-2008/0-US-07

ATTACHMENT TO PCT-PPH REQUEST
In U.S. Appl. No. 13/123,297

A claim amendment is included in the enclosed Second Preliminary Amendment. The claim numbers in the first column of the table below refer to the claims as amended in the Second Preliminary Amendment.

Claims in US Application's Second Preliminary Amendment	**Patentable Claims in the Corresponding PCT Application**	**Explanation regarding the correspondence**
69	11	PCT claim 11 was antecedently dependent upon claim 2 for formula Ia. Application claim 69 has been drafted as an independent claim directed to the subject matter of PCT claim 11 and includes formula Ia in order to provide proper antecedent basis for the formula.
70	13	PCT claim 13 was antecedently dependent upon claim 12 for formula Ic. Application claim 70 has been drafted as an independent claim directed to the subject matter of PCT claim 13 and includes formula Ic in order to provide proper antecedent basis for the formula.
71	14	Application claim 71 has been made to depend from claim 70 since corresponding PCT claim 14 was dependent upon claim 13.
72	16	PCT claim 16 was antecedently dependent upon claim 2 for formula Ia. Application claim 72 has been drafted as an independent claim directed to the subject matter of PCT claim 16 and includes formula Ia in order to provide proper antecedent basis for the formula.
73	17	Application claim 73 has been made to depend from claim 72 since corresponding PCT claim 17 was dependent upon claim 16.
74	18	Application claim 74 has been made to depend from claim 73 since corresponding PCT claim 18 was dependent upon claim 17.
75	19	Application claim 74 has been made to depend from claim 72 since corresponding PCT claim 19 was multiply dependent upon any one of claims 16-18.
76	20	Application claim 76 has been made to depend from claim 72 since corresponding PCT claim 20 was multiply dependent upon any one of claims 16-18.
77	21	Application claim 77 has been made to

		depend from claim 72 since corresponding PCT claim 21 was multiply dependent upon any one of claims 16-20.
78	25	Application claim 78 has been drafted as an independent claim and includes the subject matter of PCT claim 25 as well as that of PCT claims 1, 22, 23, and 24, upon which claim 25 was dependent, directly or ultimately.
79	11	Application claim 79, directed to a pharmaceutical composition, includes the subject matter of PCT claim 11 and a further limitation of pharmaceutically acceptable carrier.
80	13	Application claim 80, directed to a pharmaceutical composition, includes the subject matter of PCT claim 13 and a further limitation of pharmaceutically acceptable carrier.
81	16	Application claim 81, directed to a pharmaceutical composition, includes the subject matter of PCT claim 16 and a further limitation of pharmaceutically acceptable carrier.
82	25	Application claim 82, directed to a pharmaceutical composition, includes the subject matter of PCT claim 25 and a further limitation of pharmaceutically acceptable carrier.
83	36	Application claim 83, directed to a method of treatment, has been drafted as an independent claim directed to the subject matter of PCT claim 36 and further includes the preamble of PCT claim 35 upon which claim 36 was dependent.
84	36	Application claim 84 includes the subject matter of PCT claim 36, and further limits the subject matter by reciting compound species falling within the scope of allowable PCT claim 11.
85	36	Application claim 85 includes the subject matter of upon PCT claim 36, and further limits the subject matter by reciting that the disease is cancer.
86	36	Application claim 86 includes the subject matter of PCT claim 36, and further limits the subject matter by reciting a specific list of cancer species.
87	36	Application claim 87 includes the subject matter of PCT claim 36, and further limits

		the subject matter by reciting a more specific list of cancer species.
88	36	Application claim 88 includes the subject matter of PCT claim 36, and further limits the subject matter by reciting a specific cancer species, renal cancer.
89	36	Application claim 89 includes the subject matter of PCT claim 36, and further limits the subject matter by reciting a specific cancer species, CNS cancer.
90	36	Application claim 90 includes the subject matter of PCT claim 36, and further limits the subject matter by reciting a specific cancer species, breast cancer.
91	36	Application claim 91 includes the subject matter of PCT claim 36, and further limits the subject matter by reciting a specific cancer species, ovarian cancer.
92	36	Application claim 92 includes the subject matter of application claim 84 (which in turn includes the subject matter of PCT claim 36), and further limits the subject matter by reciting that the disease is cancer.

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LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO IL 60601-6731

MAILED
MAR 13 2012
OFFICE OF PETITIONS

In re Application of
Craig J. THOMAS et al.
Application No.: 13/123,297
Filed: April 25, 2011
Attorney Docket No.: 707753
For: ACTIVATORS OF HUMAN PYRUVATE KINASE

: 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 **DENIED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, Nordic Patent Institute, Russia, Spain, Sweden, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(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 (1-4) and (6-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (5).

Regarding the requirement of condition (5), examination of the application has begun.

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 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.

Anthony Knight
Director
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 13/123,297

Confirmation No. 6591

Applicant: Thomas et al.

Filed: April 25, 2011

TC/AU: 1624

Examiner: Cecilia M. Jaisle

Docket No.: 707753 (Client Reference No. E-326-2008/0-US-07)

Customer No.: 45733

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY PROGRAM

Sir:

In response to the Decision mailed on March 13, 2012 on Applicants' request to participate in the patent prosecution highway and petition to make special, reconsideration is requested in view of the following remarks.

Remarks begin at page 2 of this paper.

REMARKS/ARGUMENTS

The Decision indicated that the request and the petition filed by Applicants on December 13, 2011 are denied for the alleged reason that requirement (5) for filing a proper request that "Examination of the U.S. application has not begun" was not satisfied. Applicants respectfully request reconsideration of the Decision for the following reasons.

As discussed, the request and petition to make special were filed on December 13, 2011. According to the USPTO guidelines of May 25, 2010, Patent Prosecution Highway (PPH) Frequently Asked Questions (FAQs), page 2, numbered item 1(b), the requirement "Examination has not begun" is defined as follows:

> **A1.** The requirement that examination of the US application must not have begun refers to substantive examination. Therefore, if you have only received a notice to file missing parts, this would not be considered as substantive examination. If you have received a restriction requirement in the US application, your US application may still be eligible to participate in the PPH program if the examiner has not started on the first action on the merits.

Thus, "examination" in the requirement refers to *substantive examination.* On December 13, 2011, when the Applicants filed the request and petition, substantive examination of the application had not begun, as discussed below.

The record shows that Applicants received a restriction requirement dated January 20, 2012. According to the USPTO guidelines reproduced above, even if the Applicants had filed the request and petition on January 20, 2012, which was clearly pre-dated by the actual date of filing of the request and petition, the application would still be eligible to participate in the PPH program if the examiner had not started on the first action on the merits at the time of filing of the request to participate in the PPH program. The Examiner in this application could not have properly started on the first action on the merits until a response to the restriction requirement of January 20, 2012 was filed because the Examiner, on December 13, 2011, would not have known which group of invention that Applicants would elect in response to the restriction requirement in order to be able to begin his or her search. The Examiner also would not have known which species the Applicants would elect for initiating his or her search. The Examiner would not have known all the required information until a

response to the restriction and species election requirements was filed by Applicants. The records show that a response to the restriction/species election requirements was filed by Applicants on February 15, 2012. Accordingly, it would have been impossible for the Examiner to have properly begun substantive examination of application at any time before February 15, 2012.

The foregoing clearly shows that on the day of the filing of the request and petition, i.e., on December 13, 2011, substantive examination of the application could not have begun. Therefore, Applicants submit that requirement (5) was satisfied on the date of filing of the request and petition. The request and petition were therefore properly filed. Accordingly, the denial of the request and the petition to make application special is improper.

In view of the foregoing, Applicants request reconsideration and withdrawal of the denial of the request to participate in the PPH program and the petition to make application special.

A favorable decision is requested. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

Xavier Pillai, Ph.D., Reg. No. 39,799
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, Illinois 60601-6731
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: April 13, 2012

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BACHMAN & LAPOINTE, P.C.
900 CHAPEL STREET
SUITE 1201
NEW HAVEN, CT 06510

MAILED
OCT 13 2011
PCT LEGAL ADMINISTRATION

In re Application of HOSAGASI et al
U.S. Application No.: 13/123,308
PCT Application No.: PCT/FR2009/001204
Int. Filing Date: 13 October 2009
Priority Date Claimed: 13 October 2008
Attorney Docket No.: 11-196
For: ADSORBENT PRODUCT FOR THE REMOVAL OF HYDROCARBON POLLUTANTS, AND METHOD FOR REMOVING HYDROCARBON POLLUTION, IN PARTICULAR AT THE SURFACE OF THE WATER, USING SAID PRODUCT

DECISION

This is in response to applicant's correspondence filed 08 August 2011, which is being treated as a petition under 37 CFR 1.182.

BACKGROUND

On 13 October 2009, applicant filed international application PCT/FR2009/001204, which claimed priority of an earlier France application filed 13 October 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 22 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 13 April 2011.

On 08 April 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and an executed declaration.

On 16 May 2011, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which identified a discrepancy with respect to the given name of the second inventor.

On 08 August 2011, applicant filed the present petition under 37 CFR 1.182.

DISCUSSION

MPEP 1893.01(e) states in relevant part,

> Where there has been no change of inventorship but the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c). However, where the discrepancy between the name of the inventor indicated in the international application during the international phase and the name of the inventor as it appears in the oath or declaration submitted under 37 CFR 1.497 is the result of a typographical or transliteration error, then a petition under 37 CFR 1.182 will not be required. In such case, the Office should simply be notified of the error.

The present petition states that the discrepancy regarding the first inventor's name was the result of a typographical error. However, a review of the PCT Request indicates that the incorrect name was not inserted by typography. In accordance with the directions contained in the petition, the fee for acceptance of the declaration with the changed name will be charged to Deposit Account No. 02-0184.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 13 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 08 April 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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: 976-161	Application Number (if known):	Filing date: April 8, 2011
First Named Inventor: Johannes G. Wijmans		

Title: PROCESS FOR SEPARATING CARBON DIOXIDE FROM FLUE GAS USING SWEEP-BASED MEMBRANE SEPARATION AND ABSORPTION STEPS

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 8, 2011
Name (Print/Typed) Kathi Bean	Registration Number 36,644

***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.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,342	04/08/2011	Johannes G. Wijmans	976-161US	6897

26909 7590 08/26/2011

MEMBRANE TECHNOLOGY AND RESEARCH INC.
1360 WILLOW ROAD SUITE 103
MENLO PARK, CA 94025-1516

EXAMINER	
ART UNIT	PAPER NUMBER
1736	

MAIL DATE	DELIVERY MODE
08/26/2011	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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8/26/11

MEMBRANE TECHNOLOGY AND RESEARCH INC.
1360 WILLOW ROAD SUITE 103
MENLO PARK CA 94025-1516

In re Application of	:	
Wijmans et al.	:	DECISION ON PETITION
Application No. 13/123,342	:	TO MAKE SPECIAL UNDER
Filed: 4/8/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **976-161US**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 4/8/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,363	07/01/2011	Mino Green	KSTR 200022US01	7064

27885 7590 09/14/2011

FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

EXAMINER	
MARKS, JACOB B	

ART UNIT	PAPER NUMBER
1729	

MAIL DATE	DELIVERY MODE
09/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

September 14, 2011 BC

In re application of Mino Green et al. Serial No. 13/123,363 Filed: April 08, 2011 For: METHOD OF FABRICATING STRUCTURED PARTICLES COMPOSED OF SILICON OR A SILICON-BASED MATERIAL	: : : : : :	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 filed May 26, 2011.

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 UK IPO, note where the UK IPO 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 UK IPO application with similar claims and the UK IPO priority application;

(2) Applicant must submit a copy of:
The allowable/patentable claim(s) from the UK IPO application(s);

(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 UK IPO application(s); and
b. Submit a claims correspondence table;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
A copy of all of the office actions from each of the UK IPO application(s) containing the allowable/patentable claims that are the basis for the request or request that the USPTO obtain a copy from the UK IPO. If the USPTO is not able to obtain a copy of all of the office actions from the UK IPO, the applicant will be notified and requested to provide the necessary documents.

(6) Applicant must submit:

a. An IDS listing the documents cited by the UK IPO examiner in the UK IPO office action (unless already submitted in this application); and
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 fail because:
(3) The following claims do not sufficiently correspond to a patentable/allowable claim from the UK IPO application: claims 4, 5, 9, 10, 14, 16, 17, 18 and 19.

Applicant is given a time period of **ONE MONTH OR THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected within the time period given, the application with await action in its regular turn.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Doc Code: 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: 976-163	Application Number (if known):	Filing date: April 8, 2011

First Named Inventor: Johannes G. Wijmans

Title: MEMBRANE LOOP PROCESS FOR SEPARATING CARBON DIOXIDE FOR USE IN GASEOUS FORM FROM FLUE GAS

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 8, 2011
Name (Print/Typed) Kathi Bean	Registration Number 36,644

***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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,364	04/08/2011	Johannes G. Wijmans	976-163US	7065

26909 7590 08/19/2011

MEMBRANE TECHNOLOGY AND RESEARCH INC.
1360 WILLOW ROAD SUITE 103
MENLO PARK, CA 94025-1516

EXAMINER	
ART UNIT	PAPER NUMBER
1736	

MAIL DATE	DELIVERY MODE
08/19/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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MEMBRANE TECHNOLOGY AND RESEARCH INC.
1360 WILLOW ROAD SUITE 103
MENLO PARK CA 94025-1516

AUG 19 2011

In re Application of :
Johannes G. Wijmans et al. : DECISION ON PETITION
Application No. 13/123,364 : TO MAKE SPECIAL UNDER
Filed: April 08, 2011 : THE GREEN TECHNOLOGY
Attorney Docket No. 976-163US : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed April 08, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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MAILED

JUN 13 2011

PCT LEGAL ADMINISTRATION

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of :
INABA, Hitoshi, et al. :
Application No.: 13/123,390 : DECISION ON
PCT No.: PCT/JP2009/004345 :
Int. Filing Date: 03 September 2009 : PETITION
Priority Date: 03 September 2008 :
Attorney Docket No.: 378587US2TTC PCT : UNDER 37 CFR 1.137(a)
For: IN-VEHICLE DISPLAY DEVICE, :
EXTENSION DEVICE, AND :
INDIVIDUAL FUNCTIONAL DEVICE :

This decision is in response to applicant's renewed Petition Under 37 CFR 1.137(a) filed in the United States Patent and Trademark Office on 08 April 2011.

BACKGROUND

On 08 April 2011, applicants filed this petition to revive under 37 CFR 1.137(a), accompanied by, *inter alia*, the basic national fee.

On 18 April 2011, applicants filed a petition under 37 CFR 1.137(b) asking that should the petition under 37 CFR 1.137(a) not be granted that it be treated in the alternative under the unintentional standard.

DISCUSSION

A petition to revive an application for patent unavoidably abandoned under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, (2) the petition fee, (3) a satisfactory showing that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition to 1.137(a) was unavoidable and (4) a terminal disclaimer if application was filed before June 8, 1995.

Items (1), (2) and (4) have been met. The required reply has been furnished. Applicant has paid the petition fee. A terminal disclaimer is not required as the application was filed on or after 08 June 1995.

Item (3) has not been satisfied. Applicants are asserting that the failure to timely pay the basic national fee occurred from a docketing error, but have failed to furnish documents mentioned in the statement corroborating the assertion that entire delay in filing the required

reply from the due date for the reply until the filing of a grantable petition to 1.137(a) was unavoidable.

Applicant's alternative petition under 37 CFR 1.137(b) is being held in abeyance pending resolution of the petition under 37 CFR 1.137(a).

CONCLUSION

For the above reasons, applicant's petition 37 CFR 1.137(a) is **DISMISSED** without prejudice.

This 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.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

MAILED

JUL 21 2011

PCT LEGAL ADMINISTRATION

In re Application of :
INABA, Hitoshi, et al. :
Application No.: 13/123,390 :
PCT No.: PCT/JP2009/004345 :
Int. Filing Date: 03 September 2009 :
Priority Date: 03 September 2008 :
Attorney Docket No.: 378587US2TTC PCT :
For: IN-VEHICLE DISPLAY DEVICE, :
EXTENSION DEVICE, AND :
INDIVIDUAL FUNCTIONAL DEVICE :

DECISION ON

PETITION

UNDER 37 CFR 1.137(b)

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 18 April 2011, is **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

The processing fee for furnishing the English translation after 30 months will be charged to deposit account no. 15-0030, as authorized.

This application is being referred to the National Stage Processing Branch of the Office of Patent Application Processing for continued processing in accordance with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,444	05/16/2011	Dong-Woo Yoo	29137.00712.US00	7598

30827 7590 08/03/2011
MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER	
BERMAN, SUSAN W	
ART UNIT	PAPER NUMBER
1765	

MAIL DATE	DELIVERY MODE
08/03/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

BC

August 2, 2011

In re application of	:	DECISION ON REQUEST TO
Dong-Woo Yoo et al.	:	PARTICIPATE IN PATENT
Serial No. 13/123,444	:	PROSECUTION HIGHWAY
Filed: April 08, 2011	:	PROGRAM AND
Attorney Docket No: 29137.00712.US00	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed April 08 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, note where the KIPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KIPO application(s);
   b. An English translation of the allowable/ patentable claim(s); and
   c. A statement that the English translation is accurate;

(3) Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of:
   a. All of the Office actions from each of the KIPO application(s) containing the allowable/patentable claim(s) that are the basis for the request;

b. An English language translation of the KIPO Office actions from (5)(a) above; and
c. A statement that the English translation is accurate; and

(6) Applicant must submit:
a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,444	05/16/2011	Dong-Woo Yoo	29137.00712.US00	7598

30827 7590 08/26/2011

MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER	
BERMAN, SUSAN W	
ART UNIT	PAPER NUMBER
1765	
MAIL DATE	DELIVERY MODE
08/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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BC

8/26/11

In re application of	:	DECISION ON REQUEST TO
Dong-Woo Yoo et al.	:	PARTICIPATE IN PATENT
Serial No. 13/123,444	:	PROSECUTION HIGHWAY
Filed: April 08, 2011	:	PROGRAM AND
Attorney Docket No: 29137.00712.US00	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed April 08 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO, note where the KIPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the KIPO application with similar claims and the KIPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KIPO application(s);
   b. An English translation of the allowable/ patentable claim(s); and
   c. A statement that the English translation is accurate;

(3) Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of:
   a. All of the Office actions from each of the KIPO application(s) containing the allowable/patentable claim(s) that are the basis for the request;

b. An English language translation of the KIPO Office actions from (5)(a) above; and
c. A statement that the English translation is accurate; and

(6) Applicant must submit:
a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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BAKER & HOSTETLER LLP
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE. N.W.
WASHINGTON, DC 20036-5304

MAILED
FEB 06 2012
OFFICE OF PETITIONS

In re Application of Long et al. :
Application No. 13/123,455 :
Int'l Filing Date: September 18, 2009 :
Attorney Docket No. 56816.2220 :
Pub. No. US 2011/0251192 A1 :
Pub. Date: October 13, 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 13, 2011.

The request is **dismissed**.

Applicants request the application be republished because of the two mistakes in the patent application publication identified in the request.

37 C.F.R. § 1.221(b) states,

> [Relief under 37 C.F.R. § 1.221 is warranted] only when the Office makes a material mistake which is apparent from Office records.... Any request for corrected publication or revised patent application publication other than provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable.

A mistake is only a "material" mistake if the mistake affects the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.[1]

The publication of the names of the assignees in an incorrect order is not a material Office mistake. Specifically, the mistake does not affect the public's ability to appreciate the technical

[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).

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).

The failure to include changes to the specification made by the preliminary amendment filed April 8, 2011, was not a material mistake. 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).

Even if the failure to include the changes to the specification was a material mistake, the mistake is not an Office mistake. Specifically, a copy of the application, as amended, was not submitted in compliance with 37 C.F.R. § 1.215(c) and, although 37 C.F.R. § 1.215(a) provides the Office with the discretion to include changes made by a preliminary amendment in a publication when certain criteria are satisfied, it does *not* require the Office to include such changes in the publication.

In view of the prior discussion, 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.
13/123,455	06/30/2011	Yaqiu Long	56816.2220	7708

30734 7590 03/02/2012

BAKER & HOSTETLER LLP
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE. N.W.
WASHINGTON, DC 20036-5304

EXAMINER	
ROBINSON, BINTA M	

ART UNIT	PAPER NUMBER
1625	

NOTIFICATION DATE	DELIVERY MODE
03/02/2012	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):

patents@bakerlaw.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

BAKER & HOSTETLER LLP
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE. N.W.
WASHINGTON DC 20036-5304

Applicant: Long et al.
Appl. No.: 13/123,455
Filing Date: June 30, 2011
Title: AMIDE COMPOUNDS, THEIR PHARMACEUTICAL COMPOSITIONS, THEIR PREPARATION METHOD AND THEIR USES
Attorney Docket No.: 56816.2220
Pub. No.: US 2011/0251192 A1
Pub. Date: October 13, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on February 24, 2012, for the above-identified application.

The request under 37 CFR 1.221(a) is DISMISSED.

37 CFR 1.221(a) requires "a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)". If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

The applicant did not supply a copy of the application in compliance with the Office electronic filing system, as required by 37 CFR 1.221(a) because **the applicant submitted the papers as a "Document for an existing application", which are entered into the application file, and not as a "Pre-Grant Publication" submission**. The request for republication does not comply with the electronic filing system requirements, thus republication will not take place.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a Pre-Grant publication submission and must include a copy of the application in compliance with the Office electronic filing system requirements. The applicant is directed to the following website for additional instructions on how to submit a Pre-Grant Publication submission via the electronic filing system:

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

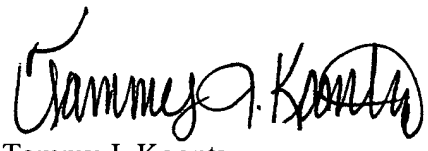
The applicant is also reminded that any amendments that are to be included in the publication must be incorporated into a clean specification and claims set.

Any questions or requests for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Telephone inquiries regarding this correspondence should be directed to The Office of Data Management at 571-272-4200.



Tammy J. Koontz
Office of Data Management
United States Patent & Trademark Office

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.
13/123,455	06/30/2011	Yaqiu Long	56816.2220	7708

30734 7590 03/30/2012

BAKER & HOSTETLER LLP
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE. N.W.
WASHINGTON, DC 20036-5304

EXAMINER	
ROBINSON, BINTA M	

ART UNIT	PAPER NUMBER
1625	

NOTIFICATION DATE	DELIVERY MODE
03/30/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@bakerlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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BAKER & HOSTETLER LLP
WASHINGTON SQUARE, SUITE 1100
1050 CONNECTICUT AVE. N.W.
WASHINGTON DC 20036-5304

Applicant: Long et al.
Appl. No.: 13/123,455
Filing Date: June 30, 2011
Title: AMIDE COMPOUNDS, THEIR PHARMACEUTICAL COMPOSITIONS, THEIR PREPARATION METHOD AND THEIR USES
Attorney Docket No.: 56816.2220
Pub. No.: US 2011/0251192 A1
Pub. Date: October 13, 2011

This is a decision on the second request for republication of patent application publication under 37 CFR 1.221(a), filed on March 9, 2012, for the above-identified application.

The request under 37 CFR 1.221(a) is DISMISSED.

37 CFR 1.221(a) requires "a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)". If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

The applicant did not supply a copy of the application in compliance with the Office electronic filing system, as required by 37 CFR 1.221(a) because the applicant submitted the papers via the US postal service and not via the Office electronic filing system. The request for republication does not comply with the electronic filing system requirements, thus republication will not take place.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a Pre-Grant publication submission and must include a copy of the application in compliance with the Office electronic filing system requirements. The applicant is directed to the following website for additional instructions on how to submit a Pre-Grant Publication submission via the electronic filing system:

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

The applicant is also reminded that any amendments that are to be included in the publication must be incorporated into a clean specification and claims set.

Any questions or requests for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Telephone inquiries regarding this correspondence should be directed to The Office of Data Management at 571-272-4200.

Tammy J. Koontz
Office of Data Management
United States Patent & Trademark Office

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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.: 1163-0891PUS1

Application No:	13/123,457	Filing date:	April 08, 2011
First Named Inventor:	Tomoya IKEUCHI		
Title of the Invention:	MAP INFORMATION PROCESSING DEVICE		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/006349

The international date of the corresponding PCT application(s) is/are: November 25, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/123,457
First Named Inventor:	Tomoya IKEUCHI

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 8, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 8, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	sufficiently corresponds to JP Claim 1
Claim 2	Claim 2	sufficiently corresponds to JP Claim 2
Claim 3	Claim 3	sufficiently corresponds to JP Claim 3
Claim 4	Claim 4	sufficiently corresponds to JP Claim 4
Claim 5	Claim 5	sufficiently corresponds to JP Claim 5

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date October 6, 2011
Name (Print/Typed) Michael K. Mutter	Registration Number 29680

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

	Date of mailing *(day/month/year)* 28.12.2009
Applicant's or agent's file reference 602512WO01	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/006349	25.11.2009	16.02.2009

International Patent Classification (IPC) or both national classification and IPC
G01C21/00(2006.01)i, G09B29/00(2006.01)i, G09B29/10(2006.01)i

Applicant
Mitsubishi Electric 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 or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/006349

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____ , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

      ☐ a sequence listing

      ☐ table(s) related to the sequence listing

   b. format of material

      ☐ on paper

      ☐ in electronic form

   c. time of filing/furnishing

      ☐ contained in the international application as filed

      ☐ filed together with the international application in electronic form

      ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/006349

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	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations:

The invention as in claims 1 to 5 is not described in any of documents cited in the ISR and would not be obvious 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
田澤英昭

様

あて名
〒100-0014
日本国東京都千代田区永田町二丁目１２番４号　赤坂山王センタービル５階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

発送日 （日.月.年）	２８．１２．２００９
出願人又は代理人 の書類記号　602512W001	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／JP２００９／００６３４９	（日.月.年）２５．１１．２００９	（日.月.年）１６．０２．２００９

国際特許分類（ＩＰＣ）Int.Cl. G01C21/00(2006.01)i, G09B29/00(2006.01)i, G09B29/10(2006.01)i

出願人（氏名又は名称）
三菱電機株式会社

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　ＰＣＴ規則 43 の 2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則 66.1 の 2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
１７．１２．２００９

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 日比谷　洋平	3H　3520
	電話番号　０３－３５８１－１１０１　内線　３３１６	

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００７年４月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／００６３４９

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／ＪＰ２００９／００６３４９

第Ⅴ欄　新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1．　見解

新規性（N）	請求項	1－5	有
	請求項		無
進歩性（ＩＳ）	請求項	1－5	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－5	有
	請求項		無

2．　文献及び説明

請求項１－５に係る発明は、国際調査報告で引用された文献のいずれにも記載されておらず、かつ、当業者にとっても自明のものでもない。

S T A T E M E N T

International Patent Application No. PCT/JP2009/006349

I, Hatsune HAMADA of c/o Sanno Patent Office, Akasaka Sanno Center Bldg. 5F, 12-4, Nagata-cho 2-chome, Chiyoda-ku, Tokyo, Japan, do hereby solemnly and sincerely declare as follows:

1. I am well acquainted with both the Japanese language and the English language.

2. I personally made the following translation.

3. The following is a true translation into the English language of the claim(s) from the International Patent Application No. PCT/JP2009/006349 which was filed on November 25, 2009.

And I make this solemn declaration conscientiously believing the same to be true.

This 5TH day of October, 2011

Hatsune HAMADA

Claims

[1] A map information processing device comprising:

a map information storage unit for storing map information;

a sensor information input unit for inputting sensor information used for calculation of a current position;

a navigation processing unit for calculating the current position by using the map information read from said map information storage unit, and the sensor information inputted from said sensor information input unit, and for, when determining, from said calculated current position, that a vehicle has entered a tunnel shown by said read map information, calculating a number of tunnels excising forwardly and continuously at intervals of a predetermined distance or less from said tunnel to generate a map image about a map including said calculated number of tunnels; and

an output control unit for outputting the map image generated by said navigation processing unit.

[2] A map information processing device comprising:

a map information storage unit for storing map information;

a sensor information input unit for inputting sensor information used for calculation of a current position;

a navigation processing unit for calculating the current position by using the map information read from said map information storage unit, and the sensor information inputted from said sensor information input unit, and for, when determining, from said calculated current position, that a vehicle has entered a tunnel shown by said read map information, calculating a remaining distance to an exit of a last one of

tunnels excising forwardly and continuously at intervals of a predetermined distance or less from said tunnel to generate a map image about a map including said calculated remaining distance; and

an output control unit for outputting the map image generated by said navigation processing unit.

[3] A map information processing device comprising:

a map information storage unit for storing map information;

a sensor information input unit for inputting sensor information used for calculation of a current position;

a navigation processing unit for calculating the current position by using the map information read from said map information storage unit, and the sensor information inputted from said sensor information input unit, and for, when determining, from said calculated current position, that a vehicle has entered a tunnel shown by said read map information, calculating a remaining distance to an exit of each of all tunnels excising forwardly and continuously at intervals of a predetermined distance or less from said tunnel to generate a map image about a map including said calculated remaining distance; and

an output control unit for outputting the map image generated by said navigation processing unit.

[4] A map information processing device comprising:

a map information storage unit for storing map information;

a sensor information input unit for inputting sensor information used for calculation of a current position;

a navigation processing unit for calculating the current

position by using the map information read from said map information storage unit, and the sensor information inputted from said sensor information input unit, and for, when determining, from said calculated current position, that a vehicle has entered a tunnel shown by said read map information, calculating a remaining distance to an exit of each of a predetermined number of tunnels closer to said current position among all tunnels excising forwardly and continuously at intervals of a predetermined distance or less from said tunnel to generate a map image about a map including said calculated remaining distance; and

an output control unit for outputting the map image generated by said navigation processing unit.

[5] A map information processing device comprising:

a map information storage unit for storing map information;

a sensor information input unit for inputting sensor information used for calculation of a current position;

a navigation processing unit for calculating the current position by using the map information read from said map information storage unit, and the sensor information inputted from said sensor information input unit, and for, when determining, from said calculated current position, that a vehicle has entered a tunnel shown by said read map information, calculating a remaining distance to an exit of each of a predetermined number of tunnels closer to said current position among all tunnels excising forwardly and continuously at intervals of a predetermined distance or less from said tunnel and a remaining distance to an exit of a last one of all the tunnels to generate a map image about a map including said

calculated remaining distances; and

an output control unit for outputting the map image generated by said navigation processing unit.

請求の範囲

[請求項1] 地図情報を記憶する地図情報記憶部と、

現在位置の計算に用いられるセンサ情報を入力するセンサ情報入力部と、

前記地図情報記憶部から読み込んだ地図情報と前記センサ情報入力部から入力されたセンサ情報とを用いて現在位置を計算し、該計算した現在位置が前記読み込んだ地図情報によって示されるトンネルに入ったことを判断した場合に、該トンネルの前方に存在する所定距離以内で連続するトンネルの数を算出し、該算出したトンネルの数を含む地図画像を生成するナビゲーション処理部と、

前記ナビゲーション処理部で生成された地図画像を出力する出力制御部

とを備えた地図情報処理装置。

[請求項2] 地図情報を記憶する地図情報記憶部と、

現在位置の計算に用いられるセンサ情報を入力するセンサ情報入力部と、

前記地図情報記憶部から読み込んだ地図情報と前記センサ情報入力部から入力されたセンサ情報とを用いて現在位置を計算し、該計算した現在位置が前記読み込んだ地図情報によって示されるトンネルに入ったことを判断した場合に、該トンネルの前方に存在する所定距離以内で連続するトンネルのうちの最後のトンネルの出口までの残距離を算出し、該算出した残距離を含む地図画像を生成するナビゲーション処理部と、

前記ナビゲーション処理部で生成された地図画像を出力する出力制御部

とを備えた地図情報処理装置。

[請求項3] 地図情報を記憶する地図情報記憶部と、

現在位置の計算に用いられるセンサ情報を入力するセンサ情報入力

部と、

前記地図情報記憶部から読み込んだ地図情報と前記センサ情報入力部から入力されたセンサ情報とを用いて現在位置を計算し、該計算した現在位置が前記読み込んだ地図情報によって示されるトンネルに入ったことを判断した場合に、該トンネルの前方に存在する所定距離以内で連続する全てのトンネルの出口までの残距離を算出し、該算出した残距離を含む地図画像を生成するナビゲーション処理部と、

前記ナビゲーション処理部で生成された地図画像を出力する出力制御部

とを備えた地図情報処理装置。

[請求項4] 地図情報を記憶する地図情報記憶部と、

現在位置の計算に用いられるセンサ情報を入力するセンサ情報入力部と、

前記地図情報記憶部から読み込んだ地図情報と前記センサ情報入力部から入力されたセンサ情報とを用いて現在位置を計算し、該計算した現在位置が前記読み込んだ地図情報によって示されるトンネルに入ったことを判断した場合に、該トンネルの前方に存在する所定距離以内で連続するトンネルのうちの現在位置から近い所定数のトンネルの出口までの残距離を算出し、該算出した残距離を含む地図画像を生成するナビゲーション処理部と、

前記ナビゲーション処理部で生成された地図画像を出力する出力制御部

とを備えた地図情報処理装置。

[請求項5] 地図情報を記憶する地図情報記憶部と、

現在位置の計算に用いられるセンサ情報を入力するセンサ情報入力部と、

前記地図情報記憶部から読み込んだ地図情報と前記センサ情報入力部から入力されたセンサ情報とを用いて現在位置を計算し、該計算し

た現在位置が前記読み込んだ地図情報によって示されるトンネルに入ったことを判断した場合に、該トンネルの前方に存在する所定距離以内で連続するトンネルのうちの現在位置から近い所定数のトンネルの出口までの残距離および最後のトンネルの出口までの残距離を算出し、該算出した残距離を含む地図画像を生成するナビゲーション処理部と、

前記ナビゲーション処理部で生成された地図画像を出力する出力制御部

とを備えた地図情報処理装置。

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701 FIFTH AVE
SUITE 5400
SEATTLE WA 98104

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PCT LEGAL ADMINISTRATION

In re Application of: XIE, Lan, et al.
U.S. Application No.: 13/123,494
PCT No.: PCT/CN2009/001097
International Filing Date: 28 September 2009
Priority Date: 09 October 2008
Attorney's Docket No.: 480218.404USPC
For: THE 2-(4-SUBSTITUTED PHENYLAMINO) POLYSUBSTITUTED PYRIDINE COMPOUNDS ...

COMMUNICATION

This communication is issued in response to applicants' "Response To Notification Of Defective Response" filed on 20 September 2011. No petition fee is required.

BACKGROUND

On 28 September 2009, applicants filed international application PCT/CN2009/001097. The application claimed a priority date of 09 October 2008, and it designated the United States. On 15 April 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 09 April 2011.

The published international application identified the third inventor as Guoxiong LI.

On 08 April 2011, applicants filed a Transmittal Letter requesting entry into the U.S. national stage accompanied by, among other materials, payment of the basic national fee and an application data sheet (ADS). The ADS identified the third inventor as Guoxiong LI.

On 02 May 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and an English translation of the international application.

On 02 August 2011, applicants filed a response to the Notification Of Missing Requirements (with required extension fee). The response included an English translation of the international application, a supplemental ADS, and an executed declaration. The supplemental ADS and the declaration identified the third inventor as Kuo-Hsiung LEE.

On 02 September 2011, the DO/EO/US mailed a "Notification of Defective Response" (Form PCT/DO/EO/916) indicating that the declaration filed on 02 August 2011 was defective on the present record based on the inconsistency with respect to the third inventor's name.

On 20 September 2011, applicants filed the "Response To Notification Of Defective Response" considered herein.

DISCUSSION

Section 1893.01(e) of the Manual of Patent Examining Procedure ("MPEP") states the following (emphasis added):

> Where ... the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c). However, **where the discrepancy between the name of the inventor indicated in the international application during the international phase and the name of the inventor as it appears in the oath or declaration submitted under 37 CFR 1.497 is the result of a typographical or transliteration error, then a petition under 37 CFR 1.182 will not be required. In such case, the Office should simply be notified of the error.**

Applicants' "Response To Notification Of Defective Response" states that the correct name of the third inventor is Kuo-Hsiung LEE, as listed on the declaration filed herein, and it states that the incorrect listing of this inventor's name as Guoxiang LI on the international application was the result of a transliteration error. In view of applicants' statements in the present submission, a petition under 37 CFR 1.182 is not required to correct the transliteration error in the third inventor's name. The correct name of the third inventor is accepted as is Kuo-Hsiung LEE, as set forth in the declaration filed on 02 August 2011.

CONCLUSION

The correct name of the third inventor is accepted as is Kuo-Hsiung LEE.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this communication. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 02 August 2011.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296