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: BIR-0001-US	Application Number (if known):	Filing date:

First Named Inventor: MARCHAND, Harold

Title: WIND POWERED APPARATUS HAVING COUNTER ROTATING BLADES

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /Robert A.H. Brunet, 55,158/	Date April 8, 2011
Name (Print/Typed) Robert A.H. Brunet	Registration Number 55,158

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

☐ *Total of _____ forms are submitted.

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

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

(Not to be Submitted to the USPTO)

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

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

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

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

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

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

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

Privacy Act Statement

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,521	04/08/2011	Harold Marchand	BIR-0001-US	8334

59115 7590 09/22/2011
BRUNET & CO. LTD.
10712 MELROSE DR.
KOMOKA, ON N0L-1R0
CANADA

EXAMINER

ART UNIT	PAPER NUMBER
2839	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

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

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

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

ROB@BRUNETCO.COM
sinead@isp.ca

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BRUNET & CO. LTD.
10712 MELROSE DR.
KOMOKA ON N0L-1R0 CA CANADA

In re Application of	:	
Harold MARCHAND	:	DECISION ON PETITION
Application No. 13/123521	:	TO MAKE SPECIAL UNDER
Filed: April 08, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. BIR-0001-US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on April 08, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

The instant petition complies with items 1 – 2 and 4– 8 above.

In regard to item 3, applicant has failed to provide a statement of the basis for seeking special status. However, the instant application appears to materially contribute to the discovery or development of renewable energy since it is a wind powered apparatus.

Accordingly, the above-identified application has been accorded "special" status.

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

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

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,552	04/11/2011	Takashi Ebihara	1163-0892PUS1	8665

2292 7590 07/15/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2626	

NOTIFICATION DATE	DELIVERY MODE
07/15/2011	ELECTRONIC

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

In re Application of	**: DECISION ON REQUEST TO**
EBIHARA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/123,552	**: PROSECUTION HIGHWAY**
Filed: 11 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 1163-0892PUS1	**: TO MAKE SPECIAL UNDER**
For: VOICE RECOGNITION 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 (1-6) and (8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet requirement (7).

Regarding the requirement of condition (7), applicant has failed to submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents. Specifically, applicant has failed to cite and provide a copy of JP 2010-97239. The petition indicated that an IDS was attached but none could be located in the file.

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,552	04/11/2011	Takashi Ebihara	1163-0892PUS1	8665

2292 7590 07/27/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2626	

NOTIFICATION DATE	DELIVERY MODE
07/27/2011	ELECTRONIC

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

In re Application of	**: DECISION ON REQUEST TO**
EBIHARA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/123,552	**: PROSECUTION HIGHWAY**
Filed: 11 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 1163-0892PUS1	**: TO MAKE SPECIAL UNDER**
For: VOICE RECOGNITION DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 23 June 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

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

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

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

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

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

    Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
    b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;

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

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

Regarding the requirement of condition (6), applicant has failed to cite and provide a copy of JP 2010-97239.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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APPLICATION NO.	FILING DATE.	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/123,552	04/11/2011	Takashi Ebihara	1163-0892PUS1	8665

2292 7590 09/14/2011
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FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2626	

NOTIFICATION DATE	DELIVERY MODE
09/14/2011	ELECTRONIC

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

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In re Application of	**: DECISION ON REQUEST TO**
EBIHARA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/123,552	**: PROSECUTION HIGHWAY**
Filed: 11 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 1163-0892PUS1	**: TO MAKE SPECIAL UNDER**
For: VOICE RECOGNITION DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 23 June 2011 and renewed 11 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or

    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim;

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

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

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

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

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

Lee W. Young
TQAS, Technology Center 2600

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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

MAILED
NOV 18 2011
PCT LEGAL ADMINISTRATION

In re Application of FORSELL	:	
U.S. Application No.: 13/123,578	:	
PCT Application No.: PCT/EP2009/007288	:	DECISION
Int. Filing Date: 09 October 2009	:	
Priority Date Claimed: 10 October 2008	:	
Attorney Docket No.: RAM-5613-29	:	
For: STIMULATION OF PENIS ERECTION	:	

This is in response to the correspondence filed 18 October 2011, which is being treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 09 October 2009, applicant filed international application PCT/EP2009/007288, which claimed priority of an earlier United States application filed 10 October 2008. The thirty-month period for paying the basic national fee in the United States expired on 11 April 2011.

On 11 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 28 September 2011, this Office mailed a communication which identified a discrepancy with respect to the international application number.

On 18 October 2011, applicant filed the instant petition under 37 CFR 1.181 along with a preliminary amendment.

DISCUSSION

The preliminary amendment filed 11 April 2011 referenced international application number PCT/EP2009/007289, while the rest of the national stage papers referenced international application number PCT/EP2009/007288. The petition states that the preliminary amendment filed 11 April 2011 was intended to be filed in a different application. Applicant's explanation for the mistake is accepted.

The preliminary amendment filed 18 October 2011, if found to be in compliance with 37 CFR 1.121, will be entered prior to the calculation of any required claims fees.

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 09 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 11 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
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WENDEROTH LIND & PONACK, LLP
1030 15TH STREET, N.W.
SUITE 400 EAST
WASHINGTON DC 20005-1503

MAILED
MAR 13 2012
OFFICE OF PETITIONS

In re Application of
Isamu Sato et al
Application No.: 13/123,585
Filed: April 11, 2011
Attorney Docket No.: 2011_0570A
For: STORING PACKAGE UNIT AND A STORING METHOD FOR MICRO SOLDER SPHERES

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 30, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

Inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

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

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

/SDB/
Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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AUG 2 4 2011

PCT LEGAL ADMINISTRATION

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

In re Application of VIOVY et al	:	
U.S. Application No.: 13/123,628	:	
PCT Application No.: PCT/FR2009/001198	:	DECISION
Int. Filing Date: 12 October 2009	:	
Priority Date Claimed: 10 October 2008	:	
Attorney Docket No.: 149203	:	
For: DEVICE FOR CELL CULTURE	:	

This is in response to applicant's petition filed 08 July 2011, which is being treated under 37 CFR 1.497(d).

BACKGROUND

On 12 October 2009, applicant filed international application PCT/FR2009/001198, which claimed priority of an earlier France application filed 10 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 11 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).

On 10 May 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 08 July 2011, applicant filed an executed declaration along with the present petition under 37 CFR 1.497(d).

DISCUSSION

The petition states that Maeva Vignes should be added as an inventor.

37 CFR 1.497(d) states,

> If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92bis subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> (1) A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;
>
> (2) The processing fee set forth in § 1.17(i); and
>
> (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see § 3.73(b) of this chapter); and
>
> (4) Any new oath or declaration required by paragraph (f) of this section.

With regard to item (1) above, the requisite statement has been provided.

With regard to item (2) above, the requisite processing fee has been provided.

With regard to item (3) above, written consent of the assignees has been provided. The assignees have established the right to take action in compliance with 37 CFR 3.73(b).

With regard to item (4) above, a new declaration under 37 CFR 1.497(f) is not required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.497(d) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 12 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 08 July 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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DEC 07 2011

PCT LEGAL ADMINISTRATION

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

In re Application of	:	
ISHII et al.	:	DECISION ON
Application No.: 13/123,649	:	
PCT No.: PCT/JP2008/003188	:	PAPERS
Int. Filing Date: 05 November 2008	:	
Priority Date: None	:	UNDER 37 CFR 1.42
Attorney's Docket No.: 110276	:	
For: HIGH-STRENGTH STEEL SHEET AND THE	:	
METHOD FOR PRODUCTION THEREFOR	:	

This is a decision on applicants' submission filed in the United States Patent and Trademark Office (USPTO) on 19 October 2011, which was accompanied by a declaration of inventors. The indication in this declaration that inventor Georg FROMMEYER is deceased has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 05 November 2008, applicants filed international application PCT/JP2008/003188, which designated the U.S. and did not claim a priority date. The thirty-month period for paying the basic national fee in the United States expires at midnight on 05 May 2011.

On 11 April 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 05 May 2011, a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) was mailed indicating, *inter alia*, that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 19 October 2011, applicants filed, *inter alia*, a declaration of inventors. The indication in the declaration that inventor Georg FROMMEYER is deceased has properly treated as a request for status under 37 CFR 1.42.

DISCUSSION

The submission filed 19 October 2011 has been reviewed and has been found in compliance with 37 CFR 1.42.

The declaration filed 19 October 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **ACCEPTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application in accordance with this decision.

/Daniel Stemmer/

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

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

MAILED
SEP 28 2011
PCT LEGAL ADMINISTRATION

In re Application of WUNDERLICH et al	:	
U.S. Application No.: 13/123,668	:	
PCT Application No.: PCT/EP2009/006580	:	
Int. Filing Date: 10 September 2009	:	
Priority Date Claimed: 13 October 2008	:	DECISION
Attorney Docket No.: 88087(45107)	:	
For: METHOD FOR IMPROVING THE ADHESION BETWEEN SILVER SURFACES AND RESIN MATERIALS	:	

This is in response to applicant's petition filed 27 July 2011, which is being treated under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 10 September 2009, applicant filed international application PCT/EP2009/006580, which claimed priority of an earlier European Patent Office 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 11 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 was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 27 July 2011, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

The papers filed 11 April 2011 are not present in the application file. However, the copy of the EFS-Web Electronic Acknowledgement Receipt filed with the petition serves as *prima facie* evidence that fifteen documents which comprised the national stage submission were in

fact submitted via EFS-Web on 11 April 2011. Therefore, the national stage submission will be accorded an original receipt date of 11 April 2011.

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 10 September 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 27 July 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

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of
Sven Olerud

Application No. 13123700

Filed: May 17,2011

Attorney Docket No. SPH-108

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 03-APR-2012 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

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

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

Application Information

Application Number	13/123,700	Confirmation Number	9922	Filing Date	2011-05-17
Attorney Docket Number (optional)	BLOM-I07-US	Art Unit	3726	Examiner	unknown
First Named Inventor	OLERUD, Sven				
Title of Invention	Device and Method for Anchoring a Beam or a Bar Against an Element				

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
Sven	Emanuel	Olerud	

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

Select (1) or (2) :

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

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

Signature	/David I. Roche/	Date (YYYY-MM-DD)	2012-04-03
Name	David I. Roche	Registration Number	30797

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

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JUN 03 2011

PCT LEGAL ADMINISTRATION

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

In re Application of:	:	
BAKEWELL, William, et al.	:	DECISION ON PETITION
U.S. Application No.: 13/123,714	:	(37 CFR 1.137(b))
PCT No.: PCT/SE2009/051111	:	
International Filing Date: 07 October 2009	:	
Priority Date: 08 October 2008	:	
Attorney's Docket No.: 11285.0053	:	
For: A BREATH ACTIVATED INHALER	:	

The petition for revival under 37 CFR 1.137(b) filed 11 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/SE2009/051111 became abandoned with respect to the United States at midnight on 08 April 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 basic national fee. In addition, the petition includes a statement that "the entire delay in filing the required submissions for U.S. national phase entry under 35 U.S.C. § 371 by 30 months from the priority date until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional," satisfying the requirements of 37 CFR 1.137(b)(3).

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

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.:	13/123,777-Conf. #1958	Filing Date:	April 12, 2011
First Named Inventor:	Kuniaki Aoyama		
Title of the Invention:	SOLAR-THERMAL GAS TURBINE GENERATOR		

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/JP2010/059504

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

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 12, 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 12, 2011

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

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

Application No.:	13/123,777-Conf. #1958
First Named Inventor:	Kuniaki Aoyama

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 as claim 3 except for dependency only from claim 1
4	3	Same as claim 3 except for dependency only from claim 2

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

Signature	/WILLIAM F. WESTERMAN/	Date	April 21, 2011
Name (Print/Typed)	William F. Westerman	Registration Number	29,988

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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.
13/123,777	05/06/2011	Kuniaki Aoyama	110440	1958

38834 7590 10/21/2011
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2839	

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):

patentmail@whda.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of	**: DECISION ON REQUEST TO**
AOYAMA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/123,777	**: PROSECUTION HIGHWAY**
Filed: 06 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 110440	**: TO MAKE SPECIAL UNDER**
For: SOLAR-THERMAL GAS TURBINE GENERATOR	**: 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 21 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 fails meet requirements (2) and (6).

Regarding the requirement of condition (6), applicant has failed to submit a copy of the Written Opinion (form ISA/237). Applicant provides a copy of a written report for PCT/JP2008/069340, however, there is no link between that PCT case and Applicant's claimed priority to PCT/JP2010/0595904. Further, in the written report provided, the claims do not appear to have novelty, inventive step, and industrial applicability as required.

Regarding the requirement of condition (2), it cannot be determined if condition (2) is met since condition (6) has not been met.

Regarding the requirement of conditions (3 and 4), it cannot be determined if conditions (3 and 4) have been met since condition (6) has not been met. Applicant has provided claims 1-3 from the PCT application in the foreign language with English translation and statement that the English translation is accurate and, it appears that PCT claims 1-3 do sufficiently correspond to claims 1-4 of the US application.

Regarding the requirement of condition (7), it cannot be determined if condition (7) is met since condition (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 Colleen Dunn at 571-272-1170.

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

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Kuniaki AOYAMA et al.** Art Unit: **3748**

Application Number: **13/123,777** Examiner: **Not Yet Assigned**

Filed: **April 12, 2011** Confirmation Number: **1958**

For: **SOLAR-THERMAL GAS TURBINE GENERATOR**

Attorney Docket Number: **110440**
Customer Number: **38834**

SUPPLEMENTAL REQUEST TO PARTICIPATE IN PCT-PPH PROGRAM

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

November 15, 2011

Sir:

This paper is filed in response to the Decision to Dismiss Petition dated October 21, 2011 for the above-identified patent application, regarding the Request to Participate in the Patent Cooperation Treaty – Patent Prosecution Highway Pilot Program previously filed on April 21, 2011.

In the Notice of Decision it is noted that the Request is dismissed because the applicants did not correctly submit a copy of the Written Opinion for PCT/JP2010/0595904. Applicants hereby acknowledge that in the place of the correct document, the Written Opinion of PCT/JP2008/069340 was erroneously submitted with an Information Disclosure Statement (IDS) on April 12, 2011. To correct this error, a Supplemental IDS with the correct Written Opinion attached is also submitted herewith.

Enclosed with this paper please find a supplemental Request to Participate in the PCT-PPH Program form, accompanied by the Verified English Translation of the claims cited in the Written Opinion of PCT/JP2010/0595904, which combined with the above-mentioned Supplemental IDS

should complete the correct required PCT-PPH attachments.

If any fees are due in connection with this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/WILLIAM F. WESTERMAN/

William F. Westerman
Attorney for Applicants
Registration No. 29,988
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

WFW/da
Enclosure: PCT-PPH SB-0020JP Form
Supplemental IDS citing Written Opinion of PCT/JP2010/0595904
Copy of claims listed in Written Opinion with Verified English Translation

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 contains 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.:	13/123,777-Conf. #1958	Filing Date:	April 12, 2011
First Named Inventor:	Kuniaki AOYAMA et al.		
Title of the Invention:	SOLAR-THERMAL GAS TURBINE GENERATOR		

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/JP2010/059504

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

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 12, 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 12, 2011

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

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

Application No.:	13/123,777-Conf. #1958
First Named Inventor:	Kuniaki AOYAMA et al.

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 as claim 3 except for dependency only from claim 1
4	3	Same as claim 3 except for dependency only from claim 2

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

Signature	/WILLIAM F. WESTERMAN/	Date	November 15, 2011
Name (Print/Typed)	William F. Westerman	Registration Number	29,988

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.
13/123,777	05/06/2011	Kuniaki Aoyama	110440	1958

38834 7590 11/18/2011
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
3748	

NOTIFICATION DATE	DELIVERY MODE
11/18/2011	ELECTRONIC

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

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

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

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

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

In re Application of	:	
AOYAMA, KUNIAKI et al	:	DECISION ON REQUEST TO
Application No. 13/123,777	:	PARTICIPATE IN PATENT
Filed: April 12, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 110440	:	PROGRAM AND PETITION
For: SOLAR-THERMAL GAS TURBINE	:	TO MAKE SPECIAL
GENERATOR	:	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 Nov. 15, 2011, to make the above-identified application special.

The request and petition are granted.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/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 as stated. The request to participate in the PPH program is granted. 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 Thomas Denion, the SPE of Art Unit 3748 at 571-272-4859 for Class 60/641 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

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:	13/123,780	Filing date:	April 12, 2011
First Named Inventor:	Shunsuke YASUI		
Title of the Invention:	BATTERY MODULE AND BATTERY PACK USING THE SAME		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/004486

The international date of the corresponding PCT application(s) is/are: July 9, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

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

(continued)

Application No.:	13/123,780
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 12, 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 12, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	4	same
2	2	same
3	3	same
4 Cancelled	4 Cancelled	-
5	5	same
6	6	same
7	7	same
8	8	same
9	9	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 5/2/2011
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/JP2010/004486.

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.

Kenji Kawakita

Kenji KAWAKITA

Feb. 9, 2011

Date

CLAIMS

1. (Amended) A battery module comprising:

a plurality of batteries;

a housing in which the plurality of batteries are aligned and stored;

a cooling pipe provided along the plurality of batteries in the housing, the cooling pipe being filled with a cooling medium, wherein

the cooling pipe has a layered structure including a metal film and resin layers provided on both surfaces of the metal film, and is made of a material which melts when a temperature of the battery reaches or exceeds a predetermined temperature.

2. (Amended) A battery module comprising:

a plurality of batteries;

a housing in which the plurality of batteries are aligned and stored; and

a cooling pipe provided along the plurality of batteries in the housing, the cooling pipe being filled with a cooling medium, wherein

each of the batteries has an opening portion at an electrode portion of the battery to release gas generated in the battery outside the battery,

the housing is partitioned by a flat plate disposed in contact with battery cases around the electrode portions of the batteries into a storage portion in which the plurality of batteries are stored, and an exhaust chamber via which the gas released from the opening portion of the electrode portion is exhausted outside the housing,

the opening portions of the electrode portions are in communication with the exhaust chamber via through holes formed in the flat plate, and

the cooling pipe is made of a material which melts when a temperature of the

battery reaches or exceeds a predetermined temperature.

3. The battery module of claim 1, wherein

the cooling pipe is made of a resin compact having a hollow portion, and

the plurality of batteries are closely in contact with and fixed to an inner wall of the hollow portion.

4. (Canceled)

5. The battery module of claim 1, wherein

the cooling pipe is in the shape of a sheet.

6. (Amended) The battery module of claim 1, wherein

the flat plate is made of a circuit board, and

the electrode portions of the batteries are connected to a connector formed on the circuit board.

7. (Amended) The battery module of claim 1, wherein

the electrode portions of the batteries are inserted in the through holes of the flat plate.

8. (Amended) The battery module of claim 1, wherein

the storage portion is sealed by the flat plate.

9. (Amended) A battery pack comprising:

multiple ones of the battery module of any one of claims 1-3 and 5-8, and the battery modules are aligned and connected in series and/or parallel.

請求の範囲

[請求項1]　（補正後）　複数の電池と、

前記複数の電池が配列されて収納される筐体と、

前記筐体内で前記複数の電池に沿うように設けられ、内部に冷媒を有する冷却パイプを　備え、

前記冷却パイプは、金属フィルムの両面に樹脂層を設けた積層構造を有し、前記電池が所定の温度以上に上昇したときに溶解する材料からなる、電池モジュール。

[請求項2]　（補正後）　複数の電池と、

前記複数の電池が配列されて収納される筐体と、

前記筐体内で前記複数の電池に沿うように設けられ、内部に冷媒を有する冷却パイプを　備え、

前記電池は、該電池の電極部に、前記電池内で発生したガスを電池外に排出する開放部を有し、

前記筐体は、前記電池の電極部周囲の電池ケースに当接して配設された平板によって、前記複数の電池を収納する収納部と、前記電極部の開放部から排出されるガスを前記筐体外に排気する排気室とに区画され、前記電極部の開放部は、前記平板に形成された貫通孔を介して、前記排気室に連通しており、

前記冷却パイプは、前記電池が所定の温度以上に上昇したときに溶解する材料からなる、電池モジュール。

[請求項3]　前記冷却パイプは、中空部を有する樹脂成形体からなり、

前記複数の電池は、前記中空部の内壁に密着して固定されている、請求項１に記載の電池モジュール。

[請求項4]　（削除）

[請求項5]　前記冷却パイプは、シート状である、請求項１に記載の電池モジュール。

[請求項6]　（補正後）　前記平板は、配線基板からなり、

前記電池の電極部は、前記配線基板に形成された接続体に接続されている、請求項１に記載の電池モジュール。

[請求項7]　（補正後）　前記電池の電極部は、前記平板の貫通孔に挿入されている、請求項１に記載の電池モジュール。

[請求項8]　（補正後）　前記収納部は、前記平板によって、密閉状態になっている、請求項１に記載の電池モジュール。

[請求項9]　（補正後）　請求項１～３、５～８のいずれか１項に記載の電池モジュールが複数個配列された電池パックであって、各電池モジュールは、直列接続及び／又は並列接続されている、電池パック。

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2010/004486

Box No.V

1. Statement

Novelty(N)	Claims	2, 4, 6-9	YES
	Claims	1, 3, 5	NO
Inventive step(IS)	Claims	2, 4, 6-8	YES
	Claims	1, 3, 5, 9	NO
Industrial applicability(IA)	Claims	1-9	YES
	Claims		NO

2. Citation and explanations:

Claims 1, 3, 5

Inventions as set forth in claims 1, 3 and 5 lack novelty and inventive step.

The document 1 discloses a battery pack including a packing case, a combination batter y housed in the packing case and having a plurality of flat and rectangular type batteries whic h are stacked each other, and a hollow body which is provided between the flat and rectangul ar type batteries in the combination battery and passes a cooling medium made of an nonflam mable insulating solvent, wherein the hollow body is made of a thermoplastic resin film havin g a melting point of 110 to 200 deg.C, thus it melts and are destroyed when abnormal heat g eneration or combustion occures in the flat and rectangular type battery in the combination bat tery.

The document 2 discloses a battery pack including a case, a plurality of batteries accom modated in the case, and a filling member which is filled in a space between batteries in the case and encapsulated in a bag made of polypropylene that readily melts with heat.

Claims 1, 5

Inventions as set forth in claims 1 and 5 lack novelty and inventive step.

The document 3 discloses a battery pack including an inner case which stores a combin ation battery which consists of a plurality of batteries, an outer case which surrounds the inne r case, and cooling medium which is filled in a space for cooling medium between the inner case and the outer case, wherein the inner case includes an inner case body formed from a po rous material and a melting film which is provided on a side of the space for cooling medium

and melts above prescribed temperature.

Claims 9

Invention as set forth in claim 9 lacks novelty and inventive step.

In the inventions disclosed in the documents 1, 2 or 3, it is not difficult for a person sk illed in the art to use a plurality of battery packs which are connected in series and/or parallel according to required voltage and electric capacity.

Claims 2, 4, 6-8

Inventions as set forth in claims 2, 4, and 6-8 are not described in any of the document s 1-7 nor would be obvious to a person skilled in the art.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/004486

A. CLASSIFICATION OF SUBJECT MATTER
H01M10/50(2006.01)i, *H01M2/10*(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)
H01M10/50, H01M2/10

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.
X A	JP 2009-54297 A (Toshiba Corp.), 12 March 2009 (12.03.2009), entire text; fig. 1 to 5 & US 2009/0087727 A1 & WO 2009/025177 A1	1,3,5,9 2,4,6-8
X A	JP 2008-117756 A (Matsushita Electric Industrial Co., Ltd.), 22 May 2008 (22.05.2008), entire text; fig. 1 to 16 & US 2010/0047673 A & EP 2077592 A1 & WO 2008/044430 A1 & KR 10-2009-0081386 A & CN 101523636 A	1,3,5,9 2,4,6-8
X A	JP 9-259940 A (Nissan Motor Co., Ltd.), 03 October 1997 (03.10.1997), entire text; fig. 1 to 10 (Family: none)	1,5,9 2-4,6-8

☒ 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 07 October, 2010 (07.10.10)	Date of mailing of the international search report 19 October, 2010 (19.10.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/004486

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 3-291867 A (Sanyo Electric Co., Ltd.), 24 December 1991 (24.12.1991), entire text (Family: none)	1-9
A	JP 2004-171856 A (Matsushita Electric Industrial Co., Ltd.), 17 June 2004 (17.06.2004), entire text; fig. 1 to 15 (Family: none)	1-9
A	JP 2002-134078 A (Toyota Motor Corp.), 10 May 2002 (10.05.2002), entire text; fig. 1 to 3 (Family: none)	1-9
A	JP 10-40881 A (Yuasa Corp.), 13 February 1998 (13.02.1998), entire text; fig. 1 to 8 (Family: none)	1-9

特許協力条約

発信人　日本国特許庁（国際調査機関）

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

発送日 (日.月.年)　１９．１０．２０１０	
出願人又は代理人 の書類記号　P056432P0	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／ＪＰ２０１０／００４４８６	(日.月.年)　０９．０７．２０１０	(日.月.年)　１７．０７．２００９

国際特許分類（ＩＰＣ）Int.Cl. H01M10/50(2006.01)i, H01M2/10(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
０７．１０．２０１０

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 長谷山　健	４Ｋ	９１７１
	電話番号　０３－３５８１－１１０１　内線　３４３５		

国際調査機関の見解書

国際出願番号 PCT／JP2010／004486

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／JP2010／004486

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性（N）	請求項	2，4，6－9	有
	請求項	1，3，5	無
進歩性（IS）	請求項	2，4，6－8	有
	請求項	1，3，5，9	無
産業上の利用可能性（IA）	請求項	1－9	有
	請求項		無

2. 文献及び説明

文献 1: JP 2009-54297 A (株式会社東芝) 2009.03.12, 全文, 第 1-5 図
& US 2009/0087727 A1 & WO 2009/025177 A1

文献 2: JP 2008-117756 A (松下電器産業株式会社) 2008.05.22, 全文, 第 1-16 図
& US 2010/0047673 A & EP 2077592 A1 & WO 2008/044430 A1
& KR 10-2009-0081386 A & CN 101523636 A

文献 3: JP 9-259940 A (日産自動車株式会社) 1997.10.03, 全文, 第 1-10 図
(ファミリーなし)

文献 4: JP 3-291867 A (三洋電機株式会社) 1991.12.24, 全文 (ファミリーなし)

文献 5: JP 2004-171856 A (松下電器産業株式会社) 2004.06.17, 全文, 第 1-15 図
(ファミリーなし)

文献 6: JP 2002-134078 A (トヨタ自動車株式会社) 2002.05.10, 全文, 第 1-3 図
(ファミリーなし)

文献 7: JP 10-40881 A (株式会社ユアサコーポレーション) 1998.02.13, 全文, 第 1-8 図
(ファミリーなし)

請求項 1, 3, 5

請求項 1, 3, 5 に係る発明は、文献 1 又は 2 により新規性及び進歩性を有さない。

文献 1 には、パック容器と、前記パック容器に収納され複数の角型扁平電池を積層した組電池と、前記組電池の各角型扁平電池間に配置され、不燃性絶縁溶媒からなる冷却媒体流通する融点が 110-200℃の熱可塑性樹脂膜からなる中空体とを備え、組電池を構成する角型扁平電池の異常発熱・発火が起こると中空体は溶融し破損し、破損する電池パックが記載されている。

（補充欄に続く）

補充欄

いずれかの欄の大きさが足りない場合

第 V2. 欄の続き

文献 2 には、筐体と、前記筐体内に収容された複数の電池と、前記筐体内の前記複数の電池の間を充填するために設けられ、熱によって溶融しやすいポリプロピレン製の復路に不燃性の材料を封入した充填部材(段落【0054】)とを有する電池パックが記載されている。

請求項 1, 5

請求項 1, 5 に係る発明は、文献 3 により新規性及び進歩性を有さない。

文献 3 には、複数のセル電池からなる組電池を収容する内側ケースと、前記内側ケースを包囲する外側ケースと、前記内側ケースと前記外側ケースとの間の冷媒用空間に充填された冷媒を備えた電池パックであって、前記内側ケースが、多孔質材料からなる内側ケース本体と、前記内側ケース本体の前記冷媒用空間側に設けられ、所定温度以上で溶融する溶融膜とを有する電池パックが記載されている。

請求項 9

請求項 9 に係る発明は、文献 1, 2 又は 3 により進歩性を有さない。

文献 1, 2 又は 3 に記載された発明において、必要とする電池容量や電圧に応じて複数の電池パックを直列及び／又は並列に接続して用いることは、当業者であれば容易になし得たことである。

請求項 2, 4, 6-8

請求項 2, 4, 6-8 に係る発明は、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。

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 P056432P0 M10-177CT1 -CK	今後の手続きについては、様式ＰＣＴ／ＩＳＡ／２２０及び下記５を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２０１０／００４４８６	国際出願日 (日.月.年) ０９．０７．２０１０	優先日 (日.月.年) １７．０７．２００９
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／JP2010／004486

A.　発明の属する分野の分類（国際特許分類（IPC））

Int.Cl.　H01M10/50(2006.01)i, H01M2/10(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.　H01M10/50, H01M2/10

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
X	JP 2009-54297 A (株式会社東芝) 2009.03.12, 全文, 第1-5図 & US 2009/0087727 A1 & WO 2009/025177 A1	1, 3, 5, 9
A		2, 4, 6-8
X	JP 2008-117756 A (松下電器産業株式会社) 2008.05.22, 全文, 第1-16図 & US 2010/0047673 A & EP 2077592 A1 & WO 2008/044430 A1 & KR 10-2009-0081386 A & CN 101523636 A	1, 3, 5, 9
A		2, 4, 6-8

☑ 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 07. 10. 2010	国際調査報告の発送日 19. 10. 2010
国際調査機関の名称及びあて先 日本国特許庁（ISA／JP） 郵便番号100－8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官（権限のある職員）　4K　9171 長谷山　健 電話番号　03－3581－1101　内線　3435

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
X	JP 9-259940 A (日産自動車株式会社) 1997.10.03, 全文, 第1-10図 (ファミリーなし)	1, 5, 9
A		2-4, 6-8
A	JP 3-291867 A (三洋電機株式会社) 1991.12.24, 全文 (ファミリーなし)	1-9
A	JP 2004-171856 A (松下電器産業株式会社) 2004.06.17, 全文, 第1-15図 (ファミリーなし)	1-9
A	JP 2002-134078 A (トヨタ自動車株式会社) 2002.05.10, 全文, 第1-3図 (ファミリーなし)	1-9
A	JP 10-40881 A (株式会社ユアサコーポレーション) 1998.02.13, 全文, 第1-8図 (ファミリーなし)	1-9

国際調査報告

国際出願番号 PCT／JP2010／004486

A. 発明の属する分野の分類（国際特許分類（IPC））

Int.Cl. H01M10/50(2006.01)i, H01M2/10(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. H01M10/50, H01M2/10

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
X	JP 2009-54297 A (株式会社東芝) 2009.03.12, 全文, 第1-5図 & US 2009/0087727 A1 & WO 2009/025177 A1	1, 3, 5, 9
A		2, 4, 6-8
X	JP 2008-117756 A (松下電器産業株式会社) 2008.05.22, 全文, 第1-16図 & US 2010/0047673 A & EP 2077592 A1 & WO 2008/044430 A1 & KR 10-2009-0081386 A & CN 101523636 A	1, 3, 5, 9
A		2, 4, 6-8

☑ 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 07. 10. 2010	国際調査報告の発送日 19. 10. 2010
国際調査機関の名称及びあて先 日本国特許庁（ISA／JP） 郵便番号100－8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官（権限のある職員） 4K 9171 長谷山 健 電話番号 03－3581－1101 内線 3435

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
X	JP 9-259940 A (日産自動車株式会社) 1997.10.03, 全文, 第1-10図 (ファミリーなし)	1, 5, 9
A		2-4, 6-8
A	JP 3-291867 A (三洋電機株式会社) 1991.12.24, 全文 (ファミリーなし)	1-9
A	JP 2004-171856 A (松下電器産業株式会社) 2004.06.17, 全文, 第1-15図 (ファミリーなし)	1-9
A	JP 2002-134078 A (トヨタ自動車株式会社) 2002.05.10, 全文, 第1-3図 (ファミリーなし)	1-9
A	JP 10-40881 A (株式会社ユアサコーポレーション) 1998.02.13, 全文, 第1-8図 (ファミリーなし)	1-9

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 M10-177CT1 -CK P056432PO	今後の手続きについては、様式ＰＣＴ／ＩＳＡ／２２０及び下記５を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２０１０／００４４８６	国際出願日 (日.月.年) ０９．０７．２０１０	優先日 (日.月.年) １７．０７．２００９
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。

特許協力条約に基づく国際出願願書

紙面による写し（注意　電子データが原本となります）

0	受理官庁記入欄	
0-1	国際出願番号	
0-2	国際出願日	
0-3	(受付印)	

0-4	様式 PCT/RO/101 この特許協力条約に基づく国際出願願書は、	
0-4-1	右記によって作成された。	PCT-SAFE Version 3.51.041.217 MT/FOP 20090701/0.20.5.17
0-5	申立て 出願人は、この国際出願が特許協力条約に従って処理されることを請求する。	
0-6	出願人によって指定された受理官庁	日本国特許庁 (RO/JP)
0-7	出願人又は代理人の書類記号	P056432P0
I	発明の名称	電池モジュールとそれを用いた電池パック
II	出願人	
II-1	この欄に記載した者は	出願人である (applicant only)
II-2	右の指定国についての出願人である。	米国を除く全ての指定国 (all designated States except US)
II-4ja	名称	パナソニック株式会社
II-4en	Name:	PANASONIC CORPORATION
II-5ja	あて名	5718501 日本国 大阪府門真市大字門真１００６番地
II-5en	Address:	1006, Oaza Kadoma, Kadoma-shi, Osaka 5718501 Japan
II-6	国籍(国名)	日本国 JP
II-7	住所(国名)	日本国 JP
II-8	電話番号	06-6908-1473
II-9	ファクシミリ番号	06-6909-0053
III-1	その他の出願人又は発明者	
III-1-1	この欄に記載した者は	出願人及び発明者である (applicant and inventor)
III-1-2	右の指定国についての出願人である。	米国のみ (US only)
III-1-4ja	氏名(姓名)	安井俊介
III-1-4en	Name (LAST, First):	YASUI, Shunsuke
III-1-5ja	あて名	
III-1-5en	Address:	
III-1-6	国籍(国名)	
III-1-7	住所(国名)	

特許協力条約に基づく国際出願願書

紙面による写し（注意　電子データが原本となります）

III-2	その他の出願人又は発明者	
III-2-1	この欄に記載した者は	出願人及び発明者である (applicant and inventor)
III-2-2	右の指定国についての出願人である。	米国のみ (US only)
III-2-4ja	氏名(姓名)	高崎裕史
III-2-4en	Name (LAST, First):	TAKASAKI, Hiroshi
III-2-5ja	あて名	
III-2-5en	Address:	
III-2-6	国籍(国名)	
III-2-7	住所(国名)	
III-3	その他の出願人又は発明者	
III-3-1	この欄に記載した者は	出願人及び発明者である (applicant and inventor)
III-3-2	右の指定国についての出願人である。	米国のみ (US only)
III-3-4ja	氏名(姓名)	中嶋琢也
III-3-4en	Name (LAST, First):	NAKASHIMA, Takuya
III-3-5ja	あて名	
III-3-5en	Address:	
III-3-6	国籍(国名)	
III-3-7	住所(国名)	
IV-1	代理人又は共通の代表者、通知のあて名 下記の者は国際機関において右記のごとく出願人のために行動する。	代理人 (agent)
IV-1-1ja	氏名(姓名)	前田弘
IV-1-1en	Name (LAST, First):	MAEDA, Hiroshi
IV-1-2ja	あて名	5410053 日本国 大阪府大阪市中央区本町２丁目５番７号　大阪丸紅ビル
IV-1-2en	Address:	Osaka-Marubeni Bldg., 5-7, Hommachi 2-chome, Chuo-ku, Osaka-shi, Osaka 5410053 Japan
IV-1-3	電話番号	06-6125-2255
IV-1-4	ファクシミリ番号	06-6125-2288
IV-1-6	代理人登録番号	100077931
IV-2	その他の代理人	筆頭代理人と同じあて名を有する代理人 (additional agent(s) with the same address as first named agent)
IV-2-1ja	氏名	原田智雄(100117710)；井関勝守(100121728)；前田亮(100143409)
IV-2-1en	Name(s)	HARADA, Tomoo(100117710); ISEKI, Katsumori(100121728); MAEDA, Ryo(100143409)
V	国の指定	
V-1	この願書を用いてされた国際出願は、規則4.9(a)に基づき、国際出願の時点で拘束される全てのPCT締約国を指定し、取得しうるあらゆる種類の保護を求め、及び該当する場合には広域と国内特許の両方を求める国際出願となる。	

特許協力条約に基づく国際出願願書

紙面による写し（注意　電子データが原本となります）

VI-1	先の国内出願に基づく優先権主張		
VI-1-1	出願日	2009年 07月 17日 (17.07.2009)	
VI-1-2	出願番号	2009-168517	
VI-1-3	国名	日本国 JP	
VI-2	優先権証明書送付の請求 上記の先の出願のうち、右記の番号のものについては、出願書類の認証謄本を作成し国際事務局へ送付することを、受理官庁に対して請求している。	VI-1	
VI-3	引用による補充： 条約第11条(1)(iii)(d)若しくは(e)に規定する国際出願の要素の全部、又は規則20.5(a)に規定する明細書、請求の範囲若しくは図面の一部がこの国際出願には含まれていないが、受理官庁が条約第11条(1)(iii)に規定する要素の1つ以上を最初に受領した日において優先権を主張する先の出願にそれが完全に含まれている場合には、規則20.6に基づく確認の手続を条件として、その要素又は部分を規則20.6の規定によりこの国際出願に引用して補充することを請求する。		
VII-1	特定された国際調査機関(ISA)	日本国特許庁 (ISA/JP)	
VIII	申立て	申立て数	
VIII-1	発明者の特定に関する申立て	–	
VIII-2	出願し及び特許を与えられる国際出願日における出願人の資格に関する申立て	–	
VIII-3	先の出願の優先権を主張する国際出願日における出願人の資格に関する申立て	–	
VIII-4	発明者である旨の申立て(米国を指定国とする場合)	–	
VIII-5	不利にならない開示又は新規性喪失の例外に関する申立て	–	
IX	照合欄	用紙の枚数	添付された電子データ
IX-1	願書(申立てを含む)	4	✓
IX-2	明細書	19	✓
IX-3	請求の範囲	2	✓
IX-4	要約	1	✓
IX-5	図面	9	✓
IX-7	合計	35	
	添付書類	添付	添付された電子データ
IX-8	手数料計算用紙	–	✓
IX-18	PCT-SAFE 電子出願	–	–
IX-20	要約とともに提示する図の番号	2	
IX-21	国際出願の使用言語名	日本語	
X-1	出願人、代理人又は代表者の記名押印	(PKCS7 デジタル署名)	
X-1-1	氏名(姓名)	前田弘	
X-1-2	署名者の氏名		
X-1-3	権限		

特許協力条約に基づく国際出願願書

紙面による写し（注意　電子データが原本となります）

受理官庁記入欄

10-1	国際出願として提出された書類の実際の受理の日	
10-2 10-2-1 10-2-2	図面 受理された 不足図面がある	
10-3	国際出願として提出された書類を補完する書類又は図面であってその後期間内に提出されたものの実際の受理の日（訂正日）	
10-4	特許協力条約第11条(2)に基づく必要な補完の期間内の受理の日	
10-5	出願人により特定された国際調査機関	ISA/JP
10-6	調査手数料未払いにつき、国際調査機関に調査用写しを送付していない	

国際事務局記入欄

11-1	記録原本の受理の日	

PATENT COOPERATION TREATY PCT/JP2010/004486

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF RECEIPT OF RECORD COPY

(PCT Rule 24.2(a))

To:

MAEDA, Hiroshi
Osaka-Marubeni Bldg.
5-7, Hommachi 2-chome
Chuo-ku, Osaka-shi
Osaka 5410053
JAPON

Date of mailing *(day/month/year)* 30 July 2010 (30.07.2010)	**IMPORTANT NOTIFICATION**
Applicant's or agent's file reference P056432P0 M10-177071-ck	International application No. PCT/JP2010/004486

The applicant is hereby **notified** that the International Bureau has received the record copy of the international application as detailed below.

Name(s) of the applicant(s) and State(s) for which they are applicants:

PANASONIC CORPORATION (for all designated States except US)
YASUI, Shunsuke et al (for US)

International filing date:	09 July 2010 (09.07.2010)
Priority date(s) claimed:	17 July 2009 (17.07.2009)
Date of receipt of the record copy by the International Bureau:	21 July 2010 (21.07.2010)
List of designated Offices:	

AP: BW, GH, GM, KE, LR, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW
EA: AM, AZ, BY, KG, KZ, MD, RU, TJ, TM
EP: AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, SM, TR
OA: BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG
National: AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, 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

ATTENTION: The applicant should carefully check the data appearing in this Notification. In case of any discrepancy between these data and the indications in the international application, the applicant should immediately inform the International Bureau. **In addition, the applicant's attention is drawn to:**

- time limits for entry into the national phase (see www.wipo.int/pct/en/texts/time_limits.htmland *PCT Applicant's Guide*, National Phase, especially Chapters 3 and 4)
- requirements regarding priority documents (if applicable) (see *PCT Applicant's Guide*, International Phase, paragraph 5.070)

A copy of this notification is being sent to the receiving Office and to the International Searching Authority.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 70 10	Authorized officer Chevallay-Worley Madeleine e-mail pt08.pct@wipo.int Telephone No. +41 22 338 74 08

PATENT COOPERATION TREATY PCT/JP2010/004486

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

MAEDA, Hiroshi
Osaka-Marubeni Bldg.
5-7, Hommachi 2-chome
Chuo-ku, Osaka-shi
Osaka 5410053
JAPON

Date of mailing *(day/month/year)* 24 August 2010 (24.08.2010)	
Applicant's or agent's file reference P056432P0 M10-177CT1	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2010/004486	International filing date *(day/month/year)* 09 July 2010 (09.07.2010)
International publication date *(day/month/year)* **Not yet published**	Priority date *(day/month/year)* 17 July 2009 (17.07.2009)
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
17 July 2009 (17.07.2009)	2009-168517	JP	20 August 2010 (20.08.2010)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Masashi Honda e-mail pt08.pct@wipo.int Telephone No. +41 22 338 74 08

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.
13/123,780	04/12/2011	Shunsuke Yasui	085393-0544	1979

53080 7590 08/26/2011
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER
ROE, CLAIRE LOUISE

ART UNIT	PAPER NUMBER
1727	

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):

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

8/26/11

BC

In re application of	:	DECISION ON REQUEST TO
Shunsuke Yasui et al.	:	PARTICIPATE IN PATENT
Serial No. 13/123,780	:	PROSECUTION HIGHWAY
Filed: April 12, 2011	:	PROGRAM AND
Attorney Docket No: 085393-0544	:	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 02, 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. It is noted that the translated copy of the claims from the PCT application is not a copy of the claims for which the ISR/WO was based on, since claim 4 of the international application has been incorporated into claim 1 of the translation. However, it is clear from the record that claim 1 of the present application corresponds to claims 1 + 4 of the international application, which was shown to have a positive opinion under novelty, inventive step and industrial applicability in the WO. 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
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UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

JUN 15 2011

PCT LEGAL ADMINISTRATION

Moser Taboada / Ansell Limited
1030 Broad Street
Suite 203
Shrewsbury NJ 07702

In re Application of	:	
CHUAH, Beng Sim, et al.	:	
Application No.: 13/123,800	:	
PCT No.: PCT/US2009/052330	:	
Int. Filing Date: 31 July 2009	:	DECISION
Priority Date: 31 July 2008	:	
Att. Docket No.: A0107-00US	:	
For: CONDOM WITH COATING	:	
HAVING CAPSULES	:	

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 12 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 surcharge for paying the search fee, examination fee or supplying the oath or declaration after 30 months will be charged to deposit account no. 50-3562, 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

COMMISSIONER FOR PATENTS
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BAKER DONELSON BEARMAN, CALDWELL & BERKOWITZ, PC
920 MASSACHUSETTS AVE, NW
SUITE 900
WASHINGTON, DC 20001

MAILED
JUN 14 2011
PCT LEGAL ADMINISTRATION

In re Application of ROUSSEAUX et al	:	
U.S. Application No.: 13/123,848	:	
PCT Application No.: PCT/EP2009/062818	:	
Int. Filing Date: 02 October 2009	:	
Priority Date Claimed: 03 October 2008	:	DECISION
Attorney Docket No.: 2912956-107000	:	
For: METHOD FOR PURIFYING AN ALCOHOL	:	
FROM A FERMENTATION BROTH USING A	:	
FALLING FILM, A WIPED FILM, A THIN FILM	:	
OR A SHORT PATH EVAPORATOR	:	

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 12 April 2011.

BACKGROUND

On 02 October 2009, applicant filed international application PCT/EP2009/062818, which claimed priority of an earlier European Patent Office application filed 03 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 05 April 2011, international application PCT/EP2009/062818 became abandoned as to the United States for failure to timely pay the basic national fee.

On 12 April 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire

delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

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

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

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

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

CONCLUSION

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

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 12 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.

BryanLin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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

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

Application No:	13/123,878	Filing date:	April 12, 2011
First Named Inventor:	Marcus Pfaadt		
Title of the Invention:	Mixtures for producing bio-degradable aliphatic polyester=based molded bodies and for producing polyme		

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/EP2009/063403

The international date of the corresponding PCT application(s) is/are: October 14, 2009

I. List of Required Documents:

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

☑ Is attached

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

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

☑ Is attached.

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

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

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

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.:	13/123,878
First Named Inventor:	Marcus Pfaadt

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 12, 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 12, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-11	1-11	Substantially same language in respectively numbered claims

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

Signature Frank P. Tise	Date April 19, 2011
Name (Print/Typed) Frank P. Tise	Registration Number 50,379

INTERNATIONAL SEARCH REPORT

International application No
PCT/EP2009/063403

A. CLASSIFICATION OF SUBJECT MATTER
INV. C08L67/04

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)
C08L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

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

EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2005/151296 A1 (OBUCHI SHOJI [JP] ET AL) 14 July 2005 (2005-07-14) paragraphs [0030] - [0036], [0089], [0090] claims 1,2 -----	1-11
A	US 5 726 220 A (TOKUSHIGE YUJI [JP] ET AL) 10 March 1998 (1998-03-10) cited in the application column 2, line 10 - column 3, line 18 table 1 claims 1,2,7 -----	1-11

-/--

[X] Further documents are listed in the continuation of Box C.

[X] See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier document but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
13 Januar 2010	21/01/2010

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Heidenhain, Frank

1

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

International application No
PCT/EP2009/063403

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	XING P ET AL: "MISCIBILITY AND CRYSTALLIZATION OF POLY(BETA-HYDROXYBUTYRATE)/ POLY(VINYL ACETATE-CO-VINYL ALCOHOL) BLENDS" MACROMOLECULES 2000, ACS, WASHINGTON, DC, US, vol. 31, no. 20, 6 October 1998 (1998-10-06), pages 6898-6907, XP000779625 ISSN: 0024-9297 page 6899, right-hand column - page 6900, right-hand column	1-11
A	WO 2007/093518 A (WACKER POLYMER SYSTEMS GMBH [DE]; PFAADT MARCUS [DE]; FUNKE THOMAS [DE) 23 August 2007 (2007-08-23) page 2, line 35 - page 3, line 39 page 6, line 30 - page 7, line 10 page 9, line 29 - page 9, line 35 table 1 claims 1-3	1-11

1

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/EP2009/063403

Patent document cited in search report		Publication date	Patent family member(s)			Publication date
US 2005151296	A1	14-07-2005	CN	1643061	A	20-07-2005
			EP	1490435	A1	29-12-2004
			WO	03082980	A1	09-10-2003
US 5726220	A	10-03-1998	NONE			
WO 2007093518	A	23-08-2007	AU	2007216541	A1	23-08-2007
			CN	101384667	A	11-03-2009
			DE	102006006580	A1	16-08-2007
			EP	1984453	A1	29-10-2008
			US	2009131561	A1	21-05-2009

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	**See form PCT/ISA/210**
Applicant's or agent's file reference WP 10807	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/EP2009/063403	14.10.2009	16.10.2008

International Patent Classification (IPC) or both national classification and IPC
C08L67/04

Applicant
WACKER CHEMIE AG

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

- [x] Box No. I — Basis of the opinion
- [ ] Box No. II — Priority
- [ ] Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV — Lack of unity of invention
- [x] Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI — Certain documents cited
- [ ] Box No. VII — Certain defects in the international application
- [ ] Box No. VIII — Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/063403

Box No. I **Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of:

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

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material

   ☐ on paper

   ☐ in electronic form

   c. time of filing/furnishing

   ☐ contained in the international application as filed

   ☐ filed together with the international application in electronic form

   ☐ furnished subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/063403

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations:

1 Reference is made to the following documents:

D1: US 2005/151296 A1 (OBUCHI SHOJI [JP] ET AL) 14 July 2005 (2005-07-14)

D2: US 5 726 220 A (TOKUSHIGE YUJI [JP] ET AL) 10 March 1998 (1998-03-10) cited in the application

D3: XING P ET AL: "MISCIBILITY AND CRYSTALLIZATION OF POLY(BETA-HYDROXYBUTYRATE)/ POLY(VINYL ACETATE-CO-VINYL ALCOHOL) BLENDS" MACROMOLECULES 2000, ACS, WASHINGTON, DC, US, Vol. 31 , No. 20, 6 October 1998 (1998-10-06), pages 6898-6907, XP000779625 ISSN: 0024-9297

D4: WO 2007/093518 A (WACKER POLYMER SYSTEMS GMBH [DE]; PFAADT MARCUS [DE]; FUNKE THOMAS [DE) 23 August 2007 (2007-08-23)

2 Novelty: None of the cited documents describes biodegradable polymeric mixtures of aliphatic polyesters and polymer powders that can be redispersed in water (PCT Article 33(2)).

3 Inventive step: D1 is considered to be the closest

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

prior art. It discloses compositions of polylactic acid (PLA) and ethylene (meth)acrylic acid copolymers. This differs from the subject matter of the application in that redispersible polymer powders, i.e. a polymer powder produced in the presence of a protective colloid by emulsion polymerization, are added as blending component for the aliphatic polyester and/or the PLA.
It was an object to find compatible mixing partners for aliphatic polyesters which ensure improved processability and improved mechanical properties of the mixtures. The solution was achieved by incorporating redispersible polymer powders. This produces more homogeneous blends which are easier to process and which are optimized in respect of impact strength (examples 1 and 2 vs. comparative examples 1 and 2), and tensile stress at break (2 vs. comparative example 2). Since no further known document suggests the incorporation of redispersible polymer powders into aliphatic polyesters, an inventive step can be acknowledged (PCT Article 33(3)).

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: INTERNATIONALE RECHERCHENBEHÖRDE

An

Wacker Chemie AG
z.H. Schuderer, Michael
Hanns-Seidel-Platz 4
81737 München
ALLEMAGNE

Wacker Chemie AG
München
Eing. 21. JAN. 2010

PCT

MITTEILUNG ÜBER DIE ÜBERMITTLUNG DES INTERNATIONALEN RECHERCHENBERICHTS UND DES SCHRIFTLICHEN BESCHEIDS DER INTERNATIONALEN RECHERCHENBEHÖRDE ODER DER ERKLÄRUNG

(Regel 44.1 PCT)

	Absendedatum *(Tag/Monat/Jahr)* 21/01/2010
Aktenzeichen des Anmelders oder Anwalts WP 10807	**WEITERES VORGEHEN** siehe Punkte 1 und 4 unten
Internationales Aktenzeichen PCT/EP2009/063403	Internationales Anmeldedatum *(Tag/Monat/Jahr)* 14/10/2009
Anmelder WACKER CHEMIE AG	

1. [X] Dem Anmelder wird mitgeteilt, dass der internationale Recherchenbericht und der schriftliche Bescheid der Internationalen Recherchenbehörde erstellt wurden und ihm hiermit übermittelt werden.

   Einreichung von Änderungen und einer Erklärung nach Artikel 19:
   Der Anmelder kann auf eigenen Wunsch die Ansprüche der internationalen Anmeldung ändern (siehe Regel 46):

   Bis wann sind Änderungen einzureichen?

   Die Frist zur Einreichung solcher Änderungen beträgt üblicherweise zwei Monate ab der Übermittlung des internationalen Recherchenberichts.

   Wo sind Änderungen einzureichen?

   Unmittelbar beim Internationalen Büro der WIPO, 34, chemin des Colombettes, CH–1211 Genf 20, Fax: +41 22 338 82 70

   Nähere Hinweise sind den Anmerkungen auf dem Beiblatt zu entnehmen.

2. [ ] Dem Anmelder wird mitgeteilt, dass kein internationaler Recherchenbericht erstellt wird und dass ihm hiermit die Erklärung nach Artikel 17 (2) a) sowie der schriftliche Bescheid der Internationalen Recherchenbehörde übermittelt werden.

3. [ ] **Hinsichtlich eines Widerspruchs** gegen die Entrichtung einer zusätzlichen Gebühr (zusätzlicher Gebühren) nach Regel 40.2 wird dem Anmelder mitgeteilt, dass

   [ ] der Widerspruch und die Entscheidung hierüber zusammen mit seinem Antrag auf Übermittlung des Wortlauts sowohl des Widerspruchs als auch der Entscheidung hierüber an die Bestimmungsämter dem Internationalen Büro übermittelt worden sind.

   [ ] noch keine Entscheidung über den Widerspruch vorliegt; der Anmelder wird benachrichtigt, sobald eine Entscheidung getroffen wurde.

4. **Zur Erinnerung:**

   Kurz nach Ablauf von **18 Monaten** seit dem Prioritätsdatum wird die internationale Anmeldung vom Internationalen Büro veröffentlicht. Will der Anmelder die Veröffentlichung verhindern oder auf einen späteren Zeitpunkt verschieben, so muß gemäß Regel 90*bis*.1 bzw. 90*bis*.3 vor Abschluss der technischen Vorbereitungen für die internationale Veröffentlichung eine Erklärung über die Zurücknahme der internationalen Anmeldung oder des Prioritätsanspruchs beim Internationalen Büro eingehen.
   Der Anmelder kann beim Internationalen Büro eine informelle Stellungnahme zum schriftlichen Bescheid der Internationalen Recherchenbehörde einreichen. Das Internationale Büro sendet allen Bestimmungsämtern eine Kopie dieser Stellungnahme, sofern nicht ein internationaler vorläufiger Prüfungsbericht erstellt worden ist bzw. gerade erstellt wird. Eine solche Stellungnahme würde auch der Öffentlichkeit zugänglich gemacht, allerdings erst nach Ablauf von 30 Monaten seit dem Prioritätsdatum.
   In bezug auf einige Bestimmungsämter ist innerhalb von **19 Monaten** seit dem Prioritätsdatum ein Antrag auf internationale vorläufige Prüfung einzureichen, wenn der Anmelder den Eintritt in die nationale Phase verschieben und erst **30 Monaten** nach dem Prioritätsdatum (in manchen Ämtern sogar noch später) vornehmen möchte; ansonsten muss der Anmelder innerhalb von **20 Monaten** seit dem Prioritätsdatum die für den Eintritt in die nationale Phase vor diesen Bestimmungsämtern vorgeschriebenen Handlungen vornehmen.
   Bei anderen Bestimmungsämtern gilt die Frist von **30 Monaten** (oder eine etwaige längere Frist) auch dann, wenn innerhalb von 19 Monaten kein solcher Antrag eingereicht wird.
   Siehe Anhang zu Formblatt PCT/IB/301. Genaue Angaben zu den jeweils geltenden Fristen in den einzelnen Ämtern enthält der *PCT–Leitfaden für Anmelder*, Band II, Nationale Kapitel sowie die Website der WIPO.

Name und Postanschrift der Internationalen Recherchenbehörde Europäisches Patentamt, P.B. 5818 Patentlaan 2 NL–2280 HV Rijswijk Tel. (+31–70) 340–2040 Fax: (+31–70) 340–3016	Bevollmächtigter Bediensteter Sita Camara

ANMERKUNGEN ZU FORMBLATT PCT/ISA/220

Diese Anmerkungen sollen grundlegende Hinweise zur Einreichung von Änderungen gemäß Artikel 19 geben. Diesen Anmerkungen liegen die Erfordernisse des Vertrags über die internationale Zusammenarbeit auf dem Gebiet des Patentwesens (PCT), der Ausführungsordnung und der Verwaltungsvorschriften zu diesem Vertrag zugrunde. Bei Abweichungen zwischen diesen Anmerkungen und obengenannten Texten sind letztere maßgebend. Nähere Einzelheiten sind dem *PCT–Leitfaden für Anmelder*, einer Veröffentlichung der WIPO, zu entnehmen.

Die in diesen Anmerkungen verwendeten Begriffe "Artikel", "Regel" und "Abschnitt" beziehen sich jeweils auf die Bestimmungen des PCT–Vertrags, der PCT–Ausführungsordnung bzw. der PCT–Verwaltungsvorschriften.

HINWEISE ZU ÄNDERUNGEN GEMÄSS ARTIKEL 19

Nach Erhalt des internationalen Recherchenberichts und des schriftlichen Bescheids der Internationalen Recherchenbehörde hat der Anmelder die Möglichkeit, einmal die Ansprüche der internationalen Anmeldung zu ändern. Es ist jedoch zu betonen, dass, da alle Teile der internationalen Anmeldung (Ansprüche, Beschreibung und Zeichnungen) während des internationalen vorläufigen Prüfungsverfahrens geändert werden können, normalerweise keine Notwendigkeit besteht, Änderungen der Ansprüche nach Artikel 19 einzureichen, außer wenn der Anmelder z. B. zum Zwecke eines vorläufigen Schutzes die Veröffentlichung dieser Ansprüche wünscht oder ein anderer Grund für eine Änderung der Ansprüche vor ihrer internationalen Veröffentlichung vorliegt. Weiterhin ist zu beachten, dass ein vorläufiger Schutz nur in einigen Staaten erhältlich ist (siehe *PCT–Leitfaden für Anmelder*, Anlage B).

Der Anmelder wird darauf hingewiesen, dass Änderungen nach Artikel 19 nicht zulässig sind, wenn die Internationale Recherchenbehörde nach Artikel 17 (2) erklärt hat, dass kein internationaler Recherchenbericht erstellt wird (siehe *PCT–Leitfaden für Anmelder*, Internationale Phase, Ziffer 296).

Welche Teile der internationalen Anmeldung können geändert werden?

Im Rahmen von Artikel 19 können nur die Ansprüche geändert werden.

In der internationalen Phase können die Ansprüche auch nach Artikel 34 vor der mit der internationalen vorläufigen Prüfung beauftragten Behörde geändert (oder nochmals geändert) werden. Die Beschreibung und die Zeichnungen können nur nach Artikel 34 vor der mit der internationalen vorläufigen Prüfung beauftragten Behörde geändert werden.

Beim Eintritt in die nationale Phase können alle Teile der internationalen Anmeldung nach Artikel 28 oder gegebenenfalls Artikel 41 geändert werden.

Bis wann sind Änderungen einzureichen?

Innerhalb von zwei Monaten ab der Übermittlung des internationalen Recherchenberichts oder innerhalb von sechzehn Monaten ab dem Prioritätsdatum, je nachdem, welche Frist später abläuft. Die Änderungen gelten jedoch als rechtzeitig eingereicht, wenn sie dem Internationalen Büro nach Ablauf der maßgebenden Frist, aber noch vor Abschluss der technischen Vorbereitungen für die internationale Veröffentlichung (Regel 46.1) zugehen.

Wo sind Änderungen nicht einzureichen?

Die Änderungen können nur beim Internationalen Büro, nicht aber beim Anmeldeamt oder der Internationalen Recherchenbehörde eingereicht werden (Regel 46.2).

Falls ein Antrag auf internationale vorläufige Prüfung eingereicht wurde/wird, siehe unten.

In welcher Form können Änderungen erfolgen?

Eine Änderung kann erfolgen durch Streichung eines oder mehrerer ganzer Ansprüche, durch Hinzufügung eines oder mehrerer neuer Ansprüche oder durch Änderung des Wortlauts eines oder mehrerer Ansprüche in der eingereichten Fassung.

Ein Ersatzblatt bzw. Ersatzblätter mit einem vollständigen Satz der Ansprüche, die alle früher eingereichten Ansprüche ersetzen, ist bzw. sind einzureichen.

Wird ein Anspruch gestrichen, so brauchen die anderen Ansprüche nicht neu numeriert zu werden. Im Fall einer Neunumerierung sind die Ansprüche fortlaufend mit arabischen Ziffern zu nummerieren (Abschnitt 205 a)).

Die Änderungen sind in der Sprache abzufassen, in der die internationale Anmeldung veröffentlicht wird.

Welche Unterlagen sind den Änderungen beizufügen?

Begleitschreiben (Abschnitt 205 b)):

Die Änderungen sind mit einem Begleitschreiben einzureichen.

Das Begleitschreiben wird nicht zusammen mit der internationalen Anmeldung und den geänderten Ansprüchen veröffentlicht. Es ist nicht zu verwechseln mit der "Erklärung nach Artikel 19(1)" (siehe unten, "Erklärung nach Artikel 19 (1)").

Das Begleitschreiben ist nach Wahl des Anmelders in englischer oder französischer Sprache abzufassen. Bei englischsprachigen internationalen Anmeldungen ist das Begleitschreiben aber ebenfalls in englischer, bei französischsprachigen internationalen Anmeldungen in französischer Sprache abzufassen.

ANMERKUNGEN ZU FORMBLATT PCT/ISA/220

Diese Anmerkungen sollen grundlegende Hinweise zur Einreichung von Änderungen gemäß Artikel 19 geben. Diesen Anmerkungen liegen die Erfordernisse des Vertrags über die internationale Zusammenarbeit auf dem Gebiet des Patentwesens (PCT), der Ausführungsordnung und der Verwaltungsvorschriften zu diesem Vertrag zugrunde. Bei Abweichungen zwischen diesen Anmerkungen und obengenannten Texten sind letztere maßgebend. Nähere Einzelheiten sind dem *PCT-Leitfaden für Anmelder*, einer Veröffentlichung der WIPO, zu entnehmen.

Die in diesen Anmerkungen verwendeten Begriffe "Artikel", "Regel" und "Abschnitt" beziehen sich jeweils auf die Bestimmungen des PCT-Vertrags, der PCT-Ausführungsordnung bzw. der PCT-Verwaltungsvorschriften.

HINWEISE ZU ÄNDERUNGEN GEMÄSS ARTIKEL 19

Nach Erhalt des internationalen Recherchenberichts und des schriftlichen Bescheids der Internationalen Recherchenbehörde hat der Anmelder die Möglichkeit, einmal die Ansprüche der internationalen Anmeldung zu ändern. Es ist jedoch zu betonen, dass, da alle Teile der internationalen Anmeldung (Ansprüche, Beschreibung und Zeichnungen) während des internationalen vorläufigen Prüfungsverfahrens geändert werden können, normalerweise keine Notwendigkeit besteht, Änderungen der Ansprüche nach Artikel 19 einzureichen, außer wenn der Anmelder z. B. zum Zwecke eines vorläufigen Schutzes die Veröffentlichung dieser Ansprüche wünscht oder ein anderer Grund für eine Änderung der Ansprüche vor ihrer internationalen Veröffentlichung vorliegt. Weiterhin ist zu beachten, dass ein vorläufiger Schutz nur in einigen Staaten erhältlich ist (siehe *PCT-Leitfaden für Anmelder*, Anlage B).

Der Anmelder wird darauf hingewiesen, dass Änderungen nach Artikel 19 nicht zulässig sind, wenn die Internationale Recherchenbehörde nach Artikel 17 (2) erklärt hat, dass kein internationaler Recherchenbericht erstellt wird (siehe *PCT-Leitfaden für Anmelder*, Internationale Phase, Ziffer 296).

Welche Teile der internationalen Anmeldung können geändert werden?

Im Rahmen von Artikel 19 können nur die Ansprüche geändert werden.

In der internationalen Phase können die Ansprüche auch nach Artikel 34 vor der mit der internationalen vorläufigen Prüfung beauftragten Behörde geändert (oder nochmals geändert) werden. Die Beschreibung und die Zeichnungen können nur nach Artikel 34 vor der mit der internationalen vorläufigen Prüfung beauftragten Behörde geändert werden.

Beim Eintritt in die nationale Phase können alle Teile der internationalen Anmeldung nach Artikel 28 oder gegebenenfalls Artikel 41 geändert werden.

Bis wann sind Änderungen einzureichen?

Innerhalb von zwei Monaten ab der Übermittlung des internationalen Recherchenberichts oder innerhalb von sechzehn Monaten ab dem Prioritätsdatum, je nachdem, welche Frist später abläuft. Die Änderungen gelten jedoch als rechtzeitig eingereicht, wenn sie dem Internationalen Büro nach Ablauf der maßgebenden Frist, aber noch vor Abschluss der technischen Vorbereitungen für die internationale Veröffentlichung (Regel 46.1) zugehen.

Wo sind Änderungen nicht einzureichen?

Die Änderungen können nur beim Internationalen Büro, nicht aber beim Anmeldeamt oder der Internationalen Recherchenbehörde eingereicht werden (Regel 46.2).

Falls ein Antrag auf internationale vorläufige Prüfung eingereicht wurde/wird, siehe unten.

In welcher Form können Änderungen erfolgen?

Eine Änderung kann erfolgen durch Streichung eines oder mehrerer ganzer Ansprüche, durch Hinzufügung eines oder mehrerer neuer Ansprüche oder durch Änderung des Wortlauts eines oder mehrerer Ansprüche in der eingereichten Fassung.

Ein Ersatzblatt bzw. Ersatzblätter mit einem vollständigen Satz der Ansprüche, die alle früher eingereichten Ansprüche ersetzen, ist bzw. sind einzureichen.

Wird ein Anspruch gestrichen, so brauchen die anderen Ansprüche nicht neu numeriert zu werden. Im Fall einer Neunumerierung sind die Ansprüche fortlaufend mit arabischen Ziffern zu nummerieren (Abschnitt 205 a)).

Die Änderungen sind in der Sprache abzufassen, in der die internationale Anmeldung veröffentlicht wird.

Welche Unterlagen sind den Änderungen beizufügen?

Begleitschreiben (Abschnitt 205 b)):

Die Änderungen sind mit einem Begleitschreiben einzureichen.

Das Begleitschreiben wird nicht zusammen mit der internationalen Anmeldung und den geänderten Ansprüchen veröffentlicht. Es ist nicht zu verwechseln mit der "Erklärung nach Artikel 19(1)" (siehe unten, "Erklärung nach Artikel 19 (1)").

Das Begleitschreiben ist nach Wahl des Anmelders in englischer oder französischer Sprache abzufassen. Bei englischsprachigen internationalen Anmeldungen ist das Begleitschreiben aber ebenfalls in englischer, bei französischsprachigen internationalen Anmeldungen in französischer Sprache abzufassen.

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

PCT

INTERNATIONALER RECHERCHENBERICHT

(Artikel 18 sowie Regeln 43 und 44 PCT)

Aktenzeichen des Anmelders oder Anwalts WP 10807	**WEITERES VORGEHEN** siehe Formblatt PCT/ISA/220 sowie, soweit zutreffend, nachstehender Punkt 5	
Internationales Aktenzeichen PCT/EP2009/063403	Internationales Anmeldedatum *(Tag/Monat/Jahr)* 14/10/2009	(Frühestes) Prioritätsdatum *(Tag/Monat/Jahr)* 16/10/2008
Anmelder WACKER CHEMIE AG		

Dieser internationale Recherchenbericht wurde von der Internationalen Recherchenbehörde erstellt und wird dem Anmelder gemäß Artikel 18 übermittelt. Eine Kopie wird dem Internationalen Büro übermittelt.

Dieser internationale Recherchenbericht umfaßt insgesamt 4 Blätter.

[X] Darüber hinaus liegt ihm jeweils eine Kopie der in diesem Bericht genannten Unterlagen zum Stand der Technik bei.

1. **Grundlage des Berichts**
   a. Hinsichtlich der **Sprache** beruht die internationale Recherche auf
      [X] der internationalen Anmeldung in der Sprache, in der sie eingereicht wurde
      [ ] einer Übersetzung der internationalen Anmeldung in die folgende Sprache _____, bei der es sich um die Sprache der Übersetzung handelt, die für die Zwecke der internationalen Recherche eingereicht worden ist (Regeln 12.3 a) und 23.1 b)).

   b. [ ] Dieser internationale Recherchenbericht wurde erstellt unter Berücksichtigung der **Berichtigung eines offensichtlichen Fehlers,** die nach Regel 91 von dieser Behörde genehmigt wurde bzw. dieser Behörde mitgeteilt wurde (Regel 43.6*bis.* (a)).

   c. [ ] Hinsichtlich der in der internationalen Anmeldung offenbarten **Nucleotid– und/oder Aminosäuresequenz** siehe Feld Nr. I.

2. [ ] **Bestimmte Ansprüche haben sich als nicht recherchierbar erwiesen** (siehe Feld Nr. II).

3. [ ] **Mangelnde Einheitlichkeit der Erfindung** (siehe Feld Nr. III).

4. Hinsichtlich der **Bezeichnung der Erfindung**
   [X] wird der vom Anmelder eingereichte Wortlaut genehmigt.
   [ ] wurde der Wortlaut von der Behörde wie folgt festgesetzt:

5. Hinsichtlich der **Zusammenfassung**
   [X] wird der vom Anmelder eingereichte Wortlaut genehmigt.
   [ ] wurde der Wortlaut nach Regel 38.2b) in der in Feld Nr. IV angegebenen Fassung von der Behörde festgesetzt. Der Anmelder kann der Behörde innerhalb eines Monats nach dem Datum der Absendung dieses internationalen Recherchenberichts eine Stellungnahme vorlegen.

6. Hinsichtlich der **Zeichnungen**
   a. ist folgende Abbildung der **Zeichnungen** mit der Zusammenfassung zu veröffentlichen: Abb. Nr. _____
      [ ] wie vom Anmelder vorgeschlagen
      [ ] wie von der Behörde ausgewählt, weil der Anmelder selbst keine Abbildung vorgeschlagen hat.
      [ ] wie von der Behörde ausgewählt, weil diese Abbildung die Erfindung besser kennzeichnet.
   b. [ ] wird keine der Abbildungen mit der Zusammenfassung veröffentlicht.

INTERNATIONALER RECHERCHENBERICHT

Internationales Aktenzeichen
PCT/EP2009/063403

A. KLASSIFIZIERUNG DES ANMELDUNGSGEGENSTANDES
INV. C08L67/04

Nach der Internationalen Patentklassifikation (IPC) oder nach der nationalen Klassifikation und der IPC

B. RECHERCHIERTE GEBIETE

Recherchierter Mindestprüfstoff (Klassifikationssystem und Klassifikationssymbole)
C08L

Recherchierte, aber nicht zum Mindestprüfstoff gehörende Veröffentlichungen, soweit diese unter die recherchierten Gebiete fallen

Während der internationalen Recherche konsultierte elektronische Datenbank (Name der Datenbank und evtl. verwendete Suchbegriffe)

EPO-Internal, WPI Data

C. ALS WESENTLICH ANGESEHENE UNTERLAGEN

Kategorie*	Bezeichnung der Veröffentlichung, soweit erforderlich unter Angabe der in Betracht kommenden Teile	Betr. Anspruch Nr.
A	US 2005/151296 A1 (OBUCHI SHOJI [JP] ET AL) 14. Juli 2005 (2005-07-14) Absätze [0030] - [0036], [0089], [0090] Ansprüche 1,2 -----	1-11
A	US 5 726 220 A (TOKUSHIGE YUJI [JP] ET AL) 10. März 1998 (1998-03-10) in der Anmeldung erwähnt Spalte 2, Zeile 10 - Spalte 3, Zeile 18 Tabelle 1 Ansprüche 1,2,7 -----	1-11

-/--

[X] Weitere Veröffentlichungen sind der Fortsetzung von Feld C zu entnehmen [X] Siehe Anhang Patentfamilie

* Besondere Kategorien von angegebenen Veröffentlichungen :
"A" Veröffentlichung, die den allgemeinen Stand der Technik definiert, aber nicht als besonders bedeutsam anzusehen ist
"E" älteres Dokument, das jedoch erst am oder nach dem internationalen Anmeldedatum veröffentlicht worden ist
"L" Veröffentlichung, die geeignet ist, einen Prioritätsanspruch zweifelhaft erscheinen zu lassen, oder durch die das Veröffentlichungsdatum einer anderen im Recherchenbericht genannten Veröffentlichung belegt werden soll oder die aus einem anderen besonderen Grund angegeben ist (wie ausgeführt)
"O" Veröffentlichung, die sich auf eine mündliche Offenbarung, eine Benutzung, eine Ausstellung oder andere Maßnahmen bezieht
"P" Veröffentlichung, die vor dem internationalen Anmeldedatum, aber nach dem beanspruchten Prioritätsdatum veröffentlicht worden ist

"T" Spätere Veröffentlichung, die nach dem internationalen Anmeldedatum oder dem Prioritätsdatum veröffentlicht worden ist und mit der Anmeldung nicht kollidiert, sondern nur zum Verständnis des der Erfindung zugrundeliegenden Prinzips oder der ihr zugrundeliegenden Theorie angegeben ist
"X" Veröffentlichung von besonderer Bedeutung; die beanspruchte Erfindung kann allein aufgrund dieser Veröffentlichung nicht als neu oder auf erfinderischer Tätigkeit beruhend betrachtet werden
"Y" Veröffentlichung von besonderer Bedeutung; die beanspruchte Erfindung kann nicht als auf erfinderischer Tätigkeit beruhend betrachtet werden, wenn die Veröffentlichung mit einer oder mehreren anderen Veröffentlichungen dieser Kategorie in Verbindung gebracht wird und diese Verbindung für einen Fachmann naheliegend ist
"&" Veröffentlichung, die Mitglied derselben Patentfamilie ist

Datum des Abschlusses der internationalen Recherche	Absendedatum des internationalen Recherchenberichts
13. Januar 2010	21/01/2010
Name und Postanschrift der Internationalen Recherchenbehörde Europäisches Patentamt, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Fax: (+31–70) 340–3016	Bevollmächtigter Bediensteter Heidenhain, Frank

INTERNATIONALER RECHERCHENBERICHT

Internationales Aktenzeichen
PCT/EP2009/063403

C. (Fortsetzung) ALS WESENTLICH ANGESEHENE UNTERLAGEN

Kategorie*	Bezeichnung der Veröffentlichung, soweit erforderlich unter Angabe der in Betracht kommenden Teile	Betr. Anspruch Nr.
A	XING P ET AL: "MISCIBILITY AND CRYSTALLIZATION OF POLY(BETA-HYDROXYBUTYRATE)/ POLY(VINYL ACETATE-CO-VINYL ALCOHOL) BLENDS" MACROMOLECULES 2000, ACS, WASHINGTON, DC, US, Bd. 31, Nr. 20, 6. Oktober 1998 (1998-10-06), Seiten 6898-6907, XP000779625 ISSN: 0024-9297 Seite 6899, rechte Spalte - Seite 6900, rechte Spalte	1-11
A	WO 2007/093518 A (WACKER POLYMER SYSTEMS GMBH [DE]; PFAADT MARCUS [DE]; FUNKE THOMAS [DE]) 23. August 2007 (2007-08-23) Seite 2, Zeile 35 - Seite 3, Zeile 39 Seite 6, Zeile 30 - Seite 7, Zeile 10 Seite 9, Zeile 29 - Seite 9, Zeile 35 Tabelle 1 Ansprüche 1-3	1-11

INTERNATIONALER RECHERCHENBERICHT

Angaben zu Veröffentlichungen, die zur selben Patentfamilie gehören

Internationales Aktenzeichen
PCT/EP2009/063403

Im Recherchenbericht angeführtes Patentdokument	Datum der Veröffentlichung	Mitglied(er) der Patentfamilie	Datum der Veröffentlichung
US 2005151296 A1	14-07-2005	CN 1643061 A	20-07-2005
		EP 1490435 A1	29-12-2004
		WO 03082980 A1	09-10-2003
US 5726220 A	10-03-1998	KEINE	
WO 2007093518 A	23-08-2007	AU 2007216541 A1	23-08-2007
		CN 101384667 A	11-03-2009
		DE 102006006580 A1	16-08-2007
		EP 1984453 A1	29-10-2008
		US 2009131561 A1	21-05-2009

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: INTERNATIONALE RECHERCHENBEHÖRDE

An:

siehe Formular PCT/ISA/220

PCT

SCHRIFTLICHER BESCHEID DER INTERNATIONALEN RECHERCHENBEHÖRDE

(Regel 43*bis*.1 PCT)

Absendedatum *(Tag/Monat/Jahr)* siehe Formular PCT/ISA/210 (Blatt 2)

Aktenzeichen des Anmelders oder Anwalts
siehe Formular PCT/ISA/220

WEITERES VORGEHEN
siehe Punkt 2 unten

Internationales Aktenzeichen	Internationales Anmeldedatum *(Tag/Monat/Jahr)*	Prioritätsdatum *(Tag/Monat/Jahr)*
PCT/EP2009/063403	14.10.2009	16.10.2008

Internationale Patentklassifikation (IPC) oder nationale Klassifikation und IPC
INV. C08L67/04

Anmelder
WACKER CHEMIE AG

1. Dieser Bescheid enthält Angaben zu folgenden Punkten:

- ☒ Feld Nr. I Grundlage des Bescheids
- ☐ Feld Nr. II Priorität
- ☐ Feld Nr. III Keine Erstellung eines Gutachtens über Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit
- ☐ Feld Nr. IV Mangelnde Einheitlichkeit der Erfindung
- ☒ Feld Nr. V Begründete Feststellung nach Regel 43*bis*.1 a) i) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung
- ☐ Feld Nr. VI Bestimmte angeführte Unterlagen
- ☐ Feld Nr. VII Bestimmte Mängel der internationalen Anmeldung
- ☐ Feld Nr. VIII Bestimmte Bemerkungen zur internationalen Anmeldung

2. **WEITERES VORGEHEN**

Wird ein Antrag auf internationale vorläufige Prüfung gestellt, so gilt dieser Bescheid als schriftlicher Bescheid der mit der internationalen vorläufigen Prüfung beauftragten Behörde ("IPEA"); dies trifft nicht zu, wenn der Anmelder eine andere Behörde als diese als IPEA wählt und die gewählte IPEA dem Internationale Büro nach Regel 66.1*bis* b) mitgeteilt hat, dass schriftliche Bescheide dieser Internationalen Recherchenbehörde nicht anerkannt werden.

Wenn dieser Bescheid wie oben vorgesehen als schriftlicher Bescheid der IPEA gilt, so ist der Anmelder aufgefordert, bei der IPEA vor Ablauf von 3 Monaten ab dem Tag, an dem das Formblatt PCT/ISA/220 abgesandt wurde oder vor Ablauf von 22 Monaten ab dem Prioritätsdatum, je nachdem, welche Frist später abläuft, eine schriftliche Stellungnahme und, wo dies angebracht ist, Änderungen einzureichen.

Weitere Optionen siehe Formblatt PCT/ISA/220.

3. Nähere Einzelheiten siehe die Anmerkungen zu Formblatt PCT/ISA/220.

Name und Postanschrift der Internationalen Recherchenbehörde	Datum der Fertigstellung dieses Bescheids	Bevollmächtigter Bediensteter
Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	siehe Formular PCT/ISA/210	Heidenhain, Frank Tel. +49 89 2399-8673

SCHRIFTLICHER BESCHEID DER INTERNATIONALEN RECHERCHEBEHÖRDE

Internationales Aktenzeichen
PCT/EP2009/063403

Feld Nr. I Grundlage des Bescheids

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

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

   ☐ einer Übersetzung der internationalen Anmeldung in die folgende Sprache , bei der es sich um die Sprache der Übersetzung handelt, die für die Zwecke der internationalen Recherche eingereicht worden ist (Regeln 12.3 a) und 23.1 b)).

2. ☐ Dieser Bescheid wurde erstellt unter Berücksichtigung der **Berichtigung eines offensichtlichen Fehlers**, die nach Regel 91 von dieser Behörde genehmigt wurde bzw. dieser Behörde mitgeteilt wurde (Regel 43bis.1 a)).

3. Hinsichtlich der **Nucleotid- und/oder Aminosäuresequenz**, die in der internationalen Anmeldung offenbart wurde und für die beanspruchte Erfindung erforderlich ist, ist der Bescheid auf folgender Grundlage erstellt worden:

   a. Art des Materials:

   ☐ Sequenzprotokoll

   ☐ Tabelle(n) zum Sequenzprotokoll

   b. Form des Materials:

   ☐ in Papierform

   ☐ in elektronischer Form

   c. Zeitpunkt der Einreichung:

   ☐ in der eingereichten internationalen Anmeldung enthalten

   ☐ zusammen mit der internationalen Anmeldung in elektronischer Form eingereicht

   ☐ bei der Behörde nachträglich für die Zwecke der Recherche eingereicht

4. ☐ Wurden mehr als eine Version oder Kopie eines Sequenzprotokolls und/oder einer dazugehörigen Tabelle eingereicht, so sind zusätzlich die erforderlichen Erklärungen, dass die Information in den nachgereichten oder zusätzlichen Kopien mit der Information in der Anmeldung in der eingereichten Fassung übereinstimmt bzw. nicht über sie hinausgeht, vorgelegt worden.

5. Zusätzliche Bemerkungen:

Feld Nr. V Begründete Feststellung nach Regel 43*bis*.1 a) i) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung

1. Feststellung

Neuheit	Ja:	Ansprüche	1-11
	Nein:	Ansprüche	
Erfinderische Tätigkeit	Ja:	Ansprüche	1-11
	Nein:	Ansprüche	
Gewerbliche Anwendbarkeit	Ja:	Ansprüche:	1-11
	Nein:	Ansprüche:	

2. Unterlagen und Erklärungen:

siehe Beiblatt

Zu Punkt V.

1 Es wird auf die folgenden Dokumente verwiesen:

D1 : US 2005/151296 A1 (OBUCHI SHOJI [JP] ET AL) 14. Juli 2005 (2005-07-14)

D2 : US 5 726 220 A (TOKUSHIGE YUJI [JP] ET AL) 10. März 1998 (1998-03-10) in der Anmeldung erwähnt

D3 : XING P ET AL: "MISCIBILITY AND CRYSTALLIZATION OF POLY(BETA-HYDROXYBUTYRATE)/ POLY(VINYL ACETATE-CO-VINYL ALCOHOL) BLENDS" MACROMOLECULES 2000, ACS, WASHINGTON, DC, US, Bd. 31, Nr. 20, 6. Oktober 1998 (1998-10-06), Seiten 6898-6907, XP000779625 ISSN: 0024-9297

D4 : WO 2007/093518 A (WACKER POLYMER SYSTEMS GMBH [DE]; PFAADT MARCUS [DE]; FUNKE THOMAS [DE) 23. August 2007 (2007-08-23)

2 Neuheit: Keines der zitierten Dokumente beschreibt biologisch abbaubare polymere Mischungen aus aliphatischen Polyestern und in Wasser redispergierbare Polymerpulver (Art. 33, 2 PCT).

3 Erfinderische Tätigkeit: D1 wird als nächster Stand der Technik erachtet. Darin werden Zusammensetzungen aus Polymilchsäure (PLA) und Ethylen-(meth)acrylsäure Copolymere. Unterschied des Anmeldungsgegenstandes dazu ist, dass redispergierbare Polymerpulver, also ein in Gegenwart eines Schutzkolloids durch Emulsionpolymerisation hergestelltes Polymerpulver, als Blendkomponente für den aliphatischen Polyester bzw. der PLA zugesetzt werden.

Aufgabe war es, kompatible Mischungspartner für aliphatische Polyester ausfindig zu machen, die eine verbesserte Verarbeitbarkeit und verbesserte mechanische Eigenschaften der Mischungen gewährleisten. Die Lösung wurde durch Einarbeitung von redispergierbaren Polymerpulvern erzielt. Dabei werden homogenere Blends erhalten die leichter Verarbeitbar sind und die hinsichtlich Schlagzähigkeit (Beispiel 1 und 2 vs. Vglbeisp. 1 und 2) sowie Zugspannung bei Bruch (2 vs. Vglbeisp. 2) optimiert sind. Da kein weiteres bekanntes Dokument die Einarbeitung von redispergierbaren Polymerpulvern in aliphatische Polyester nahelegt, kann erfinderische Tätigkeit anerkannt werden (Art. 33, 3 PCT).

Claims:

1. Mixtures for producing biodegradable moldings based on one or more aliphatic polyesters, characterized in that the mixtures further comprise one or more water-redispersible polymer powders.

2. The mixtures of claim 1, characterized in that said aliphatic polyesters comprise one or more from the group consisting of polylactic acid, polyhydroxy fatty acids, polyalkylene succinates, and polyalkylene adipates of C_2 to C_6 alkylenes.

3. The mixtures of claim 1 or 2, characterized in that the mixtures comprise polylactic acid and water-redispersible polymer powder; or polylactic acid and at least one other aliphatic polyester, and water-redispersible polymer powder; polylactic acid and at least one aliphatic-aromatic polyester, and optionally at least one aliphatic polyester other than polylactic acid, and water-redispersible polymer powder.

4. The mixtures of claim 1 to 3, characterized in that the mixtures further comprise at least one biopolymer from the group consisting of starches, proteins, and cellulose esters.

5. The mixtures of claim 1 to 4, characterized in that said water-redispersible polymer powder comprises one or more based on vinyl acetate homopolymers, copolymers with vinyl acetate and ethylene, copolymers with vinyl acetate, ethylene, and a vinyl ester of α-branched monocarboxylic acids having 9 to 11 C atoms, in each case with partially hydrolyzed polyvinyl alcohol as protective colloid.

6. The mixtures of claim 1 to 5, characterized in that said water-redispersible polymer powder comprises mixtures of water-redispersible polymer powders having a relatively low Tg of -20°C to +20°C with water-redispersible polymer powders having a relatively high Tg of +30°C to +60°C.

7. A method for producing biodegradable moldings with mixtures as claimed in claim 1 to 6, the aliphatic polyesters and the water-redispersible polymer powders and also, optionally, further additives being mixed with one another, and being processed into moldings by means of thermoplastic forming techniques.

8. The method for producing biodegradable moldings as claimed in claim 7, additives customary in the thermoplastic processing of plastics additionally being used.

9. The method for producing biodegradable moldings as claimed in claim 7 or 8, inorganic or organic fillers additionally being used.

10. The use of the method products of claim 7 to 9 as biodegradable moldings.

11. The use of claim 10 as compostable packaging materials, as compostable catering products, as compostable products in horticulture and landscaping, as compostable products in the medical sector, as compostable products in the camping sector.

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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.
13/123,878	04/12/2011	Marcus Pfaadt	WAC-132US	1820

23122 7590 07/26/2011
RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE, PA 19482

EXAMINER

ART UNIT	PAPER NUMBER
1762	

MAIL DATE	DELIVERY MODE
07/26/2011	PAPER

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

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

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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JUL 26 2011

BC

In re application of	:	DECISION ON REQUEST TO
Marcus Pfaadt et al.	:	PARTICIPATE IN PATENT
Serial No. 13/123,878	:	PROSECUTION HIGHWAY
Filed: April 12, 2011	:	PROGRAM AND
Attorney Docket No: WAC-132US	:	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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United States Patent and Trademark Office
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JUN 20 2011

PCT LEGAL ADMINISTRATION

AMGEN INC.
MAIL STOP 28-2-C
ONE AMGEN CENTER DRIVE
THOUSAND OAKS CA 91320-1799

In re Application of	:	
TASKER et al.	:	
Application No.: 13/123,889	:	DECISION
PCT No.: PCT/US2009/059888	:	
Int. Filing Date: 07 October 2009	:	
Priority Date: 10 October 2008	:	
Attorney Docket No.: A-1454-US-PCT	:	
For: PHTHALAZINE COMPOUNDS AS P38 MAP	:	
KINASE MODULATORS AND METHODS OF	:	
USE THEREOF	:	

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

BACKGROUND

On 07 October 2009, applicants filed international application PCT/US2009/059888 which designated the U.S. and claimed a priority date of 10 October 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 11 April 2011 (10 April 2011 being a Sunday).

On 12 April 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, an unexecuted declaration of inventors, 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 12 April 2011.

As to item (2), applicant submitted the petition fee on 12 April 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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PCT LEGAL ADMINISTRATION

PHARMACEUTICAL PATENT
ATTORNEYS, LLC
55 MADISON AVENUE
4TH FLOOR
MORRISTOWN NJ 07960-7397

In re Application of
RAO, Laxmi Srinivas, et al.
Application No.: 13/123,960
PCT No.: PCT/IN2006/000610
Int. Filing Date: 28 October 2009
Priority Date: 18 November 2008
Docket No.: USV Ltd.
For: NOVEL SYNTHETIC EXPRESSION VEHICLE

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 25 July 2011.

BACKGROUND

On 23 May 2011, the Office mailed Notification of Acceptance (Form PCT/DO/EO/903) indicating that the requirements for filing a national phase application under 35 USC 371(c)(1), (c)(2) and (c)(4) were satisfied on 13 April 2011 and all 35 USC 371 requirements were satisfied on 18 May 2011.

On 25 July 2011, applicants filed this petition under 37 CFR 1.47(a), accompanied by a declaration of the inventors.

DISCUSSION

An oath or declaration of the inventors is required under 35 USC 371(c)(4). As explained in 37 CFR 1.495(c)(1)(ii), a declaration under PCT Rule 4.17(iv) satisfies the declaration requirement for national phase entry. A PCT Rule 4.17(iv) declaration was furnished during the international phase. An additional declaration is not required.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is **DISMISSED AS MOOT**.

This application is being forwarded 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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MAR 13 2012
PCT LEGAL ADMINISTRATION

Birch Stewart Kolasch & Birch
PO Box 747
Falls Church, VA 22040-0747

In re Application of:
CHUNG et al.
Application No.: 13/123,963
PCT No.: PCT/KR2009/005917
Int. Filing Date: 14 October 2009
Priority Date: 14 October 2008
Atty. Docket No.: 4971-0132PUS1
For: PRINTING SYSTEM

DECISION

This decision is issued in response to applicant's "REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE" filed 18 May 2011 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181 to assign a date of completion of all 35 U.S.C. 371 requirements of 13 April 2011. No petition fee is required.

On 12 May 2011, applicant was mailed a Form PCT/DO/EO/903 which identified the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date as 13 April 2011 and the date of completion of all 35 U.S.C. 371 requirements as 14 April 2011. Applicant seeks correction of the form to list a date of completion of all 35 U.S.C. 371 requirements of 13 April 2011.

A review of the application file finds that all four of the 35 U.S.C. 371 requirements (basic national fee, copy of the international application, translation of the international application, and an executed declaration of the inventors) were filed on 13 April 2011. In addition, applicant's transmittal letter (Form PTO-1390) included a check mark in box three indicating that the filing was an express request to begin national examination procedures. The rules for national stage commencement are set forth in the Manual of Patent Procedure (MPEP) section 1893.01:

> Pursuant to 35 U.S.C. 371(f), the national stage may commence earlier than 30 months from the priority date, provided applicant makes an express request for early processing and has complied with the applicable requirements under 35 U.S.C. 371(c).

As shown, applicant made a clear indication of desire for early processing of the submission. Therefore, it is proper to GRANT applicant's petition under 37 CFR 1.181 at this time.

The Form PCT/DO/EO/903 mailed 12 May 2011 is 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 indicating a date of completion of all 35 U.S.C. 371 requirements as 13 April 2011.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel.: 571-272-3298
Facsimile: 571-273-0459

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AUG 01 2011

PCT LEGAL ADMINISTRATION

BRUCE S. LONDA
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

In re Application of WOOD et al.	
Application No.: 13/124,053	DECISION ON RESPONSE
PCT No.: PCT/EP09/07503	
Int. Filing Date: 20 October 2009	TO NOTIFICATION OF
Priority Date: 20 October 2008	
Attorney Docket No.: 101216-150	MISSING REQUIREMENTS
For: COMPOSITION FOR THE PERMANENT SHAPING OF HUMAN HAIR	

This is a decision on applicant's response to a Notification of Missing Requirements filed in the United States Patent and Trademark Office on 16 May 2011.

BACKGROUND

On 13 April 2011, applicant filed a transmittal letter concerning a filing under 35 U.S.C. 371 accompanied by the basic national fee. On 13 April 2011, applicant submitted an executed declaration.

On 05 May 2011, a Notification of Missing Requirements was mailed to applicant indicating that a new oath or declaration, in compliance with 37 CFR 1.497(a) and (b), was required. Applicant was advised that the second inventor's name (Alexandra Meuser) differed on the declaration from that listed on the published international application. The second inventor was identified on the PCT Request as Alexandra Hullmann.

Applicant filed a response to the Notification on 16 May 2011 indicating that the second inventor's address had changed and was corrected in the Application Data Sheet.

DISCUSSION

A review of the application file reveals that the given name of the applicant as listed on the published international application is "Alexandra Hullman". The declaration, filed on 13 April 2011, identifies "Alexandra Meuser". It does not appear that applicant filed a request under PCT Rule 92*bis* to change the name of the inventor as no Notification of the Recording of

a Change (Form PCT/IB/306) has been submitted which indicates that the name change was accepted. The executed declaration is not in compliance with 37 CFR 1.497(a) and (b) as the declaration does not name the inventive entity identified in the published international application. Thus, the declaration does not satisfy the requirements of 35 U.S.C. 371 (c)(4) for entrance into the national stage in the United States.

Should applicant wish to change the inventor's name to Alexandra Meuser, a petition under 37 CFR 1.182 is required. 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 we effected or a copy of the court order. *See* MPEP §§ 1893.01(c) and 605.04(c).

CONCLUSION

For the reasons set forth above, the declaration of inventor, submitted by applicant on 13 April 2011, is not in compliance with 37 CFR 1.497(a) and (b) and is unacceptable.

Applicant has ONE (1) month from the mail date of this decision or the time remaining under the Notification of Missing Requirements within which to file a proper response.

A petition under 37 CFR 1.182 is required to correct the second inventor's name. The application will be held in the PCT Legal Office to await applicant's further reply.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration

Telephone: (571) 272-3286
Facsimile: (571) 273-0459

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PCT LEGAL ADMINISTRATION

BRUCE S. LONDA
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

In re Application of WOOD et al.	:	
Application No.: 13/124,053	:	DECISION ON PETITION
PCT No.: PCT/EP09/07503	:	
Int. Filing Date: 20 October 2009	:	UNDER 37 CFR 1.182
Priority Date: 20 October 2008	:	
Attorney Docket No.: 101216-150	:	
For: COMPOSITION FOR THE PERMANENT	:	
SHAPING OF HUMAN HAIR	:	

This is a decision on applicant's "Petition for Change in Name of Inventor under 37 CFR 1.182" filed in the United States Patent and Trademark Office on 06 September 2011.

BACKGROUND

The procedural history of this application was set forth in the decision mailed on 06 September 2011 and is incorporated by reference.

DISCUSSION

A review of the application file reveals that the given name of the applicant as listed on the published international application is "Alexandra Hullman". The declaration, filed on 13 April 2011, identifies "Alexandra Meuser".

A petition under 37 CFR 1.182 to correct the name of the inventor 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 be effected or a copy of the court order. *See* MPEP §§ 1893.01(c) and 605.04(c). Applicant now submits a petition under 37 CFR 1.182 including a statement by the inventor "Alexandra Meuser" indicating that her name changed due to her marriage. Applicant authorized the payment of the requisite $400 petition fee from the deposit account. The petition under 37 CFR 1.182 to change the respective inventor's name to

"Alexandra Meuser" is granted. The declaration, submitted on 13 April 2011, meets the requirements of 37 CFR 1.497(a) and (b) and is acceptable. Thus, the declaration satisfies the requirements of 35 U.S.C. 371 (c)(4) for entrance into the national stage in the United States.

CONCLUSION

For the above reasons, the petition under 37 CFR 1.182 to change the respective inventor's name to "Alexandra Meuser" is **GRANTED**. The declaration, submitted on 13 April 2011, meets the requirements of 37 CFR 1.497(a) and (b) and is acceptable.

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 13 April 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration

Telephone: (571) 272-3286
Facsimile: (571) 273-0459

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OFFICE OF PETITIONS

LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

In re Application of :
Wood et al. :
Application No. 13/124,064 : DECISION ON PETITION
Filing Date: April 13, 2011 :
Attorney Docket No. 101216-151 :

This is a decision on the petition under 37 CFR 1.182, filed, January 25, 2012, to change the name of inventor "Alexandra Hullmann" to –**Alexandra Meuser** --.

The petition is **GRANTED**.

Office records have been updated to reflect the inventor's change of name.

As authorized, the $400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3215. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to the art unit 3776 for processing in the normal course of business.

Charlema Grant
Attorney Advisor
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/124,064	04/13/2011	3776	980	101216-151	14	1

CONFIRMATION NO. 3493

CORRECTED FILING RECEIPT

OC000000052547407

27387
LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK, NY 10022

Date Mailed: 02/13/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Jonathan Wood, Weinheim, GERMANY;
Alexandra Meuser, Weinheim, GERMANY;
Mustafa Grit, Gemsheim, GERMANY;

Assignment For Published Patent Application

KPSS-KAO PROFESSIONAL SALON SERVICES GMBH

Power of Attorney: The patent practitioners associated with Customer Number 27387

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP09/07502 10/20/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)
EUROPEAN PATENT OFFICE (EPO) 08018288.4 10/20/2008

If Required, Foreign Filing License Granted: 05/09/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/124,064**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

COMPOSITION FOR THE PERMANENT SHAPING OF HUMAN HAIR

Preliminary Class

132

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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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 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:	13/124,069	Filing date:	April 13, 2011
First Named Inventor:	Kouhei AWAZU		
Title of the Invention:	SOLID-STATE IMAGING DEVICE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/067035

The international date of the corresponding PCT application(s) is/are: Septembr 30, 2010

I. List of Required Documents:

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

[X] Is attached

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

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

[X] Is attached.

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

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

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

Approved for use through 01/31/2012. OMB 0651-0058
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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.:	13/124,069
First Named Inventor:	Kouhei AWAZU

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	In PCT Application, claim 3 refers to claim 1 or 2. However, in US Application, claim 3 refers to claim 1 alone.
4	4	
5	5	
6	6	
7	7	In PCT Application, claim 7 refers to claim 5 or 6. However, in US Application, claim 7 refers to claim 5 alone.
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
14	14	In PCT Application, claim 14 refers to any one of claims 10 to 13. However, in US Application, claim 14 refers to claim 10 alone.
15	15	

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
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.
13/124,069	04/13/2011	Kouhei Awazu	KP-12277	3526

21254 7590 08/16/2011
MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA, VA 22182-3817

EXAMINER

ART UNIT	PAPER NUMBER
2622	

MAIL DATE	DELIVERY MODE
08/16/2011	PAPER

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

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

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

MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC
8321 OLD COURTHOUSE ROAD
SUITE 200
VIENNA VA 22182-3817

In re Application of	**: DECISION ON REQUEST TO**
Kouhei AWAZU	**: PARTICIPATE IN THE PATENT**
Application No.: 13/124,069	**: PROSECUTION HIGHWAY**
Filed: 13 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: KP-12277	**: TO MAKE SPECIAL UNDER**
For: SOLID-STATE IMAGING 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 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.

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

LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

MAILED
FEB 13 2012
OFFICE OF PETITIONS

In re Application of	:	
Wood, et al.	:	
Application No. 13/124,074	:	DECISION ON PETITION
Filed: April 13, 2011	:	
Attorney Docket No. 101216-152	:	

This is a decision on the petition under 37 CFR 1.182, filed, January 23, 2012, to change the name of inventor "Alexandra Hullmann" to – ALEXANDRA MEUSER--.

The petition is GRANTED.

Office records have been updated to reflect the inventor's change of name. A corrected Filing Receipt, which reflects the inventor's change of name, accompanies this decision on petition.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3205. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Data Management.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

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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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/124,074	04/13/2011	1761	1280	101216-152	14	1

CONFIRMATION NO. 3613

REPLACEMENT FILING RECEIPT

OC000000052547450

27387
LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK, NY 10022

Date Mailed: 02/13/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Jonathan Wood, Weinheim, GERMANY;
Alexandra Meuser, Weinheim, GERMANY;
Mustafa Grit, Gernsheim, GERMANY;

Assignment For Published Patent Application

KPSS-KAO PROFESSIONAL SAL SERVICES GMBH

Power of Attorney: The patent practitioners associated with Customer Number 27387

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP09/07499 10/20/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)
EUROPEAN PATENT OFFICE (EPO) 08018287.6 10/20/2008

If Required, Foreign Filing License Granted: 05/09/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/124,074**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

COLORING COMPOSITION

Preliminary Class

008

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.

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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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The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

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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
13/124,074	04/13/2011	1761	1280	101216-152	14	1

CONFIRMATION NO. 3613

REPLACEMENT FILING RECEIPT

OC000000052547450

27387
LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK, NY 10022

Date Mailed: 02/13/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Jonathan Wood, Weinheim, GERMANY;
Alexandra Meuser, Weinheim, GERMANY;
Mustafa Grit, Gernsheim, GERMANY;

Assignment For Published Patent Application

KPSS-KAO PROFESSIONAL SAL SERVICES GMBH

Power of Attorney: The patent practitioners associated with Customer Number 27387

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP09/07499 10/20/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)
EUROPEAN PATENT OFFICE (EPO) 08018287.6 10/20/2008

If Required, Foreign Filing License Granted: 05/09/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/124,074**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

COLORING COMPOSITION

Preliminary Class

008

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

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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

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United States Patent and Trademark Office
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HULSEY IP INTELLECTUAL PROPERTY LAWYERS, P.C.
919 Congress Avenue, Suite 919
AUSTIN TX 78701

MAILED

JUN 20 2011

PCT LEGAL ADMINISTRATION

In re Application of :
RULAND, Christoph :
Application No.: 13/124,080 :
PCT No.: PCT/EP2009/055350 :
Int. Filing Date: 04 May 2009 :
Priority Date: 02 May 2008 :
Att. Docket No.: SECU002USN :
For: METHOD FOR DETERMINING ... :
AND CHIP CARD :

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 13 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.

When applicant this petition to revive PCT/EP2009/055350, applicant furnished electronic data identified the filing as a national phase entry of PCT/EP99/55350. As both international applications are abandoned and this petition and the papers are directed toward PCT/EP2009/055350, this petition has been treated on the merits and the electronic data have been corrected to reflect PCT/EP2009/055350. If PCT/EP2009/055350 was not the application intended for revival, applicants must notify the Office immediately.

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

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

LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

In re Application of	:	
Wood et al.	:	
Application No. 13/124,084	:	DECISION ON PETITION
Filed: April 13, 2011	:	
Attorney Docket No. 101216-153	:	

This is a decision on the petition under 37 CFR 1.182, filed, January 25, 2012, to change the name of inventor "Alexandra Hullmann" to –**Alexandra Meuser** --.

The petition is **GRANTED**.

Office records have been updated to reflect the inventor's change of name.

As authorized, the $400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3215. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Data Management for processing in the normal course of business.

Charlema Grant

Charlema Grant
Petitions Attorney
Office of Petitions

ATTACHMENT: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/124,084	04/13/2011	1761	1280	101216-153	19	3

CONFIRMATION NO. 3701

CORRECTED FILING RECEIPT

27387
LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK, NY 10022

OC000000052547409

Date Mailed: 02/13/2012

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Applicant(s)

Jonathan Wood, Weinheim, GERMANY;
Alexandra Meuser, Weinheim, GERMANY;
Mustafa Grit, Gernsheim, GERMANY;

Assignment For Published Patent Application

KPSS-KAO PROFESSIONAL SALON SERVICES GMBH, Darmstadt, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 27387

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP09/07501 10/20/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)
EUROPEAN PATENT OFFICE (EPO) 08018286.8 10/20/2008

If Required, Foreign Filing License Granted: 05/09/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/124,084**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

COLORING AND PERMING COMPOSITIONS FOR HAIR

Preliminary Class

008

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.

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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

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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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LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

MAILED
FEB 13 2012
OFFICE OF PETITIONS

In re Application of :
Wood et al. :
Application No. 13/124,096 : DECISION ON PETITION
Filed: April 13, 2011 :
Attorney Docket No. 101216-154 :

This is a decision on the petition under 37 CFR 1.182, filed, January 25, 2012, to change the name of inventor "Alexandra Hullmann" to –**Alexandra Meuser** --.

The petition is **GRANTED**.

Office records have been updated to reflect the inventor's change of name.

As authorized, the $400 fee for the petition under 37 CFR 1.182 has been assessed to petitioner's deposit account.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3215. Any questions concerning the examination procedures or status of the application should be directed to the Technology Center.

This application is being referred to the Office of Data Management for processing in the normal course of business.

Charlema Grant

Charlema Grant
Attorney Advisor
Office of Petitions

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
13/124,096	04/13/2011	1761	1280	101216-154	15	1

CONFIRMATION NO. 3778

CORRECTED FILING RECEIPT

27387
LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK, NY 10022

OC000000052547408

Date Mailed: 02/13/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Jonathan Wood, Weinheim, GERMANY;
Alexandra Meuser, Weinheim, GERMANY;
Mustafa Grit, Gernsheim, GERMANY;

Assignment For Published Patent Application

KPSS-KAO PROFESSIONAL SALON SERVICES GMBH, Darmstadt, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 27387

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP2009/007500 10/20/2009

Foreign Applications (You may be eligible to benefit from the **Patent Prosecution Highway** program at the USPTO. Please see http://www.uspto.gov for more information.)
EUROPEAN PATENT OFFICE (EPO) 08018285.0 10/20/2008

If Required, Foreign Filing License Granted: 05/10/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/124,096**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

COLORING COMPOSITION

Preliminary Class

008

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.

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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.

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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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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:	unassigned	Filing date:	herewith
First Named Inventor:	SUZUKI, Kazunobu et al.		
Title of the Invention:	COMPOSITION FOR EXTERNAL USE ON SKIN		

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/JP2009/005355

The international date of the corresponding PCT application(s) is/are: OCTOBER 14, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)** NOTE: ALLOWANCE/GRANT IN PARENT JP 2009-234521

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

(continued)

Application No.:	UNASSIGNED
First Named Inventor:	SUZUKI, Kazanobu

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 + AMD.	1	Allowed in JP Pat. App. 2009-234521
2 + AMD.	2	Allowed in JP Pat. App. 2009-234521
3 + AMD.	3	Allowed in JP Pat. App. 2009-234521
4 + AMD.	4	Allowed in JP Pat. App. 2009-234521
X CANC.	5	Canceled in JP Pat. App. 2009-234521
X CANC.	6	Canceled in JP Pat. App. 2009-234521

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

Signature	Date 04/13/2011
Name (Print/Typed) Andrew F. Young	Registration Number 44,001

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,114	07/27/2011	Kazunobu Suzuki	WINGR.P004	3925

28752 7590 10/25/2011
LACKENBACH SIEGEL, LLP
LACKENBACH SIEGEL BUILDING
1 CHASE ROAD
SCARSDALE, NY 10583

EXAMINER
TOWNSLEY, SARA ELIZABETH

ART UNIT	PAPER NUMBER
1613	

MAIL DATE	DELIVERY MODE
10/25/2011	PAPER

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

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

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OCT 2 5 2011

LACKENBACH SIEGEL, LLP
LACKENBACH SIEGEL BUILDING
1 CHASE ROAD
SCARSDALE, NY 10583

In re Application of	:	DECISION ON REQUEST TO
SUZUKI ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/124,114	:	PROSECUTION HIGHWAY
Filed: April 13, 2011	:	PROGRAM AND PETITION
Attorney Docket No. WINGR.P004	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed April 13, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

(1) The U.S. application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national stage application that claims domestic/foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application;
(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application;
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of latest international work product, WO/ISA, or WO/IPEA or IPER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language;
(6) Applicant must submit the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product

of the PCT application along with an English translation thereof and a statement that the English translation is accurate if the claims are not in the English language;
(7) Applicant must submit a claim correspondence table in English; and
(8) Applicant must submit an IDS listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the PCT application along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH program and petition met all the requirements and accordingly petition is **GRANTED**.

Response must be submitted via EFS-Web with the document description: Petition to make special under Patent Pros Hwy. Information regarding EFS-Web is available at http://www.uspto.gov/ebc/efs_help.html.

Telephone inquiries concerning this petition decision should be directed to Jeff Lundgren at 571-272-5541.

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

/Jeffrey S. Lundgren/
Jeffrey S. Lundgren
Supervisory Patent Examiner
TC 1600

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BAKER & DANIELS LLP
300 NORTH MERIDIAN STREET
SUITE 2700
INDIANAPOLIS, IN 46204

MAILED

AUG 10 2011

PCT LEGAL ADMINISTRATION

In re Application of ANDRAE et al	:	
U.S. Application No.: 13/124,116	:	
PCT Application No.: PCT/EP2009/063271	:	
Int. Filing Date: 12 October 2009	:	
Priority Date Claimed: 13 October 2008	:	DECISION
Attorney Docket No.: TYCDE-P0017-US	:	
For: ROTOR WITH A COMPENSATING MASS	:	
FOR A RELUCTANCE RESOLVER, AND	:	
RELUCTANCE RESOLVER	:	

This is in response to applicant's petition under 37 CFR 1.47(a) filed 22 June 2011.

BACKGROUND

On 12 October 2009, applicant filed international application PCT/EP2009/063271, which claimed priority of an earlier Germany 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 13 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).

On 11 May 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 22 June 2011, applicant filed the present petition under 37 CFR 1.47(a).

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 declaration 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 adequately demonstrates that a bona fide attempt was made to present a copy of the application papers to the nonsigning inventor Markus Colloseus for signature and that Colloseus received such papers (see affidavit of Eric Groen, ¶¶4-5 and Exhibits D and F).

Furthermore, the petition sufficiently illustrates that Colloseus refuses to sign. In particular, Colloseus' 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 Colloseus 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 12 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 13 April 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
Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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Markus Colloseus
Michelshohl 33
61462 Konigstein
GERMANY

MAILED
AUG 10 2011
PCT LEGAL ADMINISTRATION

In re Application of ANDRAE et al
U.S. Application No.: 13/124,116
PCT Application No.: PCT/EP2009/063271
Int. Filing Date: 12 October 2009
Priority Date Claimed: 13 October 2008
For: ROTOR WITH A COMPENSATING MASS FOR A RELUCTANCE RESOLVER, AND RELUCTANCE RESOLVER

Dear Markus Colloseus:

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

BAKER & DANIELS LLP
300 NORTH MERIDIAN STREET
SUITE 2700
INDIANAPOLIS, IN 46204
Attorney Docket No.: TYCDE-P0017-US

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Pearl Cohen Zedek Latzer, LLP
1500 Broadway
12th Floor
New York NY 10036

MAILED

FEB 16 2012

OFFICE OF PETITIONS

In re Application of	:	
Han et al.	:	
Application No. 13/124,118	:	ON PETITION
Filed: 04/13/2011	:	
Attorney Docket No. P-74975-US	:	

This is in response to the Petition to Accept Color Drawings Under 37 C.F.R. § 1.84(a)(2), filed in the United States Patent and Trademark Office (USPTO) on April 13, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

> The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners assert that color drawings are necessary in order to accurately depict the subject matter of the present patent application.

The Office has determined, however, that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented.

As color drawings or photographs are not required for an understanding of the invention sought to be patented, the petition is dismissed.

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

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

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

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2884.

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

D Wood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

PTO/SB/20EP (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 PROSECUTION HIGHWAY (PPH) PILOT PROGRAM BETWEEN EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No.:	13/124,135	Filing Date:	April 14, 2011
First Named Inventor:	Kari KAUPPINEN et al.		
Attorney Docket No.:	01762.017800		
Title of the Invention:	CIRULATING FLUIDIZED BED BOILER		

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

The EPO/PCT application number(s) is/are: PCT/FI2009/050896

The filing date of the EPO/ PCT application(s) is/are: November 6, 2009

I. List of Required Documents:

a. **A copy of all EPO office actions (which are relevant to patentability) in the above-identified EPO application(s) or a copy of a positive Extended European Search Report (EESR) if no EPO office actions have been issued by the EPO**

☑ Is attached.*

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

☑ Is attached.*

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

☐ 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

*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.

Under the 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 EPO AND THE USPTO

(continued)

Application No.:	13/124,135
First Named Inventor:	Kari KAUPPINEN et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in EPO Application	Explanation regarding the correspondence
1	1	Sufficiently correspond
2	2	Sufficiently correspond
3	3	Sufficiently correspond
4	4	Sufficiently correspond
5	5	Sufficiently correspond
6	6	Sufficiently correspond
7	7	Sufficiently correspond
8	8	Sufficiently correspond
9	9	Sufficiently correspond
10	10	Sufficiently correspond
11	11	Sufficiently correspond
12	12	Sufficiently correspond
13	13	Sufficiently correspond
14	14	Sufficiently correspond

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

Signature /Steven E. Warner/	Date April 29, 2011
Name (Print/Typed) Steven E. Warner	Registration Number 33,326

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 circulating fluidized bed boiler (10), comprising a furnace for combusting carbonaceous fuel and at least one outlet channel (14) connected to the upper portion of the furnace for removing flue gas and solid particles generating in the combustion of the fuel from the furnace, each outlet channel being provided with a particle separator (16) attached with a flue gas channel (18) for transferring flue gas cleaned of solid particles out of the boiler and a return duct (20) for transferring separated solid particles to the lower portion of the furnace, said return duct (20) being provided with a gas seal (22), a heat exchange chamber (24), a lift channel (34) and an overflow conduit (44), wherein solid particles exiting the gas seal are guided to the upper portion of the heat exchange chamber (24) and from the lower portion of the heat exchange chamber through the lift channel (34) to the furnace or directly from the upper portion of the heat exchange chamber through the overflow conduit (44) to the furnace,
characterized in that at least one downpipe (42) is arranged in connection with the lift channel (34), the downpipe being connected at its upper portion to flow connection with the upper portion of the lift channel (44) and at its lower portion to flow connection with the lower portion of the furnace (12) and the overflow conduit (44) is in direct flow connection with the upper portion of the downpipe.

2. Circulating fluidized bed boiler according to claim 1, **characterized in that** a downpipe (42) has been arranged on two separate sides of the lift channel (34), said downpipes being provided with an overflow conduit (44) in such a way that the lift channel and the upper portions of the downpipes are successively in the direction of the closest wall (32') of the furnace (12).

3. Circulating fluidized bed boiler according to claim 1, **characterized in that** two opposite sides of the heat exchange chamber (24) are provided with a lift channel (34), said lift channels being connected with a downpipe (42) and said downpipes being connected with an overflow conduit (44') in such a way that the heat exchange chamber, the lift channels, and the upper portions of the downpipes are successively in the direction of the closest wall (32') of the furnace (12).

4. Circulating fluidized bed boiler according to claim 1, **characterized in that** a lift channel (34) and a downpipe (42) have been arranged in connection with two side walls of the heat exchange chamber (24), said side walls being perpendicular to the closest wall (32') of the furnace, and said sidewalls being provided with an overflow conduit (44).

5. Circulating fluidized bed boiler according to claim 1, **characterized in that** the heat exchange chamber (24), the lift channel or lift channels (34), the upper portions of the downpipes (42) and the overflow conduits (44) form an integral entity.

6. Circulating fluidized bed boiler according to claim 5, **characterized in that** the heat exchange chamber (24), the lift channel or lift channels (34), the upper portions of the downpipes (42) and the overflow conduits (44) are mainly made as water tube constructions.

7. Circulating fluidized bed boiler according to claim 1, **characterized in that** the overflow conduit (44) is connected to the downpipe (42) at a higher level than the lift channel (34).

8. Circulating fluidized bed boiler according to claim 1, **characterized in that** at least one downpipe (42) is provided with an inlet for fuel (50).

9. Circulating fluidized bed boiler according to claim 8, **characterized in that** the inlet for fuel (50) is connected to a non-vertical portion (54) of the downpipe (42).

10. Circulating fluidized bed boiler according to claim 9, **characterized in that** the non-vertical portion (54) forms a ceiling of the downpipe.

11. Circulating fluidized bed boiler according to claim 9, **characterized in that** the non-vertical portion (54) forms an inclined portion below the highest point of the downpipe.

12. Circulating fluidized bed boiler according to claim 8, **characterized in that** the inlet for fuel (50) is a drop leg.

13. Circulating fluidized bed boiler according to claim 8, **characterized in that** the inlet for fuel (50) is attached to a distributing conveyor (56) transferring fuel, said conveyor being directed alongside the heat exchange chamber (24) directly towards the furnace (12).

14. Circulating fluidized bed boiler according to claim 13, **characterized in that** the distributing conveyor (56) is in connection with a common conveyor (58) transferring fuel, said common conveyor being arranged aligned with the closest wall (32') of the furnace (12), behind the heat exchange chamber (24) as viewed from the furnace.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
GENIP OY
P.O. Box 201
FI-78201 Varkaus
FINLANDE

GENIP
22 02 2010

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

6.9.2010

(PCT Rule 44.1)

	Date of mailing (day/month/year) 19/02/2010
Applicant's or agent's file reference P3074WO0	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/FI2009/050896	International filing date (day/month/year) 06/11/2009
Applicant FOSTER WHEELER ENERGIA OY	

1. [x] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

   For more detailed instructions, see the notes on the accompanying sheet.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90*bis*.1 and 90*bis*.3, respectively, before the completion of the technical preparations for international publication.

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Michaela Schon

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims,description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annex B).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, International Phase, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet or sheets containing a complete set of claims in replacement of all the claims previously filed must be submitted.

Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively in Arabic numerals (Section 205(a)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims,description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annex B).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, International Phase, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet or sheets containing a complete set of claims in replacement of all the claims previously filed must be submitted.

Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively in Arabic numerals (Section 205(a)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P3074WO0	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/FI2009/050896	International filing date *(day/month/year)* 06/11/2009	(Earliest) Priority Date *(day/month/year)* 06/11/2008
Applicant FOSTER WHEELER ENERGIA OY		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. [ ] **Certain claims were found unsearchable** (See Box No. II)
3. [ ] **Unity of invention is lacking** (see Box No III)
4. With regard to the **title**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority
6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 1
      [ ] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [X] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/FI2009/050896

A. CLASSIFICATION OF SUBJECT MATTER
INV. B01J8/38 F22B31/00 F23C10/10

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)
B01J F22B F23C

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 2004/091768 A1 (FOSTER WHEELER ENERGIA OY [FI]; HYPPAENEN TIMO [FI]; KAUPPINEN KARI V) 28 October 2004 (2004-10-28) cited in the application page 14, line 19 - page 16, line 35; figures 1-3	1-14
A	WO 2007/128883 A2 (FOSTER WHEELER ENERGIA OY [FI]; KAUPPINEN KARI [FI]) 15 November 2007 (2007-11-15) page 7, line 1 - page 9, line 8; figures 1,3	1-14
A	EP 1 612 479 A2 (KVAERNER POWER OY [FI]) 4 January 2006 (2006-01-04) abstract; figures 1,2	1-14

-/--

[X] Further documents are listed in the continuation of Box C.

[X] See patent family annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier document but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
10 February 2010	19/02/2010
Name and mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Authorized officer Veronesi, Sergio

2

Form PCT/ISA/210 (second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

International application No
PCT/FI2009/050896

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 813 479 A (WAHLGREN ANDERS [SE]) 21 March 1989 (1989-03-21) column 2, line 25 - column 3, line 34; figure 1	1-14
A	US 6 237 541 B1 (ALLISTON MICHAEL G [US] ET AL) 29 May 2001 (2001-05-29) figures 1-3	1-14

2

Form PCT/ISA/210 (continuation of second sheet) (April 2005)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/FI2009/050896

Patent document cited in search report		Publication date	Patent family member(s)			Publication date
WO 2004091768	A1	28-10-2004	AT	414567	T	15-12-2008
			CA	2521651	A1	28-10-2004
			CN	1829566	A	06-09-2006
			EP	1613422	A1	11-01-2006
			ES	2318286	T3	01-05-2009
			FI	114115	B1	13-08-2004
			JP	4230510	B2	25-02-2009
			JP	2006523525	T	19-10-2006
			RU	2300415	C2	10-06-2007
			UA	81313	C2	25-12-2007
			US	2007022924	A1	01-02-2007
WO 2007128883	A2	15-11-2007	AU	2007247089	A1	15-11-2007
			CN	101438099	A	20-05-2009
			EP	2049836	A2	22-04-2009
			JP	2009536312	T	08-10-2009
			KR	20090018047	A	19-02-2009
			US	2009293818	A1	03-12-2009
			ZA	200808047	A	24-06-2009
EP 1612479	A2	04-01-2006	CA	2511332	A1	01-01-2006
			FI	116417	B1	15-11-2005
			US	2006000425	A1	05-01-2006
US 4813479	A	21-03-1989	DE	3741935	A1	16-06-1988
			SE	455726	B	01-08-1988
			SE	8605319	A	12-06-1988
US 6237541	B1	29-05-2001	AT	306049	T	15-10-2005
			CA	2344219	A1	19-10-2001
			DE	60113758	D1	10-11-2005
			DE	60113758	T2	06-07-2006
			EP	1148294	A1	24-10-2001
			US	2001048901	A1	06-12-2001

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

(19.5.2010)

PCT 6.9.2010

To:

see form PCT/ISA/220

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/FI2009/050896	06.11.2009	06.11.2008

International Patent Classification (IPC) or both national classification and IPC
INV. B01J8/38 F22B31/00 F23C10/10

Applicant
FOSTER WHEELER ENERGIA OY

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	Veronesi, Sergio Telephone No. +49 89 2399-8348

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/FI2009/050896

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

2. Citations and explanations

see separate sheet

Re Item V

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

The closest prior art may be described in D1: WO 2004/091768 and/or D2: WO 2007/128883.

D1 shows (cf part. page 16, lines 26-29 in combination with Fig. 1-3) a circulating fluidized bed boiler, comprising a furnace (16), a particle separator (30), a return duct (36) for transferring separated solid particles to the lower portion of the furnace, the return duct being provided with a gas seal (38), a heat exchange chamber (40), a lift channel (52) and an overflow conduit (66, 62); solid particles exiting the gas seal (38) are guided to the upper portion of the heat exchange chamber and from the lower portion of the heat exchange chamber through the lift channel (52) and opening (60) to the furnace or directly from the upper portion of the heat exchange chamber through the overflow opening (66) and downpipe conduit (62) to the furnace.

D2 describes also (Fig. 1) a circulating fluidized bed boiler (10), comprising a furnace (12), a particle separator (16), a return duct (18), a gas seal (52), a heat exchange chamber (38), a lift channel (61) and an overflow conduit (62); solid particles exiting the gas seal (52) are guided to the upper portion of the heat exchange chamber (38) and from the lower portion of the heat exchange chamber through the lift channel (61) and a downpipe to the furnace or directly from the upper portion of the heat exchange chamber through the overflow conduit (62) to the furnace.

The subject - matter of claim 1 therefore differs from these known boilers in that

(i) a downpipe (42) is arranged in connection with the lift channel (34), the downpipe being connected at its upper portion to flow connection with the upper portion of the lift channel (34) and at its lower portion to flow connection with the lower portion of the furnace (12) and/or

(ii) the overflow conduit (44) is in direct flow connection with the upper portion of the downpipe.

In D1 the overflow opening (66) is not connected to the upper portion of the lift channel but to a separate "auxiliary" downpipe (64). In D2 the overflow opening of channel (62) is also not connected to the upper portion of the lift channel but to a separate channel (62).

Claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded (page 2, lines 10-16) as providing a more simple and less space consuming arrangement.

The solution to this problem proposed in claim 1 of the present application consists in connecting the overflow conduit (44) directly with the upper portion of the downpipe (42), connected at its upper portion with the upper portion of the lift channel (34) and at its lower portion with the lower portion of the furnace. In this way, there is no need to provide a separate conduit for connecting the overflow with the furnace, as in the apparatuses of D1 and D2. Such solution is not suggested by the prior art.

Claim 1 is therefore considered as involving an inventive step (Article 33(3) PCT).

Claims 2-14 are dependent on claim 1 and as such also meet(s) the requirements of the PCT with respect to novelty and inventive step.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information	For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.
Amending claims under Art. 19 PCT	Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.
Filing a demand for international preliminary examination	In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT). If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).
Filing informal comments	After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.
End of the international phase	At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPER (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

Application No.: 13/124,162

Case No: OKUDP0582US **PATENT**

CERTIFICATE OF MAILING OR ELECTRONIC TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is
___ being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below.
_X_ being transmitted via EPS or facsimile to **(571) 273-8300 (Centralized Facsimile Number)** at the U.S. Patent and Trademark Office to the Attention of (not yet assigned).

/Mark D. Saralino/ April 26, 2011
Mark D. Saralino Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Naomi ANZUE et al.

Application No.: 13/124,162

Filing Date: April 14, 2011

For: **NITRIDE-BASED SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME**

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

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

SUPPLEMENT TO REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH)

REMARKS

Applicants hereby submit this supplement to Applicants' request for participation in the patent prosecution highway (PPH) being filed contemporaneously herewith. In support of the request for participation in the PPH, Applicants have submitted the following documentation:

(1) a copy of the latest international work product (WO/ISA) in the corresponding PCT application

(2) a copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the corresponding PCT application; and

(3) English translations of the WO/ISA and claims, including a statement that the English translation of the claims is accurate.

The current application is a §371 U.S. national stage entry of PCT Application No. PCT/JP2010/005723. Applicants explain that the claims of PCT Application No. PCT/JP2010/005723 were indicated as having novelty, inventive step and industrial applicability.

Any references cited by the JPO as the International Searching Authority in connection with PCT Application No. PCT/JP2010/005723 have previously been submitted to the US Patent and Trademark Office on April 14, 2011 in connection with the current application.

As indicated in the Claims Correspondence Table included with the PPH request form, the claims in the current application sufficiently correspond to the claims of PCT Application No. PCT/JP2010/005723. The claims in the current application only differ from the claims of PCT Application No. PCT/JP2010/005723 with respect to the amendments made in the preliminary amendment filed in the present application.

More specifically, dependent claims 24-27 of the present application respectively depend from claims 1, 10, 17, and 22, and further define the claimed p-type

semiconductor region. Claims 2-9 and 18-21 respectively depend from claims 24 and 26. Therefore, claims 24-27 and the claims that depend therefrom are simply narrower in scope than the claims in the PCT application, and are therefore considered to "sufficiently correspond" to the claims of PCT Application No. PCT/JP2010/005723 in accordance with the Revised Requirements for Requesting Participation in the Patent Prosecution Highway Program in the United States Patent & Trademark Office (signed 25 January 2010).

Furthermore, the term "metal layers" in claim 14 of the present application was amended in the preliminary amendment to recite "electrode" in order to correct a typographical error contained therein.

In view of the above, Applicants respectfully request participation in the PPH. Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/

Mark D. Saralino
Reg. No. 34,243

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
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(216) 621-1113

CLAIMS

1. A nitride-based semiconductor device, comprising:

a nitride-based semiconductor multilayer structure including a p-type semiconductor region, a surface of the p-type semiconductor region being an *m*-plane; and

an electrode that is arranged on the p-type semiconductor region,

wherein the p-type semiconductor region is made of an $Al_xGa_yIn_zN$ semiconductor (where $x+y+z=1$, $x\geq 0$, $y\geq 0$, and $z\geq 0$), and

the electrode contains Mg, Zn and Ag.

2. The nitride-based semiconductor device of claim 1, wherein

the p-type semiconductor region is doped with Mg, and

a Mg concentration in the electrode is higher than a Mg concentration in the p-type semiconductor region.

3. The nitride-based semiconductor device of claim 1, wherein

the p-type semiconductor region is doped with Zn, and

a Zn concentration in the electrode is higher than a Zn concentration in the p-type semiconductor region.

4. The nitride-based semiconductor device of claim 1, wherein

the electrode includes a first region and a second

region, the first region being part of the electrode which is in contact with the p-type semiconductor region, and the second region being more distant from the p-type semiconductor region than the first region is,

the Mg concentration and the Zn concentration are higher in the second region than in the first region,

a concentration of the Ag is lower in the second region than in the first region.

5. The nitride-based semiconductor device of any one of claims 1 to 4, wherein

a Ga concentration is higher than a N concentration in the electrode, and

the Ga concentration decreases from an interface between the p-type semiconductor region and the electrode toward a front surface of the electrode.

6. The nitride-based semiconductor device of any one of claims 1 to 5, wherein a thickness of the electrode is not less than 20 nm and not more than 500 nm.

7. The nitride-based semiconductor device of any one of claims 1 to 6, further comprising a semiconductor substrate for supporting the semiconductor multilayer structure.

8. The nitride-based semiconductor device of any one of claims 1 to 7, wherein the Mg or Zn is distributed to form a film in part of the electrode.

9. The nitride-based semiconductor device of any one of claims 1 to 7, wherein the Mg or Zn is distributed to form islands in part of the electrode.

10. A light source, comprising:

a nitride-based semiconductor light-emitting device; and

a wavelength converter including a phosphor that converts a wavelength of light emitted from the nitride-based semiconductor light-emitting device,

wherein the nitride-based semiconductor light-emitting device includes

a nitride-based semiconductor multilayer structure including a p-type semiconductor region, a surface of the p-type semiconductor region being an *m*-plane, and

an electrode that is provided on a surface of the p-type semiconductor region,

the p-type semiconductor region is made of an $Al_xGa_yIn_zN$ semiconductor (where $x+y+z=1$, $x\geq 0$, $y\geq 0$, and $z\geq 0$), and

the electrode contains Mg, Zn and Ag.

11. A method for fabricating a nitride-based semiconductor light-emitting device, comprising the steps of:

(a) providing a substrate;

(b) forming on the substrate a nitride-based semiconductor multilayer structure including a p-type semiconductor region, a surface of the p-type semiconductor region being an *m*-plane; and

(c) forming an electrode on the surface of the p-type semiconductor region of the nitride-based semiconductor multilayer structure,

wherein step (c) includes forming the electrode which contains Zn, Mg and Ag.

12. The method of claim 11, wherein step (c) includes

forming a Zn layer on the surface of the p-type semiconductor region,

forming a Mg layer on the Zn layer, and

forming a Ag layer on the Mg layer.

13. The method of claim 11, wherein step (c) includes

forming a Mg layer on the surface of the p-type semiconductor region,

forming a Zn layer on the Mg layer, and

forming a Ag layer on the Zn layer.

14. The method of claim 12 or 13, wherein step (c) includes performing a heat treatment on the Mg layer after formation of the metal layers.

15. The method of claim 14, wherein the heat treatment is performed at a temperature of 400°C to 700°C.

16. The method of any one of claims 11 to 15, further comprising removing the substrate after step (b).

17. A nitride-based semiconductor device, comprising:

a nitride-based semiconductor multilayer structure including a p-type semiconductor region, a surface of the p-type semiconductor region being an *m*-plane; and

an electrode that is arranged on the p-type semiconductor region,

wherein the p-type semiconductor region is made of an $Al_xGa_yIn_zN$ semiconductor (where $x+y+z=1$, $x\geq 0$, $y\geq 0$, and $z\geq 0$), and

the electrode contains Zn, Mg, and at least one metal selected from a group consisting of Pd, Pt and Mo.

18. The nitride-based semiconductor device of claim 17, wherein

the p-type semiconductor region is doped with Mg, and

a Mg concentration in the electrode is higher than a Mg concentration in the p-type semiconductor region.

19. The nitride-based semiconductor device of claim 17, wherein

the p-type semiconductor region is doped with Zn, and

a Zn concentration in the electrode is higher than a Zn concentration in the p-type semiconductor region.

20. The nitride-based semiconductor device of any of claims 17 to 19, wherein the electrode includes

a Mg layer,

a Zn layer provided on the Mg layer, and

a metal layer provided on the Zn layer, the metal layer containing at least one selected from a group consisting of Pd, Pt and Mo.

21. The nitride-based semiconductor device of any of claims 17 to 19, wherein the electrode includes

a Zn layer,

a Mg layer provided on the Zn layer, and

a metal layer provided on the Mg layer, the metal layer containing at least one selected from a group consisting of Pd, Pt and Mo.

22. A nitride-based semiconductor device, comprising:

a nitride-based semiconductor multilayer structure including a p-type semiconductor region; and

an electrode that is arranged on the p-type semiconductor region,

wherein the p-type semiconductor region is made of an $Al_xGa_yIn_zN$ semiconductor (where $x+y+z=1$, $x\geq 0$, $y\geq 0$, and $z\geq 0$), and

an angle between a normal to a principal surface of the p-type semiconductor region and a normal to an *m*-plane is from 1° to 5°, and

the electrode contains Mg, Zn, and at least one metal selected from a group consisting of Pd, Pt, Mo and Ag.

23. A method for fabricating a nitride-based semiconductor light-emitting device, comprising the steps of:

(a) providing a substrate;

(b) forming on the substrate a nitride-based semiconductor multilayer structure including a p-type semiconductor region in which an angle between a normal to a principal surface and a normal to an *m*-plane is from 1° to 5°; and

(c) forming an electrode on the surface of the p-type semiconductor region of the nitride-based semiconductor multilayer structure,

wherein step (c) includes forming the electrode which contains Zn, Mg and Ag.

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:	13/124,162	Filing date:	April 14, 2011
First Named Inventor:	Naomi ANZUE et al.		
Title of the Invention:	NITRIDE-BASED SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/005723

The international date of the corresponding PCT application(s) is/are: September 21, 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.

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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.:	13/124,162
First Named Inventor:	Naomi ANZUE 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 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
1-27	1-23	US claims 1-27 sufficiently correspond to PCT/JP2010/005723 cl

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

Signature /Mark D. Saralino/	Date April 26, 2011
Name (Print/Typed) Mark D. Saralino	Registration Number 34,243

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.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE MATTER OF

PATENT APPLICATION

C E R T I F I C A T E

I, Misato YAMAGUCHI, residing at 1272-1, Okubo, Okubo-cho, Akashi-shi, Hyogo 674-0051 Japan, hereby certify that I am well acquainted with the English and Japanese languages and that the document attached hereto is a translation made by me of the **Claims of PCT Application No. PCT/JP2010/005723** and certify that it is a true translation to the best of my knowledge and belief.

Dated this **22nd** day of **April, 2011**

Signature M Yamaguchi

Misato YAMAGUCHI

" Document in b. "

請求の範囲

[請求項1] 表面がm面であるｐ型半導体領域を有する窒化物系半導体積層構造と、

前記ｐ型半導体領域上に設けられた電極とを備え、

前記ｐ型半導体領域は、$Al_xGa_yIn_zN$（ｘ＋ｙ＋ｚ＝１，ｘ≧０，ｙ≧０，ｚ≧０）半導体から形成され、

前記電極は、Ｍｇ、ＺｎおよびＡｇを含む、窒化物系半導体素子。

[請求項2] 前記ｐ型半導体領域にはＭｇがドープされ、

前記電極におけるＭｇ濃度は、前記ｐ型半導体領域のＭｇ濃度よりも高い、請求項１に記載の窒化物系半導体素子。

[請求項3] 前記ｐ型半導体領域にはＺｎがドープされ、

前記電極におけるＺｎ濃度は、前記ｐ型半導体領域のＺｎ濃度よりも高い、請求項１に記載の窒化物系半導体素子。

[請求項4] 前記電極は、前記電極のうち前記ｐ型半導体領域と接する部分に位置する第１の領域と、前記第１の領域よりも前記ｐ型半導体領域から遠い部分に位置する第２の領域とを含み、

前記第１の領域よりも前記第２の領域のほうが前記Ｍｇおよび前記Ｚｎの濃度が高く、

前記第１の領域よりも前記第２の領域のほうが前記Ａｇの濃度が低い、請求項１に記載の窒化物系半導体素子。

[請求項5] 前記電極におけるＧａ濃度はＮ濃度よりも高く、

前記Ｇａ濃度は、前記ｐ型半導体領域と前記電極との界面側から、前記電極の表面側に向かって減少する、請求項１から４の何れか一つに記載の窒化物系半導体素子。

[請求項6] 前記電極の厚さは、２０ｎｍ以上５００ｎｍ以下である、請求項１から５の何れか一つに記載の窒化物系半導体素子。

[請求項7] 前記半導体積層構造を支持する半導体基板を有している、請求項１から６の何れか一つに記載の窒化物系半導体素子。

[請求項8]　前記ＭｇまたはＺｎは、前記電極内の一部に膜状に存在する、請求項１から７の何れか一つに記載の窒化物系半導体素子。

[請求項9]　前記ＭｇまたはＺｎは、前記電極内の一部にアイランド状に存在する、請求項１から７の何れか一つに記載の窒化物系半導体素子。

[請求項10]　窒化物系半導体発光素子と、

前記窒化物系半導体発光素子から放射された光の波長を変換する蛍光物質を含む波長変換部と

を備える光源であって、

前記窒化物系半導体発光素子は、

表面がm面であるｐ型半導体領域を有する窒化物系半導体積層構造と、

前記ｐ型半導体領域の前記表面上に形成された電極と

を備え、

前記ｐ型半導体領域は、$Al_xGa_yIn_zN$（$x+y+z=1$，$x \geqq 0$，$y \geqq 0$，$z \geqq 0$）半導体からなり、

前記電極は、Ｍｇ、ＺｎおよびＡｇを含む、光源。

[請求項11]　基板を用意する工程（ａ）と、

表面がm面であるｐ型半導体領域を有する窒化物系半導体積層構造を前記基板上に形成する工程（ｂ）と、

前記窒化物系半導体積層構造の前記ｐ型半導体領域の前記表面上に電極を形成する工程（ｃ）と

を含み、

前記工程（ｃ）では、Ｚｎ、ＭｇおよびＡｇを含む前記電極を形成する、窒化物系半導体発光素子の製造方法。

[請求項12]　前記工程（ｃ）は、前記ｐ型半導体領域の前記表面上にＺｎ層を形成する工程と、前記Ｚｎ層の上にＭｇ層を形成する工程と、前記Ｍｇ層の上にＡｇ層を形成する工程とを含む、請求項１１に記載の窒化物

系半導体発光素子の製造方法。

[請求項13]　前記工程（ｃ）は、前記ｐ型半導体領域の前記表面上にＭｇ層を形成する工程と、前記Ｍｇ層の上にＺｎ層を形成する工程と、前記Ｚｎ層の上にＡｇ層を形成する工程とを含む、請求項１１に記載の窒化物系半導体発光素子の製造方法。

[請求項14]　前記工程（ｃ）において、前記金属層を形成した後に、前記Ｍｇ層を加熱処理する工程を実行する、請求項１２または１３に記載の窒化物系半導体発光素子の製造方法。

[請求項15]　前記加熱処理は、４００℃以上７００℃以下の温度で実行される、請求項１４に記載の窒化物系半導体発光素子の製造方法。

[請求項16]　前記工程（ｂ）を実行した後において、前記基板を除去する工程を含む、請求項１１から１５の何れか一つに記載の窒化物系半導体発光素子の製造方法。

[請求項17]　表面がm面であるｐ型半導体領域を有する窒化物系半導体積層構造と、

前記ｐ型半導体領域上に設けられた電極とを備え、

前記ｐ型半導体領域は、$Al_xGa_yIn_zN$（$x+y+z=1$，$x\geqq 0$，$y\geqq 0$，$z\geqq 0$）半導体から形成され、

前記電極は、Ｚｎと、Ｍｇと、Ｐｄ、Ｐｔ、Ｍｏからなる群から選択される少なくとも１種の金属とを含む、窒化物系半導体素子。

[請求項18]　前記ｐ型半導体領域にはＭｇがドープされ、

前記電極におけるＭｇ濃度は、前記ｐ型半導体領域のＭｇ濃度よりも高い、請求項１７に記載の窒化物系半導体素子。

[請求項19]　前記ｐ型半導体領域にはＺｎがドープされ、

前記電極におけるＺｎ濃度は、前記ｐ型半導体領域のＺｎ濃度よりも高い、請求項１７に記載の窒化物系半導体素子。

[請求項20]　前記電極は、Ｍｇ層と、前記Ｍｇ層の上に形成されたＺｎ層と、前

記Ｚｎ層の上に形成されたＰｄ、Ｐｔ、Ｍｏからなる群から選択される少なくとも１種の金属層とを含む、請求項１７から１９のいずれかに記載の窒化物系半導体素子。

[請求項21]　前記電極は、Ｚｎ層と、前記Ｚｎ層の上に形成されたＭｇ層と、前記Ｍｇ層の上に形成されたＰｄ、Ｐｔ、Ｍｏからなる群から選択される少なくとも１種の金属層とを含む、請求項１７から１９のいずれかに記載の窒化物系半導体素子。

[請求項22]　ｐ型半導体領域を有する窒化物系半導体積層構造と、

前記ｐ型半導体領域上に設けられた電極とを備え、

前記ｐ型半導体領域は、$Al_xGa_yIn_zN$（ｘ＋ｙ＋ｚ＝１，ｘ≧０，ｙ≧０，ｚ≧０）半導体から形成され、

前記ｐ型半導体領域における主面の法線とｍ面の法線とが形成する角度が１°以上５°以下であり、

前記電極は、Ｍｇと、Ｚｎと、Ｐｄ、Ｐｔ、Ｍｏ、Ａｇからなる群から選択される少なくとも１種の金属とを含む、窒化物系半導体素子。

[請求項23]　基板を用意する工程（ａ）と、

主面の法線とｍ面の法線とが形成する角度が１°以上５°以下であるｐ型半導体領域を有する窒化物系半導体積層構造を前記基板上に形成する工程（ｂ）と、

前記窒化物系半導体積層構造の前記ｐ型半導体領域の前記表面上に電極を形成する工程（ｃ）と

を含み、

前記工程（ｃ）では、Ｚｎ、ＭｇおよびＡｇを含む前記電極を形成する、窒化物系半導体発光素子の製造方法。

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,162	04/14/2011	Naomi Anzue	OKUDP0582US	4355

51921 7590 10/21/2011
MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND, OH 44115

EXAMINER

ART UNIT	PAPER NUMBER
2811	

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

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND OH 44115

In re Application of
ANZUE et al.

Application No.: 13/124,162	**: DECISION ON REQUEST TO**
Filed: 14 April 2011	**: PARTICIPATE IN THE PATENT**
Attorney Docket No.: OKUDP0582US	**: PROSECUTION HIGHWAY**
For: NITRIDE-BASED	**: PROGRAM AND PETITION**
SEMICONDUCTOR DEVICE AND	**: TO MAKE SPECIAL UNDER**
METHOD FOR FABRICATING THE	**: 37 CFR 1.102(a)**
SAME	

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 26 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

Commissioner for Patents
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HUNTSMAN INTERNATIONAL LLC
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10003 WOODLOCH FOREST DRIVE
THE WOODLANDS TX 77380

MAILED
OCT 27 2011
OFFICE OF PETITIONS

In re Application of
POGEUOISE *et al*
Application No.: 13/124,197
PCT No.: PCT/EP2009/063158
Int. Filing Date: 9 October 2009
Priority Date: 17 October 2008
Atty. Docket No.: HAM830072
For: IMPROVEMENTS FOR RAPID PROTOTYPING APPARATUS

DECISION

This is a decision on applicants' "PETITION UNDER 37 C.F.R. 1.47(a)" filed in the U.S. Patent and Trademark Office (USPTO) on 06 September 2011.

BACKGROUND

On 09 October 2009, applicants filed international application No. PCT/EP2009/063158 which claimed a priority date of 17 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. 17 April 2011.

On 14 April 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 09 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 that, *inter alia,* an oath or declaration in compliance with 37 CFR 1.497 was required. A two (2) month shortened period for reply was set.

On 06 September 2011, applicants filed the present petition which requests that the application be accepted without the signature of the joint inventor, Jerome Grelin on the grounds that he refuses to execute the application papers. The petition was accompanied by, *inter alia,*

an "AFFIDAVIT IN SUPPORT OF APPLICANT'S PETITION UNDER 37 CFR 1.47 (a)" signed by Andrea Stadelmeier, a two month extension of time fee, and the late-filing surcharge.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicants have satisfied items (1), (2), and (3) above.

With regard to item (4), a declaration in compliance with 37 CFR 1.63 and 1.497(a) and (b) has not been provided. The declaration does not contain the name and signature block for the non-signing inventor. A declaration in compliance with 37 CFR 1.63 and 1.497(a) and (b), identifying the application by the International application number and filing date, naming the inventive entity, and signed by the signing inventors on behalf of themselves and the non-signing inventors must be filed. As such item (4) cannot be said to have been satisfied.

Therefore, in that applicants have not satisfied item (4) above, the petition under 37 CFR 1.47(a) may not be properly granted at this time.

CONCLUSION

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

It is further noted that on 12 September 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495 (Form PCT/DO/EO/903) indicating, *inter alia*, that the application is accepted for national patentability examination in the United States Patent and Trademark Office. However, as an oath or declaration in compliance with 37 CFR 1.495 has not been filed, the above-referenced notice was mailed in error and is hereby **vacated**.

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

The $200.00 petition fee required by § 1.17(g) will be charged to counsel's deposit account as authorized in the subject petition.

A proper response must include either (a) an acceptable declaration executed by all of the inventors, or (b) an acceptable showing that the missing joint inventor has refused to execute the application as discussed above.

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

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop Petitions, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of Petitions. A reply may also be filed via the EFS-Web system of the USPTO.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Conferee: Richard R. Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

571-272-3231
Fax: (571) 273-8300

UNITED STATES PATENT AND TRADEMARK OFFICE

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3D SYSTEMS, INC.
ATTN: KEITH A. ROBERSON
333 THREE D SYSTEMS CIRCLE
ROCK HILL SC 29730

MAILED
JAN 12 2012
OFFICE OF PETITIONS

In re Application of
POGEUOISE *et al*
Application No.: 13/124,197
PCT No.: PCT/EP2009/063158
Int. Filing Date: 9 October 2009
Priority Date: 17 October 2008
Atty. Docket No.: HAM830072
For: IMPROVEMENTS FOR RAPID PROTOTYPING APPARATUS

DECISION

This is a decision on applicants' "RENEWED PETITION UNDER 37 C.F.R. 1.47(a)" filed in the U.S. Patent and Trademark Office (USPTO) on 31 October 2011.

BACKGROUND

On 09 October 2009, applicants filed international application No. PCT/EP2009/063158 which claimed a priority date of 17 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. 17 April 2011.

On 14 April 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 09 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 that, *inter alia,* an oath or declaration in compliance with 37 CFR 1.497 was required. A two (2) month shortened period for reply was set.

On 06 September 2011, applicants filed the initial petition which requested that the application be accepted without the signature of the joint inventor, Jerome Grelin on the grounds that he refuses to execute the application papers. The petition was accompanied by, *inter alia,* an "AFFIDAVIT IN SUPPORT OF APPLICANT'S PETITION UNDER 37 CFR 1.47 (a)"

signed by Andrea Stadelmeier, a two month extension of time fee, and the late-filing surcharge. On 27 October 2011, the petition was dismissed for want of a declaration in compliance with 37 CFR 1.497.

On 31 October 2011, the subject renewed petition was filed, accompanied by a declaration identifying all of the inventors.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicants have satisfied items (1), (2), and (3) above.

With regard to item (4), a declaration in compliance with 37 CFR 1.497(a) and (b) has not been provided. It is apparent from a review of the signatures and dates on the declaration that a new declaration was not presented to the signing inventors. Rather, a page containing the name and signature block of the non-signing inventor was simply filed with an additional copy of the original declaration, which did not contain the name and signature block of the non-signing inventor. As not all of the actual inventors were named on the declaration at the time the signing inventors signed it. The declaration does not comply with 37 CFR 1.497(a)(3) and (4) which requires that each applicant must file an oath or declaration that identifies each inventor and the country of citizenship of each inventor; and states that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

Accordingly, a new oath or declaration, listing all of the inventors and signed by the signing inventors on behalf of themselves and the non-signing inventor, must be filed with a renewed petition.

Therefore, in that applicants have not satisfied item (4) above, the petition under 37 CFR 1.47(a) may not be properly granted at this time.

CONCLUSION

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

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

The $200.00 petition fee required by § 1.17(g) will be charged to counsel's deposit account as authorized in the subject petition.

A proper response must include either (a) an acceptable declaration executed by all of the inventors, or (b) an acceptable showing that the missing joint inventor has refused to execute the application as discussed above.

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

Receipt of the revocation and power of attorney and change of correspondence address filed on 09 November 2011 is acknowledged. All correspondence will be mailed to the new address of record.

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop Petitions, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of Petitions. A reply may also be filed via the EFS-Web system of the USPTO.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

571-272-3231
Fax: (571) 273-8300

Conferee: Richard R. Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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 :
LEE *et al* :
Application No.: 13/124,215 :
Receipt Date: April 14, 2011 :
Attorney's Docket No.: LGCHEM 3.9-165 CON :
For: METHOD FOR MANUFACTURING SEPARATOR, SEPARATOR MANUFACTURED THEREFROM AND METHOD FOR MANUFACTURING ELECTROCHEMICAL DEVICE HAVING THE SAME :

DECISION

This application is before the Office of PCT Legal Administration for matters arising under 35 U.S.C. 371.

BACKGROUND

On April 14, 2011, applicants filed papers using the USPTO EFS-Web system to enter the national stage of PCT/KR2010/005279. These papers included a transmittal letter titled "Utility Patent Application Transmittal" (PTO/SB/05) and an amendment to the specification.

On May 20, 2011, applicants filed a communication requesting that the above-captioned application be treated as a continuation application under 35 U.S.C. 111(a).

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/KR2010/005279.

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/KR10/05279." 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. Moreover, the ADS and specification states that the application is a continuation of PCT/KR2010/005279. These are clearly conflicting instructions.

Therefore, the above-captioned application must be processed as a 35 U.S.C. 111(a) application.

CONCLUSION

The papers deposited on April 14, 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

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) . . ."

UNITED STATES PATENT AND TRADEMARK OFFICE

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

HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
SUITE 1200
WASHINGTON DC 20006-1109

MAILED

MAY 31 2011

PCT LEGAL ADMINISTRATION

In re Application of:	:	
ENGSTROM, Christer, et al.	:	DECISION ON PETITION
U.S. Application No.: 13/124,254	:	(37 CFR 1.137(b))
PCT No.: PCT/SE2009/000435	:	
International Filing Date: 05 October 2009	:	
Priority Date: 10 October 2008	:	
Attorney's Docket No.: 69409.001088	:	
For: A DUSTCUP	:	

The petition for revival under 37 CFR 1.137(b) filed 14 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/SE2009/000435 became abandoned with respect to the United States at midnight on 10 April 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 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." 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

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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JUN 09 2011

PCT LEGAL ADMINISTRATION

21967
HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, NW
Suite 1200
Washington, DC 20006-1109

In re Application of
AGREN *et al*
U.S. Application No.: 13/124,265
PCT No.: PCT/SE2009/000436
Int. Filing Date: 05 October 2009
Priority Date: 10 October 2008
Docket No.: 69409-001089
For: VACUUM CLEANER

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicants' petition to revive under 37 CFR 1.137(b) filed on 14 April 2011 with the national stage papers is hereby **GRANTED** as follows:

The proper fees and the petition fee have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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NOV 02 2011

PCT LEGAL ADMINISTRATION

LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO IL 60601-6731

In re Application of: BOMM, Jana, et al. :
U.S. Application No.: 13/124,284 :
PCT No.: PCT/EP2009/007453 :
International Filing Date: 16 October 2009 :
Priority Date: 16 October 2008 :
Attorney's Docket No.: 707973 :
For: FLUORESCENCE COLLECTOR AND :
USE THEREOF :

DECISION ON PETITION UNDER
37 CFR 1.182

This decision is issued in response to applicants' "Petition Under 37 C.F.R. § 1.182 To Accept Declaration" filed 06 October 2011, treated herein as a petition under 37 CFR 1.182 to correct the name of record for the first inventor from Jana QUILITZ to Jana BOMM. Applicants have submitted the required $400 petition fee.

BACKGROUND

On 16 October 2009, applicants filed international application PCT/EP2009/007453. The application claimed a priority date of 16 October 2008, and it designated the United States. On 22 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., 16 April 2011. The international application identified the first inventor as Jana QUILITZ.

On 14 April 2011, applicants filed a Transmittal Letter for entry into the national stage accompanied by, among other materials, an application data sheet (ADS) and payment of the basic national fee. The ADS identified the first inventor as Jana QUILITZ.

On 10 May 2011, the United States Designated/Elected Office (DO/EO/US) issued a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) indicating that 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 were required.

On 10 October 2011, applicants filed a response to the Notification Of Missing Requirements (with required extension fee). The response included payment of the required surcharge, an executed declaration and revised ADS that identified the first inventor as Jana

BOMM, [1] and the petition under 37 CFR 1.182 considered herein as a petition to change the name of record of the first inventor from Jana QUILITZ to Jana BOMM.

DISCUSSSION

Section 1893.01(e) of the Manual Of Patent Examining Procedure ("MPEP") states the following:

> Where ... the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c).

The present petition indicates that the name of the first inventor has been legally changed since the filing of the international application. Accordingly, in order to correct the name of record for this inventor, a grantable petition under 37 CFR 1.182 is required.

Section 605.04(c) of the MPEP sets forth the requirements for a petition under 37 CFR 1.182 to correct an inventor's name. According to the MPEP, such a 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."

Applicants' present petition is accompanied by payment of the required $400 petition fee and a statement from the first inventor in which the inventor confirms that her name was legally changed from Jana QUILITZ to Jana BOMM as the result of marriage. These materials satisfy the requirements for a grantable petition under 37 CFR 1.182 to change the name of record of the first inventor from Jana QUILITZ to Jana BOMM.

CONCLUSION

Applicants' "Petition Under 37 C.F.R. § 1.182 To Accept Declaration" is **GRANTED** to the extent that the name of record of the first inventor is hereby changed from Jana QUILITZ to Jana BOMM.

In view of this correction, the declaration filed 06 October 2011 (in which the name of the first inventor has been changed from Jana QUILITZ to Jana BOMM) properly identifies the inventors of record herein.

It is noted, however, that the German Language Declaration filed by applicants is not a form provided by the USPTO, and it was not accompanied by a statement confirming that the English translation contained therein is an accurate translation of the German text, as required by 37 CFR 1.69(b). This statement confirming the accuracy of the translation is required before the declaration filed on 06 October 2011 may be accepted.

---

[1] It is noted that the revised ADS was not submitted in compliance with the requirements for a supplemental ADS, as set forth in 37 CFR 1.76 (c).

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 mailing of a "Notification Of Defective Response" (Form PCT/DO/EO/916) requiring submission of a statement confirming that the English translation contained in the declaration filed on 06 October 2011 is accurate, as required before such declaration may be accepted herein.

/RichardMRoss/

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

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:	13/124,370	Filing date:	2009-08-07
First Named Inventor:	Maznah ISMAIL		
Title of the Invention:	CARDIOPROTECTIVE EFFECTS OF NUTRACEUTICALS ISOLATED FROM NIGELLA SATIVA SEEDS		

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/MY2009/000114

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

2009-08-07

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/124,370
First Named Inventor:	Maznah ISMAIL

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 2011-04-14

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 2011-04-14

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-24	1-24	Claims 1-24 in the US Application are identical to the claims 1-24 in the corresponding PCT Application

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

Signature /R. Burns Israelsen/ Reg. # 42685	Date 2011-07-19
Name (Print/Typed) R. Burns Israelsen	Registration Number 42,685

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

Townsend and Townsend and Crew LLP
Two Embarcadero Center, 8th Floor
San Francisco CA 94111

MAILED
APR 26 2011
PCT LEGAL ADMINISTRATION

In re Application of MANN, Wolfgang Application No.: 13/124,372 PCT No.: PCT/EP2009/002759 Int. Filing Date: 15 April 2009 Priority Date: 16 April 2008 Attorney Docket No.: 87904-803112 For: METHOD FOR THE QUANTITATIVE DETERMINATION OF THE NUMBER OF COPIES OF A PREDETERMINED SEQUENCE IN A SAMPLE	:	DECISION ON PETITION UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 14 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

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

JUN 20 2011

PCT LEGAL ADMINISTRATION

IPLM GROUP, P.A.
POST OFFICE BOX 18455
MINNEAPOLIS MN 55418

In re Application of
MYNTTI, Matthew, F., et al.
Application No.: 13/124,380
PCT No.: PCT/US2009/047101
Int. Filing Date: 11 June 2009
Priority Date: 12 June 2008
Att. Docket No.: P0028477.08
For: METHOD FOR TREATING ...
SUBSTANCE SOLVATING SYSTEM

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 14 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 fee for furnishing the search fee, examination fee or oath or declaration after thirty months will be charged to deposit account no. 50-0549, as authorized.

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

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:	13/124,409	Filing date:	April 15, 2011
First Named Inventor:	Matti NISKANEN		
Title of the Invention:	DETECTING AND TRACKING OBJECTS IN DIGITAL IMAGES		

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

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

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

The corresponding PCT application number(s) is/are: PCT/FI2009/050832

The international filing 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.**

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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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/124,409
First Named Inventor:	Matti NISKANEN

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 15, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 15, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical, except for deletion of reference numerals and "characterized by"
2	2	Identical
3	3	Identical, except for dependency and deletion of reference numerals
4	4	Identical, except for deletion of reference numerals
5	5	Identical, except for dependency and deletion of reference numerals
6	6	Identical, except for deletion of reference numerals and "characterized in that"
7	7	Identical, except for deletion of reference numerals
8	8	Identical, except for dependency and deletion of reference numerals
9	9	Identical, except for deletion of reference numerals
10	10	Identical, except for dependency and deletion of reference numerals
12	12	Identical, except for dependency and and amendments for U.S. practice

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

Signature	Date May 25, 2011
Name (Print/Typed) Paul C. Lewis	Registration Number 43,368

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.
13/124,409	06/14/2011	Matti Niskanen	0837-0293PUS1	6212

2292 7590 09/14/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
AHMED, SAMIR ANWAR

ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
09/14/2011	ELECTRONIC

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

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

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

mailroom@bskb.com

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

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

In re Application of	**: DECISION ON REQUEST TO**
NISKANEN et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/124,409	**: PROSECUTION HIGHWAY**
Filed: 14 June 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 0837-0293PUS1	**: TO MAKE SPECIAL UNDER**
For: DETECTING AND TRACKING	**: 37 CFR 1.102(a)**
OBJECTS IN DIGITAL IMAGES	

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 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, NBPR, or USPTO;

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

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

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

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

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

if the latest international work product is not in the English language;

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

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

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

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

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

Lee W. Young
TQAS Technology Center 2600

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE 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:	Marsten, Lenaye		
Title of the Invention:	Massage Apparatus with Spherical Elements		

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/US08/82003

The international filing date of the corresponding PCT application(s) is/are: 2008-10-31

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached. in a Preliminary Amendment

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

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

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

Approved for use through 01/31/2012. OMB 0651-0058
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Marsten, Lenaye

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 - 13	1 - 13	Each claim in the US NP application corresponds to the claim of the same number in the PCT application

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

Signature /Patricia M. Mathers/	Date 2011-04-15
Name (Print/Typed) Patricia M. Mathers	Registration Number 44906

UNITED STATES PATENT and TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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BOHAN MATHERS
PO BOX 17707
PORTLAND ME 04112-8707

MAILED
JUN 09 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Lenaye MARSTEN	:	
Application No.: 13/124,431	:	
PCT No.: PCT/US08/82003	:	PETITION UNDER
Int. Filing Date: 31 October 2008	:	
Priority Date: N/A	:	
Attorney Docket No.: 11-037	:	37 CFR 1.182
For: MASSAGE ... ELEMENTS	:	

This decision is in response to petitioner's "PETITION FOR CHANGE OF NAME OF INVENTOR PURSUANT TO 37 CFR 1.182" filed on 15 April 2011. The petition fee of $400.00 has been charged by credit card.

BACKGROUND

On 15 April 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).

On 15 April 2011 a petition was, also, submitted, which included an affidavit in support of the petition to change the name of the inventor from Anne Lenaye HUDOCK to Lenaye MARSTEN, and an executed declaration with her current maiden name.

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 provided be credit card.

With respect to item (2), petitioner has provided with the petition her signature signed under her current name- Lenaye MARSTEN (maiden name). She states that she changed her name formerly Anne Lenaye HUDDOCK (married name) in the course of her divorce to Lenaye MARSTEN. Thus, 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 inventor is **GRANTED**.

For the reasons above, the application may enter into national stage processing at this time. This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **15 April 2011.**

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
Washington, D.C. 20231
www.uspto.gov

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SEP 07 2011

PCT LEGAL ADMINISTRATION

INVISTA NORTH AMERICA S.A.R.L.
THREE LITTLE FALLS CENTRE/1052
2801 CENTERVILLE ROAD
WILMINGTON DE 19808

In re Application of	:	
SMITH, et al.	:	DECISION ON PETITION
Serial No.: 13/124,437	:	
PCT No.: PCT/US2009/060370	:	UNDER 37 CFR 1.47(a)
Int. Filing Date: 12 October 2009	:	
Priority Date: 17 October 2008	:	
Atty Docket No.: LP6321USPCT	:	
For: FUSIBLE BICOMPONENT SPANDEX	:	

This decision is in response to applicant's petition under 37 CFR 1.47(a) filed 22 August 2011 in the United States Patent and Trademark Office (USPTO) to accept the application without the signature of inventor Dong Wong.

BACKGROUND

On 12 October 2009, applicant filed international application PCT/US2009/060370 which claimed priority to a previous application filed 17 October 2008. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States was set to expire at midnight on 17 April 2011.

On 15 April 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 Information Disclosure Statement and an Application Data Sheet.

On 10 May 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 inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. Applicant was given two months to respond and advised that this time period could be extended with a proper petition and payment of fees.

On 22 August 2011, applicant filed the present petition under 37 CFR 1.47(a) accompanied by a petition for a two-month extension of time. Applicant's response is timely filed.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint investor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

Applicant has satisfied items 1, 3 and 4.

As to item (2), as stated in the Manual of Patent Examination Procedure (MPEP), Section 409.03(d) Proof of Unavailability or Refusal, "Before a refusal can be alleged, it must be demonstrated 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 non-signing inventor for signature."

In the present case, while applicant has provided a signed firsthand account detailing attempts to locate the nonsigning inventor and have him return a signed declaration; it appears from an examination of the submitted exhibits that the inventor was merely presented with a declaration and assignment document for execution. For a renewed petition to be granted applicant would need to provide a firsthand statement showing that a complete set of application papers were mailed to the inventor and to date he has not responded.

CONCLUSION

For the reasons stated above, applicant's petition under 37 CFR 1.47(a) is **DISMISSED**.

Any reconsideration on the merits of this petition must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be directed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration or electronically filed utilizing the USPTO's EFS-Web electronic filing system.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
OCT 18 2011
PCT LEGAL ADMINISTRATION

INVISTA NORTH AMERICA S.A.R.L.
THREE LITTLE FALLS CENTRE/1052
2801 CENTERVILLE ROAD
WILMINGTON DE 19808

In re Application of	:	
SMITH, et al.	:	DECISION ON PETITION
Serial No.: 13/124,437	:	
PCT No.: PCT/US2009/060370	:	UNDER 37 CFR 1.47(a)
Int. Filing Date: 12 October 2009	:	
Priority Date: 17 October 2008	:	
Atty Docket No.: LP6321USPCT	:	
For: FUSIBLE BICOMPONENT SPANDEX	:	

This decision is in response to the renewed petition under 37 CFR 1.47(a) filed 21 September 2011 to accept the application without the signature of joint inventor Dong Wang.

BACKGROUND

On 07 September 2011, applicant was mailed a decision dismissing applicant's petition under 37 CFR 1.47. Applicant was afforded two months to file any request for reconsideration.

On 21 September 2011, applicant filed the renewed petition under 37 CFR 1.47(a) considered herein.

DISCUSSION

As detailed in the decision mailed 07 September 2011, a petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(g), (2) factual proof that the missing joint investor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicant previously satisfied items 1, 3 and 4.

With the filing of the renewed petition and supporting exhibit applicant has satisfied the remaining item and it is therefore proper to grant applicant's renewed petition at this time.

CONCLUSION

For the reasons stated above, applicant's renewed petition under 37 CFR 1.47(a) is **GRANTED**.

The application has an international filing date of 12 October 2009 under 35 U.S.C. 363, and will be given a date of **22 August 2011** under 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Mr. Dong Wang
1615 East 8th Street
Apartment 20
Davis, CA 95616

MAILED
OCT 18 2011
PCT LEGAL ADMINISTRATION

In re Application of
SMITH, et al.
Serial No.: 13/124,437
PCT No.: PCT/US2009/060370
Int. Filing Date: 12 October 2009
Priority Date: 17 October 2008
Atty Docket No.: LP6321USPCT
For: FUSIBLE BICOMPONENT SPANDEX

Dear Mr. Wang:

You are named 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. Alternately, 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 in the application, the law firm of record (see below) would presumably assist you. Joining in the application would entail the filing of the appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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

Counsel of Record:
INVISTA NORTH AMERICA S.A.R.L.
THREE LITTLE FALLS CENTRE/1052
2801 CENTERVILLE ROAD
WILMINGTON DE 19808

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

Application No:	13/124,483	Filing date:	April 15, 2011
First Named Inventor:	Moacir L. Ferreira Jr.		
Title of the Invention:	MAGNETIC AND ELECTROSTATIC NUCLEAR FUSION REACTOR		

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/IB2008/054254

The international filing date of the corresponding PCT application(s) is/are: October 16, 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)**

- [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.

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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 EPO AND THE USPTO

(continued)

Application No.:	13/124,483
First Named Inventor:	Moacir L. Ferreira Jr.

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 4/21/11, 6/8/11

(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 4/21/11, 6/8/11

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
29	1	amended per box 8 to remove functional or indefinite clauses
30	2	amended per box 8 to remove functional or indefinite clauses
31	3	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
32	4	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
33	5	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
34	6	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
35	7	amended to remove multiple dependency
36	8	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
37	9	amended to remove multiple dependency
38	10	amended to remove multiple dependency
39	15	amended per box 8 to remove functional or indefinite clauses
40	16	amended per box 8 to remove functional or indefinite clauses
41	17	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
42	18	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
43	19	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
44	20	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
45	21	amended to remove multiple dependency
46	22	amended per box 8 to remove functional or indefinite clauses & amended to remove multiple dependency
47-48	23-24	amended to remove multiple dependency

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

Signature /John E. Nemazi/	Date 8/16/2011
Name (Print/Typed) John E. Nemazi	Registration Number 30876

Privacy Act Statement

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,483	04/15/2011	Moacir L. Ferreira JR.	FEMO0101PUSA	6829

22045 7590 11/10/2011
BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER
KEITH, JACK W

ART UNIT	PAPER NUMBER
3663	

MAIL DATE	DELIVERY MODE
11/10/2011	PAPER

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

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

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NOV 1 0 2011

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

In re application of Moacir L. Jr. Ferreira Application No. 13/124,483 Filed: April 15, 2011 For: MAGNETIC AND ELECTROSTATIC NUCLEAR FUSION REACTOR	:	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 16, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

In light of the preliminary amendment filed on August 16, 2011.
The request to participate in the PPH pilot program complies with the above requirements. Therefore, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /
Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 11/09/11

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100 WEST FIFTH STREET, 10TH FLOOR
TULSA OK 74103

MAILED
FEB 24 2012
OFFICE OF PETITIONS

Applicants: Marchant et al.
Appl. No.: 13/124,489
International Filing Date: September 20, 2009
Title: PRINTED SECURITY FEATURES
Attorney Docket: 006422-00063
Pub. No.: US 20110239885 A1
Pub. Date: October 6, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on December 2, 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

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.:	13/124,505	Filing Date:	April 15, 2011
Confirmation No.:	6980	Attorney Docket No.:	Q124210
First Named Inventor:	Tomoaki HAMANO		
Title of the Invention:	INFORMATION PROCESSING APPARATUS, INFORMATION PROCESSING METHOD, AND INFORMATION PROCESSING 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 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/JP2010/058386

The international date of the corresponding PCT application(s) is/are: May 18, 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 15, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 15, 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.:	13/124,505
First Named Inventor:	Tomoaki HAMANO

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	1	Both claims are the same.
14	2	Both claims are the same.
15	3	Both claims are the same, except that the multiple dependency has been removed..
16	4	Both claims are the same.
17	5	Both claims are the same.
18	6	Both claims are the same.
19	7	Both claims are the same.
20	8	Both claims are the same.
21	9	Both claims are the same.
22	10	Both claims are the same.
23	11	Both claims are the 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 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	/ Carl J. Pellegrini cjp /	Date	April 15, 2011
Name (Print/Typed)	Carl J. Pellegrini	Registration Number	40,766

DECLARATION

I, Takayuki HIRANO, having an address of Sunline 7th Bldg. 4F, 4-7-2, Kojimachi, Chiyoda-ku, Tokyo 102-0083 Japan, hereby declare that I have competent knowledge of the Japanese and English languages, and that I have made the English translation of all claims which were determined to be patentable by the Japanese Patent Office in the Japanese Patent Application No. 2009-125767, and that said translation is true and correct to the best of my knowledge and belief.

DECLARED by Takayuki HIRANO

at Sunline 7th Bldg. 4F, 4-7-2, Kojimachi, Chiyoda-ku, Tokyo 102-0083 Japan

This 12th day of April, 2011

T. Hirano

Takayuki HIRANO

CLAIMS

1. An information processing apparatus for receiving a search request including a search keyword input to an entry field for search in a toolbar displayed on a screen of a terminal from the terminal and executing information processing, the information processing apparatus comprising:

a group information storage unit for storing information received from each of groups and associated with each of the groups;

a toolbar information storage unit for storing toolbar identification information associated with and allocated to each of the groups;

a member information storage unit for storing member identification information identifying members belonging to each of the groups and associated with each of the groups ;

a receiving unit for receiving the toolbar identification information, the member identification information, and the search request from the terminal;

a evaluating unit for identifying the members on the basis of the member identification information with reference to the member information storage unit, and counting a member search request of each of members by accumulating a history of the search request for each of members;

a counting result storage unit for storing a counting result of the evaluating unit;

a total point calculating unit for calculating member total points distributable to the members; and

a transmitting unit for transmitting information of the member total points to the terminal, wherein

the evaluating unit refers to the toolbar information storage unit, and counts a group search request as each of the groups by counting the member search request on the basis of the toolbar identification information, and

the total point calculating unit updates the member total points on the basis of the counted group search request.

2. The information processing apparatus according to claim 1, wherein

the evaluating unit counts member points for each of members distributed to each of members from the member total points, on the basis of the member search request.

3. The information processing apparatus according to claim 1 or 2, wherein

the total point calculating unit sets initial member total points, on the basis of the group search request counted during a past constant period.

4. The information processing apparatus according to claim 1, wherein

the evaluating unit counts the number of group search for each of the groups, on the basis of the group search request.

5. The information processing apparatus according to claim 4, wherein

the total point calculating unit updates the member total points, in the case where the number of group search exceeds the number of search of a threshold value.

6. The information processing apparatus according to claim 5, wherein

the number of search of the threshold value is calculated on the basis of the number of group search counted during a past constant period.

7. The information processing apparatus according to claims 1, further including:

a data generating unit that generates data having a format to display information of the member total points on the toolbar.

8. The information processing apparatus according to claim 7, wherein

the data generating unit generates data having the format to display a search result with respect to the search request and information of the member total points.

9. The information processing apparatus according to claim 1, further including

a toolbar providing unit for allocating toolbar identification information to each of the groups and issuing the toolbar.

10. An information processing method that an information processing apparatus receives a search request including a search keyword input to an entry field for search in a toolbar displayed on a screen of a terminal from the terminal and executes information processing, the information processing method comprising:

a group information storage step that a group information storage unit stores information received from each of groups and associated with each of the groups;

a toolbar information storage step that toolbar a information storage unit stores toolbar identification information associated with and allocated to each of the groups;

a member information storage step that a member information storage unit stores member identification information to identify members belonging to each of the groups and associated with each of the groups ;

a receiving step that a receiving unit receives the toolbar identification information, the member identification information, and the search request from the

terminal;

a evaluating step that a evaluating unit identifies the members on the basis of the member identification information with reference to the member information storage unit, and counts a member search request of each of members by accumulating a history of the search request for each of members;

a counting result storage step that a counting result storage unit stores a counting result of the evaluating unit;

a total point calculating step that total point calculating unit calculates member total points distributable to the members; and

a transmitting step that a transmitting unit transmits information of the member total points to the terminal, wherein

in the evaluating step, a group search request as each of the groups is counted by counting the member search request on the basis of the toolbar identification information, and

in the total point calculating step, the member total points are updated on the basis of the counted group search request.

11. A computer-readable recording medium that records an information processing program for causing a computer to

receive a search request including a search keyword input to an entry field for search in a toolbar displayed on a screen of a terminal from the terminal and execute information processing, the information processing program causing the computer to function as:

a group information storage unit for storing information received from each of groups and associated with each of the groups;

a toolbar information storage unit for storing toolbar identification information associated with and allocated to each of the groups;

a member information storage unit for storing member identification information identifying members belonging to each of the groups and associated with each of the groups ;

a receiving unit for receiving the toolbar identification information, the member identification information, and the search request from the terminal;

a evaluating unit for identifying the members on the basis of the member identification information with reference to the member information storage unit, and counting a member search request of each of members by accumulating a history of the search request for each of members;

a counting result storage unit for storing a counting result of the evaluating unit;

a total point calculating unit for calculating member total points distributable to the members; and

a transmitting unit for transmitting information of the member total points to the terminal, wherein

the evaluating unit refers to the toolbar information storage unit, and counts a group search request as each of the groups by counting the member search request on the basis of the toolbar identification information, and

the total point calculating unit updates the member total points on the basis of the counted group search request.

DECLARATION

I, Takayuki HIRANO, having an address of Sunline 7th Bldg. 4F, 4-7-2, Kojimachi, Chiyoda-ku, Tokyo 102-0083 Japan, hereby declare that I have competent knowledge of the Japanese and English languages, and that I have made the English translation of the latest office action issued by the Japanese Patent Office in the Japanese Patent Application No. 2009-125767, and that said translation is true and correct to the best of my knowledge and belief.

DECLARED by Takayuki HIRANO

at Sunline 7th Bldg. 4F, 4-7-2, Kojimachi, Chiyoda-ku, Tokyo 102-0083 Japan

This 12th day of April, 2011

T. Hirano

Takayuki HIRANO

Reference Number:PRT0801811

Dispatch Number: 545063

Dispatch Date: August 3, 2010

Office Action (Notification of Reason for Refusal)

Patent Application No. 2009-125767

Drafting Date: July 26, 2010

Examiner in the Japan Patent Office: Hirobumi Seki, 9844, 5L00

Agent for Applicant: patent professional corporation Intect International Patent Office, et al.

Applied Provision: Article: 36

The present application should be refused for the reason mentioned below. If the Applicant has any argument against the reason, such argument should be submitted within sixty (60) days from the dispatch date of this notification.

Reason

With regard to Article 36, Paragraph 6, Item 2 of Patent Law

The claims of the present application do not comply with the requirements prescribed in Article 36, Paragraph 6, Item 2 of Patent Law for the following reasons:

Note:

(1) Claim 1 states, "the toolbar storing means". However, before this description there is no description of "toolbar storing means", so that it is not clear as to what "the toolbar storing means" points out.

In this point the same term should be used for identical things.

(2) Claim 8 states, "the data generating means". However, there is a corresponding description of "data generating means" in only claim 7 cited selectively. If claim 8 does not cite claim 7, the object pointed by "the data creating means" is not clear.

(3) Claim 10 states, "the member information storing means". However, before this description there is no description of "member information storing means", so that it is not clear as to what "the member information storing means" points out.

(4) Claim 10 states, "the evaluating means". However, before this description there is no description of "evaluating means", so that it is not clear as to what "the evaluating means" points out.

(5) Claim 10 states, "the toolbar storing means". However, before this description there is no description of "toolbar storing means", so that it is not clear as to what "the toolbar storing means" points out.

(6) In claim 10, the actor in each step comprising of "the method for

information processing" and the hardware configuration for the realization of each step are not clear. Hence it is not clear whether this "method for information processing" is a business procedure itself or a particular operation process by a computer in the present invention.

(7) Claim 11 states, "the toolbar storing means". However, before this description there is no description of "toolbar storing means", so that it is not clear as to what "the toolbar storing means" points out.

Record of the result of prior art search

・Technical field to be searched: IPC G06Q10/00－50/00

・Prior art documents

"G-plan, the search of mail-order products and earning points are facilitated by an unique toolbar", Nikkei Marketing Journal, Nikkei Inc., March 6, 2009, p7

Japanese Patent Provisional Publication No.2006-309381

"Katano Atsushi et al., the digital money guidebook, auction, no fear for beginners, and winning strategy for making profit ",Nikkei Zero One, Nikkei Home Publications, Inc., September 1, 2004, p61(the description as to the shopping search Aladdin)

"The start of providing the Rakuten toolbar which can search products easily in the Rakuten market", [online], [searched as of June 2, 2010],

Internet<URL:http://corp.rakuten.co.jp/newsrelease/2008/0902.html>, September 2, 2008

(Note) Restriction by laws or contracts may disable a part or all of the above-indicated non-patent documents from being provided.

This record is not a component of the reasons for refusal.

拒絶理由通知書

特許出願の番号	特願２００９－１２５７６７
起案日	平成２２年　７月２６日
特許庁審査官	関　博文　　９８４４　５Ｌ００
特許出願人代理人	特許業務法人　インテクト国際特許事務所（外２名）　様
適用条文	第３６条

受領
22.8.-3
インテクト国際
特許事務所

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から６０日以内に意見書を提出してください。

理　由

この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第２号に規定する要件を満たしていない。

記

[1]　本願の請求項１には「前記ツールバー記憶手段を」との記載があるが、この記載よりも前に「ツールバー記憶手段」の記載が無く、「前記ツールバー記憶手段」が何を指し示しているのかが不明確である。
この点、同一のものを指す場合には、同一の用語を使用されたい。

[2]　本願の請求項８には「前記データ作成手段が、」との記載があるが、この記載に対応する「データ作成手段」の記載は、選択的に引用される請求項７にしか存在せず、請求項８が請求項７を引用しない場合に、「前記データ作成手段」が指し示すものが不明確となる。

[3]　本願の請求項１０には「前記会員情報記憶手段を」との記載があるが、この記載よりも前に「会員情報記憶手段」の記載が無く、「前記会員情報記憶手段」が何を指し示しているのかが不明確である。

[4]　本願の請求項１０には「前記集計手段の」との記載があるが、この記載よりも前に「集計手段」の記載が無く、「前記集計手段」が何を指し示しているのかが不明確である。

[5]　本願の請求項１０には「前記ツールバー記憶手段を」との記載があるが、この記載よりも前に「ツールバー記憶手段」の記載が無く、「前記ツールバー記憶手段」が何を指し示しているのかが不明確である。

[6]　本願の請求項１０における「情報処理方法」を構成する各ステップの主体、及び各ステップを実現するうえでのハードウェア構成が不明であり、その結果、当該「情報処理方法」が業務の手順そのものであるのか、本願発明に特有なコンピュータによる動作処理なのか特定できない。

[7]　本願の請求項１１には「前記ツールバー記憶手段を」との記載があるが、この記載よりも前に「ツールバー記憶手段」の記載が無く、「前記ツールバー記憶手段」が何を指し示しているのかが不明確である。

先行技術文献調査結果の記録

・調査した分野　　ＩＰＣ　Ｇ０６Ｑ１０／００－５０／００
・先行技術文献　　「ジー・プラン、通販商品検索やポイント獲得、独自ツールバーで容易に」，日経流通新聞，日本経済新聞社，２００９年　３月　６日，第７ページ
特開２００６－３０９３８１号公報
片野温他，デジタルマネー式便利帳　オークション　初めてでも怖くない　得する・稼ぐ必勝法，日経ゼロワン，日経ホーム出版社，２００４年　９月　１日，第６１ページ（ショッピングサーチ・アラジンに関する記載）
「楽天市場」の商品検索が簡単にできる「楽天ツールバー」提供開始，[online],[２０１０年６月２日検索],
インターネット＜ＵＲＬ：http://corp.rakuten.co.jp/newsrelease/2008/0902.html＞，２００８年　９月　２日，

（注）法律又は契約等の制限により、提示した非特許文献の一部又は全てが送付されない場合があります。

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,505	04/15/2011	Tomoaki Hamano	Q124210	6980

23373 7590 07/08/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
2157	

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):

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.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

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

In re Application of: HAMANO et al.
Application No. 13/124,505
Atty Docket #: **Q124210**
Filed: April 15, 2011
For: **INFORMATION PROCESSING APPARATUS, INFORMATION PROCESSING METHOD, AND INFORMATION PROCESSING 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 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 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 (1)(a) above.

(6) Applicant must submit a copy of:

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

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

(7) Applicant must submit:

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

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

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

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

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

/Mano Padmanabhan/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

MAILED

NOV 18 2011

PCT LEGAL ADMINISTRATION

In re Application of:	:	
STROHMEIER et al	:	
US Application No.: 13/124,515	:	DECISION ON
PCT Application No.: PCT/AT2009/000402	:	
Int. Filing Date: 15 October 2009	:	
Atty Docket No.: ABP 3.3-096	:	REQUEST UNDER
For: CUTTING DEVICE, PARTICULARLY RESCUE	:	
SCISSORS	:	37 CFR 1.497(d)
	:	

This is a decision on applicants' "STATEMENT PURSUANT TO 37 C.F.R. 1.497(d)" filed on 02 September 2011 to add joint inventor Peter Herwig into the application.

BACKGROUND

On 15 October 2009, applicants filed international application No. PCT/AT2009/000402.

On 15 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 14 July 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 02 September 2011, applicants filed a declaration with inventors Strohmeier and Herwig's signatures and the present petition.

DISCUSSION

A review of the application file reveals inventor Peter Herwig was added into the application during the international stage and on the republication of the application. Therefore, the request is considered MOOT.

CONCLUSION

For the reason above, applicants' petition under 37 CFR 1.147(d) is MOOT.

The petition fee will be refunded to applicant's deposit account.

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

Richard Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/124,518	Filing date:	April 15, 2011
First Named Inventor:	David E. Orr		
Title of the Invention:	System and Method for Deploying and Positioning an Endovascular Device		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2009/05642

The international filing date of the corresponding PCT application(s) is/are: October 16, 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.

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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 APO AND THE USPTO

(continued)

Application No.:	13/124,518
First Named Inventor:	David E. Orr

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
1-22	1-22	Claims in US application are unchanged from PCT except for removal of multiple dependencies.

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

Signature Mindy N. Rittner	Date May 20, 2011
Name (Print/Typed) Mindy N. Rittner	Registration Number 57,803

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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HESLIN ROTHENBERG FARLEY & MESITI PC
5 COLUMBIA CIRCLE
ALBANY NY 12203

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MAR 13 2012

PCT LEGAL ADMINISTRATION

In re Application of :
HARMAN, Gary E. :
Application No.: 13/124,530 :
PCT No.: PCT/US2009/061014 :
Int. Filing Date: 16 October 2009 :
Priority Date: 16 October 2008 :
Attorney's Docket No.: 3193.005A :
For: REGENERABLE REMOVAL OF SULFUR :
FROM GASEOUS OR LIQUID MIXTURES :

DECISION

This decision is in response to applicants' "Second Request for Refund Under 37 C.F.R. §1.26(a)," filed in the United States Patent and Trademark Office on 18 November 2011.

BACKGROUND

On 15 April 2011, applicants filed papers for a national phase entry of PCT/US2009/061014, accompanied by, *inter alia*, the basic national fee, a transmittal letter (Form PTO-1390) with an authorization "to charge any additional fee which may be required" and a transmittal for the information disclosure statement with an authorization to "charge payment of any fees that may bee required."

On 12 May 2011, the Office mailed Notice of Acceptance (Form PCT/DO/EO/903) indicating that the date for completion of the requirements of 35 USC 371 (c)(1), (c)(2) and (c)(4) was 15 April 2011 and for all requirements under 35 USC 371 was 16 April 2011 and a filing receipt.

On 08 June 2011, applicants filed a request to refund $1150 in excess claim fees.

On 18 November 2011, applicants filed a second request for refund and a declaration of the inventor.

On 27 January 2012, the Office mailed Notice of Acceptance indicating that the application had a date for completion of the requirements of 35 USC 371 (c)(1), (c)(2) and (c)(4) was 15 April 2011 and for all requirements under 35 USC 371 was 18 November 2011, a filing receipt and Letter Regarding a New Notice and/or the Status of the Application (Form PCT/DO/EO/WITH), requesting that applicants disregard the notices mailed 12 May 2011.

DISCUSSION

Under 35 USC 42(d) and 37 CFR 1.26, the Office may refund fees paid by mistake or in excess of what was due.

Applicant claims to have "mistakenly" checked a box authorizing payment of "any additional fees" on the Form PTO-1390. This is not the "mistake" contemplated by the statute and rule. Business with the Office is transacted in writing and based exclusively on the written record. 37 CFR 1.2.

A general authorization to charge any additional fees is interpreted as an authorization for any fees set forth in 37 CFR 1.16 and 1.17. MPEP 509.01. An authorization to charge fees under 37 CFR 1.16, when filed in an international application entering the national phase under 35 USC 371 is treated as an authorization to charge fees under 37 CFR 1.492. See 37 CFR 1.25(b). The excess claims fees charged to applicant are set forth in 37 CFR 1.492. The fees were both required and authorized. Further, applicant made not one broad general authorization to charge any additional fees, but two.

MPEP 607.02 states "When an applicant or patentee takes an action 'by mistake,'... the submission of fees required to take that action ... is not a 'fee paid by mistake' within the meaning of 35 USC 42(d)." The MPEP cautions "it is extremely important that the authorization be clear and unambiguous." MPEP 509.01. Additionally, MPEP 1893.01(c) warns that "a subsequently filed amendment canceling claims and/or eliminating multiple dependent claims will not entitle applicant to a refund of fees previously paid." Applicant could have provided a more limited back up payment authorization to avoid the possibility of abandonment, but chose to utilize broad general authorizations.

CONCLUSION

For the above reasons, applicants' petition for refund of excess claim fees in the above application is **DISMISSED** without prejudice.

A review of the application indicates the required oath or declaration of the inventor was supplied on 18 November 2011. 35 USC 371(c)(4). The date of completion of the 35 USC 371(c)(1), (c)(2) and (c)(4) requirements is 18 November 2011, not 15 April 2011 as indicated in the 27 January 2012 Notice of Acceptance and filing receipt. The Notice of Acceptance (Form PCT/DO/EO/905) and filing receipt mailed 27 January 2012 are **VACATED**.

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

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision, including mailing of a corrected Notice of Acceptance (Form PCT/DO/EO/905) and filing receipt.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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PCT LEGAL ADMINISTRATION

BIRCH STEWART KOLASCH & BIRCH
P.O. BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	:	
NOZAKI, et al.	:	
Application No.: 13/124,584	:	DECISION ON PETITION
PCT No.: PCT/JP2009/067942	:	
Int. Filing Date: 16 October 2009	:	UNDER 37 CFR 1.181
Priority Date: 17 October 2008	:	
Atty Docket No.: 0760-0408PUS1	:	
For: THERAPEUTIC AGENT FOR HEPATITIS C	:	

This decision is in response to applicant's "REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE" filed 22 July 2011 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181 to assign a date of completion of all 35 U.S.C. 371 requirements of 15 April 2011. No petition fee is required.

On 10 May 2011, applicant was mailed a Form PCT/DO/EO/903 which identified the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date as 15 April 2011 and the date of completion of all 35 U.S.C. 371 requirements as 17 April 2011. Applicant seeks correction of the form to list a date of completion of all 35 U.S.C. 371 requirements of 15 April 2011.

A review of the application file finds that all three of the 35 U.S.C. 371 requirements were filed on 15 April 2011. In addition, applicant's submitted transmittal letter (Form PTO-1390) included a check mark in box three indicating that the filing was an express request to begin national examination procedures. The rules for national stage commencement are detailed in the Manual of Patent Examining Procedure (MPEP) section 1893.01:

> Pursuant to 35 U.S.C. 371(f), the national stage may commence earlier than 30 months from the priority date, provided applicant makes an express request for early processing and has complied with the applicable requirements under 35 U.S.C. 371(c).

As shown above, applicant made a clear indication of desire for early processing of the submission. Therefore, it is proper to **GRANT** applicant's petition at this time.

The Form PCT/DO/EO/903 mailed 10 May 2011 is 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 indicating a date of completion of all 35 U.S.C. 371 requirements as **15 April 2011**.

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

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

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

Application Information

Application Number	13/124,637	Confirmation Number	7849	Filing Date	2011-04-15
Attorney Docket Number (optional)	540.206US	Art Unit	3676	Examiner	DITRANI, ANGELA M
First Named Inventor	Eugeny Nikolaevich Alexandrov				
Title of Invention	GAS EVOLVING OIL VISCOSITY DIMINISHING COMPOSITIONS FOR STIMULATING THE PRODUCTIVE LAYER OF AN OIL RESERVOIR				

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
Eugeny	Nikolaevich	Alexandrov	

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	/dmk/	Date (YYYY-MM-DD)	2012-04-17
Name	David M. Kohn	Registration Number	53150

PTO/SB/130 (07-09)
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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 contains a valid OMB control number

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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In re Application of
Eugeny Nikolaevich Alexandrov

Application No. 13124637

Filed: April 15,2011

Attorney Docket No. 540.206US

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 17-APR-2012 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

PTO/SB/20PCT-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 PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	Not Yet Assigned	Filing date:	Herewith
First Named Inventor:	Yong Ho SEOK		
Title of the Invention:	POWER MANAGEMENT METHOD FOR STATION IN WIRELESS LAN SYSTEM AND STATION THAT SUPPORTS 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/KR2010/004499

The international filing date of the corresponding PCT application(s) is/are: July 9, 2010

I. List of Required Documents:

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

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

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

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

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

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

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

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

(continued)

Application No.:	Not Yet Assigned
First Named Inventor:	Yong Ho SEOK

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

- [✔] Is attached
- [ ] Has already been filed in the above-identified U.S. application on _____

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

- [✔] Are attached.
- [ ] Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-15	1-15	Identical

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

Signature /Harry S. Lee/	Date April 15, 2011
Name (Print/Typed) Harry S. Lee	Registration Number 56,814

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,655	04/15/2011	Yong Ho Seok	2101-3957	8118

35884 7590 06/28/2011
LEE, HONG, DEGERMAN, KANG & WAIMEY
660 S. FIGUEROA STREET
Suite 2300
LOS ANGELES, CA 90017

EXAMINER

ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
06/28/2011	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):

uspto@lhlaw.com
ip.lhlaw@gmail.com
ip.lhlaw@live.com

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 2 8 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

LEE, HONG, DEGERMAN, KANG & WAIMEY
660 S. FIGUEROA STREET
Suite 2300
LOS ANGELES CA 90017

In re Application of: SEOK, YONG HO
Application No. 13/124655
Filed: April 15, 2011
For: POWER MANAGEMENT METHOD FOR STATION IN WIRELESS LAN SYSTEM AND STATION THAT SUPPORTS SAME

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

This is a decision on the request to participate in the PCT- Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed April 15, 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) For petitions to make special filed with a PPH request *on or after* May 25, 2010, the USPTO has eliminated the fee. Petitions to make special filed with a PPH request **prior** *to* May 25, 2010 will be treated under 37 CFR 1.102(d) and the petition fee set forth in 37 CFR 1.17(h) **will** be required. (see Fed. Reg. vol. 75, No. 100, dated 05/25/10).

(9) The request for participation in the PCT-PPH pilot program and all the supporting documents must be submitted to the USPTO via EFS-Web and indexed with the following document description: "Petition to make special under PCT-Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PCT-PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

The request to participate in the PCT-PPH program and petition 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 Aaron Strange at 571-272-3959.

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

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

/Christopher Grant/
Christopher Grant
Quality Assurance Specialist
Technology Center 2400

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:	Not Yet Known	Filing date:	Herewith
First Named Inventor:	Urlichich et al.		
Title of the Invention:	METHOD AND DEVICE OF SATELLITE NAGIVATION SYSTEM'S INTEGRITY CONTROL		

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

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

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

The corresponding PCT application number(s) is/are: PCT/RU2008/000685

The international filng date of the corresponding PCT application(s) is/are:
November 5, 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.

Under the 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.:	Not Yet Known
First Named Inventor:	Urlichich et al.

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-11	1-11	Claims 1-11 are identical

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

Signature /Stephen B. Schott/	Date April 18, 2011
Name (Print/Typed) Stephen B. Schott	Registration Number 51,294

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,687	04/18/2011	Yury Matevich Urlichich	GAP-PT013	8517

3624 7590 07/15/2011
VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER
NGUYEN, NGA X

ART UNIT	PAPER NUMBER
3662	

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):

eoffice@volpe-koenig.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

JUL 14 2011

VOLPE AND KOENIG, P.C.
UNITED PLAZA
30 SOUTH 17TH STREET
PHILADELPHIA PA 19103

In re application of Urlichich et al. Application No. 13/124,687 Filed: April 18, 2011 For: METHOD AND DEVICE OF SATELLITE NAVIGATION SYSTEM'S INTEGRITY	:	**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 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 ROSPATENT or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted via EFS-Web as is required, the request to participate in the PPH program complies with the above requirements, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 07/14/11

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.
13/124,694	07/11/2011	Yutaka Satou	88496(302716)	8591

21874 7590 09/22/2011
EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER

ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	
SATOU et al.	**: DECISION ON REQUEST TO**
Application No.: 13/124694	**: PARTICIPATE IN THE PATENT**
Filed: 11 July 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 88496(302716)	**: PROGRAM AND PETITION**
For: CURABLE RESIN	**: TO MAKE SPECIAL UNDER**
COMPOSITION, CURED PRODUCT	**: 37 CFR 1.102(a)**
THEREOF, PRINTED WIRING	
BOARD, EPOXY RESIN, AND	
PROCESS FOR PRODUCING THE	
SAME	

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

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

i. validly claims priority to an application filed in the JPO, or
ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

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

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

Inquiries concerning this decision should be directed to 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
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PCT LEGAL ADMINISTRATION

FASSE PATENT ATTORNEYS, P.A.
P.O. BOX 726
HAMPDEN ME 04444-0726

In re Application of	:	
SCHARRER, Klaus, *et al.*	:	
Application No.: 13/124,710	:	DECISION ON
PCT No.: PCT/DE2009/001410	:	
Int. Filing Date: 09 October 2009	:	REQUEST
Priority Date: 18 October 2008	:	
Attorney Docket No.: 5199	:	UNDER 37 CFR 1.42
For: PROTECTIVE COVER FOR ...	:	
PRINTED CIRCUIT BOARD	:	

This is a decision on applicants' submission of a declaration on 22 September 2011, containing an indication that an inventor is deceased. It has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 20 May 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia,* that an oath or declaration of the inventors and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 22 September 2011, applicants filed a declaration of the inventors, including a request for status under 37 CFR 1.42, accompanied by the fee for a three month extension of time.

DISCUSSION

Under 35 U.S.C. §117, legal representatives of deceased inventors may make application for patent upon compliance with the requirements and on the same terms and conditions applicable to 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 1.42.

The 22 September 2011 declaration lists the inventors and their citizenships and the legal representative and the legal representative's citizenship, residence and postal address, satisfying 37 CFR 1.42 and 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **GRANTED**.

This application is being forwarded to the National Stage Processing Division 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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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

MAILED
JUN 30 2011
PCT LEGAL ADMINISTRATION

In re Application of MASUDA et al :
U.S. Application No.: 13/124,788 :
PCT Application No.: PCT/JP2009/067845 :
Int. Filing Date: 15 October 2009 :
Priority Date Claimed: 17 October 2008 : DECISION
Attorney Docket No.: 379241US53PCT :
For: ACETIC ACID AMIDE DERIVATIVE :
HAVING INHIBITORY ACTIVITY ON :
VASCULAR ENDOTHELIAL LIPASE :

This is in response to applicant's correspondence filed 18 April 2011, which is being treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 15 October 2009, applicant filed international application PCT/JP2009/067845, which claimed priority of an earlier Japan application filed 17 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 18 April 2011.

On 18 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 the instant 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 given name of the first inventor is listed as "Koji" in the declaration and "Kouji" in the international application. The petition states that the discrepancy was the result of a typographical or transliteration error. This is a proper notification to the Office under MPEP 1893.01(e). Applicant's explanation for the mistake is accepted.

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 15 October 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 18 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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James Edward Ledbetter
1875 Eye Street
Suite 1200
Washington DC 20006

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OCT 13 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
OGAWA et al	:	
Application No.: 13/124,811	:	
PCT No.: PCT/JP2009/005381	:	PAPERS FILED
Int. Filing Date: 15 October 2009	:	
Priority Date: 20 October 2008	:	
Attorney's Docket No.: 009289-11114	:	UNDER 37 CFR 1.42
For: WIRELESS COMMUNICATION... METHOD	:	

This is a decision on the declaration filed 09 August 2011, which has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 18 April 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). Applicant, however, did not satisfy the requirement set forth by 35 U.S.C. 371(c)(4) because an executed oath or declaration was not provided at such time.

On 10 May 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF MISSING REQUREMENTS 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 1.497(a) and (b), identifying the application by International application number and international filing date" must be submitted within two(2) months from date of this Notice or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

To satisfy the requirements of 35 U.S.C. 371(c)(4) that an oath or declaration of the inventor be submitted, applicants submitted on 09 August 2011 a declaration which also indicates that Megumi ICHIKAWA is the legal representative of the deceased inventor, Kenichi MIYOSHI.

DISCUSSION

The declaration is accepted under 37 CFR 1.42 because it includes the citizenship, residence, and mailing addresses of Megumi ICHIKAWA (legal representative) and the citizenship, residence and mailing address of the deceased joint inventor on the declaration. Thus, the necessary information has been provided on the declaration. Accordingly, applicants have satisfied the requirements under 37 CFR 1.42.

Thus, the requirements under 35 USC 371(c) are satisfied.

CONCLUSION

For the above reasons, the submission of the declaration under 37 CFR 1.42 is **ACCEPTED**.

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
Tel: (571) 272-3276
Fax: (571) 273-0459

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,820	04/18/2011	Koichi Abe	10073842WOUS01	9759

34904 7590 11/14/2011
CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
15975 ALTON PARKWAY
IRVINE, CA 92618-3731

EXAMINER
TSAI, HENRY

ART UNIT	PAPER NUMBER
2184	

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):

mklein@cusa.canon.com
skalminov@cusa.canon.com
IPDocketing@cusa.canon.com

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CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
15975 ALTON PARKWAY
IRVINE CA 92618-3731

In re Application of: A. KOICHI
Application No. 13/124,820
Attorney Docket #: **10073842WOUS01**
Filed: April 18, 2011
For: **INFORMATION PROCESSING APPARATUS, INFORMATION PROCESSING METHOD, AND 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 Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed September 12, 2011 to make the above-identified application special.

The petition is **DISMISSED.**

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

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

Or

(b) a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
(i) validly claims priority to an application filed in the JPO, or
(ii) validly claims priority to a PCT application that contains no priority claims, or
(iii) contains no priority claim,

Or

(c) a so-called bypass application filed under 35 U.S.C. 111 (a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
(i) validly claims priority to an application filed in the JPO, or

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

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

(2) Applicant must submit a copy of:

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

Effective January 29, 2010, for a period of two years ending on January 28, 2012, the USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the allowable/patentable claims in the Japanese application.

(3) Applicant must:

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

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

(5) Applicant must submit:

a. Documentation of prior office action:

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

Further, if a copy of the documents from a above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

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

c. A statement that the English translation is accurate;

Effective January 29, 2010, Applicants may submit a machine translation into the English language of the copy of the latest JPO office action just prior to the "Decision to Grant a Patent" (e.g., the latest "Notification of Reasons for Refusal") from each of the JPO application(s) containing the allowable/patentable claims that are the basis for the PPH request. The machine translation into the English language must be one that is provided by the JPO. That is, the machine translation into the English language cannot be one that is provided by a commercial service. Where a machine translation into the English language of the copy of the latest JPO office action (obtained from the JPO) is submitted, it will not be necessary to include a statement that the English translation is accurate.

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

The request to participate in the PPH pilot program and petition fails to meet item 3 of the requirements listed above.

Specifically Item 2 requires a statement that the English translation is accurate. Applicants have failed to provide this statement for the claims. They have provided a certificate of Translation for the Reasons for Refusal.

Secondly, Item 3 states that Applicant must: ensure all the claims in the U.S. application sufficiently correspond or are amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s). However, the claims in the US application seem to be of a different scope that the counterpart claims in the Japanese application.

For instance, Claim 1, of the US application recites in line 3 "whether or not a default device exists **between** devices ...."
whereas the corresponding limitations of the corresponding claim of the corresponding JP application recites "whether or not a default device exists **among** devices ...."

Similar differences are also found with respect to other claims of the US application.

The above are just illustrations of the claim language making a difference in scope of the respective claims. Applicants must review all the claims in the instant US application, and make sure they are amended to correspond in scope with the corresponding allowed claims in the Japanese application.

The Petition is **DISMISSED**.

Applicant is given a time period of ONE MONTH or THIRTY DAYS, whichever is longer, to correct the deficiencies. NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.

If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must submitted by EFS-Web using the document description "Petition to make special under Pat Pros Hwy".

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

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

/Mano Padmanabhan/

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

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OFFICE OF PETITIONS

CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
15975 ALTON PARKWAY
IRVINE CA 92618-3731

In re Application of	**: DECISION ON REQUEST TO**
Koichi Abe	**: PARTICIPATE IN THE PATENT**
Application No.: 13/124,820	**: PROSECUTION HIGHWAY**
Filed: April 18, 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 10073842WOUS01	**: 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 12, 2011 and renewed on December 7, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

Inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

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

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

David Bucci
Petitions Examiner
Office of Petitions

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251 NORTH AVENUE WEST
SUITE 201
WESTFIELD, NJ 07090

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JUN 17 2011
PCT LEGAL ADMINISTRATION

In re Application of ERTMER	:	
U.S. Application No.: 13/124,878	:	
PCT Application No.: PCT/EP2009/061036	:	
Int. Filing Date: 27 August 2009	:	
Priority Date Claimed: 11 September 2008	:	DECISION
Attorney Docket No.: 2057/16	:	
For: ATTACHMENT CUTTING SYSTEM HAVING CUTTING HEADS AND A CUTTER CHAIN	:	

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 19 April 2011.

BACKGROUND

On 27 August 2009, applicant filed international application PCT/EP2009/061036, which claimed priority of an earlier Germany application filed 11 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 11 March 2011.

On 12 March 2011, international application PCT/EP2009/061036 became abandoned as to the United States for failure to timely pay the basic national fee.

On 19 April 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire

delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

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

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

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

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

CONCLUSION

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

The application has an International Filing Date under 35 U.S.C. 363 of 27 August 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 19 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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ASTRAZENECA R&D BOSTON
35 GATEHOUSE DRIVE
WALTHAM MA 02451-1215

In re Application of	:	
BARVIAN et al.	:	
Application No.: 13/124,889	:	DECISION ON
PCT No.: PCT/GB2009/051363	:	
Int. Filing Date: 13 October 2009	:	PETITION UNDER
Priority Date: 14 October 2008	:	
Attorney Docket No.: 103542-1P US	:	37 CFR 1.137(b)
For: FUSED, SPIROCYCLIC HETEROAROMATIC	:	
COMPOUNDS FOR THE TREATMENT OF	:	
BACTERIAL INFECTIONS	:	

This decision is in response to applicant's submission filed 19 April 2011 and 08 June 2011.

BACKGROUND

On 13 October 2009, applicant filed international application PCT/GB2009/051363 which designated the U.S. and claimed a priority date of 14 October 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 14 April 2011.

On 19 April 2011, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the U.S. basic national fee and a petition under 37 CFR 1.137(b).

On 08 June 2011, applicants filed a declaration of inventors.

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 19 April 2011.

As to item (2), applicant submitted the petition fee on 19 April 2011.

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

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

The declaration of the inventors filed 08 June 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

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

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.

/Daniel Stemmer/

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

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.:	13/124,906	Filing Date:	April 19, 2011
First Named Inventor:	Takeshi NISHIMURA	Attorney Docket No.:	2011_0612A
Title of the Invention:	TWO-COLOR MOLDING EQUIPMENT AND TWO-COLOR MOLDED PRODUCT		

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/JP2009/069840

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)

[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.

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 19, 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 19, 2011.

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

Modified PTO/SB/20PCT-JP (01-2010)
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/124,906
First Named Inventor:	Takeshi NISHIMURA

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claims are the same
2	2	Claims are the same
3	3	Claims are the same, except that claim 3 in the US application depends from claim 1, whereas claim 3 in the PCT application depends from claim 1 or claim 2
4	4	Claims are the same
5	5	Claims are the same
6	6	Claims are the same
7	7	Claims are the same
8	3	Claims are the same, except that claim 8 in the US application depends from claim 2, whereas claim 3 in the PCT application depends from claim 1 or claim 2
9	4	Claims are the same, except that claim 9 in the US application depends from claim 8, whereas claim 4 in the PCT application depends from claim 3
10	5	Claims are the same, except that claim 10 in the US application depends from claim 9, whereas claim 5 in the PCT application depends from claim 4

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

Signature /Kenneth W. Fields/ 2011.08.18 11:53:49 -04'00'	Date: August 18, 2011
Name: (Print/Type) Kenneth W. Fields	Registration No. 52,430

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
植木　久一

様

あて名
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日本国大阪府大阪市北区堂島２丁目１番１６号　フジタ東洋紡ビル９階

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

発送日 （日.月.年）	０２．０２．２０１０
出願人又は代理人 の書類記号　F09-059PCT	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／ＪＰ２００９／０６９８４０	（日.月.年）　２５．１１．２００９	（日.月.年）　２８．１１．２００８

国際特許分類（ＩＰＣ）Int.Cl. B29C45/16(2006.01)i, B29C45/37(2006.01)i

出願人（氏名又は名称）
日本写真印刷株式会社

１．この見解書は次の内容を含む。

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

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

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

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
２０．０１．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	４Ｆ	４１６９
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	鏡　宣宏 電話番号　０３－３５８１－１１０１　内線　３４３０		

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／ＪＰ２００９／０６９８４０

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／ＪＰ２００９／０６９８４０

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：WO 2008/123191 A1（日本写真印刷株式会社）2008.10.16, 【０００１】、【０００９】、【００１６】、【００２１】～【００２３】、図１Ｂ、図５Ａ～５Ｅ（ファミリーなし）
文献２：JP 2007-118214 A（住友重機械工業株式会社）2007.05.17, 【請求項１】、図１ & US 2009/0250845 A & EP 1941983 A1 & WO 2007/049531 A1 & KR 10-2008-0064843 A & CN 101309787 A
文献３：JP 2008-137240 A（トヨタ紡織株式会社）2008.06.19, 【００４１】、図１（ファミリーなし）
文献４：JP 2005-333277 A（パイオニア株式会社）2005.12.02, 【請求項２】、図２、３ & US 2005/0257998 A1 & CN 1699041 A

請求項１－７に係る発明は、国際調査報告で引用された文献１－４の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。

PCT/JP2009/069840

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

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AUG. 0 1. 2011
UEKI PATENT ATTORNEYS OFFICE

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:

UEKI, Kyuichi
Fujita-Toyobo Building 9th floor, 1-16, Dojima 2-chome,
Kita-ku, Osaka-shi, Osaka
5300003
JAPON

Date of mailing *(day/month/year)* 14 July 2011 (14.07.2011)	
Applicant's or agent's file reference F09-059PCT	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/069840	International filing date *(day/month/year)* 25 November 2009 (25.11.2009)
Applicant NISSHA PRINTING CO., LTD. et al	

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

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

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

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

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OA, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference F09-059PCT	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2009/069840	International filing date *(day/month/year)* 25 November 2009 (25.11.2009)	Priority date *(day/month/year)* 28 November 2008 (28.11.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant NISSHA PRINTING CO., LTD.		

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

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

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

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

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

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

	Date of issuance of this report 05 July 2011 (05.07.2011)
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

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 F09-059PCT	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/069840	25.11.2009	28.11.2008

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

Applicant
NISSHA PRINTING CO., LTD.

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

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [x] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/069840

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/JP2009/069840

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: WO 2008/123191 A1 (NISSHA Printing Co., Ltd.), 16 October 2008, paragraphs [0001], [0009], [0016] and [0021] to [0023]; fig. 1B and 5A to 5E (Family: none)

Document 2: JP 2007-118214 A (Sumitomo Heavy Industries, Ltd.), 17 May 2007, claim 1; fig. 1 & US 2009/0250845 A & EP 1941983 A1 & WO 2007/049531 A1 & KR 10-2008-0064843 A & CN 101309787 A

Document 3: JP 2008-137240 A (Toyota Boshoku Corp.), 19 June 2008, paragraph [0041]; fig. 1 (Family: none)

Document 4: JP 2005-333277 A (Pioneer Corp.), 02 December 2005, claim 2; fig. 2 and 3 & US 2005/0257998 A1 & CN 1699041 A

The invention as in claims 1-7 is not disclosed in documents 1-4 cited in the ISR, and would not be obvious to a person skilled in the art.

請求の範囲

[請求項1] 固定型と可動型から構成される１次側金型にフィルムを内在させ、両型の型閉めによって形成される第１キャビティに樹脂を射出して１次成形品を成形し、成形されたフィルム付きの１次成形品を、固定型と可動型から構成される２次側金型に移動させ、両型の型閉めによって形成される第２キャビティに樹脂を射出して２次成形品を成形することにより、上記１次成形品と上記２次成形品の間に上記フィルムが挟み込まれて一体化された２色成形品を得る２色成形用金型装置において、

上記第１キャビティは、上記１次成形品から上記フィルムの一部がはみ出すように上記フィルムよりも小さいサイズの上記１次成形品を成形するように構成され、

上記フィルムはみ出し側に位置しており上記第１キャビティを形成するキャビティ形成用の壁面に、上記１次成形品における上記フィルムはみ出し側の成形収縮を規制する凸部が形成されていることを特徴とする２色成形用金型装置。

[請求項2] 上記第１キャビティが型閉め方向から見て矩形状をなし、上記凸部の両側に凹部を有し、これらの凹部は上記第１キャビティ形成用の壁面の両端に位置する請求項１記載の２色成形用金型装置。

[請求項3] 上記第２キャビティは、上記フィルムの略全面を覆う２次成形品を成形し得るサイズからなる請求項１または２記載の２色成形用金型装置。

[請求項4] 上記フィルムが電気回路等を形成した機能フィルムからなる請求項３記載の２色成形用金型装置。

[請求項5] 上記電気回路は、上記２次成形品が積層される面と反対側の面に形成されている請求項４記載の２色成形用金型装置。

[請求項6] １次成形によって成形された１次成形品と、２次成形によって上記１次成形品に重ねて成形された２次成形品と、両成形品の間に介装さ

れ、表面に電気回路等を形成した機能フィルムとから構成され、上記２次成形品は上記フィルムと略同じサイズに形成され、上記１次成形品は上記機能フィルムの一部がはみ出すように上記２次成形品よりも小さいサイズに形成され、上記機能フィルムのはみ出し部における露出面が、上記機能フィルムから信号を取り出すための信号取出し部を構成していることを特徴とする２色成形品。

[請求項7] 上記２次成形品が、筐体部品の外面を構成している請求項６記載の２色成形品。

CERTIFICATION

I, Haruki MATSUI, whose address is Fujita-Toyobo Building 9th floor, 1-16, Dojima 2-chome, Kita-ku, Osaka-shi, Osaka, JAPAN, hereby certify that I am the translator of the attached document, namely,

US Patent Application No. 13/124,906

that I am familiar with both the Japanese and the English languages, and that the translation is a true and correct translation from the Japanese language to the English language to the best of my knowledge and belief.

This 17th day of August, 2011

H. Matsui

Haruki MATSUI

CLAIMS

1. A two-color molding equipment for shaping a two-color molded product by placing a film in primary mold tool configured by a fixed mold and a movable mold, injecting a resin into a first cavity formed by closing the molds to shape a primary molded piece, shifting the primary molded piece provided with the film to secondary mold tool configured by the fixed mold and the movable mold, and injecting a resin into a second cavity formed by closing the molds to shape a secondary molded piece, the two-color molded product composed of an integrated combination of the primary molded piece, the secondary molded piece, and the film interposed therebetween, wherein

the first cavity is configured to shape the primary molded piece to be smaller than the film so that a part of the film protrudes from the primary molded piece, and

a wall surface located at the protruding portion of the film to constitute the first cavity is provided with a convex portion that restricts mold shrinkage of the film protruding portion in the primary molded piece.

2. The two-color molding equipment according to claim 1, wherein the first cavity has a rectangular shape when seen from a direction of closing the tools, the convex portion is provided at respective ends with concave portions, and the concave portions are located at both ends of the first cavity forming wall surface.

3. The two-color molding equipment according to claim 1 or 2, wherein the second cavity is sized so as to shape the secondary molded piece that covers substantially an entire surface of the film.

4. The two-color molding equipment according to claim 3, wherein the film is prepared as a functional film that is provided with an electric circuit or the like.

5. The two-color molding equipment according to claim 4, wherein the electric circuit is provided on a surface opposite to a

surface on which the secondary molded piece is overlaid.

6. A two-color molded product comprising:

a primary molded piece shaped by primary molding;

a secondary molded piece overlaid on the primary molded piece and shaped by secondary molding; and

a functional film interposed between the molded pieces and provided on a surface thereof with an electric circuit or the like, wherein

the secondary molded piece is formed to be substantially equal in size with the film,

the primary molded piece is formed to be smaller than the secondary molded piece so as to allow a part of the functional film to protrude therefrom, and

a protruding portion of the functional film has an exposed surface that configures a signal pickup portion for picking up a signal from the functional film.

7. The two-color molded product according to claim 6, wherein the secondary molded piece configures an outer surface of a housing component.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/124,906	04/19/2011	Takeshi Nishimura	2011-0612A	1771

513 7590 10/25/2011
WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington, DC 20005-1503

EXAMINER
O HERN, BRENT T

ART UNIT	PAPER NUMBER
1783	

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

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CT

October 24, 2011

In re application of Takeshi Nishimura Serial No. 13/124,906 Filed: April 19, 2011 For: TWO-COLOR MOLDING EQUIPMENT AND TWO-COLOR MOLDED PRODUCT	: : : : : : :	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 August 18, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

(4) Applicant must submit a claims correspondence table in English and all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

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

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

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

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

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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P.O BOX 1450
ALEXANDRIA, VA 22313-1450
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The Dow Chemical Company
GARY C. COHN
215 E. 96TH STREET
APT# 19L
NEW YORK NY 10128

MAILED
SEP 01 2011
PCT LEGAL ADMINISTRATION

In re Application of :
HULL, Jr et al :
Application No.: 13/125,001 :
PCT No.: PCT/US2009/060749 :
Int. Filing Date: 15 October 2009 : DECISION
Priority Date: 31 October 2008 :
Attorney Docket No.: 67871-US-PCT :
For: EXTRUDED POLYMER... FATTY ACID :

This decision is in response to applicants' "RESPONSE TO NOTICE OF MISSING REQUIREMENTS," filed on 06 July 2011, which is being treated as a petition under 37 CFR 1.182 indicating that the executed declaration filed on 19 April 2011 contains the correct name of the first co-inventor's name, William J. Kruper, Jr. The petition fee under 37 CFR 1.182 of $400.00 has been charged to petitioner's Deposit Account No.: 04-1512.

BACKGROUND

On 19 April 2011, applicants filed in the United States Patent and Trademark Office (PTO) a Transmittal Letter (Form PTO-1390) accompanied by, *inter alia*, the basic national fee, and an executed declaration.

On 06 May 2010, 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) indicating that inventor KRUPER's name is different that the name listed on the International Application.

On 06 July 2011, applicants submitted the current petition stating that the correct name of the first co-inventor is William J. Kruper, Jr. as indicated in the submitted declaration, and not as published in the International Application.

DISCUSSION

The correct name of the first co-inventor is as filed in the executed declaration on 19 April 2001 as **William J. Kruper, Jr.**, and not as published in the international application. Accordingly, the correct names now appears in the declaration as filed on 19 April 2011 to the USPTO.

For the reasons above, the application may enter into national stage processing at this time.

DECISION

For the reasons above, the petition under 37 CFR 1.182 is **GRANTED** that the correct names is for the first co-inventor is **William J. Kruper, Jr**.

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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APR 27 2011

PCT LEGAL ADMINISTRATION

Huawei/BHGL
P.O. Box 10395
Chicago IL 60610

In re Application of LUI et al.	:	DECISION ON
Application No.: 13/125,013	:	
PCT No.: PCT/CN09/72747	:	PETITION UNDER
Int. Filing: 13 July 2009	:	
Priority Date: 14 July 2008	:	37 CFR 1.137(b)
Attorney Docket No:13674-475	:	
For: METHOD AND APPARATUS FOR RESOURCE DISTRIBUTION BETWEEN MULTIPLE USERS	:	

The petition to revive under 37 CFR 1.137(b) filed 19 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" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee has been provided. The required petition fee of $1620 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1),(c)(2) and (c)(4) date is 19 April 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office

Office of PCT Legal Administration
Telephone: (571) 272-3286
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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KONRAD RAYNES & VICTOR, LLP.
ATTN: IBM37
315 SOUTH BEVERLY DRIVE, SUITE 210
BEVERLY HILLS CA 90212

MAILED

MAY 20 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
HUTCHISON, et al.	:	
U.S. Application No.: 13/125,027	:	DECISION ON PETITION
PCT No.: PCT/EP2009/064086	:	
Int. Filing Date: 26 October 2009	:	UNDER 37 CFR 1.182
Priority Date: 30 October 2008	:	
Attorney's Docket No.: GB920080148US1	:	
For: PERFORMING A DATA WRITE ON A STORAGE DEVICE	:	

This decision is in response to applicant's "37. C.F.R. 182 PETITION" filed 19 April 2011 in the United States Patent and Trademark Office (USPTO). As authorized, the $400.00 petition fee will be charged to deposit account number 09-0449.

BACKGROUND

On 26 October 2009, applicant filed international application PCT/EP2009/064086, which claimed priority of an earlier application filed 30 October 2008. A copy of the International Application was forwarded to the United States Patent and Trademark Office (USPTO) from the International Bureau (IB) on 06 May 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 30 April 2011.

On 19 April 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 executed declaration of the inventors, a preliminary amendment, an Application Data Sheet and the petition under 37 CFR 1.182 discussed herein.

DISCUSSION

The Manual of Patent Examining Procedure (MPEP) section 605.04 provides guidance for instances where an inventor has changed names. 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.

The present petition is accompanied by a signed statement from inventor Lucy A. Harris explaining that her name changed as a result of marriage. The declaration is signed by Mrs. Harris and details both her maiden and current married name. As such, it is proper to grant applicant's petition at this time.

CONCLUSION

For the reasons stated above, applicant's 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 for further processing in accord 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
Alexandria, VA 22313-1450
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JUN 14 2011

PCT LEGAL ADMINISTRATION

DAVID S. RESNICK
NIXON PEABODY LLP
100 SUMMER STREET
BOSTON MA 02110-2131

In re Application of: BALL, Graham, et al.	:	
U.S. Application No.: 13/125,054	:	DECISION ON PETITION UNDER
PCT No.: PCT/GB2009/051412	:	37 CFR 1.137(b)
International Filing Date: 20 October 2009	:	
Priority Date: 20 October 2008	:	
Attorney's Docket No.: 051039-070380-US	:	
For: DATA ANALYSIS METHOD AND SYSTEM	:	

The petition for revival under 37 CFR 1.137(b) filed 11 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/GB2009/051412 became abandoned with respect to the United States at midnight on 20 April 2011 based on applicants' failure to pay the U.S. basic national fee prior to the expiration of thirty months from the priority date. Applicants filed materials to initiate the present national stage application on 20 April 2011; however, the 20 April 2011 submission did not include a fee payment. The abandonment of the present application was confirmed in a "Notification Of Abandonment" (Form PCT/DO/EO/909) mailed 04 May 2011.

The present petition for revival was accompanied by payment of the petition fee and the "required reply" in the form of payment of the 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 requirements 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

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:	(not yet assigned)
First Named Inventor:	NAKATOH		
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/JP2010/007016

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

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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:	NAKATOH

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	same or similar
2	2	same or similar
3	3	same or similar
4	4	same or similar
5	5	same or similar

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

Signature	/Dhiren Odedra Reg. #41227/	Date	2011-04-20
Name (Print/Typed)	Dhiren Odedra	Registration Number	41227

Privacy Act Statement

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

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

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

Statement of 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 the latest international work product (WO/ISA) in the PCT Application No. PCT/JP2010/007016 .

Signed this 13th day of April, 2011.

Shu Matsuyama

Shu MATSUYAMA

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)*	January 11, 2011 (11.01.2011)
Applicant's or agent's file reference P604221P0	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/007016	December 1, 2010 (01.12.2010)	December 2, 2009 (02.12.2009)

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 Facsimile No.	December 22, 2010 (22.12.2010)	Hiroshi OHNO 03-3581-1101 extension 3591 Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/007016

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/JP2010/007016

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. Statement

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

2. Citations and explanations:

The inventions of Claims 1 to 5 are not disclosed in any of the patent literature cited in the International Search Report, and have novelty. In particular, an interface; a transmission characteristic calculator that calculates an at-fitting transmission characteristic on the basis of first sound data produced when the correction-use sound outputted from a correction-use sound output component is collected by an ear canal microphone, and second sound data that corresponds to correction-use sound data, and that calculates an in-usage transmission characteristic on the basis of third sound data produced when the ear canal microphone collects the correction-use sound outputted from the correction-use sound output component according to user operation after the fitting, and fourth sound data that corresponds to the correction-use sound data; a correction characteristics calculator that calculates a correction characteristic on the basis of the at-fitting transmission characteristic and the in-usage transmission characteristic; and a correction component that corrects the input sound data that has undergone hearing aid processing by the hearing aid processor, on the basis of the correction characteristic, are not disclosed in any of the patent literature.

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)	１１．０１．２０１１
出願人又は代理人 の書類記号　P604221P0	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／ＪＰ２０１０／００７０１６	(日.月.年)　０１．１２．２０１０	(日.月.年)　０２．１２．２００９

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
２２．１２．２０１０

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　９１７５ 大野　弘 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／ＪＰ２０１０／００７０１６

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／ＪＰ２０１０／００７０１６

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何れの文献にも開示されておらず、新規性を有する。特に、受付部と、フィッティング時において、補正用音声出力部から出力される補正用音声が外耳道マイクロフォンにおいて収集されることで生成される第１音声データと、補正用音声データに対応する第２音声データと、に基づいてフィッティング時伝達特性を算出し、前記フィッティング後におけるユーザ操作に応じて前記補正用音声出力部から出力される前記補正用音声が前記外耳道マイクロフォンにおいて収集されることで生成される第３音声データと、前記補正用音声データに対応する第４音声データと、に基づいてユーザ使用時伝達特性を算出する伝達特性算出部と、前記フィッティング時伝達特性と前記ユーザ使用時伝達特性とに基づいて補正特性を算出する補正特性算出部と、前記補正特性に基づいて、前記補聴処理部によって補聴処理された前記入力音データを補正する補正部とは、何れの文献にも開示されていない。

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/JP2010/007016 .

Signed this 7th day of April, 2011.

Shu Matsuyama

Shu MATSUYAMA

CLAIMS

1. A hearing aid, comprising:

an external microphone configured to collect sound outside the ear canal;

an ear canal microphone configured to collect sound inside the ear canal;

a hearing aid processor configured to subject input sound data indicating the sound collected by the external microphone to hearing aid processing on the basis of fitting information set by fitting;

a correction-use sound output component configured to output correction-use sound on the basis of correction-use sound data;

an interface arranged to operated by a user;

a transmission characteristic calculator configured to calculate an at-fitting transmission characteristic on the basis of first sound data produced by collection at the ear canal microphone of the correction-use sound outputted from the correction-use sound output component during fitting, and second sound data corresponding to the correction-use sound data, the transmission characteristic calculator configured to calculate an in-usage transmission characteristic on the basis of third sound data produced by collection at the ear canal microphone of the correction-use sound outputted from the correction-use sound output component according to user operation after fitting, and fourth sound data corresponding to the correction-use sound data;

a correction characteristic calculator configured to calculate a correction characteristic on the basis of the at-fitting transmission characteristic and the in-usage transmission characteristic; and

a correction component configured to correct the input sound data undergone hearing aid processing by the hearing aid processor, on the basis of the correction characteristic.

2. The hearing aid according to Claim 1,

comprising a receiver configured to be mounted in the inlet to the ear canal or inserted into the ear canal, and the receiver configured to output speech into the ear canal according to the input sound data corrected by the correction component, wherein

the correction-use sound output component is the receiver, and

the second sound data and the fourth sound data are the correction-use sound data.

3. The hearing aid according to Claim 1,

comprising an external speaker configured to be disposed outside the ear canal, and the external speaker configured to output speech outside the ear canal, wherein

the correction-use sound output component is the external speaker, and

the second sound data and the fourth sound data are produced by collection at the external microphone of the correction-use sound outputted from the correction-use sound output component.

4. The hearing aid according to Claim 3,

comprising an ear plug configured to be mounted in the inlet to the ear canal or inserted into the ear canal, and in which the ear canal microphone is embedded, wherein

the ear plug has a through-hole communicating between the inside of the ear canal and the outside of the ear canal.

5. The hearing aid according to Claim 1, wherein

the interface is constituted by a single button, and

the transmission characteristic calculator calculates the in-usage transmission characteristic when the user has pressed the button a specific number of times.

【書類名】請求の範囲
【請求項1】
外耳道外の音を収集する外部マイクロフォンと、
外耳道内の音を収集する外耳道マイクロフォンと、
フィッティングによって設定されるフィッティング情報に基づいて、前記外部マイクロフォンによって収集される音を示す入力音データを補聴処理する補聴処理部と、
補正用音声データに基づいて補正用音声を出力する補正用音声出力部と、
ユーザ操作を受け付ける受付部と、
前記フィッティング時において、前記補正用音声出力部から出力される前記補正用音声が前記外耳道マイクロフォンにおいて収集されることで生成される第1音声データと、前記補正用音声データに対応する第2音声データと、に基づいてフィッティング時伝達特性を算出し、前記フィッティング後におけるユーザ操作に応じて前記補正用音声出力部から出力される前記補正用音声が前記外耳道マイクロフォンにおいて収集されることで生成される第3音声データと、前記補正用音声データに対応する第4音声データと、に基づいてユーザ使用時伝達特性を算出する伝達特性算出部と、
前記フィッティング時伝達特性と前記ユーザ使用時伝達特性とに基づいて補正特性を算出する補正特性算出部と、
前記補正特性に基づいて、前記補聴処理部によって補聴処理された前記入力音データを補正する補正部と、
を備える補聴器。
【請求項2】
前記外耳道の入り口に装着または前記外耳道内に挿入され、前記補正部によって補正された前記入力音データに応じて前記外耳道内に音声を出力するレシーバを備え、
前記補正用音声出力部は、前記レシーバであり、
前記第2音声データ及び前記第4音声データは、前記補正用音声データである、
請求項1に記載の補聴器。
【請求項3】
前記外耳道外に配置され、前記外耳道外に音声を出力する外部スピーカを備え、
前記補正用音声出力部は、前記外部スピーカであり、
前記第2音声データ及び前記第4音声データは、前記補正用音声出力部から出力される前記補正用音声が前記外部マイクロフォンにおいて収集されることで生成される、
請求項1に記載の補聴器。
【請求項4】
前記外耳道の入り口に装着または前記外耳道内に挿入され、前記外耳道マイクロフ

ォンが埋設される耳栓部を備え、
　前記耳栓部は、前記外耳道内と前記外耳道外とに連通する貫通孔を有する、
請求項3に記載の補聴器。
【請求項5】
　前記受付部は、一つのボタンによって構成されており、
　前記伝達特性算出部は、ユーザが前記ボタンを所定回数押した場合に、前記ユーザ使用時伝達特性を算出する、
請求項1に記載の補聴器。

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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P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of
MENDELLA, et al.
Application No.: 13/125,197
PCT No.: PCT/IB2008/002823
Int. Filing Date: 22 October 2008
Priority Date: 23 October 2007
Atty. Docket No.: 149278
For: APPARATUS, SYSTEM AND METHOD FOR DISPLAYING IMAGES ONTO A SCREEN

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 20 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

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/125,231	Filing date:	04-20-2011
First Named Inventor:	Brian J. Barclay		
Title of the Invention:	CONTROLLING AND PRESENTING ONLINE WAGERING GAMES		

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: PCTUS0961967

The international date of the corresponding PCT application(s) is/are: 23-Oct-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.

Under the 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.:	13/125,231
First Named Inventor:	Brian J. Barclay

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 04-20-2011

(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 04-20-2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-25	1-25	The PCT Application claims are identical to the claims in this US application.

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

Signature /Andrew DeLizio Reg. 52,806/	Date April 27, 2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

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 computer-implemented method, comprising:

presenting a virtual representation of a gaming venue, wherein the virtual representation of the gaming venue includes a first avatar associated with a first wagering game player account, wherein the virtual representation of the gaming venue also includes a second avatar utilizing a virtual representation of a wagering game machine within the virtual representation of the gaming venue, wherein the second avatar represents a second wagering game player account associated with the gaming venue;

detecting a selection, by the first avatar, of the virtual representation of the wagering game machine;

detecting an indication of information to communicate from the first avatar to the second avatar in response to detecting the selection of the virtual representation of the wagering game machine; and

communicating the information to the second avatar within the virtual representation of the gaming venue.

2. The computer-implemented method of claim 1, further comprising:

determining an additional selection of the virtual representation of the wagering game machine;

generating, in response to the additional selection, a virtual waiting list indicating a list of avatars waiting to play a wagering game on the virtual representation of the wagering game machine; and

placing a representation of the first avatar on the waiting list.

3. The computer-implemented method of claim 2, wherein said detecting the selection, by the first avatar, of the representation of the wagering game machine comprises:

determining that the first avatar selects an additional representation of the second avatar on the waiting list.

4. The computer-implemented method of claim 1 further comprising:

detecting wagering game activity performed by the second avatar via the virtual representation of the wagering game machine;

generating a sound of the wagering game activity;

detecting a distance between the virtual representation of the wagering game machine and the first avatar within the virtual representation of the gaming venue;

modifying a volume for the sound according to the distance between the virtual representation of the wagering game machine and the first avatar; and

presenting the sound from the perspective of the first avatar as a background effect.

5. The computer-implemented method of claim 2, further comprising:

detecting an additional selection, by the first avatar, of the virtual representation of the wagering game machine; and

presenting to the first avatar, in response to the additional selection, a wagering game played on the virtual representation of the wagering game machine by the second avatar.

6. The computer-implemented method of claim 1, wherein the information to communicate from the first avatar to the second avatar comprises a file that includes a recording of gaming activity performed by the first avatar during a gaming session, and wherein communicating the information to the second avatar within the virtual representation of the gaming venue comprises presenting the file to the second avatar to view the gaming activity.

7. An apparatus, comprising:

means for presenting an access object that provides access for avatars to a private location within a virtual representation of a wagering game venue;

means for determining a selection of the access object by a first of the avatars via player input, wherein the first of the avatars is located outside of the private location, wherein the first of the avatars is associated with a wagering game player account logged in to the virtual representation of the wagering game venue, and wherein the wagering game player account lists one or more social contacts that belong to the wagering game player account;

means for determining that a second of the avatars is inside the private location, wherein the second of the avatars belongs to one of the one or more social contacts; and

means for presenting to the first of the avatars activity of the second avatar within the private location in response to the selection of the access object by the first of the avatars via the player input.

8. The apparatus of claim 7, further comprising:

means for determining a social status for the wagering game player account;

means for determining that a level of the social status is insufficient to grant the first of the avatars access to the private location;

means for detecting access to an advertisement by the first of the avatars associated with the wagering game player account; and

means for granting the first of the avatars access to the private location based on the access to the advertisement by the first of the avatars.

9. The apparatus of claim 7 further comprising:

means for providing communications between the first of the avatars to the second of the avatars within the private location.

10. The apparatus of claim 7 further comprising:

means for determining that the wagering game player account possesses a level of social status sufficient to gain access to the private location;

means for granting access to the private location to the first of the avatars based on the level of the social status; and

means for granting the first of the avatars an avatar power for accessing the private location based on the level of the social status, wherein the avatar power extends beyond the private location to additional locations in the virtual representation of the wagering game venue.

11. The apparatus of claim 10, wherein the means for determining that the wagering game player account possesses the level of social status sufficient to gain access to the private location comprises one or more of means for determining a value of social network points that the wagering game player account owns, and means for determining an award that the wagering game player account has received that indicates an increase to the level of the social status for a momentary amount of time.

12. An apparatus comprising:

a processor; and

an online gaming module configured to, via the processor,

present an online multi-media recorder,

determine a selection to record online wagering game activity occurring in a portion of an online gaming venue,

store a recording of the online wagering game activity,

present an option to share the video recording with a social contact account,

determine a selection of the social contact account, and

transfer a copy of the video recording to the social contact account.

13. The apparatus of claim 12, wherein the online gaming module is further configured to receive one or more comments from the social contact account, and annotate the video recording with the one or more comments.

14. The apparatus of claim 12, wherein the online gaming module is further configured to present controls to customize the recording.

15. The apparatus of claim 12, wherein the online gaming module is further configured to share one or more additional multi-media files with the social contact account.

16. One or more machine-readable storage media having instructions stored thereon, which when executed by a set of one or more processors causes the set of one or more processors to perform operations comprising:

presenting an online gaming venue to one or more wagering game player accounts;

presenting one or more player objects within the online gaming venue, wherein the one or more player objects represents the one or more wagering game player accounts;

determining an indication of an emotion for at least one of the one or more wagering game player accounts;

determining a multi-media file associated with the at least one of the one or more wagering game player accounts, the multi-media file associated with the indication of the emotion; and

presenting the multi-media file in association with the one or more player objects as a virtual representation of the indication of the emotion for the at least one of the one or more wagering game player accounts.

17. The machine-readable storage media of claim 16, wherein said operation of determining the indication of the emotion for the at least one of the one or more wagering game player accounts comprises operations for reading from an emotion setting set by the at least one of the one or more wagering game player accounts.

18. The machine-readable storage media of claim 16, wherein said operation of determining the indication of the emotion for the at least one of the one or more wagering game player accounts includes operations comprising:

receiving biometric data from one or more biometric devices, the biometric data indicating recordings of physical expressions made by players associated with the at least one of the one or more wagering game player accounts;

analyzing the recordings of the physical expressions for emotional indicators; and

determining the indication of the emotion based on the emotional indicators.

19. The machine-readable storage media of claim 16, wherein said operation of determining the indication of the emotion based on the emotional indicators comprises operations for referring to one or more settings by the wagering game player account that indicate how to interpret the emotional indicators.

20. The machine-readable storage media of claim 16, wherein the multi-media file comprises one or more of a graphical skin for an avatar, a sound recording, a music file, a video file, and a voice recording for the wagering game player account.

21. A system comprising:

a wagering game server comprising,

a content store to store online wagering game content including online gaming objects with interactive objects and one or more background objects to indicate ambience of a real-life gambling environment, and

an object controller configured to control one or more of positions, movements, actions, and functions of the online gaming objects; and

a computer comprising,

a processor configured to process the online casino content and present the interactive objects simultaneously with the background objects in a virtual casino environment, and

a gaming control device controller configured to detect and control a gaming pad attached to the computer, wherein the gaming pad includes one or more of controls and biometric detection devices that a wagering game player account uses to indicate an expression of an emotion.

22. The system of claim 21, wherein the biometric devices comprise one or more of a web-cam to capture facial expressions, a heart-rate monitor, an eye pupil dilation detector, a motion sensor in a chair, a sound detector, and a speech recognition device.

23. The system of claim 21, wherein the gaming pad includes one or more of prop reels, prop game meters, a physical game lever, a button panel, a control panel, and a video projection device configured to project wagering game images onto prop gaming devices.

24. The system of claim 21 further comprising:

an account server comprising,

a player preferences settings configured to store settings associated with indicated emotions by a player account, wherein the settings are configured to

correlate multi-media files with the expression of the emotion, and wherein the object controller is configured to present the multi-media files in conjunction with an avatar to indicate the expression of the emotion.

25. The system of claim 24, wherein the computer further comprises an online activity editor configured to incorporate with the multi-media files recorded activity from an online gaming venue.

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.
13/125,231		Brian J. Barclay	100.062US1	3269

65375 7590 05/05/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER	
ART UNIT	PAPER NUMBER

NOTIFICATION DATE	DELIVERY MODE
05/05/2011	ELECTRONIC

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

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

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

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
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WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of	:	
BARCLAY, BRIAN J.	:	DECISION ON REQUEST TO
Application No. 13/125,231	:	PARTICIPATE IN PATENT
Filed: April 20, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 100.062US1	:	PROGRAM AND PETITION
For: CONTROLLING AND PRESENTING	:	TO MAKE SPECIAL UNDER
ONLINE WAGERING GAMES	:	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 28, 2011 to make the above-identified application special.

The request and petition are dismissed.

A grantable request to participate in the PPH program and petition to make special require:
(1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the JPO, EPO, 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 Items #3 and #5.

The request to participate in the PPH pilot program and petition does not include claim comparison charts that correspond with the PCT allowed claims 1-11. Currently, this application contains claims 1-25 as filed on April 20, 2011. Petitioner also failed to include a PCT search opinion report indicating claims 1-25 comply with Novelty, Inventive Step and Industrial Applicability. The current PCT search opinion of March 15, 2011 only shows claims 1-11 comply with Novelty, Inventive Step and Industrial Applicability. In order to grant the PPH Request in this case, a complaint amendment with a new list of claims cancelling the non-allowed claims 12-25 is required.

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

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action on the merits for claims 1-29 as originally filed 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.

/Henry C. Yuen/

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

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:	13/125,231	Filing date:	04-20-2011
First Named Inventor:	Brian J. Barclay		
Title of the Invention:	CONTROLLING AND PRESENTING ONLINE WAGERING GAMES		

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/US09/61967

The international date of the corresponding PCT application(s) is/are: 23-Oct-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.

Under the 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.:	13/125,231
First Named Inventor:	Brian J. Barclay

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 04-20-2011

(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 04-20-2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-11	1-11	Same claims.
26-31	1-6	Newly added claims 26-31 correspond to PCT claims 1-6. Except the preamble, the claims are identical.

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

Signature /Andrew DeLizio Reg. 52,806/	Date 6/6/2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

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.

S/N13/125,231 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brian J. Barclay et al.	Examiner:	Unknown
Serial No.:	13/125,231	Group Art Unit:	3714
Filed:	October 23, 2009	Docket No:	100.062US1
Title:	CONTROLLING AND PRESENTING ONLINE WAGERING GAMES		

MISCELANEOUS COMMUNICATION

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

Dear Sir

This document is in response to the official communication dated 05/05/2011. The official communication was a Decision on Request to Participate in Patent Prosecution Highway and to Make Special Under 37 CFR 1.102(a) (hereinafter "Decision").

The Decision indicated that the US application includes claims 1-25, whereas the PCT allowed claims 1-11. In response, Applicant has filed a Preliminary Amendment cancelling claims 12-25. Applicant has added claims 26-31, where claims 26-31 are identical to claims 1-6, except for the preamble. As such, Applicant requests that the Examiner grant the Petition to Participate in the Patent Prosecution Highway.

Conclusion

The Examiner is invited to telephone Applicant's attorney Andrew DeLizio at 281-758-0025 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3998.

Respectfully submitted,

DeLizio Gilliam, PLLC
15201 Mason Road
Suite 1000-312
Cypress, TX 77433
281-758-0025

Date 6/6/2011 By /Andrew DeLizio Reg. 52,806/
Andrew DeLizio
Reg. No. 52,806

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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.
13/125,231	04/20/2011	Brian J. Barclay	100.062US1	3269

65375 7590 07/26/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
07/26/2011	ELECTRONIC

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

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

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

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WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of: BARCLAY, BRIAN J., et al Serial No.: 13/125231 Filed: 04/20/2011 Attorney Docket No. : 100.062US1 Title: CONTROLLING AND PRESENTING ONLINE WAGERING GAMES	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 June 6, 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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United States Patent and Trademark Office
P.O. Box 1450
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JUN 08 2011

PCT LEGAL ADMINISTRATION

Huawei/BHGL
P.O. Box 10395
Chicago IL 60610

In re Application of: LIAO, Joshua, et al.
U.S. Application No.: 13/125,234
PCT No.: PCT/CN2009/072814
International Filing Date: 17 July 2009
Priority Date: 17 July 2008
Attorney's Docket No.: 13674-467
For: DATA TRANSMISSION METHOD AND APPARATUS

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 20 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/CN2009/072814 became abandoned with respect to the United States at midnight on 17 January 2011 based on applicants' failure to submit payment of 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 the present national stage application and payment of the 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 requirements of 37 CFR 1.137(b)(3).

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

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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23646
BARNES & THORNBURG LLP
1717 Pennsylvania Ave., NW
Suite 500
Washington, DC 20006-4623

MAILED

JUN 10 2011

PCT LEGAL ADMINISTRATION

In re Application of
FEIL *et al*
U.S. Application No.: 13/125,235
PCT No.: PCT/NL2008/000228
Int. Filing Date: 16 October 2008
Priority Date: None
Docket No.: 54397-49887
For: ELECTROWETTING OPTICAL ELEMENT ARRANGED FOR PREVENTING CHARGE ACCUMULATION, AND METHOD FOR MANUFACTURING AN ELECTROWETTING OPTICAL ELEMENT

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicants' petition to revive under 37 CFR 1.137(b) filed on 20 April 2011 with the national stage papers is hereby **GRANTED** as follows:

The proper fees and the petition fee for a small entity have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

UNITED STATES PATENT AND TRADEMARK OFFICE

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

JUN 21 2011

PCT LEGAL ADMINISTRATION

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

In re Application of LOVE et al.	DECISION ON
Application No.: 13/125,243	
PCT No.: PCT/IB09/43961	PETITION UNDER
Int. Filing: 10 September 2009	
Priority Date: 01 October 2008	37 CFR 1.137(b)
Attorney Docket No: 91814-803401	
For: CONTINUOUS VACUUM PAN	

The petition to revive under 37 CFR 1.137(b) filed 20 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" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee has been provided. The required petition fee of $1620 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements, indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), is required along with the surcharge for filing the oath or declaration after the thirty-month period.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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HEWLETT-PACKARD COMPANY
INTELLECTUAL PROPERTY ADMINISTRATION
3404 E. HARMONY ROAD
MAIL STOP 35
FORT COLLINS, CO 80528

MAILED

JUL 13 2011

PCT LEGAL ADMINISTRATION

In re Application of :
SIMSKE, et al. :
Application No.: 13/125,269 :
PCT No.: PCT/US2008/080538 : DECISION ON PETITION
Int. Filing Date: 20 October 2008 :
Priority Date: NONE : UNDER 37 CFR 1.137(b)
Atty. Docket No.: 200801042US01 :
For: METHOD FOR ENHANCING SECURITY :
PRINTING :

The petition to revive under 37 CFR 1.137(b) filed 12 May 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.

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Boris Milef
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

JUN 08 2011

PCT LEGAL ADMINISTRATION

MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA GA 30326

In re Application of: MAAS, Bernard	:	
U.S. Application No.: 13/125,274	:	DECISION ON PETITION
PCT No.: PCT/CN2008/001240	:	(37 CFR 1.137(b))
International Filing Date: 27 June 2008	:	
Priority Date: 27 June 2008	:	
Attorney's Docket No.: 20274-79573	:	
For: A SUBSTITUTE CIGARETTE	:	

The petition for revival under 37 CFR 1.137(b) filed 20 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/CN2008/001240 became abandoned with respect to the United States at midnight on 27 December 2010 based on applicants' failure to submit payment of 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 the filing of the present national stage application and payment of the small entity basic national fee. Finally, 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

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

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

Application No:	13/125,297	Filing date:	June 29, 2011
First Named Inventor:	Lucienne Jozefina Wilhelmina Krosse		
Title of the Invention:	Container for storing articles at a predetermined temperature		

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/NL2009/050635

The international filing date of the corresponding PCT application(s) is/are: October 20, 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).**

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

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

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

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

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

(continued)

Application No.:	13/125,297
First Named Inventor:	Lucienne Jozefina Wilhelmina Krosse

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 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 April 20, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	4	Identical
5	5	U.S. claim is singly dependent
6	6	U.S. claim is singly dependent
7	7	U.S. claim is singly dependent
8	8	U.S. claim is singly dependent
9	9	U.S. claim is singly dependent
10	10	U.S. claim is singly dependent
11	11	U.S. claim is singly dependent
12	12	Identical
13	13	Identical
14	14	Identical

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

Signature Babak Kusha	Date June 30, 2011
Name (Print/Typed) Babak Kusha	Registration Number 51,095

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,297	06/29/2011	Lucienne Jozefina Wilhelmina Maria Krosse	74761-804703 (002200US)	3806

20350 7590 07/20/2011
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
07/20/2011	ELECTRONIC

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

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

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of KROSSE, LUCIENNE JOZEFINA WILHELMINA MARIA et al	:
Application No. 13/125,297 Filed: April 20, 2011 Attorney Docket No. 74761-804703 (002200US) For: CONTAINER FOR STORING ARTICLES AT A PREDETERMINED TEMPERATURE	: DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 1, 2011 to make the above-identified application special.

The request and petition are granted.

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

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

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

All other inquiries concerning the examination or status of the application should be directed to Cheryl Tylor, the 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.

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

Upon completion of pre-examination processing, this application will be forwarded and docketed to an examiner for action on the merits commensurate with this decision. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **granted.**

/Henry C. Yuen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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**BIRCH STEWART KOLASCH &
BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747**

MAILED
APR 10 2012
OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Shohei YAMADA et al.	: PARTICIPATE IN THE PATENT
Application No.: 13/125,311	: PROSECUTION HIGHWAY
Filed: July 15, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 1907-0375PUS1	: TO MAKE SPECIAL UNDER
	: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 27, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
      i. validly claims priority to an application filed in the JPO, or
      ii. validly claims priority to a PCT application that contains no priority claims, or
      iii. contains no priority claim;
2. Applicant must 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 <u>not</u> begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

Inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

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

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

Thurman K. Page
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	To be assigned (U.S. National Phase of PCT/JP2010/056899)
Applicants	:	Ryoko TAJIMA et al.
Filed	:	Concomitantly Herewith
For	:	FLAVIN-BINDING GLUCOSE DEHYDROGENASES
Docket No.	:	11136/HG
Customer No.	:	01933

This paper is being submitted via EFS-Web on

April 21, 2011

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not already paid, authorization to charge the extension fee to Account No. 06-1378. In addition, authorization is hereby given to charge any fees for which payment has not been submitted, or to credit any overpayments, to Account No. 06-1378.

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

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

S I R :

Applicants hereby request participation in the Patent Prosecution Highway (PPH) Program and petition to make the above-identified application special under the PPH Program.

I. Eligibility of the Present Application for the PPH Program

The above-identified application is the United States national phase application of International Application No. PCT/JP2010/056899 filed April 19, 2010. The Japanese national phase application of International Application No. PCT/JP2010/056899 is Japanese Patent Application No. 2010-522528 (which issued as Japanese Patent No. 4,648,993 on December 17, 2010).

II. Required Documents

A. A copy of the latest JPO Office Action (Notification of Reasons for Rejection) dated September 1, 2010, which issued in the above-identified Japanese Patent Application No. 2010-522528, is attached hereto.

B. A copy of the claims determined to be patentable by the JPO in the above-identified Japanese Patent Application No. 2010-522528 is attached.

C. An English-language translation of each of the documents identified in A. and B. above, along with a statement

that the English-language translation is accurate, is attached hereto (STATEMENT OF ACCURACY OF TRANSLATION executed by Otoya Suzuki dated March 29, 2011).

III. Claims Correspondence Table

Claims in U.S. Application	Patentable Claims in JPO Application
1	1
2	2
3	3
5	4
6	5
7	6
8	7
9	8
10	9
11	10
12	11
13	12
14	4
15	5
16	6
17	6
18	6
19	7

Claims in U.S. Application	Patentable Claims in JPO Application
20	7
21	7

Explanation of Correspondence

Claim 1 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 1 of the allowed Japanese claims.

Claim 2 of the present United States application is substantially the same as claim 2 of the allowed Japanese claims.

Claim 3 of the present United States application is substantially the same as claim 3 of the allowed Japanese claims.

Claim 5 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 4 of the allowed Japanese claims, except that claim 3 of the present United States application was amended to change the multiple dependency (to avoid improper multiple claiming), to recite "Markush" language and to delete the term "preferably."

Claim 6 of the present United States application is substantially the same as claim 5 of the allowed Japanese claims.

Claim 7 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 6 of the allowed Japanese claims, except that claim 7 of the present United States application was amended to avoid improper multiple claiming.

Claim 8 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 7 of the allowed Japanese claims, except that claim 8 of the present United States application was amended to recite "Markush" language.

Claim 9 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 8 of the allowed Japanese claims, except that claim 9 of the present United States application was amended to add "Markush" language and to make editorial revisions.

Claim 10 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 9 of the allowed Japanese claims, except that claim 10 in the present United States application was amended to make editorial revisions.

Claim 11 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 10 of the allowed Japanese claims.

Claim 12 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 11 of the allowed Japanese claims.

Claim 13 of the present United States application (as amended in the PRELIMINARY AMENDMENT filed concomitantly herewith) is substantially the same as claim 12 of the allowed Japanese claims.

New claims 14 to 16 in the present United States application (as set forth in the PRELIMINARY AMENDMENT filed concomitantly herewith) are substantially the same as claims 4 to 6, respectively, of the allowed Japanese claims.

New claims 17 and 18 in the present United States application (as set forth in the PRELIMINARY AMENDMENT filed concomitantly herewith) are substantially the same as claim 6 of the allowed Japanese claims.

New claims 19 to 21 in the present United States application (as set forth in the PRELIMINARY AMENDMENT filed concomitantly herewith) are substantially the same as claim 7 of the allowed Japanese claims.

IV. Claim Correspondence

All of the claims in the present United States application sufficiently correspond to the patentable claims in the allowed Japanese patent application.

* * * * * * * * * * *

In view of the foregoing, applicants request participation in the PPH Program between the USPTO and the JPO and petition to make the above-identified application special under the PPH Program.

If the Patent Office has any comments, questions, objections or recommendations, the Patent Office is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

Holtz, Holtz, Goodman
& Chick PC
220 Fifth Ave., 16th Floor
New York, NY 10001-7708
Tel. No.: (212) 319-4900
Fax No.: (212) 319-5101
E-Mail Address: rbarth@hhpatent.com

Richard S. Barth
REG. NO. 28,180

RSB/ddf

VERIFICATION OF TRANSLATION

I, Otoya Suzuki

of c/o TSUKUNI & ASSOCIATES, KASUMIGASEKI TOKYU BUILDING, 7-1, Kasumigaseki 3-chome, Chiyoda-ku, Tokyo, Japan

declare as follows:

1. That I am well acquainted with both the English and Japanese languages, and

2. That the attached documents are true and correct translations made by me to the best of my knowledge and belief of the Office Action dispatched on September 7, 2010 of Japanese Patent Application No. 2010-522528 and of the allowed claims of Japanese Patent No. 4648993 on December 17, 2010.

Dated this 29th day of March, 2011.

Signature of Translator:

Otoya Suzuki

English Translation of the Office Action

PCTF-0481

Dispatch No. : 637747
Dispatch Date : September 7, 2010

NOTIFICATION OF REASONS FOR REJECTION

Patent Application No. : 2010-522528
Drafting Date : September 1, 2010
Examiner of the JPO : Midori Tominaga
Agent of Applicant : Hajime Tsukuni, Esq. (and another)
Applied Article : Article 36

This application should be rejected for the reason(s) mentioned below. If the applicant has any argument against the reason(s), an Argument should be submitted within 60 days from the date on which this notification was dispatched.

REASON(S)

1. The Detailed Description of the Invention of this application does not meet the requirements provided in Article 36(4)(i) of the Patent Law with respect to the point(s) indicated below.

2. The definitions in the claims of this application do not meet the requirements provided in Article 36(6)(i) of the Patent Law with respect to the point(s) indicated below.

3. The definitions in the claims of this application do not meet the requirements provided in Article 36(6)(ii) of the Patent Law with respect to the point(s) indicated below.

4. The definitions in the claims of this application do not meet the requirements provided in Article 36(6)(iv) of the Patent Law with respect to the point(s) indicated below.

REMARKS

· Reasons 1, 2

[Claims 9-13]

Claim 9 sets forth "the flavin-binding glucose dehydrogenase according to any one of claims 1-6, which has the amino acid sequence listed as SEQ ID NO: 1 or SEQ ID NO: 3, or an amino acid sequence having at least 80% homology with the amino acid sequence".

Here, in the polypeptides having "an amino acid sequence having at least 80% homology with the amino acid sequence listed as SEQ ID NO: 1 or SEQ ID NO: 3", a large number of those which have no function of the original polypeptide would be included. Therefore, in order to select from these the one which has the same properties as the enzyme isolated actually in the working example of the present application, it can be recognized that a person skilled in the art is required undue trial and error exceeding anticipatable level, as well as performing complicated high level experiments.

Thus, it cannot be recognized that the Detailed Description of the Invention is described clearly and sufficiently so as to enable a person skilled in the art to carry out the invention according to claim 9. In addition, this means that the invention according to claim 9 is not

supported substantially in the specification of the present application.

The same reason for rejection exists in the definition "DNA having a nucleotide sequence with at least 80% homology with the nucleotide sequence listed as SEQ ID NO: 2 or SEQ ID NO: 4 and coding for a protein having flavin-binding glucose dehydrogenase enzyme activity" of claim 10(E).

This situation is the same for claims 11-13 which are dependent on claim 10.

· Reason 3

[Claims 1-3, 5-8]

With regard to the enzymes according to claims 1-3, 5 and 6, they are not specified sufficiently as a product.

Meanwhile, if the properties set forth in claim 4 are specified as a combination in addition to the action, substrate specificity, and molecular weight of the enzyme, it negates the reason for rejection.

This situation is the same for claims 7-8 which are dependent on claims 1-3, 5 and 6.

[Claim 9]

The definition "the amino acid sequence having at least 80% homology with the amino acid sequence" is set forth.

In proteins, it is unclear as to which one would be meant by the term "homology", "identity (amino acids are completely identical each other", or "analogy (as far as being analogous, amino acids are thought to be identical each other)". Thus, such a defect is present.

· Reason 4

[Claim 8]

As the description forms of the specification, it is provided in the Ordinate for Enforcement of the Patent Law, Form No. 29 (related to Article 24), [Note] 10 that "The technical terms of which the meanings cannot be expressed sufficiently in Japanese language, such as microorganisms, substances, etc. named in a foreign language, academic documents in a foreign language, etc. should be followed by the name of original language written in parentheses after the Japanese name.". However, with respect to "Mucor prainii, Mucor javanicus, Mucor circinelloides f. circinelloides" set forth in claim 8 of the present application, they are not set forth in accordance with this form.

<Claims in which no reason for rejection is found>

As to the invention of claim 4, no reason for rejection is found at this point in time. If any reason for rejection is newly found, such reason for rejection will be notified.

Record of the result of prior art document search

· Technical fields searched

IPC C12N 15/00-90

Databases: PubMed

CA/BIOSIS/MEDLINE/WPIDS(STN)

JSTPlus/(JDream2)

GenBank/EMBL/DDBJ/GeneSeq

UniProt/GeneSeq

This record of the result of prior art document

search does not constitute the reason(s) for rejection.

If you have any inquiries about this Notification of Reasons for Rejection, please contact the following:

Midori Tominaga
Biotechnology Div.
Third Patent Examination Dept.
TEL. 03(3581)1101 Ext. 3448
FAX. 03(3501)0491

拒絶理由通知書

特許出願の番号	特願２０１０－５２２５２８
起案日	平成２２年　９月　１日
特許庁審査官	冨永　みどり　　９１５２　４Ｂ００
特許出願人代理人	津国　肇（外　１名）　様
適用条文	第３６条

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から６０日以内に意見書を提出してください。

理　由

１．この出願は、発明の詳細な説明の記載が下記の点で、特許法第３６条第４項第１号に規定する要件を満たしていない。

２．この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第１号に規定する要件を満たしていない。

３．この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第２号に規定する要件を満たしていない。

４．この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第４号に規定する要件を満たしていない。

記

・理由１、２

【請求項９－１３】

請求項９には、「列番号１又は配列番号３で示されるアミノ酸配列、又は該アミノ酸配列と８０％以上相同なアミノ酸配列・・・からなるを有することを特徴とする、請求項１～６のいずれか一項に記載のフラビン結合型グルコースデヒドロゲナーゼ。」と記載されている。

ここで、「配列番号１又は３で示されるアミノ酸配列と８０％以上相同なアミノ酸配列」を有するポリペプチドの中には、もとのポリペプチドが有する機能を有しないものが多数含まれるが、その中から本願の実施例で実際に単離した酵素と同様の性質を有するものを選択するためには、当業者に期待し得る程度を超え

る試行錯誤や複雑高度な実験を行う必要があると認められる。

したがって、発明の詳細な説明の記載は、請求項９に係る発明を当業者が実施できる程度に明確かつ十分に記載されているとは認められない。また、このことは、請求項９に係る発明が本願明細書に実質的に裏付けられていないことでもある。

請求項１０（Ｅ）の「配列番号２又は配列番号４で示される塩基配列と８０％以上相同な塩基配列を有し、且つフラビン結合型グルコースデヒドロゲナーゼ酵素活性をもつタンパク質をコードするＤＮＡ。」も同様の拒絶理由が存在する。

請求項１０を引用する請求項１１－１３も同様でる。

・理由３

【請求項１－３、５－８】

請求項１－３、５、６に係る酵素は、物質として十分に特定されていない。

なお、酵素の作用、基質特異性、分子量に加えて、請求項４に規定された性質を併せて特定すれば、この限りではない。

請求項１－３、５、６を引用する請求項７－８も同様である。

【請求項９】

「アミノ酸配列と８０％以上相同なアミノ酸配列」と記載されている。

タンパク質において、「相同性」という用語は、「同一性（アミノ酸どうしが完全一致）」及び「類似性（アミノ酸どうしが類似するものなら一致すると考える）」のどちらかを意味するものかが不明確であるという不備が存在する。

・理由４

【請求項８】

明細書の記載様式として特許法施行規則　様式２９（第２４条関係）［備考］１０には、「微生物名、外国名の物質などの日本語ではその用語の有する意味を十分表現することができない技術用語、外国語による学術文献等はその日本名の次に括弧をしてその言葉を記載する。」とあるが、本願請求項８に記載の「Mucor prainii、Mucor javanicus、Mucor circinelloides f.circinelloides」はこの様式に基づいた記載がなされていない。

＜拒絶の理由を発見しない請求項＞

請求項４に係る発明については、現時点では、拒絶の理由を発見しない。拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－

先行技術文献調査結果の記録等

・調査した分野　ＩＰＣ　C12N15/00-90
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特許審査第三部　生命工学　　冨永　みどり
ＴＥＬ．０３（３５８１）１１０１　内線３４４８
ＦＡＸ．０３（３５０１）０４９１

拒絶理由通知書

特許出願の番号	特願２０１０－５２２５２８
起案日	平成２２年　９月　１日
特許庁審査官	冨永　みどり　　９１５２　４Ｂ００
特許出願人代理人	津国　肇（外　１名）　様
適用条文	第３６条

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から６０日以内に意見書を提出してください。

理　由

１．この出願は、発明の詳細な説明の記載が下記の点で、特許法第３６条第４項第１号に規定する要件を満たしていない。

２．この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第１号に規定する要件を満たしていない。

３．この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第２号に規定する要件を満たしていない。

４．この出願は、特許請求の範囲の記載が下記の点で、特許法第３６条第６項第４号に規定する要件を満たしていない。

記

・理由１、２

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請求項９には、「列番号１又は配列番号３で示されるアミノ酸配列、又は該アミノ酸配列と８０％以上相同なアミノ酸配列・・・からなるを有することを特徴とする、請求項１～６のいずれか一項に記載のフラビン結合型グルコースデヒドロゲナーゼ。」と記載されている。

ここで、「配列番号１又は３で示されるアミノ酸配列と８０％以上相同なアミノ酸配列」を有するポリペプチドの中には、もとのポリペプチドが有する機能を有しないものが多数含まれるが、その中から本願の実施例で実際に単離した酵素と同様の性質を有するものを選択するためには、当業者に期待し得る程度を超え

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請求項１０を引用する請求項１１－１３も同様でる。

・理由３

【請求項１－３、５－８】

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なお、酵素の作用、基質特異性、分子量に加えて、請求項４に規定された性質を併せて特定すれば、この限りではない。

請求項１－３、５、６を引用する請求項７－８も同様である。

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タンパク質において、「相同性」という用語は、「同一性（アミノ酸どうしが完全一致）」及び「類似性（アミノ酸どうしが類似するものなら一致すると考える）」のどちらかを意味するものかが不明確であるという不備が存在する。

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【請求項８】

明細書の記載様式として特許法施行規則　様式２９（第２４条関係）［備考］１０には、「微生物名、外国名の物質などの日本語ではその用語の有する意味を十分表現することができない技術用語、外国語による学術文献等はその日本名の次に括弧をしてその言葉を記載する。」とあるが、本願請求項８に記載の「Mucor prainii、Mucor javanicus、Mucor circinelloides f.circinelloides」はこの様式に基づいた記載がなされていない。

<拒絶の理由を発見しない請求項>

請求項４に係る発明については、現時点では、拒絶の理由を発見しない。拒絶の理由が新たに発見された場合には拒絶の理由が通知される。

－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－－

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最終頁に続く

(54)【発明の名称】フラビン結合型グルコースデヒドロゲナーゼ

(57)【特許請求の範囲】

【請求項１】

以下の（ｉ）から（ｉｉｉ）の性質：

（ｉ）作用：電子受容体存在下でグルコース脱水素酵素活性を示す、

（ｉｉ）分子量：タンパク質のポリペプチド鎖部分の分子量が約８０ｋＤａである、

（ｉｉｉ）基質特異性：Ｄ－グルコースに対する反応性に対して、マルトース、及びＤ－ガラクトース、及びＤ－キシロースに対する反応性が低い、

を備えるフラビン結合型グルコースデヒドロゲナーゼ

であって、至適ｐＨがｐＨ６．５～７．０であり、至適温度が３７～４０℃であり、安定ｐＨ範囲がｐＨ３．５～７．０であり、４０℃、１５分間の熱処理後に８０％以上の残存活性を有する、フラビン結合型グルコースデヒドロゲナーゼ。

【請求項２】

Ｄ－グルコースに対する反応性を１００％とした場合に、マルトース、Ｄ－ガラクトース、およびＤ－キシロースに対する反応性がいずれも２％以下、

タンパク質のポリペプチド鎖部分の分子量が約８０ｋＤａ

であって、至適ｐＨがｐＨ６．５～７．０であり、至適温度が３７～４０℃であり、安定ｐＨ範囲がｐＨ３．５～７．０であり、４０℃、１５分間の熱処理後に８０％以上の残存活性を有する、フラビン結合型グルコースデヒドロゲナーゼ。

【請求項３】

以下の（ａ）から（ｃ）の糖化合物：

（ａ）マルトース
（ｂ）Ｄ－ガラクトース
（ｃ）Ｄ－キシロース
の１以上が存在する場合のＤ－グルコースに対する反応性が、前記（ａ）～（ｃ）が存在しない場合のＤ－グルコースに対する反応性を１００％とした場合の９６％～１０４％
タンパク質のポリペプチド鎖部分の分子量が約８０ｋＤａ、
Ｄ－グルコースに対する反応性に対して、マルトース、及びＤ－ガラクトース、及びＤ－キシロースに対する反応性が低い
であって、至適ｐＨがｐＨ６．５～７．０であり、至適温度が３７～４０℃であり、安定ｐＨ範囲がｐＨ３．５～７．０であり、４０℃、１５分間の熱処理後に８０％以上の残存活性を有する、フラビン結合型グルコースデヒドロゲナーゼ。

【請求項４】
ケカビ亜門、好ましくは、ケカビ綱、より好ましくは、ケカビ目、さらに好ましくは、ケカビ科に分類される微生物に由来する請求項１～３のいずれか一項に記載のフラビン結合型グルコースデヒドロゲナーゼ。

【請求項５】
ムコール（Mucor）属に分類される微生物に由来する請求項４記載のフラビン結合型グルコースデヒドロゲナーゼ。

【請求項６】
ムコール（Mucor）属に分類される微生物を培地に培養し、該微生物菌体からフラビン結合型グルコースデヒドロゲナーゼを採取することを特徴とする請求項１～５のいずれか一項に記載のフラビン結合型グルコースデヒドロゲナーゼの製造方法。

【請求項７】
微生物がムコール・プライニ（Mucor prainii）、ムコール・ジャバニカス（Mucor javanicus）、ムコール・シルシネロイデス・エフ・シルシネロイデス（Mucor circinelloides f.circinelloides）から選択される１以上である請求項６記載のフラビン結合型グルコースデヒドロゲナーゼの製造方法。

【請求項８】
配列番号１又は配列番号３で示されるアミノ酸配列、又は該アミノ酸配列と９０％以上同一なアミノ酸配列、又は該アミノ酸配列において１もしくは数個のアミノ酸が欠失、置換もしくは付加されたアミノ酸配列からなることを特徴とする、フラビン結合型グルコースデヒドロゲナーゼ。

【請求項９】
以下の（Ａ）～（Ｅ）からなる群より選択されるいずれかのＤＮＡからなるフラビン結合型グルコースデヒドロゲナーゼ遺伝子：
（Ａ）配列番号１で示されるアミノ酸配列をコードするＤＮＡ；
（Ｂ）配列番号２で示される塩基配列からなるＤＮＡ；
（Ｃ）配列番号３で示されるアミノ酸配列をコードするＤＮＡ；
（Ｄ）配列番号４で示される塩基配列からなるＤＮＡ；
（Ｅ）配列番号２又は配列番号４で示される塩基配列と９０％以上相同な塩基配列を有し、且つフラビン結合型グルコースデヒドロゲナーゼ酵素活性をもつタンパク質をコードするＤＮＡ。

【請求項１０】
請求項９記載のフラビン結合型グルコースデヒドロゲナーゼ遺伝子をベクターＤＮＡに挿入したことを特徴とする組換え体ＤＮＡ。

【請求項１１】
請求１０記載の組換え体ＤＮＡが導入されている形質転換体。

【請求項１２】
請求項９記載のフラビン結合型グルコースデヒドロゲナーゼ遺伝子または請求１０記載の組換え体ＤＮＡを含み、フラビン結合型グルコースデヒドロゲナーゼ生産能を有する微

生物を培養し、該培養物よりフラビン結合型グルコースデヒドロゲナーゼを採取することを特徴とする、Ｄ－グルコースに対する反応性に対して、マルトース、Ｄ－ガラクトース、Ｄ－キシロースに対する反応性が低いフラビン結合型グルコースデヒドロゲナーゼの製造方法。

【発明の詳細な説明】

【技術分野】

【０００１】

本発明は、フラビン化合物を補酵素とする新規なフラビン結合型グルコースデヒドロゲナーゼ、およびその製造法に関する。

【背景技術】

【０００２】

血中グルコース濃度（血糖値）は、糖尿病の重要なマーカーである。糖尿病患者が自己の血糖値を管理するための装置としては、電気化学的バイオセンサを用いた自己血糖測定（Self Monitoring of Blood Glucose：ＳＭＢＧ）機器が広く利用されている。ＳＭＢＧ機器に用いられるバイオセンサには、従来、グルコースオキシダーゼ（ＧＯＤ）等のグルコースを基質とする酵素が利用されている。しかしながら、ＧＯＤは酸素を電子受容体とするという特性を備えているため、ＧＯＤを用いたＳＭＢＧ機器では、測定サンプル中の溶存酸素が測定値に影響を与え、正確な測定値が得られない場合が起こりうる。

【０００３】

一方、グルコースを基質とするが、酸素を電子受容体としない別の酵素として、各種のグルコースデヒドロゲナーゼ（以下、ＧＤＨ）が知られている。具体的には、ニコチンアミドジヌクレオチド（ＮＡＤ）やニコチンアミドジヌクレオチドリン酸（ＮＡＤＰ）を補酵素とするタイプのＧＤＨ（ＮＡＤ（Ｐ）－ＧＤＨ）や、ピロロキノリンキノン（ＰＱＱ）を補酵素とするＧＤＨ（ＰＱＱ－ＧＤＨ）が見出されており、ＳＭＢＧ機器のバイオセンサに使用されている。しかしながら、ＮＡＤ（Ｐ）－ＧＤＨは、酵素の安定性が乏しく、かつ、補酵素の添加が必要という問題を有し、また、ＰＱＱ－ＧＤＨは基質特異性が低く、測定対象であるグルコース以外にも、マルトース、Ｄ－ガラクトースおよびＤ－キシロースなどの糖化合物に対して作用してしまうため、測定サンプル中のグルコース以外の糖化合物が測定値に影響し、正確な測定値が得られないという問題点が存在する。

【０００４】

近年、ＰＱＱ－ＧＤＨをバイオセンサとして用いたＳＭＢＧ機器を用いて、輸液投与を受けていた糖尿病患者の血糖値を測定する際に、ＰＱＱ－ＧＤＨが輸液中に含まれるマルトースにも作用して、実際の血糖値よりも高い測定値が得られ、この値に基づく処置が原因となって患者が低血糖等を発症した例が報告されている。また、同様の事象はガラクトース負荷試験およびキシロース吸収試験を実施中の患者にも起こり得ることも判明している（例えば、非特許文献１参照）。これを受け、厚生労働省医薬食品局は、グルコース溶液に各糖類を添加した場合における血糖測定値への影響を調査する目的で交差反応性試験を行ったところ、６００ｍｇ／ｄＬのマルトース、３００ｍｇ／ｄＬのＤ－ガラクトース、あるいは、２００ｍｇ／ｄＬのＤ－キシロース添加を行った場合には、ＰＱＱ－ＧＤＨ法を用いた血糖測定キットの測定値は、実際のグルコース濃度より２．５～３倍ほど高い値を示した。すなわち、測定試料中に存在し得るマルトース、Ｄ－ガラクトース、Ｄ－キシロースにより測定値が不正確になることが判明し、このような測定誤差の原因となる糖化合物の影響を受けず、グルコースを特異的に測定可能な基質特異性の高いＧＤＨの開発が切に望まれている。

【０００５】

上記のような背景の下、上記以外の補酵素を利用するタイプのＧＤＨが着目されるようになってきている。例えば、非特許文献２～５には、基質特異性に関する詳細な記載はないが、Aspergillus oryzae由来のＧＤＨについての報告がある。特許文献１～３にはAspergillus属由来のフラビンアデニンジヌクレオチド（ＦＡＤ）を補酵素とするグルコースデヒドロゲナーゼ（ＦＡＤ－ＧＤＨ）が開示されており、特許文献４にはＤ－キシロース

English translation of granted set of claims

1. A flavin-binding glucose dehydrogenase having the following properties (i) to (iii):
(i) Action: It exhibits glucose dehydrogenase activity in the presence of an electron acceptor,
(ii) Molecular weight: The molecular weight of the polypeptide chain portion of the protein is approximately 80 kDa,
(iii) Substrate specificity: It has low reactivity for maltose, D-galactose and D-xylose, with respect to its reactivity for D-glucose
whrein an optimum pH is 6.5-7.0, an optimum temperature is 37-40°C, a stable pH range is 3.5-7.0 and it has a residual activity of at least 80% after heat treatment at 40°C for 15 minutes.

2. A flavin-binding glucose dehydrogenase, wherein the reactivity for any of maltose, D-galactose and D-xylose is no greater than 2%, where the reactivity for D-glucose is defined as 100%,
the molecular weight of the polypeptide chain portion of the protein is approximately 80 kDa,
an optimum pH is 6.5-7.0, an optimum temperature is 37-40°C, a stable pH range is 3.5-7.0 and it has a residual activity of at least 80% after heat treatment at 40°C for 15 minutes.

3. A flavin-binding glucose dehydrogenase according to claim 1 or 2, wherein the reactivity for D-glucose, when one or more of the following saccharide compounds (a) to (c) are present:
(a) maltose
(b) D-galactose
(c) D-xylose
is 96%-104%, where the reactivity for D-glucose in the absence of (a) to (c) is defined as 100%
the molecular weight of the polypeptide chain portion of the protein is approximately 80 kDa,
it has low reactivity for maltose, D-galactose and D-xylose, with respect to its reactivity for D-glucose,
an optimum pH is 6.5-7.0, an optimum temperature is 37-40°C, a stable pH range is 3.5-7.0 and it has a residual activity of at least 80% after heat treatment at 40°C for 15 minutes.

4. A flavin-binding glucose dehydrogenase according to any one of claims 1 to 3, which is derived from a microorganism classified as subphylum Mucormycotina, preferably class Mucoromycetes, more preferably order Mucorales, and even more preferably family Mucoraceae.

5. A flavin-binding glucose dehydrogenase according to claim 4, which is derived from a microorganism classified as genus Mucor.

6. A method for producing a flavin-binding glucose dehydrogenase according to any one of claims 1 to 5, wherein a microorganism classified as genus Mucor is cultured in culture medium, and flavin-binding glucose dehydrogenase is obtained from the microbial cells.

7. A method for producing a flavin-binding glucose dehydrogenase according to claim 6, wherein the microorganism is one or more selected from among Mucor prainii, Mucor javanicus and Mucor circinelloides f.circinelloides.

8. The flavin-binding glucose dehydrogenase consisting of the amino acid sequence listed as SEQ ID NO: 1 or SEQ ID NO: 3, or an amino acid sequence having at least 90% identity with the amino acid sequence, or an amino acid sequence which is any of the aforementioned amino acid sequences having a deletion, substitution or addition of one or several amino acids.

9. A flavin-binding glucose dehydrogenase gene consisting of DNA selected from the group consisting of the following (A) to (E):
(A) DNA coding for the amino acid sequence listed as SEQ ID NO: 1;
(B) DNA consisting of the nucleotide sequence listed as SEQ ID NO: 2;
(C) DNA coding for the amino acid sequence listed as SEQ ID NO: 3;
(D) DNA consisting of the nucleotide sequence listed as SEQ ID NO: 4;
(E) DNA having a nucleotide sequence with at least 90% homology with the nucleotide sequence listed as SEQ ID NO: 2 or SEQ ID NO: 4 and coding for a protein having flavin-binding glucose dehydrogenase enzyme activity.
10. Recombinant DNA comprising a flavin-binding glucose dehydrogenase gene according to claim 9 inserted into vector DNA.
11. A transformant having recombinant DNA according to claim 10 introduced therein.
12. A method for producing flavin-binding glucose dehydrogenase having low reactivity for maltose, D-galactose and D-xylose with respect to its reactivity for D-glucose, wherein a microorganism comprising a flavin-binding glucose dehydrogenase gene according to claim 9 or recombinant DNA according to claim 10 and capable of producing flavin-binding glucose dehydrogenase is cultured, and the flavin-binding glucose dehydrogenase is collected from the culture.

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PCT LEGAL ADMINISTRATION

CLARK & BRODY
1700 Diagonal Road, Suite 510
Alexandria VA 22314

In re Application of
MILSOM, Tom
Application No.: 13/125,326
PCT No.: PCT/GB2009/000138
Int. Filing Date: 19 January 2009
Priority Date: 18 January 2008
ATTY Docket No.: 12123-0012
For: HELMET

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 21 April 2011.

BACKGROUND

On 19 January 2009, applicant filed international application, PCT/GB2009/000138, which claimed priority of an earlier United Kingdom application filed 18 January 2008. The thirty-month period for paying the basic national fee in the United States expired on 18 July 2010.

On 19 July 2010, international application PCT/GB2009/000138 became abandoned as to the United States for failure to timely pay the basic national fee.

On 21 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.

Application No.: 13/125,326

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

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

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

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

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

Boris Milef
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,367	04/21/2011	Akira Inoue	OKUDP0584US	4487

51921 7590 06/08/2011
MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND, OH 44115

EXAMINER

ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
06/08/2011	PAPER

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

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

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MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND OH 44115

In re Application of	**: DECISION ON REQUEST TO**
INOUE et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/125,367	**: PROSECUTION HIGHWAY**
Filed: 21 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: OKUDP0584US	**: TO MAKE SPECIAL UNDER**
For: NITRIDE SEMICONDUCTOR ELEMENT AND METHOD FOR PRODUCTION THEREOF	**: 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 23 May 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

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

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

3. Applicant must

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

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

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

      Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate (if the translation is not a machine translation provided by the JPO);

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

Conditions (1-4) and (6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (5).

Regarding the requirement of condition (5), applicant has failed to submit a statement that the translation of the JPO office action is accurate. The supplement to the request indicated that one was filed but none could be located in the file.

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

Lee W. Young
TQAS Technology Center 2800

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,367	04/21/2011	Akira Inoue	OKUDP0584US	4487

51921 7590 07/07/2011
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EXAMINER

ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
07/07/2011	PAPER

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MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
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CLEVELAND OH 44115

In re Application of	**: DECISION ON REQUEST TO**
INOUE et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/125,367	**: PROSECUTION HIGHWAY**
Filed: 21 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: OKUDP0584US	**: TO MAKE SPECIAL UNDER**
For: NITRIDE SEMICONDUCTOR ELEMENT AND METHOD FOR PRODUCTION THEREOF	**: 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 23 May 2011 and renewed on 24 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

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

Inquiries concerning this decision should be directed to 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

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:	13/125,407	Filing date:	April 21, 2011
First Named Inventor:	Frederic MADEC		
Title of the Invention:	SUPPRESSION OF CANCER		

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/GB2009/051559

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

- [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 BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/125,407
First Named Inventor:	Frederic MADEC

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 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 April 21, 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 is identical to Claim 1 of the PCT application
2	2	Claim 2 of the U.S. Application has been amended to remove "for use" and "eg." language
3	3	Claim 3 of the U.S. Application has been amended to remove multiple dependencies and "for use" and "eg." language
4-5	4-5	Claims 4 and 5 of the U.S. Application have been amended to remove "for use" and "such as" language and to use correct Markush language
6-7	6-7	Claims 6 and 7 of the U.S. Application have been amended to remove "for use" language and multiple dependencies
8	8	Claim 8 of the U.S. Application is identical to Claim 8 of the PCT application
9-10	9-10	Claims 9 and 10 of the U.S. Application have been amended to remove "such as" language and to use correct Markush language
11-12	11-12	Claims 11 and 12 of the U.S. application have been amended to remove multiple dependencies
13	13	Claim 13 of the U.S. Application is directed to the same subject matter as Claim 13 of the PCT application
14	14	Claim 14 of the U.S. application has been amended to remove multiple dependencies
15	15	Claim 15 of the U.S. Application is directed to the same subject matter as Claim 15 of the PCT application
16	16	Claim 16 of the U.S. application has been amended to remove multiple dependencies
17	17	Claim 17 of the U.S. application has been amended to remove "eg." language and to use correct Markush language
18	18	Claim 18 of the U.S. application has been amended to remove multiple dependencies, "eg." language and to use correct Markush language
19	16	Claim 19 of the U.S. application corresponds to subject matter encompassed by Claim 16 of the PCT application
20	10	Claim 20 of the U.S. application corresponds to subject matter encompassed by Claim 10 of the PCT application

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

Signature /Christopher W. Raimund/	Date July 19, 2011
Name (Print/Typed) Christopher W. Raimund	Registration Number 47,258

Privacy Act Statement

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PTO/SB/20PCT-KR (06-10)
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	Not yet assigned	Filing date:	2011-04-21
First Named Inventor:	Kester, Henri A.		
Title of the Invention:	Preservation of Information Related to Genomic DNA Methylation		

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/US09/61552

The international filing date of the corresponding PCT application(s) is/are: 2009-10-21

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

(continued)

Application No.:	Not yet assigned
First Named Inventor:	Kester, Henri A.

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	5	Identical but for amendment to correct antecedent reference to deleted claim
3	9	Identical
4	10	Identical
5	11	Identical
6	14	Identical
7	17	Identical
8	18	Identical
9	19	Identical
10	20	Identical
11	21	Identical
12	22	Identical
13	25	Identical
14	29	Identical
15	32	Identical but for amendment to correct antecedent reference to deleted claim
16	36	Identical
17	37	Identical
18	38	Identical
		Please see the attached Appendix A for additional claims

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

Signature /John Murphy/	Date 2011-04-21
Name (Print/Typed) John T. Murphy	Registration Number 50583

APPENDIX A

IP-0451-US claim chart for PPH request

Claims in US application	Patentable claims in PCT	Correspondence
continued…		
19	41	Identical
20	44	Identical
21	45	Identical
22	46	Identical
23	47	Identical
24	48	Identical
25	49	Identical
26	72	Identical
27	83	Identical
28	89	Identical

WHAT IS CLAIMED IS:

1. A method of sequencing nucleic acid comprising deaminated cytosine, said method comprising:

providing a sample comprising a template nucleic acid;

generating a complementary copy of said template nucleic acid, said generating being directed by an oligonucleotide primer using a nucleic acid polymerase in the presence of a bisulfite-resistant cytosine analog, wherein said generating produces a complementary copy of said template nucleic acid such that cytosine residues in said complementary copy are bisulfite-resistant;

subjecting said template nucleic acid and said complementary copy to bisulfite treatment to convert unmethylated cytosine residues in said template nucleic acid into uracil residues, resulting in a bisulfite-converted template nucleic acid and a non-converted complementary copy; and

determining the nucleotide sequence of said bisulfite-converted template nucleic acid and said non-converted complementary copy.

2. The method of Claim 1, further comprising comparing the nucleotide sequence of said non-converted complementary copy to the nucleotide sequence of said bisulfite-converted template nucleic acid, thereby obtaining the nucleotide sequence of said template prior to bisulfite conversion.

3. The method of Claim 1, wherein said template nucleic acid is DNA.

4. The method of Claim 1, wherein the bisulfite-resistant cytosine analog is capable of incorporation into nucleic acid by a nucleic acid polymerase.

5. The method of Claim 4, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl dCTP, 5-methyl dCTP, 5-fluoro dCTP, 5-bromo dCTP, 5-iodo dCTP, 5-chloro dCTP, 5-trifluoromethyl dCTP, and 5-aza dCTP.

6. The method of Claim 1, wherein the bisulfite-resistant cytosine analog is 5-methyl dCTP.

7. The method of Claim 1, wherein said template nucleic acid is double-stranded.

8. The method of Claim 1, wherein said template nucleic acid is single-stranded.

9. The method of Claim 1, wherein said oligonucleotide primer is capable of forming a hairpin loop.

10. The method of Claim 1, wherein said complementary copy is covalently coupled to said template nucleic acid.

11. The method of Claim 10, wherein said oligonucleotide primer is ligated to said template nucleic acid prior to said generating step.

12. The method of Claim 1, wherein said oligonucleotide primer comprises sequence complementary to a sequencing primer or to a capture probe.

13. The method of Claim 1, wherein said oligonucleotide primer comprises sequence complementary to a capture probe.

14. The method of Claim 1, further comprising the step of ligating a second oligonucleotide primer to said complementary copy prior to bisulfite treatment.

15. The method of Claim 14, wherein said second oligonucleotide primer comprises sequence complementary to a sequencing primer.

16. The method of Claim 14, wherein said second oligonucleotide primer comprises sequence complementary to a capture probe.

17. The method of Claim 1, wherein said oligonucleotide primer is covalently coupled to said complementary copy prior to bisulfite treatment, but not to said template nucleic acid.

18. The method of Claim 1, wherein said template nucleic acid is covalently coupled to a partner oligonucleotide, said oligonucleotide primer and said partner oligonucleotide comprising a unique tag sufficient to identify said template nucleic acid and said complementary copy.

19. The method of Claim 1, further comprising pairing said non-converted complementary copy and said bisulfite-converted template nucleic acid.

20. The method of Claim 19, wherein said pairing is accomplished via a physical tether between said complementary copy and said bisulfite-converted template nucleic acid.

21. The method of Claim 19, wherein said pairing is accomplished via tag molecules which identify said complementary copy and said bisulfite-converted template nucleic acid as members of a nucleic acid pair.

22. A method of identifying methylated cytosines in a plurality of nucleic acids, said method comprising:

providing a sample comprising a plurality of template nucleic acids;

generating complementary copies of said template nucleic acids, said generating being directed by an oligonucleotide primer using a nucleic acid polymerase in the presence of a bisulfite-resistant cytosine analog, wherein said generating produces a complementary copy of each of said template nucleic acids such that cytosine residues in each of said complementary copy are bisulfite-resistant, and wherein each complementary copy is coupled to one of said template nucleic acids;

subjecting said template nucleic acids and said complementary copies to bisulfite treatment to convert unmethylated cytosine residues in said template nucleic acids into uracil residues, resulting in each bisulfite-converted template nucleic acid being coupled to a non-converted complementary copy;

determining the nucleotide sequence of said bisulfite-converted template nucleic acids and said non-converted complementary copies; and

comparing said nucleotide sequence of said bisulfite-converted template nucleic acids to the nucleotide sequence of said non-converted complementary copies for each of said bisulfite-converted template nucleic acids coupled to non-converted complementary copies, thereby determining the methylation status of the template nucleic acids prior to bisulfite conversion.

23. The method of claim 22, wherein said plurality of nucleic acids comprises greater than 10 nucleic acids having different sequences.

24. The method of claim 22, wherein said plurality of nucleic acids comprises greater than 100 nucleic acids having different sequences.

25. The method of claim 22, wherein said plurality of nucleic acids comprises greater than 1,000 nucleic acids having different sequences.

26. The method of claim 22, wherein said plurality of nucleic acids comprises greater than 10,000 nucleic acids having different sequences.

27. The method of claim 22, wherein said plurality of nucleic acids comprises greater than 100,000 nucleic acids having different sequences.

28. The method of claim 22, wherein said plurality of nucleic acids comprises greater than 1,000,000 nucleic acids having different sequences.

29. The method of claim 22, wherein said different templates comprise a universal priming site and the same oligonucleotide primer sequence is used to generate complementary copies of said different template nucleic acids.

30. The method of Claim 22, wherein said template nucleic acids are DNA.

31. The method of Claim 22, wherein the bisulfite-resistant cytosine analog is capable of incorporation into nucleic acid by a nucleic acid polymerase.

32. The method of Claim 31, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl dCTP, 5-methyl dCTP, 5-fluoro dCTP, 5-bromo dCTP, 5-iodo dCTP, 5-chloro dCTP, 5-trifluoromethyl dCTP, and 5-aza dCTP.

33. The method of Claim 22, wherein the bisulfite-resistant cytosine analog is 5-methyl dCTP.

34. The method of Claim 22, wherein said template nucleic acids are double-stranded.

35. The method of Claim 22, wherein said template nucleic acids are single-stranded.

36. The method of Claim 22, wherein said oligonucleotide primer is capable of forming a hairpin loop.

37. The method of Claim 22, wherein said complementary copies are covalently coupled to said different template nucleic acids.

38. The method of Claim 37, wherein said oligonucleotide primer is ligated to said template nucleic acid prior to said generating step.

39. The method of Claim 22, wherein said oligonucleotide primer comprises sequence complementary to a sequencing primer.

40. The method of Claim 22, wherein said oligonucleotide primer comprises sequence complementary to a capture probe.

41. The method of Claim 22, further comprising the step of ligating a second oligonucleotide primer to each of said complementary copies prior to bisulfite treatment.

42. The method of Claim 41, wherein said second oligonucleotide primer comprises sequence complementary to a sequencing primer.

43. The method of Claim 41, wherein said second oligonucleotide primer comprises sequence complementary to a capture probe.

44. The method of Claim 22, wherein each said oligonucleotide primer is covalently coupled to each said complementary copy prior to bisulfite treatment, but not to each said template nucleic acids.

45. The method of Claim 44, wherein each said template nucleic acid is covalently coupled to a partner oligonucleotide, said oligonucleotide primer and said

partner oligonucleotide comprising a unique tag sufficient to identify each said template nucleic acid and each said complementary copy.

46. The method of Claim 22, further comprising pairing each of said non-converted complementary copies with its corresponding bisulfite-converted template nucleic acid.

47. The method of Claim 46, wherein said pairing is accomplished via a physical tether between each said complementary copy and each corresponding bisulfite-converted template nucleic acid.

48. The method of Claim 46, wherein said pairing is accomplished via tag molecules which identify each said complementary copy and each corresponding bisulfite-converted template nucleic acid as members of a nucleic acid pair.

49. A method of identifying methylated cytosines in a nucleic acid, said method comprising:

obtaining bisulfite-converted template nucleic acid,

obtaining a non-converted complementary copy of said template nucleic acid,

determining the nucleotide sequence of said bisulfite-converted template nucleic acid;

determining the nucleotide sequence of said non-converted complementary copy of said template nucleic acid;

comparing said nucleotide sequence of said non-converted complementary copy of said template nucleic acid to said bisulfite-converted template nucleic acid, thereby determining the nucleotide sequence and the methylation status of the template nucleic acid prior to bisulfite conversion.

50. The method of Claim 49, further comprising:

comparing said nucleotide sequence of said non-converted complementary copy of said template nucleic acid to a sequence in a database.

51. The method of Claim 49, further comprising:

comparing said nucleotide sequence of said bisulfite-converted template nucleic acid to said sequence in said database.

52. The method of Claim 49, wherein said template nucleic acid is DNA.

53. The method of Claim 49, wherein said template nucleic acid is double-stranded.

54. The method of Claim 49, wherein said template nucleic acid is single-stranded.

55. The method of Claim 49, wherein said obtaining a non-converted complementary copy of said template nucleic acid comprises generating a complementary copy of said template nucleic acid, said generating being directed by an oligonucleotide primer using a nucleic acid polymerase in the presence of 5-methyl dCTP, wherein said generating produces a complementary copy of said template nucleic acid such that cytosine residues in said complementary copy are methylated.

56. The method of Claim 55, wherein the bisulfite-resistant cytosine analog is capable of incorporation into nucleic acid by a nucleic acid polymerase.

57. The method of Claim 56, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl dCTP, 5-methyl dCTP, 5-fluoro dCTP, 5-bromo dCTP, 5-iodo dCTP, 5-chloro dCTP, 5-trifluoromethyl dCTP, and 5-aza dCTP.

58. The method of Claim 55, wherein the bisulfite-resistant cytosine analog is 5-methyl dCTP.

59. The method of Claim 55, wherein said oligonucleotide primer is capable of forming a hairpin loop.

60. The method of Claim 49, wherein said complementary copy is covalently coupled to said template nucleic acid.

61. The method of Claim 55, wherein said oligonucleotide primer is ligated to said template nucleic acid prior to said generating step.

62. The method of Claim 55, wherein said oligonucleotide primer comprises sequence complementary to a sequencing primer.

63. The method of Claim 55, wherein said oligonucleotide primer comprises sequence complementary to a capture probe.

64. The method of Claim 55, wherein said generating step further comprises the step of ligating a second oligonucleotide primer to said complementary copy prior to bisulfite treatment.

65. The method of Claim 64, wherein said second oligonucleotide primer comprises sequence complementary to a sequencing primer.

66. The method of Claim 64, wherein said second oligonucleotide primer comprises sequence complementary to a capture probe.

67. The method of Claim 55, wherein said oligonucleotide primer is covalently coupled to said complementary copy prior to bisulfite treatment, but not to said template nucleic acid.

68. The method of Claim 67, wherein said template nucleic acid is covalently coupled to a partner oligonucleotide, said oligonucleotide primer and said partner oligonucleotide comprising a unique tag sufficient to identify said template nucleic acid and said complementary copy.

69. The method of Claim 49, further comprising pairing said non-converted complementary copy and said bisulfite-converted template nucleic acid.

70. The method of Claim 69, wherein said pairing is accomplished via a physical tether between said complementary copy and said bisulfite-converted template nucleic acid.

71. The method of Claim 69, wherein said pairing is accomplished via tag molecules which identify said complementary copy and said bisulfite-converted template nucleic acid as members of a nucleic acid pair.

72. A nucleic acid pair comprising:

a template nucleic acid comprising a cytosine residue;

a complementary copy of said template nucleic acid having every cytosine replaced by a bisulfite-resistant cytosine analog; and

a tag capable of identifying said template nucleic acid and said complementary copy of said template nucleic acid as members of said nucleic acid pair, wherein said template nucleic acid and said complementary copy of said template nucleic acid are coupled to said tag.

73. The nucleic acid pair of Claim 72, wherein said template nucleic acid is DNA.

74. The nucleic acid pair of Claim 72, wherein said template nucleic acid is single-stranded.

75. The nucleic acid pair of Claim 73, wherein said template nucleic acid is single-stranded and said complementary copy is single-stranded.

76. The nucleic acid pair of Claim 72, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl cytosine, 5-methyl cytosine, 5-fluoro cytosine, 5-bromo cytosine, 5-iodo cytosine, 5-chloro cytosine, 5-trifluoromethyl cytosine, and 5-aza cytosine.

77. The nucleic acid pair of Claim 72, wherein the bisulfite-resistant cytosine analog is 5-methyl cytosine.

78. The nucleic acid pair of Claim 75, wherein said tag is a molecule disposed between said template nucleic acid and said complementary copy.

79. The nucleic acid pair of Claim 76, wherein said molecule comprises an oligonucleotide comprising a hairpin loop.

80. The nucleic acid pair of Claim 75, wherein said tag comprises a first and second oligonucleotide comprising an identical nucleotide sequence, wherein said first oligonucleotide is coupled to said template nucleic acid and said second oligonucleotide is coupled to said complementary copy.

81. The nucleic acid pair of Claim 75, wherein said tag comprises a first and second oligonucleotide comprising complementary nucleotide sequence, wherein said first oligonucleotide is coupled to said template nucleic acid and said second oligonucleotide is coupled to said complementary copy.

82. A vector comprising the nucleic acid pair of Claim 72.

83. A population of nucleic acid pairs, comprising:

template nucleic acids and complementary copies of said template nucleic acids attached to each other as covalent pairs via a nucleic acid loop,

wherein said template nucleic acids each comprise at least one cytosine residue,

wherein every cytosine of said complementary copies is replaced by a bisulfite-resistant cytosine analog; and

wherein different nucleic acid pairs in said population have different sequences for said template nucleic acids and the same sequence for said nucleic acid loop.

84. The population of nucleic acid pairs of Claim 83, wherein said template nucleic acids are DNA.

85. The population of nucleic acid pairs of Claim 83, wherein said template nucleic acids are single-stranded.

86. The population of nucleic acid pairs of Claim 84, wherein said template nucleic acids are single-stranded and said complementary copies are single-stranded.

87. The population of nucleic acid pairs of Claim 83, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl cytosine, 5-

methyl cytosine, 5-fluoro cytosine, 5-bromo cytosine, 5-iodo cytosine, 5-chloro cytosine, 5-trifluoromethyl cytosine, and 5-aza cytosine.

88. The population of nucleic acid pairs of Claim 83, wherein the bisulfite-resistant cytosine analog is 5-methyl cytosine.

89. A method of making an array, comprising

providing the population of nucleic acid pairs of claim 83;

providing a solid support with a plurality of sites; and

coupling said different pairs from said population to said sites, thereby spatially resolving said pairs from each other.

90. A method of making an array comprising:

providing a solid support with a plurality of sites;

providing a sample comprising a template nucleic acid;

generating a complementary copy of said template nucleic acid, said generating being directed by an oligonucleotide primer using a nucleic acid polymerase in the presence of a bisulfite-resistant cytosine analog, wherein said generating produces a complementary copy of said template nucleic acid such that each cytosine residue in said complementary copy is bisulfite-resistant;

subjecting said template nucleic acid and said complementary copy to bisulfite treatment to convert unmethylated cytosine residues in said template nucleic acid into uracil residues, resulting in a bisulfite-converted template nucleic acid and a non-converted complementary copy; and

coupling said template and said complementary copy of said template to said solid support.

91. The method of claim 90, wherein at least one of said sites comprises a capture probe.

92. The method of claim 91, wherein said capture probe comprises a nucleotide sequence complementary to said template or said complementary copy of said template.

93. The method of claim 91, wherein an oligonucleotide complementary to said capture probe is attached to said template or complementary copy of said template.

94. The method of Claim 90, wherein said template nucleic acid is DNA.

95. The method of Claim 90, wherein said template nucleic acid is double-stranded.

96. The method of Claim 90, wherein said template nucleic acid is single-stranded.

97. The method of Claim 90, wherein the bisulfite-resistant cytosine analog is capable of incorporation into nucleic acid by a nucleic acid polymerase.

98. The method of Claim 97, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl dCTP, 5-methyl dCTP, 5-fluoro dCTP, 5-bromo dCTP, 5-iodo dCTP, 5-chloro dCTP, 5-trifluoromethyl dCTP, and 5-aza dCTP.

99. The method of Claim 90, wherein the bisulfite-resistant cytosine analog is 5-methyl dCTP.

100. The method of Claim 90, wherein said oligonucleotide primer is capable of forming a hairpin loop.

101. The method of Claim 90, wherein said complementary copy is covalently coupled to said template nucleic acid.

102. The method of Claim 101, wherein said oligonucleotide primer is ligated to said template nucleic acid prior to said generating step.

103. The method of Claim 90, wherein said oligonucleotide primer comprises sequence complementary to a sequencing primer.

104. The method of Claim 90, wherein said oligonucleotide primer comprises sequence complementary to a capture probe.

105. The method of Claim 90, further comprising the step of ligating a second oligonucleotide primer to said complementary copy prior to bisulfite treatment.

106. The method of Claim 105, wherein said second oligonucleotide primer comprises sequence complementary to a sequencing primer.

107. The method of Claim 105, wherein said second oligonucleotide primer comprises sequence complementary to a capture probe.

108. The method of Claim 90, wherein said oligonucleotide primer is covalently coupled to said complementary copy prior to bisulfite treatment, but not to said template nucleic acid.

109. The method of Claim 108, wherein said template nucleic acid is covalently coupled to a partner oligonucleotide, said oligonucleotide primer and said partner oligonucleotide comprising a unique tag sufficient to identify said template nucleic acid and said complementary copy.

110. An array comprising:

a solid support with a plurality of sites,

a bisulfite-converted template nucleic acid, and

a non-converted complementary copy of said template nucleic acid,

wherein said template nucleic acid is coupled to at least one of said plurality of sites and said non-converted complementary copy is coupled to at least one of said plurality of sites.

111. The array of Claim 110, wherein said template nucleic acid is annealed to at least one of said plurality of sites and said non-converted complementary copy is annealed to at least one of said plurality of sites.

112. The array of Claim 110, wherein said template nucleic acid and said non-converted complementary copy are annealed to the same site.

113. The array of Claim 110, wherein each cytosine residue is replaced by a bisulfite-resistant cytosine analog in said non-converted complementary copy of said template nucleic acid.

114. The array of Claim 113, wherein the bisulfite-resistant cytosine analog is selected from the group consisting of: 5-ethyl cytosine, 5-methyl cytosine, 5-fluoro cytosine, 5-bromo cytosine, 5-iodo cytosine, 5-chloro cytosine, 5-trifluoromethyl cytosine, and 5-aza cytosine.

115. The array of Claim 113, wherein the bisulfite-resistant cytosine analog is 5-methyl cytosine.

116. The array of Claim 110, wherein each unmethylated cytosine residue in said bisulfite-converted template nucleic acid has been converted into a uracil residue.

117. The array of claim 110, wherein at least one of said sites comprises a capture probe.

118. The array of Claim 110, wherein said capture probe comprises a nucleotide sequence is complementary to said template nucleic acid or said complementary copy of said template nucleic acid.

119. The array of Claim 110, wherein an oligonucleotide complementary to said capture probe is attached to said template or complementary copy of said template.

120. The array of Claim 110, wherein said complementary copy is covalently coupled to said template nucleic acid.

121. The array of Claim 110, further comprising a molecule disposed between said template nucleic acid and said complementary copy of said template nucleic acid.

122. The array of Claim 121, wherein said molecule comprises an intervening oligonucleotide

123. The array of Claim 122, wherein said intervening oligonucleotide comprises a hairpin loop.

124. The array of Claim 122, wherein said intervening oligonucleotide comprises sequence complementary to a sequencing primer.

125. The array of Claim 122, wherein said intervening oligonucleotide comprises sequence complementary to a capture probe.

126. The array of claim 122, further comprising an additional oligonucleotide covalently coupled to said complementary copy.

127. The array of Claim 126, wherein said additional oligonucleotide comprises sequence complementary to a sequencing primer.

128. The array of Claim 126, wherein said additional oligonucleotide comprises sequence complementary to a capture probe.

129. A method of identifying methylated cytosines in a nucleic acid, said method comprising:

obtaining a template nucleic acid comprising at least a first methyl CpG dinucleotide,

obtaining a complementary copy of said template nucleic acid, wherein said complementary copy comprises a complementary methyl CpG dinucleotide in a position opposite said first methyl CpG dinucleotide,

subjecting said template nucleic acid and said complementary copy to bisulfite treatment to convert unmethylated cytosine residues in said template nucleic acid into uracil residues, resulting in a bisulfite-converted template nucleic acid and a bisulfite-converted converted complementary copy;

determining the nucleotide sequence of said bisulfite-converted template nucleic acid;

determining the nucleotide sequence of said bisulfite-converted complementary copy; and

comparing said nucleotide sequence of said bisulfite-converted complementary copy to said nucleotide sequence of said bisulfite-converted template nucleic acid, thereby determining the nucleotide sequence of said

template nucleic acid prior to bisulfite conversion and the methylation status of the template nucleic acid prior to bisulfite conversion.

130. The method of Claim 129, wherein said template nucleic acid is DNA.

131. The method of Claim 129, further comprising pairing said bisulfite-converted complementary copy and said bisulfite-converted template nucleic acid.

132. The method of Claim 131, wherein said pairing is accomplished via a physical tether between said complementary copy and said bisulfite-converted template nucleic acid.

133. The method of Claim 131, wherein said pairing is accomplished via tag molecules which identify said bisulfite-converted complementary copy and said bisulfite-converted template nucleic acid as members of a nucleic acid pair.

134. The method of Claim 132, wherein said physical tether comprises an oligonucleotide primer capable of forming a hairpin loop.

135. The method of Claim 134, wherein said oligonucleotide primer is ligated to said template nucleic acid and to said complementary copy prior to said subjecting step.

136. The method of Claim 134, wherein said oligonucleotide primer comprises sequence complementary to a sequencing primer.

137. The method of Claim 134, wherein said oligonucleotide primer comprises sequence complementary to a capture probe.

138. The method of Claim 134, further comprising the step of ligating a second oligonucleotide primer to said complementary copy or to said template nucleic acid prior to bisulfite treatment.

139. The method of Claim 138, wherein said second oligonucleotide primer comprises sequence complementary to a sequencing primer.

140. The method of Claim 138, wherein said second oligonucleotide primer comprises sequence complementary to a capture probe.

141. The method of Claim 129, further comprising a pairing of said complementary copy with said template nucleic acid.

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

HART DANIEL

KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET 14TH FLOOR IRVINE CA 92614 USA

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

	Date of mailing *(day/month/year)* 05 JULY 2010 (05.07.2010)
Applicant's or agent's file reference ILLINC122VPC	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. **PCT/US2009/061552**	International filing date *(day/month/year)* **21 OCTOBER 2009 (21.10.2009)**
Applicant **ILLUMINA, INC. et al**	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 . 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest against payment** of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer COMMISSIONER Telephone No. 82-42-481-5281

* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

http://www.kipo.go.kr/en/ => Patent Search => PCT-Service

ID : PCT international application number
PW : **SQ9GLZRC**

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: http://www.ipkcenter.com
Email: ipkc@ipkcenter.com
Phone: +1 703 388 1066
Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference ILLINC122VPC	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. **PCT/US2009/061552**	International filing date *(day/month/year)* **21 OCTOBER 2009 (21.10.2009)**	(Earliest) Priority Date *(day/month/year)* 22 OCTOBER 2008 (22.10.2008)
Applicant **ILLUMINA, INC. et al**		

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ This international search report has been established taking into account **the rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. ☐ **Certain claims were found unsearchable** (See Box No. II)
3. ☐ **Unity of invention is lacking** (See Box No. III)
4. With regard to the **title**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 1A
      ☒ as suggested by the applicant.
      ☐ as selected by this Authority, because the applicant failed to suggest a figure.
      ☐ as selected by this Authority, because this figure better characterizes the invention.
   b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2009/061552

A. CLASSIFICATION OF SUBJECT MATTER

C12Q 1/68(2006.01)i, C12N 15/11(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)

C12Q 1/68; C12P 19/34; G01N 33/50

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models
Japanese utility models and applications for utility models

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

NCBI PubMed, eKOMPASS (KIPO internal), "bisulfite-resistant cytosine analog, bisulfite treatment, sequencing, deaminated cytosine, uracil residues, etc."

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2007/0122818 A1 (Mazumder et al., US) 31 May 2007 - see the whole document, especially Claims 1-5, 9-15, 25-30; Abstract.	1-141
A	US 2002/0086324 A1 (Laird et al., US) 04 Jul 2002 - see the whole document, especially Claims 1-14; Figures 1-4; Abstract.	1-141
A	US 2005/0196792 A1 (Fodor et al., US) 08 Sep 2005 - see the whole document, especially Claims 1-15, 24, 25, 35, 42; Abstract.	1-141
A	US 2005/0019762 A1 (Olek A., US) 27 Jan 2005 - see the whole document, especially Claims 1-6; Figures 1-2; Abstract.	1-141
A	US 2008/0108073 A1 (Nautiyal et al., US) 08 May 2008 - see the whole document, especially Claims 1-3; Figures 1-3; Abstract.	1-141
A	US 2005/0053937 A1 (Berlin K., DE) 10 Mar 2005 - see the whole document, especially Claims 1-4, 17, 18; Figure 1; Abstract.	1-141

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents,such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
05 JULY 2010 (05.07.2010)	**05 JULY 2010 (05.07.2010)**
Name and mailing address of the ISA/KR Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer Lee, Jun Hyuk Telephone No. 82-42-481-8115

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/US2009/061552

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2007-0122818 A1	31.05.2007	AU 2006-235762 A1	17.05.2007
		BR PI0604502A	28.08.2007
		CA 2566983-A1	30.04.2007
		CL29502006A1	22.02.2008
		CN 1966727 A	23.05.2007
		CN 1966727 C0	23.05.2007
		EP 1780292 A1	02.05.2007
		JP 2007-125014 A	24.05.2007
		KR 10-2007-0046764 A	03.05.2007
		KR20070046764A	03.05.2007
		MXPA06012557A	01.10.2008
US 2002-0086324 A1	04.07.2002	AT 332980 T	15.08.2006
		AU 2000-47122 B2	19.08.2004
		AU 2004-229115 B2	23.08.2007
		CA 2372665 C	17.07.2007
		CA 2372665-A1	23.11.2000
		DE 60029323 D1	24.08.2006
		DE 60029323 T2	05.07.2007
		DK1185695T3	06.11.2006
		EP 1185695 B1	12.07.2006
		EP 1710321 A2	11.10.2006
		EP 1710321 A3	04.04.2007
		JP 04-044290 B2	06.02.2008
		US 2007-0212699 A1	13.09.2007
		US 6331393 B1	18.12.2001
		US 7112404 B2	26.09.2006
		US 7553627 B2	30.06.2009
		WO 00-70090 A1	23.11.2000
US 2005-0196792 A1	08.09.2005	None	
US 2005-0019762 A1	27.01.2005	AU 2002-227866 A8	18.06.2002
		AU 2002-27866 A1	18.06.2002
		DE 10061348 A1	20.06.2002
		DE 10061348 C2	24.10.2002
		EP 1366190 A2	03.12.2003
		WO 02-46452 A2	13.06.2002
		WO 02-46452 A3	13.06.2002
		WO 02-46452A3	18.09.2003
US 2008-0108073 A1	08.05.2008	US 2008-108073 A1	08.05.2008
US 2005-0053937 A1	10.03.2005	AT 393239 T	15.05.2008
		DE 10151055 A1	30.04.2003
		DE 10151055 B4	25.05.2005
		DE 50212159 D1	05.06.2008
		EP 1432828 A2	30.06.2004
		EP 1432828 B1	23.04.2008

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.

PCT/US2009/061552

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		ES 2305305 T3	01.11.2008
		WO 03-031649 A2	17.04.2003
		WO 03-031649 A3	17.04.2003
		WO 0303-1649A3	02.10.2003

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
HART DANIEL

KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET 14TH FLOOR IRVINE CA 92614 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**05 JULY 2010 (05.07.2010)**
Applicant's or agent's file reference ILLINC122VPC	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2009/061552	**21 OCTOBER 2009 (21.10.2009)**	22 OCTOBER 2008 (22.10.2008)

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

C12Q 1/68(2006.01)i, C12N 15/11(2006.01)i

Applicant

ILLUMINA, INC. et al

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

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [x] Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR	Date of completion of this opinion	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	05 JULY 2010 (05.07.2010)	Lee, Jun Hyuk Telephone No.82-42-481-8115

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2009/061552

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

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

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:

   a. a sequence listing filed or furnished
   ☐ on paper
   ☐ in electronic form

   b. time of filing or furnishing
   ☐ contained in the international application as filed.
   ☐ filed together with the international application in electronic form.
   ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additioanl copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2009/061552

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	1-141	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-141	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-141	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:
D1: US 2007/0122818 A1 (31 May 2007)

D1 discloses a method of generating nucleotide sequence controls comprising a) synthesis of oligonucleotides containing a 5-methylcytosine adjacent to a guanosine or a uracil in place of a cytosine, b) annealing the oligonucleotides to form a synthetic duplex, c) using the synthetic duplex under the reaction conditions of an assay for modified nucleic acids and d) evaluating the performance of the assay.

1. Novelty and Inventive step

Claimed invention is directed to a method of sequencing nucleic acid comprising deamined cytosine (claims 1-21); a method of identifying methylated cytosine in a plurality of nucleic acids (claims 22-48, 49-71 & 129-141); a nucleic acid pair or a vector (claims 72-81 & 82); a population of nucleic acid paris (claims 83-88); a method of making an array (claims 89 & 90-109); and an array (claims 110-128).

The subject matters of present claims differ from D1, the most relevant state of the art, in that "a methylation-specific PCR method or an array comprising bisulfite-converted template nucleic acid and/or bisulfite-resistant cytosine analog is used in the present invention to amplify the bisulfite-converted template nucleic acid", which is the feature characteristic of the present invention, there is no other prior art, which directly indicates or fairly suggests this feature characteristic.

And also, it is non-obvious if a skilled person in the art could arrive at the claimed invention. The advantage thus achieved is also unforeseen over prior art without exercising undue experimentation. The feature characteristic of claims 1-141 therefore appears inventive.

Accordingly, claims 1-141 meet the requirements set forth in Article 33(2) and Article 33(3) PCT.

2. Industrial Applicability

Claims 1-141 of the present invention are considered industrially applicable under Article 33(4) PCT.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

SEP 19 2011

PCT LEGAL ADMINISTRATION

ILLUMINA, INC.
LEGAL DEPARTMENT
9885 TOWNE CENTRE DRIVE
SAN DIEGO CA 92121-1975

In re Application of	:	
KESTER, Henri A.	:	
Application No.: 13/125,419	:	DECISION
PCT No.: PCT/US2009/061552	:	
Int. Filing Date: 21 October 2009	:	
Priority Date: 22 October 2008	:	
Attorney Docket No.: IP-0451-US	:	
For: PRESERVATION OF INFORMATION	:	
RELATED TO GENOMIC DNA METHYLATION	:	

This decision is in response to applicants' "RESPONSE TO NOTIFICATION OF INSUFFICIENT FEES" filed in the United States Patent and Trademark Office (USPTO) on 23 June 2011. This submission has properly been treated as a petition under 37 CFR 1.181.

BACKGROUND

On 21 October 2009, applicant filed international application PCT/US2009/061552, which designated the U.S. and claimed a priority date of 22 October 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 April 2011.

On 21 April 2011, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, a TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 (Form PTO-1390) and the U.S. Basic National Fee.

On 12 May 2011, the United States Designated/Elected Office (DO/EO/US) issued a Notification of Insufficient Fees (Form PCT/DO/EO/923) indicating, *inter alia*, that additional claim fees of $5,876 were due for 121 total claims over 20. The Notification indicated that applicant must submit the additional claim fees or cancel the additional claims for which fees are due. The Notification set a two-month extendable time period for response.

On 23 June 2011, applicant filed the instant submission which has properly been treated as a petition under 37 CFR 1.181.

DISCUSSION

The petition requests that the copy of the claims submitted on 21 April 2011 containing only 28 claims be accepted in lieu of the claims contained in the international application as published.

The petition urges that the "international application contained a total of 141 claims (i.e. 121 claims in excess of 20). However, the claims of the international application were not submitted for search and examination in connection with the [13/125,419] application. Instead, . . ., only 28 claims were submitted for search and examination" (emphasis in original). However, petitioner is incorrect in presuming that the specification, claims, drawings, and abstract provided by applicant on 21 April 2011 are to be used instead of the specification, claims, drawings, and abstract of the published international application. MPEP § 1893.03(e) states in part:

> If the international application is published in English, the Office will use the description, claims, abstract and drawings as published in the pamphlet for the U.S. national stage application under 35 U.S.C. 371. The description, claims and drawing parts of the international application reflect the application subject matter on the international filing date and are important for comparison with any amendments to check for new matter.

While applicant may file a preliminary amendment to cancel claims and/or eliminate multiple dependent claims to reduce the number of claims to be considered in calculating extra claim fees required under 37 CFR 1.492(d)-(e) and/or eliminate the multiple dependent claim fee required under 37 CFR 1.492(f) (MPEP 1893.01(c)), applicant did not file a proper preliminary amendment. Any preliminary amendment must be in compliance with 37 CFR 1.121. Here, applicant simply filed a second set of claims. This second set of claims was not effective to amend the claims or to reduce the number of claims.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **DISMISSED** without prejudice.

Applicants are required to file submit the additional claim fees or cancel the additional claims for which fees are due within a time limit of ONE MONTH from the date of this decision or within the time remaining in the response set forth in the Notification issued 12 May 2011, whichever is longer. No extension of this time limit may be granted

under 37 CFR 1.136, but the period for response set in the Notification issued 12 May 2011 may be extended 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.

/Daniel Stemmer/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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NOV 18 2011

PCT LEGAL ADMINISTRATION

ILLUMINA, INC.
LEGAL DEPARTMENT
9885 TOWNE CENTRE DRIVE
SAN DIEGO CA 92121-1975

In re Application of	:	
KESTER, Henri A.	:	
Application No.: 13/125,419	:	DECISION
PCT No.: PCT/US2009/061552	:	
Int. Filing Date: 21 October 2009	:	
Priority Date: 22 October 2008	:	
Attorney Docket No.: IP-0451-US	:	
For: PRESERVATION OF INFORMATION	:	
RELATED TO GENOMIC DNA METHYLATION	:	

This decision is in response to applicant's submission filed 15 September 2011.

BACKGROUND

On 21 October 2009, applicant filed international application PCT/US2009/061552, which designated the U.S. and claimed a priority date of 22 October 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 April 2011.

On 21 April 2011, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, a TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 (Form PTO-1390) and the U.S. Basic National Fee.

On 12 May 2011, the United States Designated/Elected Office (DO/EO/US) issued a Notification of Insufficient Fees (Form PCT/DO/EO/923) indicating, *inter alia*, that additional claim fees of $5,876 were due for 121 total claims over 20. The Notification indicated that applicant must submit the additional claim fees or cancel the additional claims for which fees are due. The Notification set a two-month extendable time period for response.

On 23 June 2011, applicant filed a submission which was properly treated as a petition under 37 CFR 1.181. The petition requested that the copy of the claims submitted on 21 April 2011 containing only 28 claims be accepted in lieu of the claims contained in the international application as published.

On 13 September 2011, a decision was mailed dismissing without prejudice applicant's petition under 37 CFR 1.181. The decision also indicated that applicant was required to submit the additional claim fees or cancel the additional claims for which fees are due within a time limit of ONE MONTH from the date of the decision.

On 15 September 2011, applicant filed the instant submission.

DECISION

The submission filed 15 September 2011 includes a preliminary amendment canceling the additional claims for which fees were due. The submission was filed timely.

CONCLUSION

For the reasons set forth above, the petition is **GRANTED**.

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.

The application is being forwarded the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application including entry of the preliminary amendment filed 15 September 2011.

/Daniel Stemmer/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/125,449	04/21/2011	Yasukata Takeda	0033-1369PUS1	5025

2292 7590 07/20/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
07/20/2011	ELECTRONIC

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

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

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

mailroom@bskb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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www.uspto.gov

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

In re Application of: TAKEDA, YASUKATA Serial No.: 13/125449 Filed: April 21, 2011 Attorney Docket No. : 0033-1369PUS1 Title: PROPELLER FAN, FLUID FEEDER AND MOLDING DIE	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 15, 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 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 met all conditions except Items #3 above.

With regard to Items #3, the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claims in the JPO application. Applicant's amended claims do not have such a correspondence. For example, independent claim 5 in the U.S. application is indicated to correspond to JPO allowed claim 1. However, JPO claim 1 contains the limitation of "a rotation shaft arranged coaxially to a rotation center of said blades...", "a minimum distance from the rotation axis...", and "a flat surface portion...", all of which are not present U.S. claim 5. Thus, claim 5 in the U.S. application has been broadened. Applicant is encouraged to cancel claim 5 and amend the dependent claims off claim 5 to be dependent off claim 31 instead. U.S. claim 31 does sufficiently correspond to JPO claim 1.

The 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

PTO/SB/20PCT-FI (01-11)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE NATIONAL BOARD OF PATENTS AND REGISTRATION OF FINLAND (NBPR) AND THE USPTO

Application No.:	13/125,450	First Named Inventor:	Janne AIKIO
Filing Date:	April 21, 2011	Attorney Docket No.:	3518-1057
Title of the Invention:	ARRANGEMENT FOR A TOUCHSCREEN AND RELATED METHOD OF MANUFACTURE		

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/FI2009/050852

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

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

- ☐ is attached.
- ☑ has already been filed in the above-identified U.S. application on 13/125,450

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

- ☐ are attached.
- ☑ have already been filed in the above-identified U.S. application on 13/125,450

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

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

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

(continued)

Application No.:	13/125,450	First Named Inventor:	Janne AIKIO

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	1	Correspond
2	2	Correspond
3	3	Correspond
4	4	Correspond
5	5	Correspond
6	6	Correspond
7	7	Correspond
8	8	Correspond
9	9	Correspond
10	10	Correspond
11	11	Correspond
12	12	Correspond
13	13	Correspond
14	14	Correspond
15	15	Correspond

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

Signature /Benoit Castel/	Date March 29, 2012
Name (Print/Typed) Benoit Castel	Registration Number 35041

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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SEP 13 2011

PCT LEGAL ADMINISTRATION

Nokia, Inc.
6021 Connection Drive, MS 2-5-520
Irving TX 75039

In re Application of: NOTTON, Dejana, et al.
U.S. Application No.: 13/125,504
PCT No.: PCT/IB2009/054657
International Filing Date: 21 October 2009
Priority Date: 21 October 2008
Attorney's Docket No.: NC67377US-PCT
For: AN APPARATUS AND METHOD FOR VOICE CALL CONTINUITY

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to applicants' "Petition Under 37 CFR 1.182" filed 10 August 2011. Applicants have submitted the required $400 petition fee.

BACKGROUND

On 21 October 2009, applicants filed international application PCT/IB2009/054657. The application claimed a priority date of 21 October 2008, and it designated the United States. On 29 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., 21 April 2011. The international application identified the first inventor as Dejana SERDAREVIC.

On 21 April 2011, applicants filed a Transmittal Letter for entry into the national stage accompanied by, among other materials, an application data sheet (ADS) and payment of the basic national fee. The ADS identified the first inventor as Dejana SERDAREVIC.

On 10 May 2011, the United States Designated/Elected Office (DO/EO/US) issued a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) indicating that 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 were required.

On 10 August 2011, applicants filed a response to the Notification Of Missing Requirements (with required extension fee). The response included payment of the required surcharge, an executed declaration and revised ADS that identified the first inventor as Dejana NOTTON, [1] and the "Petition Under 37 CFR 1.182" considered herein. The petition requests that the name of record of the first inventor be changed from Dejana SERDAREVIC to Dejana NOTTON.

[1] It is noted that the revised ADS was not submitted in compliance with the requirements for a supplemental ADS, as set forth in 37 CFR 1.76 (c).

DISCUSSSION

Section 1893.01(e) of the Manual Of Patent Examining Procedure ("MPEP") states the following:

> Where ... the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c).

The present petition indicates that the name of the first inventor has been legally changed since the filing of the international application. Accordingly, in order to correct the name of record for this inventor, a grantable petition under 37 CFR 1.182 is required.

Section 605.04(c) of the MPEP sets forth the requirements for a petition under 37 CFR 1.182 to correct an inventor's name. According to the MPEP, such a 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."

Applicants' present petition is accompanied by payment of the required $400 petition fee and a statement from the first inventor in which the inventor confirms that her name was legally changed from Dejana SERDAREVIC to Dejana NOTTON. Applicants have also included copies of documents relating to the name change. These materials satisfy the requirements for a grantable petition under 37 CFR 1.182 to change the name of record of the first inventor from Dejana SERDAREVIC to Dejana NOTTON.

CONCLUSION

Applicants' petition under 37 CFR 1.182 to change the name of record of the first inventor from Dejana SERDAREVIC to Dejana NOTTON is **GRANTED**.

In view of this correction, the declaration filed 10 August 2011, which identifies the first inventor as Dejana NOTTO, may be accepted in compliance with 37 CFR 1.497.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 10 August 2011.

/RichardMRoss/

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

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:	13125520	Filing date:	2011-04-21
First Named Inventor:	Sinem COLERI EREGEN		
Title of the Invention:	Method for Setting the Operation of a Routing Node of an Asynchronous Wireless Communication Network, Network Node and Communication Network Implementing the Method		

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/EP2008/008925

The international filing date of the corresponding PCT application(s) is/are: 2008-10-22

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)**

- [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.

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.:	13125520
First Named Inventor:	Sinem COLERI EREGEN

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 2011-04-21

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 2011-04-21

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-10	1-10	claims sufficiently correspond
11	11	claim is cancelled

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

Signature /Gary D. Fedorochko/	Date October 12, 2011
Name (Print/Typed) Gary D. Fedorochko	Registration Number 35509

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.
13/125,520	04/21/2011	Sinem Coleri Eregen	007515.00015	5450

22907 7590 11/17/2011
BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

EXAMINER
YAO, KWANG BIN

ART UNIT	PAPER NUMBER
2473	

MAIL DATE	DELIVERY MODE
11/17/2011	PAPER

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

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

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

NOV 17 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

In re Application of: Sinem Coleri Eregen et al.
Application No. 13/125,520
Filed: April 21, 2011
For: METHOD FOR SETTING THE OPERATION OF A ROUTING NODE OF AN ASYNCHRONOUS WIRELESS COMMUNICATION NETWORK, NETWORK NODE AND COMMUNICATION NETWORK IMPLEMENTING THE METHOD

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 October 13, 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 Christopher Grant at 571-272-7294.

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

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

/Christopher Grant/
Christopher Grant
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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PATRICK W. RASCHE (15060)
ARMSTRONG TEASDALE, LLP
7700 FORSYTH BOULEVARD
SUITE 1800
ST. LOUIS, MO 63105

MAILED
JAN 27 2012
OFFICE OF PETITIONS

Applicant: WANG, et al.
Appl. No.: 13/125,522
International Filing Date: October 21, 2009
Title: REFLECTION-MODE PHOTOACOUSTIC TOMOGRAPHY USING A FLEXIBLY-SUPPORTED CANTILEVER BEAM
Attorney Docket No.: 007645-ORD1/1 (15060-310)
Pub. No.: US 2011/0201914 A1
Pub. Date: August 18, 2011

This is a decision on the request for correction of patent application publication under 37 CFR 1.221(b), received on October 11, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains mistakes in the patent publication, wherein the word "is" should be removed in paragraph [0053] and the word "using" should be inserted in paragraph [0056].

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 are Office errors but are not material Office errors as defined under 37 CFR 1.221(b). In particular, the mistake does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. See MPEP 1130 B.

[1] Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

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

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

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

Application No:	13/125,524	Filing date:	
First Named Inventor:	Stefan Bernbo		
Title of the Invention:	DISTRIBUTED DATA STORAGE		

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/EP2009/063796

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.

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.:	13/125,524
First Named Inventor:	Stefan Bernbo

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	The claims are of the same scope, with informalities removed
2	2	The claims are of the same scope, with informalities removed
3	3	The claims are of the same scope, with multiple dependency removed
4	4	The claims are of the same scope, with multiple dependency removed
5	5	The claims are identical
6	6	The claims are of the same scope, with multiple dependency/informalities removed
7	7	The claims are identical
8	8	The claims are of the same scope, with multiple dependency removed
9	9	The claims are of the same scope, with multiple dependency/informalities removed
10	10	The claims are of the same scope, with informalities removed
11	11	The claims are of the same scope, with informalities removed
12	12	The claims are identical
13	13	The claims are identical
14	14	The claims are of the same scope, with multiple dependency removed
15	15	The claims are of the same scope, with multiple dependency removed
16	16	The claims are of the same scope, with multiple dependency removed
17	18	The claims are of the same scope, with informalities removed

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

Signature /Joseph R. Condo/	Date July 7, 2011
Name (Print/Typed) Joseph R. Condo	Registration Number 42,431

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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AUG 16 2011

PCT LEGAL ADMINISTRATION

Condo Roccia LLP
1650 Market Street
Suite 2200
Philadelphia PA 19103

In re Application of: BERNBO, Stefan, et al.	:	
U.S. Application No.: 13/125,524	:	DECISION ON PETITION
PCT No.: PCT/EP2009/063796	:	
International Filing Date: 21 October 2009	:	
Priority Date: 24 October 2008	:	
Attorney's Docket No.: AWA-0003	:	
For: DISTRIBUTED DATA STORAGE	:	

This decision is issued in response to applicants' "Petition Under 37 CFR § 1.182 To Change Order Of Inventors Names – Joint Inventors" filed 07 July 2011. No petition fee is required.[1]

BACKGROUND

On 21 October 2009, applicants filed international application PCT/EP2009/063796. The application claimed a priority date of 24 October 2008, and it designated the United States. On 29 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 30 months from the priority date, i.e., 24 April 2011.

On 21 April 2011, applicants filed a Transmittal Letter for entry into the national stage accompanied by, among other materials, payment of the basic national fee and an application data sheet (ADS).

On 18 May 2011, the United States Designated/Elected Office (DO/EO/US) issued a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) indicating that 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 was required.

On 06 July 2011, applicants filed a response to the Notification Of Missing Requirements that included the required surcharge payment, an executed declaration, and a supplemental ADS.

On 07 July 2011, applicants filed the "Petition Under 37 CFR § 1.182 To Change Order Of Inventors Names – Joint Inventors" considered herein.

[1] Applicants submitted a $400 petition fee with the present petition. This fee will be refunded.

DISCUSSSION

Applicants' petition requests that order of the inventors for the present application be changed to the following: (1) Stefan BERNBO; (2) Christian MELANDER; (3) Roger PERSSON; and (4) Gustav PETERSSON. The four inventors were listed in a different order in the published international application and in the original ADS filed on 21 April 2011; however, the order requested by applicants corresponds to the order in which the inventors are listed on the executed declaration filed herein (as well as on the supplemental ADS).

MPEP section 605.04(f) states as follows (emphasis added):

> **The order of names of joint patentees in the heading of the patent is taken from the order in which the typewritten names appear in the original oath or declaration.** Care should therefore be exercised in selecting the preferred order of the typewritten names of the joint inventors, before filing, as requests for subsequent shifting of the names would entail changing numerous records in the Office. Since the particular order in which the names appear is of no consequence insofar as the legal rights of the joint applicants are concerned, no changes will be made except when a petition under 37 CFR 1.182 is granted.

As set forth above, the order of names requested by applicants in the present petition corresponds to the order in which these inventors are listed on the declaration filed on 06 July 2011. Because the USPTO takes the order of the inventors from the declaration, no petition is required for the inventors to be listed in the requested order. Applicants' petition is therefore appropriately dismissed as moot.

CONCLUSION

Applicants' "Petition Under 37 CFR § 1.182 To Change Order Of Inventors Names – Joint Inventors" is **DISMISSED AS MOOT**.

The petition fee filed by applicants will be refunded to applicants.

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 updating USPTO records with the correct order of the inventors (as set forth on the declaration filed on 06 July 2011 and requested in the present petition), that is: (1) Stefan BERNBO; (2) Christian MELANDER; (3) Roger PERSSON; and (4) Gustav PETERSSON.

/RichardMRoss/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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MAILED
JAN 18 2012
OFFICE OF PETITIONS

Condo Roccia LLP
1650 Market Street
Suite 2200
Philadelphia PA 19103

In re Application of	**: DECISION ON REQUEST TO**
BERNBO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/125,524	**: PROSECUTION HIGHWAY**
Filed: 6 July 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: AWA-0003	**: TO MAKE SPECIAL UNDER**
For: DISTRIBUTED DATA STORAGE	**: 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 July 7, 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 JoAnne Burke at 571-272-4584.

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

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

Thurman Page
Petitions Examiner
Office of Petitions

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APR 27 2011

PCT LEGAL ADMINISTRATION

JONES DAY
222 EAST 41ST ST
NEW YORK NY 10017

In re Application of LEE et al.	:	DECISION ON
Application No.: 13/125,553	:	
PCT No.: PCT/KR08/07810	:	PETITION UNDER
Int. Filing: 30 December 2008	:	
Priority Date: 2 October 2008	:	37 CFR 1.137(b)
Attorney Docket No: 8111-260-999	:	
For: OPTICAL RECOGNITION USER INPUT	:	
DEVICE AND METHOD OF RECOGNIZING	:	
INPUT FROM USER	:	

The petition to revive under 37 CFR 1.137(b) filed 21 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" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee has been provided. The required petition fee of $810 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements, indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), is required along with the surcharge for filing the oath or declaration after the thirty-month period.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
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JUN 01 2011

PCT LEGAL ADMINISTRATION

NEXSEN PRUET, LLC
P.O. BOX 10648
GREENVILLE SC 29603

In re Application of: SCOTT, Simon, Peter, et al. U.S. Application No.: 13/125,554 PCT No.: PCT/GB2009/002147 International Filing Date: 07 September 2009 Priority Date: 05 September 2008 Attorney's Docket No.: 39700-19 For: ADDITIVE MANUFACTURING APPARATUS WITH A CHAMBER ...	DECISION ON PETITION (37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 21 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/EP2009/002147 became abandoned with respect to the United States at midnight on 05 March 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 the authorization to charge Deposit Account No.: 08-0719 required fees, pursuant to which the Deposit Account will be charged the required petition fee. The petition also included 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. Finally, 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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SEP 14 2011

PCT LEGAL ADMINISTRATION

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

In re Application of	:	
SATOU et al	:	DECISION ON
Application No.: 13/125,611	:	
PCT No.: PCT/JP2009/068068	:	
Int. Filing Date: 20 October 2009	:	PETITION UNDER
Priority Date: 24 October 2008	:	
Attorney Docket No.: Q124183	:	
For: RESIN COMPLEX AND LAMINATE	:	37 CFR 1.181

This is in response to applicants' submission "RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS... OFFICE (DO/EO/US)" filed on 06 July 2011. This submission states that the correct spelling of the second co-inventor is as on the declaration

BACKGROUND

On 22 April 2011, applicants filed in the United States Patent and Trademark Office (PTO) a Transmittal Letter (Form PTO-1390) accompanied by, *inter alia*, the basic national fee, and executed declaration.

On 10 May 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 1.497(a) and (b), identifying the application by International application number and international filing date." The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it: The name of the second inventor on the oath (Mitsuyuki Tsurumi) is spelled differently than the name listed on the international application (Mituyuki Tsurumi)..." The notice also indicated that all of the items set forth above must be submitted within two (2) months from the date of this notice or by 32 months from the priority date for the application, whichever is later. Failure to properly respond will result in abandonment.

On 06 July 2011, applicants filed a "Response to Notification of Missing Requirements," stating the correct spelling of the second co-inventor is Mitsuyuki Tsurumi as listed on the declaration and not as listed in the International Application.

DISCUSSION

The correct name of the second co-inventor is "Mitsuyuki Tsurumi" as indicated in the declaration submitted on 22 April 2011, and not as listed in the International Application. The mistake was due to a transliteration error in the PCT application. As such the correct spelling, **Mitsuyuki Tsurumi**, will be reflected in the US national stage processing.

Applicants' response is accepted as a sufficient response to the Notification of Missing Requirements (FORM PCT/DO/EO/905) mailed on 10 May 2011.

For the reasons above, the application may enter into national stage processing at this time.

CONCLUSION

The petition under 37 CFR 1.181 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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SEP 14 2011

PCT LEGAL ADMINISTRATION

Momkus McCluskey, LLC
1001 Warrenville Road, Suite 500
Lisle IL 60532

In re Application of	:	
RUDD et al.	:	
Application No.: 13/125,632	:	DECISION
PCT No.: PCT/GB2009/002541	:	REGARDING
Int. Filing Date: 23 October 2009	:	SUBMISSION UNDER 37 CFR 1.42
Priority Date: 23 October 2008	:	
Attorney Docket No.: 23115.001013	:	
For: EXOTHERMIC MIXTURE	:	

This decision is issued in response to the declaration filed 06 July 2011 which is being treated as a Submission under 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 23 October 2009, applicant filed international application PCT/GB2009/002541 which claimed a priority date of 23 October 2008. On 29 April 2010, a copy of the international application was communicated to the United States Patent And Trademark Office ("USPTO") by the International Bureau. The deadline for payment of the basic national fee was 23 April 2011 (thirty months from the priority date).

On 22 April 2011, applicant filed a request for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee, a copy of the international application, and an application data.

On 13 May 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring an oath or declaration in compliance with 37 CFR 1.497 and the surcharge fee required under 37 CFR 1.492(e). The notification set a two-month time limit in which to respond.

On 06 July 2011, applicant filed an executed declaration and power of attorney.

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 filed on 06 July 2011 is executed by (inventor) Hu Chun YI and Allison RUDD and Diane Hopper as the "legal representative" of the deceased inventor, Wayne RUDD. The declaration submitted appears to have been executed by the proper party under 37 CFR 1.42, however, the declaration does not satisfy the requirements under 37 CFR 1.497(b)(2).

37 CFR 1.497(b)(2) states the following:

> (2) 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 signing 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), in addition to the name and citizenship of the deceased inventor referenced under 37 CFR 1.497(a)(3) and 37 CFR 1.63, the declaration must also provide name, residence, citizenship, and post office address for the legal representative. The declaration filed on 06 July 2011 provides this information with respect to the legal representatives, but fails to provide the (former) citizenship of the deceased inventor. Accordingly, the declaration is not in compliance with 37 CFR 1.497(a)(3) and 37 CFR 1.63.

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **REFUSED**.

Applicant is required to provide an oath/declaration in compliance with 37 CFR 1.497(a)-(b) 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 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.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

NOV 15 2011

PCT LEGAL ADMINISTRATION

Momkus McCluskey, LLC
1001 Warrenville Road, Suite 500
Lisle IL 60532

In re Application of	:	
RUDD et al.	:	
Application No.: 13/125,632	:	DECISION
PCT No.: PCT/GB2009/002541	:	REGARDING
Int. Filing Date: 23 October 2009	:	SUBMISSION UNDER 37 CFR 1.42
Priority Date: 23 October 2008	:	
Attorney Docket No.: 23115.001013	:	
For: EXOTHERMIC MIXTURE	:	

In a communication mailed by this Office on 14 September 2011, the declaration filed by applicant on behalf of deceased inventor Wayne RUDD was dismissed for failure to include all the information required under 37 CFR 1.497. (The declaration did not include the country of citizenship for the both the legal representative and deceased inventor.)

On 09 November 2011, applicant filed a response to the previous communication that was accompanied by a revised declaration. The declaration submitted on 09 November 2011 identifies the deceased inventor and states the deceased inventor's country of citizenship and residence, is signed by Allison Rudd and Diane Hopper as "Legal Representatives," states his/her relationship to the deceased (i.e., Legal Representative), and provides the Legal Representatives' country of citizenship and residency. Accordingly, the declaration complies with the requirements of 37 CFR 1.497(b)(2) and 37 CFR 1.42.

The request for status under 37 CFR 1.42 is GRANTED.

The application will be forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

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

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

Application No:	13/125,703	Filing date:	April 22, 2011
First Named Inventor:	Lars Krogh		
Title of the Invention:	SLIP RING ASSEMBLY WITH 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/DK2009/050250

The international filing 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).**

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

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

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

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

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

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

(continued)

Application No.:	13/125,703
First Named Inventor:	Lars Krogh

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 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 April 22, 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	Combination of claims 1 and 4; multiple dependency deleted
5	5	Combination of claims 1 and 5; multiple dependency deleted
6	6	Combination of claims 1 and 6; multiple dependency deleted
7	7	Combination of claims 1 and 7; multiple dependency deleted
8	8	Combination of claims 1 and 8; multiple dependency deleted
9	9	Combination of claims 1 and 9; multiple dependency deleted
10	10	Combination of claims 1 and 10; multiple dependency deleted
11	11	Combination of claims 1 and 11; multiple dependency deleted
12	12	Combination of claims 1 and 12; multiple dependency deleted
13	13	Combination of claims 1 and 13; multiple dependency deleted
14	14	Combination of claims 1 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	May 12, 2011
Name (Print/Typed)	Steven W. Benintendi	Registration Number	56,297

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,703	05/10/2011	Lars Krogh	VWS-362US	6735

83583 7590 07/26/2011
Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER

ART UNIT	PAPER NUMBER
2834	

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):

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

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

In re Application of	
KROGH et al.	**: DECISION ON REQUEST TO**
Application No.: 13/125,703	**: PARTICIPATE IN THE PATENT**
Filed: 10 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: VWS-362US	**: PROGRAM AND PETITION**
For: SLIP RING ASSEMBLY WITH	**: TO MAKE SPECIAL UNDER**
COOLING	**: 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 12 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.

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

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

Application No:	13/125,759	Filing date:	
First Named Inventor:	ILKKA AF URSIN		
Title of the Invention:	DYNAMOELECTRIC MACHINE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/EP2009/061841

The international date of the corresponding PCT application(s) is/are: September 14, 2009

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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 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 April 22, 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

Under the 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.:	13/125,759
First Named Inventor:	ILKKA AF URSIN

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
11, 12	1	SEE CONTINUATION SHEET
13, 14	2	SEE CONTINUATION SHEET
15	3	US claim 15 substantially corresponds in scope to PCT claim 3 except for the deletion of reference numbers
16	4	US claim 16 substantially corresponds in scope to PCT claim 4 except for the deletion of reference numbers
17	5	US claim 17 substantially corresponds in scope to PCT claim 5 except for the deletion of reference numbers
18, 19	6	SEE CONTINUATION SHEET
20	7	US claim 20 substantially corresponds in scope to PCT claim 7 except for the deletion of reference numbers
21, 22	8	SEE CONTINUATION SHEET
23	9	US claim 23 substantially corresponds in scope to PCT claim 9 except for the deletion of a reference number

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 4-22-2011
Name (Print/Typed) Henry M. Feiereisen	Registration Number 31,084

CONTINUATION SHEET

US claim 11 substantially corresponds in scope to PCT claim 1 except for the deletion of reference numbers and recitation of a particular preferred example now set forth in claim 12.

US claim 13 substantially corresponds in scope to PCT claim 2 except for the deletion of reference numbers and recitation of a particular preferred example now set forth in claim 14.

US claim 18 substantially corresponds in scope to PCT claim 6 except for the deletion of reference numbers and recitation of a particular preferred example now set forth in claim 19.

US claim 21 substantially corresponds in scope to PCT claim 8 except for the deletion of reference numbers and recitation of a particular preferred example now set forth in claim 22.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,759	04/22/2011	Ilkka Af Ursin	URSIN	7033

20151 7590 10/17/2011
HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER
LEUNG, QUYEN PHAN

ART UNIT	PAPER NUMBER
2834	

NOTIFICATION DATE	DELIVERY MODE
10/17/2011	ELECTRONIC

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

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

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

INFO@FEIEREISENLLC.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

HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

OCT 17 2011

In re Application of
Ilkka AF URSIN
Application No.: 13/125,759
Filed: 22 April 2011
Attorney Docket No.: URSIN
For: DYNAMOELECTRIC MACHINE

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

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

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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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P.O. Box 1450
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02292
BIRCH STEWART KOLASCH & BIRCH
P.O. Box 747
Falls Church, VA 22040-0747

MAILED

JUN 27 2011

PCT LEGAL ADMINISTRATION

In re Application of
HIROSE *et al*
U.S. Application No.: 13/125,775
PCT No.: PCT/JP2009/068729
Int. Filing Date: 23 October 2009
Priority Date: 23 October 2008
Docket No.: 3813-0103PUS1
For: METHOD FOR INTRODUCING MUTANT GENE, GENE HAVING MUTATION INTRODUCED THEREIN, CASSETTE FOR INTRODUCING MUTATION, VECTOR FOR INTRODUCING MUTATION, AND KNOCK-IN NON-HUMAN MAMMALIAN ANIMAL

DECISION

This is a decision on the "Letter Regarding Correction of Inventor's Name" filed 22 April 2011.

BACKGROUND

On 22 April 2011, applicants filed papers to enter the national stage of PCT/JP2009/068729 which was accompanied by, *inter alia*, an executed declaration and the subject letter.

DISCUSSION

The third-named inventor was listed as Kimi ARAKI on the declaration. The international publication (WO 2010/047423) recorded the name of the inventor as Yoshimi ARAKI.

Applicants' state that "the correct name of the inventor should read as Kimi ARAKI (as indicated in the attached declaration), as this is a result of a transliteration error."

Section 1893.01(e) of the Manual of Patent Examining Procedure (MPEP) states that where a typographical or transliteration error in the spelling of an inventor's name is discovered, a petition under 37 CFR 1.182 is not required. In such case, the Office should simply be notified of the error.

Applicants' explanation meets the requirements of the MPEP. A transliteration error was made in the international application with regards to the first name of the inventor.

CONCLUSION

The third-named inventor is recognized as Kimi ARAKI.

The declaration filed with the national stage papers on 22 April 2011 is in compliance with 37 CFR 1.497(a) and (b).

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

James Thomson

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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BOEHRINGER INGELHEIM USA CORPORATION
900 RIDGEBURY RD
P. O. BOX 368
RIDGEFIELD CT 06877-0368

MAILED
JUN 27 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
TREU et al	:	
Application No.: 13/125,841	:	
PCT No.: PCT/EP2009/059770	:	
Int. Filing Date: 28 July 2009	:	PETITION UNDER
Priority Date: 29 July 2008	:	
Attorney's Docket No.: 12-0286	:	
For: NEW COMPOUNDS	:	37 CFR 1.137(b)

This decision is in response to applicant's "PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)," filed on 25 April 2011.

BACKGROUND

On 28 July 2009, this international application was filed, claiming an earliest priority date of 29 July 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 29 January 2011. This international application became abandoned with respect to the United States at midnight on 29 January 2011 for failure to pay the required basic national fee.

On 25 April 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 16 May 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). 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. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **16 May 2011**.

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.
13/125,851	04/25/2011	Ryuichi Shimada	MER1220UT	8241

82974 7590 06/14/2011
INTERNATIONAL KNOWLEDGE ASSET OFFICE
19200 Von Karman Ave. Suite 400
IRVINE, CA 92612

EXAMINER

ART UNIT	PAPER NUMBER
2838	

NOTIFICATION DATE	DELIVERY MODE
06/14/2011	ELECTRONIC

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

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

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

patent@knowledgeasset.net
dwenskay@knowledgeasset.com
kmasaki@knowledgeasset.com

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INTERNATIONAL KNOWLEDGE ASSET OFFICE
19200 Von Karman Ave. Suite 400
IRVINE CA 92612

In re Application of	**: DECISION ON REQUEST TO**
Ryuichi SHIMADA	**: PARTICIPATE IN THE PATENT**
Application No.: 13/125,851	**: PROSECUTION HIGHWAY**
Filed: 25 April 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: MER1220UT	**: TO MAKE SPECIAL UNDER**
For: AC VOLTAGE CONTROL DEVICE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 30 May 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

Application No:	13/125,869	Filing date:	May 10, 2011
First Named Inventor:	Lars Krogh		
Title of the Invention:	SLIP RING ASSEMBLY WITH SHAFT HOLDER		

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/DK2009/050249

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

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

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

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

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

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

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

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

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

(continued)

Application No.:	13/125,869
First Named Inventor:	Lars Krogh

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 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 April 25, 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	Combination of claims 1 and 4; multiple dependency deleted
5	5	Combination of claims 1 and 5; multiple dependency deleted
6	6	Combination of claims 1 and 6; multiple dependency deleted
7	7	Combination of claims 1 and 7; multiple dependency deleted
8	8	Combination of claims 1 and 8; multiple dependency deleted
9	9	Combination of claims 1 and 9; 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	2011-06-15
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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,869	05/10/2011	Lars Krogh	VWS-363US	8307

83583 7590 06/28/2011
Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER

ART UNIT	PAPER NUMBER
2834	

NOTIFICATION DATE	DELIVERY MODE
06/28/2011	ELECTRONIC

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

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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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Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati OH 4520

In re Application of	**: DECISION ON REQUEST TO**
KROGH et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/125,869	**: PROSECUTION HIGHWAY**
Filed: 10 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: VWS-363US	**: TO MAKE SPECIAL UNDER**
For: SLIP RING ASSEMBLY WITH SHAFT HOLDER	**: 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 15 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

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

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

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

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

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

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

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MAILED

JUN 16 2011

PCT LEGAL ADMINISTRATION

F. CHAU & ASSOCIATES, LLC
130 WOODBURY ROAD
WOODBURY NY 11797

In re Application of	:	
YERSIN et al.	:	
Application No.: 13/125,949	:	DECISION
PCT No.: PCT/DE2009/001505	:	
Int. Filing Date: 22 October 2009	:	
Priority Date: 24 October 2008	:	
Attorney's Docket No.: 8211-3	:	
For: DOUBLE COMPLEX SALTS AS ABSORBERS	:	
IN OSC/OPV DEVICES	:	

This decision is in response to applicants' "COMMUNICATION" filed 25 April 2011 in the United States Patent and Trademark Office (USPTO), which has properly been treated as a petition under 37 CFR 1.181.

BACKGROUND

On 22 October 2009, applicants filed international application PCT/DE2009/001505, which designated the U.S. and claimed a priority date of 24 October 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 25 April 2011 (24 April 2011 being a Sunday).

On 25 April 2011, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and the instant petition under 37 CFR 1.181.

On 25 May 2011, the 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 18 May 2011 and a 35 U.S.C. 371 date of 18 May 2011.

DISCUSSION

The petition states that applicant inadvertently uploaded international publication WO 2008/069884 and requests that this publication be removed from the file. However, a review of

the electronic file for the instant application did not reveal a copy of international publication WO 2008/069884. Accordingly, the petition to remove the document from the file is moot.

It is also noted, although the issue is moot in the instant application, that the proper petition for expungement of papers is under 37 CFR 1.59(b).

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **DISMISSED** as **MOOT**.

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,980	04/26/2011	Ryohei Kurosawa	2011_0650A	9543

513 7590 07/27/2011
WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington, DC 20005-1503

EXAMINER

ART UNIT	PAPER NUMBER
3729	

NOTIFICATION DATE	DELIVERY MODE
07/27/2011	ELECTRONIC

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

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

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

ddalecki@wenderoth.com
eoa@wenderoth.com

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WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington DC 20005-1503

In re Application of: KUROSAWA, RYOHEI, et al Serial No.: 13/125980 Filed: 04/26/2011 Attorney Docket No. : 2011_0650A Title: METHOD FOR FORMING RUSTPROOF FILM ON PC STRAND AND PC STRAND	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 26, 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 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.

The request to participate in the PPH program and petition met all conditions except Item #6 above.

The IDS filed on April 26, 2011 failed to submit a copy of the cited references, JP60-110446A, JP07-145618A, and JP11-013210A, as disclosed on the JPO office action. Further, said reference is missing from the record.

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,980	04/26/2011	Ryohei Kurosawa	2011_0650A	9543

513 7590 08/09/2011
WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington, DC 20005-1503

EXAMINER

ART UNIT	PAPER NUMBER
3729	

NOTIFICATION DATE	DELIVERY MODE
08/09/2011	ELECTRONIC

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

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

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

ddalecki@wenderoth.com
eoa@wenderoth.com

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Suite 400 East
Washington DC 20005-1503

In re Application of: KUROSAWA, RYOHEI et al Serial No.: 13/125,980 Filed: April 26, 2011 2, 2011 Docket: 2011_0650A Title: METHOD FOR FORMING RUSTPROOF FILM ON PC STRAND AND PC STRAND	::	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY (PPH) AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 4, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. All other inquiries concerning the examination or status of the application should be directed to Derris Bank, SPE of Art Unit 3729, and 571-272-4419 for Class 29/885 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

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/125,990	Filing date:	04/26/2011
First Named Inventor:	Jeffrey L. Allen		
Title of the Invention:	CREATING CASINO EXPERIENCES		

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/US09/62741

The international date of the corresponding PCT application(s) is/are: 30-Oct-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.

Under the 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.:	13/125,990
First Named Inventor:	Jeffrey L. Allen

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on 04/26/2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 04/26/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-7	1-7	Same claims - Claims 1-7 were indicated as allowable.
8-23	8-23	Same claims - Claims 8-23 were in the PCT Application but were not examined.

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

Signature /Andrew DeLizio Reg. 52,806/	Date May 8, 2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/125,990	04/26/2011	Jeffrey L. Allen	100.055US1	9614

65375 7590 08/01/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

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

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of: ALLEN, JEFFREY L., et al Serial No.: 13/125990 Filed: 04/26/2011 Attorney Docket No. : 100.055US1 Title: CREATING CASINO EXPERIENCES	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 9, 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 #3 above.

Applicant states that pending Claims 8-23 correspond to PCT Claims 8-23. Applicant admits in the request to participate in the PPH pilot program and petition that PCT Claims 8-23 were not examined by the ISEA/IPEA. The record also indicates that PCT Claims 8-23 were unexamined. In order to be eligible for "special" status pending claims must correspond to patentable PCT claims. In order to grant this PPH petition, it is suggested that applicant cancel pending Claims 8-23 or submit a response explaining how pending Claims 8-23 are related to any allowed PCT claims.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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Matheson Keys Garsson & Kordzik PLLC
7004 Bee Cave Rd.
Bldg. 1, Suite 110
Austin TX 78746

MAILED

MAY 13 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
BAUGHMAN et al.	:	
Application No.: 13/125,993	:	DECISION on
PCT No.: PCT/US09/54017	:	
Int. Filing Date: 17 August 2009	:	PETITION
Priority Date: 15 August 2008	:	
Attorney Docket No.: 21724-006US1	:	UNDER 37 CFR 1.137(b)
For: NANOFIBER ACTUATORS AND STRAIN	:	
AMPLIFIERS	:	

The petition to revive under 37 CFR 1.137(b) filed 26 April 011 in the above-captioned application is hereby **GRANTED** as follows:

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

A review of the application file reveals that the basic national fee has now been provided. The required petition fee of $810 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

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 declaration appears to be a composite declaration created from the combination of separately executed declarations and is not properly executed.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286

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JUN 08 2011

PCT LEGAL ADMINISTRATION

CARLSON, GASKEY & OLDS, P.C.
400 WEST MAPLE ROAD
SUITE 350
BIRMINGHAM MI 48009

In re Application of:
PATTERSON, JR., Timothy, W., et al.
U.S. Application No.: 13/126,054
PCT No.: PCT/US2008/080738
International Filing Date: 22 October 2008
Priority Date: 22 October 2008
Atty's Docket No.: 67124-093PUS1;3461-US
For: FUEL CELL STACK ASSEMBLY SEAL

DECISION ON PETITION UNDER 37 CFR 1.137(b)

The petition for revival under 37 CFR 1.137(b) filed 26 April 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/US2008/080738 became abandoned with respect to the United States at midnight on 22 April 2011 based on applicants' failure to submit payment of 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 the present national stage application and payment of the basic national fee. Finally, 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

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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00466
YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

MAILED
JUN 16 2011
PCT LEGAL ADMINISTRATION

In re Application of
DIJKSTRA, Aernout Mattys
U.S. Application No.: 13/126,055
PCT No.: PCT/NL2009/050643
Int. Filing Date: 23 October 2009
Priority Date: 24 October 2008
Docket No.: 2001-1878
For: CHILD BUGGY AND STORAGE ELEMENT THEREOF

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicant's petition to revive under 37 CFR 1.137(b) filed on 26 April 2011 with the national stage papers is hereby **GRANTED** as follows:

The proper fees and the petition fee have been paid. Applicant made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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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.:	13/126,073	Filing Date:	April 26, 2011
First Named Inventor:	Syuzo HASHIMOTO et al.		
Attorney Docket No.:	148933		
Title of the Invention:	VEHICLE CONTROL 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/IB2009/007564

The international date of the corresponding PCT application(s) is/are: November 26, 2009

I. **List of Required Documents:**

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

☒ Is attached.

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

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

☒ Is attached.

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

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

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

☐ Is attached.

☒ Has already been filed in the above-identified U.S. application on April 26, 2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on April 26, 2011

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting

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the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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

(continued)

Application No.:	13/126,073
First Named Inventor:	Syuzo HASHIMOTO et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	1	U.S. claim 13 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
14	2	U.S. claim 14 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
15	3	U.S. claim 15 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
16	4	U.S. claim 16 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
17	5	U.S. claim 17 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
18	6	U.S. claim 18 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
19	7	U.S. claim 19 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
20	8	U.S. claim 20 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
21	9	U.S. claim 21 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
22	10	U.S. claim 22 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
23	11	U.S. claim 23 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
24	12	U.S. claim 24 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.

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

Signature	John K. Harrop	Date	5/12/2011
Name (Print/Typed)	James A. Oliff	Registration Number	27,075
Name (Print/Typed)	John K. Harrop	Registration Number	41,817

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461

Privacy Act Statement

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

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

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

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

To:
Winter, Brandl, Fürniss, Hubner, Ross, Kaiser
Polte-Partnership Patent & Law Firm
Alois-steinecker-Str. 22
D-85354 Freising-Munich
ALLEMAGNE

WINTER, BRANDL, FÜRNISS, HÜBNER, ROSS, KAISER, POLTE PARTNERSCHAFT
PATENT- UND RECHTSANWALTSKANZLEI
FREISING
Eing.: 08. April 2010

MUC
PO
KW
DD
FH
AL

(PCT Rule 44.1)

Date of mailing *(day/month/year)*	08/04/2010
Applicant's or agent's file reference TY2390	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/IB2009/007564	International filing date *(day/month/year)* 26/11/2009
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA	

Frist: .....

1. [x] The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

   Filing of amendments and statement under Article 19:
   The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

   When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

   Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41–22) 338.82.70

   For more detailed instructions, see the notes on the accompanying sheet.

2. [ ] The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. [ ] **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

   [ ] the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

   [ ] no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

   Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90*bis*.1 and 90*bis*.3, respectively, before the completion of the technical preparations for international publication.

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

   Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

   In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

   See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040 Fax: (+31-70) 340-3016	Evelyne Prouteau

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims,description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annex B).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, International Phase, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet or sheets containing a complete set of claims in replacement of all the claims previously filed must be submitted.

Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively in Arabic numerals (Section 205(a)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped),whether

(i) the claim is unchanged;

(ii) the claim is cancelled;

(iii) the claim is new;

(iv) the claim replaces one or more claims as filed;

(v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
   "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
   "Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
   "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
   "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
   "Claims 1–10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1*bis*(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion 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 (Rule 43*bis*.1(c)).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide,* National Chapters.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference TY2390	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/IB2009/007564	International filing date *(day/month/year)* 26/11/2009	(Earliest) Priority Date *(day/month/year)* 27/11/2008
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

[X] It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. [ ] **Certain claims were found unsearchable** (See Box No. II)

3. [ ] **Unity of invention is lacking** (see Box No III)

4. With regard to the **title**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 4
      [ ] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [X] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/IB2009/007564

A. CLASSIFICATION OF SUBJECT MATTER
INV. B60N2/02

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)
B60N B60R

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

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

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1 609 664 A2 (AISIN SEIKI [JP]) 28 December 2005 (2005-12-28)	1-3
A	paragraph [0024]; claim 1; figures 1,3	4
X	EP 1 612 095 A2 (AISIN SEIKI [JP]) 4 January 2006 (2006-01-04) paragraph [0024]; claim 1; figure 3	1-3
A	US 2005/131606 A1 (MOTOZAWA YASUKI [JP] ET AL) 16 June 2005 (2005-06-16) cited in the application figure 4	1
A	WO 2004/085220 A1 (CONTINENTAL TEVES AG & CO OHG [DE]; DIEBOLD JUERGEN [DE]; KLUG MICHAEL) 7 October 2004 (2004-10-07) pages 6,7,12; claim 1; figure 2	1

☐ 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 document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
22 March 2010	08/04/2010

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Schneider, Josef

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/IB2009/007564

Patent document cited in search report		Publication date	Patent family member(s)			Publication date
EP 1609664	A2	28-12-2005	JP	2006007833	A	12-01-2006
			US	2005283292	A1	22-12-2005
EP 1612095	A2	04-01-2006	JP	2006008026	A	12-01-2006
			US	2006001298	A1	05-01-2006
US 2005131606	A1	16-06-2005	DE	102004060585	A1	14-07-2005
			JP	4170892	B2	22-10-2008
			JP	2005178443	A	07-07-2005
WO 2004085220	A1	07-10-2004	EP	1610992	A1	04-01-2006
			JP	2006525174	T	09-11-2006
			US	2006195231	A1	31-08-2006

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/IB2009/007564	26.11.2009	27.11.2008

International Patent Classification (IPC) or both national classification and IPC
INV. B60N2/02

Applicant
TOYOTA JIDOSHA KABUSHIKI KAISHA

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

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040	see form PCT/ISA/210	Schneider, Josef Telephone No. +31 70 340-3683

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/IB2009/007564

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

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

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

   ☐ on paper

   ☐ in electronic form

   b. (time)

   ☐ in the international application as filed

   ☐ together with the international application in electronic form

   ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	4-12
	No:	Claims	1-3
Inventive step (IS)	Yes:	Claims	4-12
	No:	Claims	1-3
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations

   see separate sheet

Re Item V

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

Reference is made to the following documents:

D1 EP 1 609 664 A2 (AISIN SEIKI [JP]) 28 December 2005 (2005-12-28)

D2 EP 1 612 095 A2 (AISIN SEIKI [JP]) 4 January 2006 (2006-01-04)

D3 US 2005/131606 A1 (MOTOZAWA YASUKI [JP] ET AL) 16 June 2005 (2005-06-16) cited in the application

D4 WO 2004/085220 A1 (CONTINENTAL TEVES AG & CO OHG [DE]; DIEBOLD JUERGEN [DE]; KLUG MICHAEL) 7 October 2004 (2004-10-07)

1 The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claim 1 is not new.

D1 discloses:

A vehicle control apparatus comprising:

a drive unit (fig. 1, 12) that drives a mechanism (reclining mechanism 6) provided in a vehicle;

an operating portion (20) that is operated by an occupant (see fig. 3, s11) and instructs the drive unit to drive;

a collision predicting portion (fig. 1, 21) that predicts a collision; and

a control portion (fig. 1, 11) that controls the drive unit

wherein the control portion controls the drive unit to place the mechanism in a predetermined state when the collision is predicted by the collision predicting portion (see fig. 3, S7) and

wherein the control portion controls the drive unit to vary a driving speed of the drive unit when the operating portion is operated while the drive unit is being controlled (fig. 3, S15).

As it can be taken from fig. 3, when the switch is operated the control portion 11 goes via steps S1, S11 and S12 into a loop S13, S14, S15. In this loop the control portion does control the drive unit and at the same time is influenced when the operating portion, which is the switch, is pressed or not pressed any longer. In the latter case the control portion stops the reclining motor (S16).

2 The same reasoning applies, mutatis mutandis, to the subject - matter of the corresponding independent claim 12, which therefore is also considered not new.

3 Dependent claims 2-3 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1- D4 and the corresponding passages cited in the search report.

4 The combination of the features of dependent claim 4 is neither known from, nor rendered obvious by, the available prior art.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information	For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.
Amending claims under Art. 19 PCT	Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.
Filing a demand for international preliminary examination	In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT). If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).
Filing informal comments	After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.
End of the international phase	At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPER (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

PATENT COOPERATION TREAT

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

WINTER, BRANDL, FÜRNISS, HÜBNER
ROSS, KAISER, POLTE - PARTNERSCHAFT
MÜNCHEN
Eing.: 27. Jan. 2011

FS
KW
PO
FJ
WM
KU

Applicant's or agent's file reference TY2390	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/IB2009/007564	International filing date *(day/month/year)* 26.11.2009	Frist: Priority date *(day/month/year)* 27.11.2008
International Patent Classification (IPC) or national classification and IPC INV. B60N2/02		
Applicant Toyota Jidosha Kabushiki Kaisha		

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 2010-08-20	Date of completion of this report 25.01.2011
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Authorized officer Schneider, Josef Telephone No. +49 89 2399-3683

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/IB2009/007564

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

1-13 as originally filed

Claims, Numbers

1-12 as amended (together with any statement) under Art. 19 PCT

Drawings, Sheets

1/6-6/6 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	1-12
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-12
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-12
	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 EP 1 609 664 A2 (AISIN SEIKI [JP]) 28 December 2005 (2005-12-28)

D2 EP 1 612 095 A2 (AISIN SEIKI [JP]) 4 January 2006 (2006-01-04)

D3 US 2005/131606 A1 (MOTOZAWA YASUKI [JP] ET AL) 16 June 2005 (2005-06-16)cited in the application

D4 WO 2004/085220 A1 (CONTINENTAL TEVES AG & CO OHG [DE]; DIEBOLD JUERGEN [DE]; KLUG MICHAEL) 7 October 2004 (2004-10-07)

1 D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses (see fig. 1):

a vehicle drive control apparatus comprising

a drive unit (12) that drives a mechanism (seat back) provided in a vehicle

an operating portion (switch 20) that is operated by an occupant and instructs the drive unit to drive

a collision predicting portion (21) that predicts a collision

and a control portion (11) that control the drive unit.

2 The subject-matter of claim 1 therefore differs from this known vehicle drive control apparatus in that
the control portion controls the drive unit to place the mechanism in a predetermined state when the collision is predicted by the collision predicting portion, and controls the drive unit to vary a driving speed of the drive unit when the operating portion is operated while the drive unit is being controlled upon prediction of a collision and is therefore new (Article 33(2) PCT).

3 The problem to be solved by the present invention may be regarded as a lack of comfort when the drive unit is driven in the collision mode and the user would like to overrule the control portion but can not because the control portion does not react to an operation of the switch.

4 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT).

5 The same reasoning applies, mutatis mutandis, to the subject -matter of the corresponding independent claim 12 , which therefore is also considered as to be new (Article 33(2) PCT) and as involving an inventive step (Article 33(3) PCT).

6 Claims 2-12 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

AMENDED CLAIMS

1. A vehicle control apparatus comprising:

a drive unit that drives a mechanism provided in a vehicle;

an operating portion that is operated by an occupant and instructs the drive unit to drive;

a collision predicting portion that predicts a collision; and

a control portion that controls the drive unit,

wherein the control portion controls the drive unit to place the mechanism in a predetermined state when the collision is predicted by the collision predicting portion, and controls the drive unit to vary a driving speed of the drive unit when the operating portion is operated while the drive unit is being controlled upon prediction of a collision.

2. The vehicle control apparatus according to claim 1, wherein

the control portion stops driving the drive unit when the operating portion is operated while the drive unit is being controlled.

3. The vehicle control apparatus according to claim 1 ~~or 2~~, wherein

the control portion controls the drive unit at a first speed when the collision predicting portion predicts the collision, and decreases the driving speed of the drive unit to a second speed that is slower than the first speed when the operating portion is operated while the drive unit is being driven at the first speed.

4. The vehicle control apparatus according to claim 3, wherein

the drive unit is structured so as to drive in a first direction and a second direction that is opposite the first direction; and

the control portion controls so as to reverse a driving direction of the drive unit to the second direction after decreasing the driving speed of the drive unit from the first speed to the second speed, when there is a drive command to drive the drive unit in the second direction in response to operation of the operating portion while the drive unit is being driven in the first direction at the first speed.

5. The vehicle control apparatus according to claim 4, wherein

after the driving direction of the drive unit is reversed to the second direction, the control portion controls the drive unit such that the drive unit continues to be driven at the second speed.

6. The vehicle control apparatus according to claim 5, wherein

the mechanism is returned to a state before being driven by the drive unit.

7. The vehicle control apparatus according to claim 4, wherein

after the driving direction of the drive unit is reversed to the second direction, the control portion controls the drive unit such that the drive unit continues to be driven, and the mechanism is returned to a state before being driven by the drive unit.

8. The vehicle control apparatus according to ~~any one of claims 3 to 5~~ claim 3, wherein

the control portion stops driving the drive unit when the operating portion stops being operated, while the drive unit is being driven at the second speed.

9. The vehicle control apparatus according to ~~any one of claims 1 to 8~~ claim 1, wherein

the mechanism is a reclining mechanism that adjusts a reclining angle of a seat back of a vehicle seat.

10. The vehicle control apparatus according to claim 9, wherein

the control portion controls the drive unit such that the reclining angle approaches a target angle when the collision predicting portion predicts the collision; the target angle is a predetermined angle at which an occupant restraint device restrains the occupant in an appropriate posture; and the predetermined state is a state in which the reclining angle matches the target angle.

11. The vehicle control apparatus according to claim 10, wherein

the control portion starts to control the drive unit when the collision predicting portion predicts the collision and the reclining angle does not match the target angle.

12. A control method of a vehicle control apparatus, comprising:

predicting a collision;

driving a drive unit such that a mechanism provided in a vehicle is placed in a predetermined state when the collision is predicted; and

varying a driving speed of the drive unit when an operating portion is operated while the drive unit is being controlled upon prediction of a collision.

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.
13/126,073	04/26/2011	Syuzo Hashimoto	148933	1322

25944 7590 07/15/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER
NOLAN, PETER D

ART UNIT	PAPER NUMBER
3661	

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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re application of Hashimoto et al. Application No. 13/126,073 Filed: April 26, 2011 For: VEHICLE CONTROL APPARATUS AND CONTROL METHOD THEREOF	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 26, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

In light of the preliminary amendment filed on April 26, 2011, and the petition being properly submitted via EFS-Web as is required, the request to participate in the PPH program complies with the above requirements, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 07/14/11

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/126,080	Filing date:	02 June 2010
First Named Inventor:	SOLOWAY, Michael		
Title of the Invention:	Dental Hygenic Aids Having Natural Antimicrobial Properties		

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/US2010/037126

The international filing date of the corresponding PCT application(s) is/are: 02 June 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.

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

(continued)

Application No.:	13/126,080
First Named Inventor:	SOLOWAY, Michael

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on April 26 2011 & April 28 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 26 2011 & April 28 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	4	Identical
5	5	Identical
6	6	Identical
7	7	Identical
8	8	Identical
9	9	Identical
10	10	Identical
11	11	Identical
12	12	Identical
13	13	Identical
14	14	Identical
15	15	Identical
-	16	Previously Cancelled by Art 19 PCT Amendment

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

Signature /Matthew Lambrinos/	Date 28 April 2011
Name (Print/Typed) Matthew Lambrinos	Registration Number 56909

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.
13/126,080	04/26/2011	Michael Soloway	SF00129US-PCT	1372

61199 7590 08/01/2011
FRANKLIN & ASSOCIATES INTERNATIONAL LLC
230 St. Francis Drive, Suite 1
SANTA FE, NM 87501

EXAMINER

ART UNIT	PAPER NUMBER
3776	

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):

m.lambrinos@faipatents.com
mflambrinos@comcast.net

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

FRANKLIN & ASSOCIATES INTERNATIONAL LLC
230 St. Francis Drive, Suite 1
SANTA FE NM 87501

In re Application of: SOLOWAY, MICHAEL Serial No.: 13/126080 Filed: 04/26/2011 Attorney Docket No. : SF00129US-PCT Title: DENTAL HYGENIC AIDS HAVING NATURAL ANTIMICROBIAL PROPERTIES	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 28, 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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No.:	13/126,095	First Named Inventor:	Sang-Cheal Kim
Filing Date:	April 26, 2011	Attorney Docket No.:	1.943.11
Title of the Invention:	ROTATIONAL MOUSE		

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/KR2010/008293

The international filing date of the corresponding PCT application(s) is/are: November 23, 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 February 1, 2012

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

☐ are attached.

☑ have already been filed in the above-identified U.S. application on February 1, 2012

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

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

(continued)

Application No.:	13/126,095	First Named Inventor:	Sang-Cheal Kim

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	1	Same claim
2	2	Same claim
3	3	Same claim
4	4	Same claim without dependency on claim 2
5	5	Same claim
6	6	Same claim without dependency on claim 3
7	4	Same claim without dependency on claim 1
8	6	Same claim without dependency on claim 1

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

Signature /John Fulton, Jr./	Date March 30, 2012
Name (Print/Typed) John Fulton, Jr.	Registration Number 46,716

(12) 특허협력조약에 의하여 공개된 국제출원

(19) 세계지식재산권기구
국제사무국

(43) 국제공개일
2011 년 6 월 3 일 (03.06.2011)

PCT

(10) 국제공개번호
WO 2011/065726 A3

(51) 국제특허분류:
G06F 3/033 (2006.01)

(21) 국제출원번호: PCT/KR2010/008293

(22) 국제출원일: 2010 년 11 월 23 일 (23.11.2010)

(25) 출원언어: 한국어

(26) 공개언어: 한국어

(30) 우선권정보:
10-2009-0115030 2009 년 11 월 26 일 (26.11.2009) KR

(72) 발명자; 겸
(71) 출원인 : **김상철 (KIM, Sang-Cheal)** [KR/KR]; 경기도 안성시 금산동 191 예찬주택 401 호, 456-310 Kyeonggi-do (KR). **김종찬 (KIM, Jong-Chan)** [KR/KR]; 경기도 안성시 금산동 191 예찬주택 401 호, 456-310 Kyeonggi-do (KR).

(74) 대리인: **김경희 (KIM, Kyung-Hee)**; 서울특별시 강남구 역삼 1 동 648-1 BYC 빌딩 1204 호 장백국제특허법률사무소, 135-911 Seoul (KR).

(81) 지정국 (별도의 표시가 없는 한, 가능한 모든 종류의 국내 권리의 보호를 위하여): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, 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.

(84) 지정국 (별도의 표시가 없는 한, 가능한 모든 종류의 역내 권리의 보호를 위하여): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), 유라시아 (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), 유럽 (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

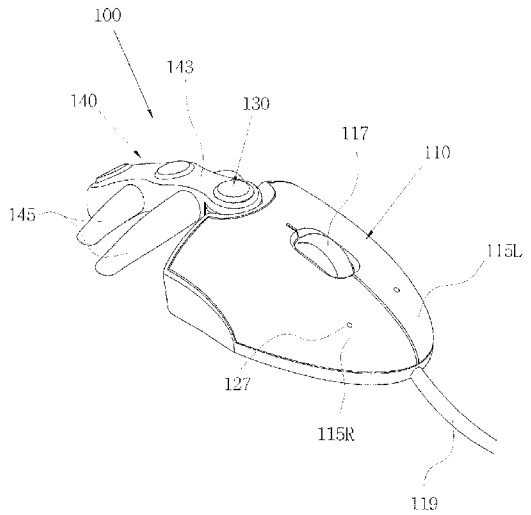
공개:
— 국제조사보고서와 함께 (조약 제 21 조(3))

(88) 국제조사보고서 공개일: 2011 년 11 월 17 일

(54) Title: SWINGABLE MOUSE

(54) 발명의 명칭 : 선회하는 마우스

[Fig. 2]



(57) Abstract: The present invention relates to a swingable mouse, and particularly, has the aim of providing a mouse which moves in the manner that fish swim, and which is configured to prevent the hand of a user from becoming sweaty. To accomplish the aim, the key technical features of the present invention relate to a mouse comprising: a main body, which has an upper surface on which buttons for generating electrical signals are mounted, and a lower surface on which a motion sensor unit is mounted; and a swingable unit hingedly connected to one side of the main body.

(57) 요약서:

[다음 쪽 계속]

WO 2011/065726 A3

본 발명은 마우스에 관한 것으로서, 특히 물고기가 헤엄치는 동작의 형태로 움직이며, 손에 땀이 차는 것을 방지하도록 구성한 마우스를 제공하는 데 그 목적이 있다. 상기와 같은 목적을 달성하기 위한 본 발명의 마우스는 상면에는 전기적신호를 발생하는 버튼들이 장착되고 저면에는 움직임을 인식하는 센서부가 장착된 본체와, 상기 본체의 일측에 힌지결합되어 선회 가능한 회전부를 포함하는 것을 기술적 특징으로 한다.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/KR2010/008293

A. CLASSIFICATION OF SUBJECT MATTER

G06F 3/033(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)

G06F 3/033; G06F 1/16

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Korean Utility models and applications for Utility models: IPC as above
Japanese Utility models and applications for Utility models: IPC as above

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

eKOMPASS (KIPO internal) & Keywords: (mouse, mouse), (rotation, rotation, turn), (case, housing, main body, part, case, housing, body, portion, part)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 4042711 B2 (TAKIZAWA KAZUHIDE) 06 February 2008 See claims 1-5, paragraphs [0001] - [0020], figures 1-4,7	1-6
A	KR 10-2001-0011499 A (HAN, MIN SUK) 15 February 2001 See abstract, claims 1,2, pages 2,3, figures 1-3	1-6
A	JP 07-295740 A (CANON INC) 10 November 1995 See abstract, claims 1-5, paragraphs [0001] - [0010], figure 3	1-6
A	JP 08-278846 A (DATA TEC:KK et al.) 22 October 1996 See abstract, claim 1, paragraphs [0001] - [0010], figure 1	1-6

☐ 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
30 AUGUST 2011 (30.08.2011)	**30 AUGUST 2011 (30.08.2011)**
Name and mailing address of the ISA/KR Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer Telephone No.

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/KR2010/008293

Patent document cited in search report	Publication date	Patent family member	Publication date
JP 4042711 B2	06.02.2008	JP 2005-259020 A	22.09.2005
KR 10-2001-0011499 A	15.02.2001	NONE	
JP 07-295740 A	10.11.1995	NONE	
JP 08-278846 A	22.10.1996	US 06164808A A US 6466831 B1	26.12.2000 15.10.2002

국제조사보고서

국제출원번호
PCT/KR2010/008293

A. 발명이 속하는 기술분류(국제특허분류(IPC))

G06F 3/033(2006.01)i

B. 조사된 분야

조사된 최소문헌(국제특허분류를 기재)
G06F 3/033; G06F 1/16

조사된 기술분야에 속하는 최소문헌 이외의 문헌
한국등록실용신안공보 및 한국공개실용신안공보: 조사된 최소문헌란에 기재된 IPC
일본등록실용신안공보 및 일본공개실용신안공보: 조사된 최소문헌란에 기재된 IPC

국제조사에 이용된 전산 데이터베이스(데이터베이스의 명칭 및 검색어(해당하는 경우))
eKOMPASS(특허청 내부 검색시스템) & 키워드: (마우스, mouse), (회전, rotation, turn), (케이스, 하우징, 본체, 부분, case, housing, body, portion, part)

C. 관련 문헌

카테고리*	인용문헌명 및 관련 구절(해당하는 경우)의 기재	관련 청구항
A	JP 4042711 B2 (TAKIZAWA KAZUHIDE) 2008.02.06 청구범위 제1-5항, 문단 [0001] - [0020], 도면 1-4,7 참조	1-6
A	KR 10-2001-0011499 A (한민석) 2001.02.15 초록, 청구범위 제1,2항, 페이지 2,3, 도면 1-3 참조	1-6
A	JP 07-295740 A (CANON INC) 1995.11.10 초록, 청구범위 제1-5항, 문단 [0001] - [0010], 도면 3 참조	1-6
A	JP 08-278846 A (DATA TEC:KK 외 1명) 1996.10.22 초록, 청구범위 제1항, 문단 [0001] - [0010], 도면 1 참조	1-6

☐ 추가 문헌이 C(계속)에 기재되어 있습니다.

☒ 대응특허에 관한 별지를 참조하십시오.

* 인용된 문헌의 특별 카테고리:

"A" 특별히 관련이 없는 것으로 보이는 일반적인 기술수준을 정의한 문헌

"E" 국제출원일보다 빠른 출원일 또는 우선일을 가지나 국제출원일 이후에 공개된 선출원 또는 특허 문헌

"L" 우선권 주장에 의문을 제기하는 문헌 또는 다른 인용문헌의 공개일 또는 다른 특별한 이유(이유를 명시)를 밝히기 위하여 인용된 문헌

"O" 구두 개시, 사용, 전시 또는 기타 수단을 언급하고 있는 문헌

"P" 우선일 이후에 공개되었으나 국제출원일 이전에 공개된 문헌

"T" 국제출원일 또는 우선일 후에 공개된 문헌으로, 출원과 상충하지 않으며 발명의 기초가 되는 원리나 이론을 이해하기 위해 인용된 문헌

"X" 특별한 관련이 있는 문헌. 해당 문헌 하나만으로 청구된 발명의 신규성 또는 진보성이 없는 것으로 본다.

"Y" 특별한 관련이 있는 문헌. 해당 문헌이 하나 이상의 다른 문헌과 조합하는 경우로 그 조합이 당업자에게 자명한 경우 청구된 발명은 진보성이 없는 것으로 본다.

"&" 동일한 대응특허문헌에 속하는 문헌

국제조사의 실제 완료일	국제조사보고서 발송일
2011년 08월 30일 (30.08.2011)	**2011년 08월 30일 (30.08.2011)**

ISA/KR의 명칭 및 우편주소
대한민국 특허청
(302-701) 대전광역시 서구 청사로 189, 정부대전청사
팩스 번호 82-42-472-7140

심사관
천대식
전화번호 82-42-481-5871

국제조사보고서
대응특허에 관한 정보

국제출원번호
PCT/KR2010/008293

국제조사보고서에서 인용된 특허문헌	공개일	대응특허문헌	공개일
JP 4042711 B2	2008.02.06	JP 2005-259020 A	2005.09.22
KR 10-2001-0011499 A	2001.02.15	없음	
JP 07-295740 A	1995.11.10	없음	
JP 08-278846 A	1996.10.22	US 06164808A A US 6466831 B1	2000.12.26 2002.10.15

청구범위

[청구항 1] 상면에는 전기적신호를 발생하는 버튼들이 장착되고 저면에는 움직임을 인식하는 센서부가 장착된 본체와,
상기 본체의 일측에 힌지결합되어 선회 가능한 회전부를 포함하되,
상기 회전부는 상기 본체의 일측 상단에 힌지결합되며 본체의 바깥방향으로 연장되면서 지면으로 하향 만곡된 중심축과, 상기 중심축의 길이방향으로 간격을 두고 양측에서 지면으로 하향 만곡된 지지대들을 포함하는 것을 특징으로 하는 마우스.

[청구항 2] 상면에는 전기적신호를 발생하는 버튼들이 장착되고 저면에는 움직임을 인식하는 센서부가 장착된 본체와,
상기 본체의 일측에 힌지결합되어 선회 가능한 회전부를 포함하되,
상기 회전부는 상기 본체의 일측 하단에 힌지결합되며 본체의 바깥방향으로 연장된 중심축과, 상기 중심축의 길이방향으로 간격을 두고 상부로 고정된 받침부들을 포함하는 것을 특징으로 하는 마우스.

[청구항 3] 제2항에 있어서,
상기 받침부들은 전방에 위치한 받침부가 후방에 위치한 받침부의 크기보다 큰 구조로서, 받침부들이 형성하는 외측 형태는 상향으로 볼록한 구조인 것을 특징으로 하는 마우스.

[청구항 4] 제1항 또는 제2항에 있어서,
상기 중심축의 길이 중간은 힌지결합된 것을 특징으로 하는 마우스.

[청구항 5] 제4항에 있어서,
상기 본체의 일측에는 제1러그가 형성되고, 중심축의 단부에는 상기 제1러그의 상면과 하면에 대응하는 한 쌍의 제2러그가 형성되며, 상기 제1러그의 상면과 하면 중에 어느 한 쪽에는 제2러그가 삽입되는 홈이 형성되고 다른 한 쪽에는 제2러그가 안착되는 단차면이 형성된 것을 특징으로 하는 마우스.

[청구항 6] 제1항 내지 제3항 중 어느 한 항에 있어서,
상기 본체에는 USB포트가 장착된 것을 특징으로 하는 마우스.

CLAIMS

[Claim 1] A mouse characterized by being comprised of: the body which have buttons that emit electrical signals mounted on top and also have sensor that recognizes movements on the bottom; the center axis which although is joined by a hinge to a side of the said body to include a part that can rotate where said rotating part is joined to said body's one side of the top by a hinge and extended outward and curves down to the [desk] surface wherein along said center axis are braces[2] that are spread out lengthwise on either side of the gap along center axis and curved downward to the [desk] surface.

[Claim 2] A mouse characterized by being comprised of: the body wherein on its top, buttons that emit electrical signals are mounted, and on its bottom is the sensor that recognizes movements is mounted; a rotating part that is joined by a hinge to one side of the said body and is able to rotate wherein said rotating part is joined by a hinge to the bottom of one side of said body; wherein the center axis extends outward from the body; wherein supports spread out lengthwise along the center axis and secured to the top part.

[Claim 3] A mouse characterized by its configuration: wherein said supports toward the front have a larger area than the supports toward the rear and therefore the exterior shape formed by the supports create an upward protrusion as in Claim 2.

[Claim 4] A mouse characterized by: the middle of the length of said center axis is joined by a hinge as in Claims 1 and 2

[Claim 5] A mouse characterized by its configuration: wherein Lug #1 is configured on one side of said body; wherein at the ends of the center axis is a pair of Lugs #2 that correspond to the top and bottom ends of said Lug #1; wherein on one side, whether top or bottom, of said Lug #1 is configured a groove wherein Lug #2 is inserted and on the other side is configured a step surface where Lug #2 is securely placed as Claim 4.

[Claim 6] A mouse characterized by a USB port is mounted onto its body as in Claim 1 or 3.

---

[2] *[translator's note]: the author probably meant to use the word "supports."*

UNITED STATES 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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NASHUA NH 03061-0868

MAILED

SEP 07 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
LOWDERMILK, et al.	:	
Application No.: 13/126,127	:	DECISION
PCT No.: PCT/US2010/046615	:	
Int. Filing Date: 25 August 2010	:	
Priority Date: 26 August 2009	:	
Attorney's Docket No.: BAEP-1224	:	
For: SYNTHETIC INSTRUMENT UNIT	:	

This decision is issued in response to applicant's petition pursuant to 37 C.F.R. § 1.182 filed 22 August 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 19 July 2011, applicant was mailed a communication detailing the discrepancy between international application number entered during the electronic filing of the application and other filing papers such as the form PTO-1390 transmittal letter and Application Data Sheet (ADS).

On 22 August 2011, applicant filed the petition considered herein.

DISCUSSION

Applicants confirm that the correct international application is PCT/US2010/046615. An examination of the papers filed 26 April 2011 finds that this international application number was listed on the filed transmittal letter and ADS. Applicant's present submission included the required petition fee to correct applicant's clerical error. Accordingly, these materials satisfy the requirements for a grantable petition to correct applicant's error in the bibliographical data filed 26 April 2011 and to permit such materials to be treated as having been directed to international application PCT/US2010/046615.

CONCLUSION

Applicant's petition under 37 CFR 1.182 is **GRANTED**.

As requested, the international application number, title of invention, and continuity data have been corrected and are now associated with PCT/US2010/046615.

This application is being forwarded to the United States Designated/Elected Office for further processing.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

DENNISON, SCHULTZ & MACDONALD
1727 KING STREET
SUITE 105
ALEXANDRIA VA 22314

MAILED

JUN 13 2011

PCT LEGAL ADMINISTRATION

In re Application of :
PIANTELLI :
Application No.: 13/126,247 :
PCT No.: PCT/IB2009/007549 : DECISION ON PETITION
Int. Filing Date: 24 November 2009 :
Priority Date: 24 November 2008 : UNDER 37 CFR 1.497(d)
Attorney Docket No.: 11058 :
For: METHOD FOR PRODUCING ENERGY AND :
APPARATUS THEREFOR :

This decision is in response to applicant's petition under 37 CFR 1.497(d) filed 13 May 2011 in the United States Patent and Trademark Office (USPTO). Applicant has provided payment of the $130.00 petition fee.

BACKGROUND

On 24 November 2009, applicant filed international application PCT/IB2009/007549, which claimed a priority date of 24 November 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 27 May 2010. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 24 May 2011.

On 27 April 2011, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by the requisite basic national fee; an Application Data Sheet and a preliminary amendment.

On 12 May 2011, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was advised that the signed declaration contained an individual not listed as an inventor on the published international application. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a). It is noted that the Form PCT/DO/EO/905 was mailed prematurely as the 30 month time limit for entering the United States was not set to expire until 24 May 2011.

On 13 May 2010, applicant filed the petition discussed herein.

DISCUSSION

37 CFR 1.497(d) [formally, 37 CFR 1.48] states in part: "If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application....applicant must submit:

(1) a petition including a statement from each person being added or deleted as an inventor that the error in inventorship occurred without any deceptive intention on his or her part;

(2) an oath or declaration by the actual inventor(s) as required by 37 CFR 1.63;

(3) the fee set forth in 37 CFR 1.17(h); and

(4) if an assignment has been executed by any of the original named inventors, the written consent of the assignee in compliance with 37 CFR 3.73(b).

Applicant satisfied all of the above items. As such, it is proper to grant applicant's request at this time.

CONCLUSION

For the reasons above, applicant's request under 37 CFR 1.497(d) is **GRANTED**.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SEP 26 2011

PCT LEGAL ADMINISTRATION

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

In re Application of	:	
SONG, et al.	:	
Application No.: 13/126,267	:	DECISION ON PETITION
PCT No.: PCT/EP2009/063387	:	
Int. Filing Date: 14 October 2009	:	UNDER 37 CFR 1.181
Priority Date: 29 October 2008	:	
Atty Docket No.: 13779-701	:	
For: SUBSTITUTED PYRIDINES HAVING A HERBICIDAL EFFECT	:	

This is a decision on applicant's petition under 37 CFR 1.181 filed 15 July 2011 in the United States Patent and Trademark Office (USPTO). No petition fee is due..

On 27 April 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by among other items, payment of the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application as filed and an executed declaration of the inventors.

On 01 June 2011, applicant was mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) and official filing receipt.

On 15 July 2011, applicant filed the present petition seeking a corrected Form PCT/DO/EO/903 and filing receipt indicating that the international filing date was incorrectly listed as 29 October 2009.

In addition to the evidence presently provided by applicant; a review of the application file finds that the correct international filing date of international application PCT/EP2009/063387 is 14 October 2009.

Therefore, applicant's petition under 37 CFR 1.181 is **GRANTED**.

The application has an international filing date of **14 October 2009** under 35 U.S.C. 363 and a date of 27 April 2011 under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) mailed 01 June 2011 indicating an international filing date of 29 October 2009 is hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of 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) and a corrected filing receipt indicating the correct international filing date as detailed above; as well as the corrections detailed on the marked-up filing receipt which accompanies the present petition.

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

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

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

Application No:	13/126,284	Filing date:	April 27, 2011
First Named Inventor:	Ernst Selbertinger et al.		
Title of the Invention:	METHOD FOR PRODUCING ORGANOSILICON COMPOUNDS HAVING AMINO GROUPS		

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/EP2009/066618

The international filing date of the corresponding PCT application(s) is/are: December 8, 2009

I. List of Required Documents:

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

- [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.

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.:	13/126,284
First Named Inventor:	ERNST SELBERTINGER 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 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 May 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
11	1	Rewritten in U.S. format
12	2	Rewritten in U.S. format
13	3	Rewritten in U.S. format and to eliminate multiple dependencies
14	3	As for claim 13, dependent on claim 12
15	4	Rewritten in U.S. format
16	5	Rewritten in U.S. format, to eliminate multiple dependencies, and to eliminate preferred species
17	5	As for 16, reinstate more preferred range of PCT claim 5
18	6	Rewritten in U.S. format and to eliminate multiple dependencies
19	6	As for claim 18, dependent on claim 15
20	6	As for claim 18, dependent on claim 16
21	7	Dependent upon claim 11
22	7	Dependent on claim 11, cyclosiloxane is (a2)
23	8	Rewritten in U.S. format and to eliminate multiple dependencies
24	9	Rewritten in U.S. format and to eliminate multiple dependencies
25	10	Rewritten in U.S. format and to eliminate multiple dependencies

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

Signature /William G. Conger/	Date 8-18-2011
Name (Print/Typed) William G. Conger	Registration Number 31209

Privacy Act Statement

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

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

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

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P.O. BOX 980
VALLEY FORGE PA 19482

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DEC 07 2011
OFFICE OF PETITIONS

In re Application of	:	
Khaliq et al.	:	
Application No. 13/126,306	:	ON PETITION
Filed: April 27, 2011	:	
Attorney Docket No. JMYS-208US	:	

This is a decision on the petition under 37 C.F.R. § 1.182, filed October 24, 2011, to change the name of an inventor.

The petition is **GRANTED**.

The name will be changed from "Hamera Abbas" to -- Hamera Khaliq --.

This application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition. Additionally, the change requested will be reflected on the Original Filing Receipt when mailed by the Office of Patent Application Processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-7751. All other inquiries should be directed to the Technology Center. All other inquiries should be directed to the Office of Patent Application Processing.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

IAP03Rec'd PCT 25 OCT 2011

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

PTO/SB/20PCT-EP (05-10)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

Application No.:	13/126,323	Filing Date:	May 26, 2011
First Named Inventor:	Thierry CONSALES et al.		
Attorney Docket No.:	149299		
Title of the Invention:	SELF-LEVELLING CONCRETE		

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/IB2009/054719

The international date of the corresponding PCT application(s) is/are: 10/26/2009

I. **List of Required Documents:**

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

☒ Is attached.

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

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

☐ Is attached.

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

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

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

Under the 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.:	13/126,323
First Named Inventor:	Thierry CONSALES 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 April 27, 2011.

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on April 27, 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 sufficiently corresponds to PCT claim 1; claim 1 has been amended to recite "A powder" rather than "Powder" in line 1, and to remove "preferably" language.
2-13	2-13	U.S. claims 2-13 sufficiently correspond to PCT claims 2-13, respectively; claims 2-13 have been amended to recite "The powder" rather than "Powder" in line, to replace "in which" with "wherein," and to properly depend from claim 1.
14	14	U.S. claim 14 sufficiently corresponds to PCT claim 14; claim 14 has been amended to recite "The powder" rather than "Powder" in line 1, to correct antecedent basis for "fraction," to replace "in which" with "wherein," and to properly depend from claim 1.
15-17	15-17	U.S. claims 15-17 sufficiently correspond to PCT claims 15-17, respectively; claims 15-17 have been amended to recite "The powder" rather than "Powder" in line 1, to replace "in which" with "wherein," and to properly depend from claim 1.
18	18	U.S. claim 18 sufficiently corresponds to PCT claim 18; claim 18 has been amended to recite "The powder" rather than "Powder" in line 1, to correct antecedent basis for "fraction," to replace "in which" with "wherein," and to properly depend from claim 1.
19	19	U.S. claim 19 sufficiently corresponds to PCT claim 19; claim 19 has been amended to recite "The powder" rather than "Powder" in line 1, to replace "in which" with "wherein," and to properly depend from claim 1.
20	20	U.S. claim 20 sufficiently corresponds to PCT claim 20; claim 20 has been amended to recite "A process" rather than "Process" in line 1, to recite the five steps in active (gerund) form, to replace "in which" with "wherein," and to properly depend from claim 1.
21-24	21-24	U.S. claims 21-24 sufficiently correspond to PCT claims 21-24, respectively; claims 21-24 have been amended to recite "The process" rather than "Process" in line 1, to replace "in which" with "wherein," and to properly depend from claim 20.

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

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

Signature		Date	October 25, 2011
Name (Print/Typed)	William P. Berridge	Registration Number	30,024
Name (Print/Typed)	Jana Nelson	Registration Number	66,070

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.

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OFFICE OF PETITIONS

OLIFF & BERRIDGE, PLC
PO BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of	**: DECISION ON REQUEST TO**
Thierry Consales et al	**: PARTICIPATE IN THE PATENT**
Application No.: 13/126,323	**: PROSECUTION HIGHWAY**
Filed: May 26, 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 149299	**: TO MAKE SPECIAL UNDER**
For: SELF-LEVELLING CONCRETE	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on October 25, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

(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 Irvin Dingle at (571) 272-3210.

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

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

David Bucci
Petition Examiner
Office of Petitions

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.
13/126,327	04/27/2011	Takashi Nakagawa	P40075	2424

52123 7590 08/03/2011
GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER
CREPEAU, JONATHAN

ART UNIT	PAPER NUMBER
1725	

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):

gbpatent@gbpatent.com
pto@gbpatent.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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CST

August 2, 2011

In re application of Takashi Nakagawa et al Serial No. 13/126,327 Filed: April 27, 2011 For: SOLID POLYMER FUEL CELL	: : : : : : :	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 filed June 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 claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

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

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

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

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

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

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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JUL 01 2011

PCT LEGAL ADMINISTRATION

MAIER & MAIER, PLLC
1000 DUKE STREET
ALEXANDRIA VA 22314

In re Application of ENDO et al.
Application No.: 13/126,343
PCT No.: PCT/JP09/05415
Int. Filing Date: 16 October 2009
Priority Date: 17 October 2008
Attorney Docket No.: OKUDA-003-US
For: OPTICAL SENSOR, METHOD FOR MANUFACTURING SAME AND DETECTION METHOD USING OPTICAL SENSOR

DECISION ON

PETITION TO REVIVE

UNDER 37 CFR 1.137(b) &

REQUEST FOR REFUND

This is a decision on applicant's petition to revive under 37 CFR 1.137(b) along with a request st for a refund of that petition fee, which was filed in the United States Patent and Trademark Office on 27 April 2011 in the above-captioned application.

BACKGROUND

On 16 October 2009, applicant filed international application PCT/JP09/05415 which claimed a priority date of 17 October 2008. Pursuant to 37 CFR 1.495, the thirty-month period for paying a basic national fee in the United States expired at midnight on 17 April 2011.

On 27 April 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 13/126,343. Applicant also filed petition to revive under 37 CFR 1.137(a) and a request for a refund of the petition fee along with the Notice entitled "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan".

On 31 May 2011, applicant submitted a declaration in compliance with 37 CFR 1.497(a) and (b), an English translation of the international application and the surcharge for filing the declaration after the thirty month period.

DISCUSSION

The thirty-month period for paying a basic national fee in the United States expired at midnight on 17 April 2011. Thereafter, on 27 April 2011, Applicant filed a request for entry into the U.S. national stage along with a petition to revive under 37 CFR 1.137(b) and a request for a

refund of the petition fee.

Petition Under 37 CFR 1.137(b)

A petition under 37 CFR 1.137(b) 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 basic national fee. Thus, the proper reply was made. With regard to Item (2), the payment of the petition fee in the amount of $810 was made. With respect to Item (3), 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 was unintentional" meets the requirements of the rule. Thus, Applicant's petition to revive is granted.

Request for Refund

In requesting a refund, Applicant relies on the Notice entitled "Relief Available to Patent and Trademark Applicants, Patentees and Trademark Owners Affected by the Catastrophic Events of March 11, 2011 in Japan". However, the notice does not apply to applicant's situation as it does not meet the requirements set forth in the notice. The notice specifically states that the USPTO cannot grant waivers or extensions of dates or requirements set by statute. In the instant case, the requirement to file the U.S. national stage entry is set by statute- 35 U.S.C. 371. Therefore, applicant's request to refund the petition is dismissed.

CONCLUSION

For the reasons set forth above, the "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b)" is **GRANTED**.

Applicant's request to refund the petition is **DISMISSED**.

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 31 May 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
Facsimile: (571) 273-0459

United States Patent and Trademark Office

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JUL 19 2011

PCT LEGAL ADMINISTRATION

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

In re Application of
Cattaneo et al.
Application No.: 13/126,386
PCT No.: PCT/EP2009/007675
Int. Filing Date: 27 October 2009
Priority Date: 29 October 2008
Attorney Docket No.: 20037.1025USWO
For: Medical Implant And Method For Producing Medical Implant

DECISION

This is in response to the correspondence filed on 27 April 2011.

BACKGROUND

International application PCT/EP2009/007675 was filed on 27 October 2009, claimed an earlier priority date of 29 October 2008, and designated the United States. The International Bureau transmitted a copy of the published international application to the USPTO on 06 May 2010. The period for payment of the basic national fee in the United States expired as of midnight on 29 April 2011. Applicants filed *inter alia* a basic national fee in 13/126,386 on 27 April 2011.

DISCUSSION

Review of the instant application file reveals that the Transmittal Letter identifies PCT/DE2009/007675 as the international application to enter the national stage under 35 U.S.C. 371. However, the Application Data Sheet (ADS) and the Electronic Acknowledgment Receipt generated during the EFS-Web filing on 27 April 2011 show that applicants indicated that PCT/EP2009/007675 was to enter the national stage. In view of the discrepancy, it is not sufficiently clear which international application was intended to enter the national stage. Resolution of this matter would require a formal petition (and fee) under 37 CFR 1.182, clarifying which international application was to enter the national stage under 35 U.S.C. 371.

DECISION

The papers filed on 27 April 2011 are **NOT ACCEPTED** for processing under 35 U.S.C. 371, without prejudice, as described above.

A proper response (as described herein) must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper response will result in **ABANDONMENT**.

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

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OCT 13 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
Cattaneo et al.	:	
Application No.: 13/126,386	:	
PCT No.: PCT/EP2009/007675	:	
Int. Filing Date: 27 October 2009	:	DECISION
Priority Date: 29 October 2008	:	
Attorney Docket No.: 20037.1025USWO	:	
For: Medical Implant And Method	:	
For Producing Medical Implant	:	

This is in response to the petition under 37 CFR 1.182 filed on 10 August 2011.

DISCUSSION

In a Decision mailed on 19 July 2011, applicants were advised that

> Review of the instant application file reveals that the Transmittal Letter identifies PCT/DE2009/007675 as the international application to enter the national stage under 35 U.S.C. 371. However, the Application Data Sheet (ADS) and the Electronic Acknowledgment Receipt generated during the EFS-Web filing on 27 April 2011 show that applicants indicated that PCT/EP2009/007675 was to enter the national stage. In view of the discrepancy, it is not sufficiently clear which international application was intended to enter the national stage. Resolution of this matter would require a formal petition (and fee) under 37 CFR 1.182, clarifying which international application was to enter the national stage under 35 U.S.C. 371.

In response, petitioner asserts (in part) that "the Transmittal Letter erroneously identified PCT/DE2009/007675 as the international application to enter the national stage under 35 U.S.C. 371. Applicants hereby confirm that PCT/EP2009/007675 ... is the international application entering the national stage under 35 U.S.C. 371." Based on the totality of the evidence of record, it would be appropriate to accept petitioner's statements as to the nature of the discrepancy and as to the identity of the international application entering the national phase.

Applicants have paid $130.00 toward the petition fee. The $270.00 balance is being charged to counsel's Deposit Account no. 50-3478, per the authorization included in the petition.

DECISION

The petition under 37 CFR 1.182 is **GRANTED**.

This application is being returned to the Office of Patent Application Processing for processing as the national stage under 35 U.S.C. 371 of PCT/EP2009/007675, 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), an English translation of the international application, 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

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OFFICE OF PETITIONS

COZEN O'CONNOR
277 PARK AVENUE, 20TH FLOOR
NEW YORK, NY 10172

In re Application of
Yasunari Fukuta
Application No. 13/126,430
Filed: April 27, 2011
Attorney Docket No. 5341-234PUS-299367
For: Wafer Lens and Manufacturing...

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

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

The request and petition are **DISMISSED**.

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 <u>not</u> begun;
5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the 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);

This request to participate in the PPH program and petition is assessed as follows:

Requirement (4), above, is considered to have been met. However the request to participate in the PPH program fails to meet requirements (1-3, 5, 6).

Regarding requirement (1), Applicant has filed claims and notice of reasons for refusal for JP 2011-064030. However, no relationship between the JP application and the instant case has been established. Subsequently, because the relationship between the JP application and the instant case has not been established, applicant fails to meet requirements (2, 3, 5, 6).

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

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to 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.

David Buccei
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
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HEWLETT-PACKARD COMPANY
INTELLECTUAL PROPERTY ADMINISTRATION
3404 E. HARMONY ROAD
MAIL STOP 35
FORT COLLINS, CO 80528

MAILED

AUG 10 2011

PCT LEGAL ADMINISTRATION

In re Application of WEBER et al	:	
U.S. Application No.: 13/126,436	:	
PCT Application No.: PCT/US2008/081348	:	DECISION
Int. Filing Date: 27 October 2008	:	
Priority Date Claimed: none	:	
Attorney Docket No.: 20070301US01	:	
For: IMAGING PROCESS	:	

This is in response to applicant's petition under 37 CFR 1.137(a) filed 04 June 2011, which is being treated as a petition under 37 CFR 1.181 to withdraw a holding of abandonment.

BACKGROUND

On 27 October 2008, applicant filed international application PCT/US2008/081348. The thirty-month period for paying the basic national fee in the United States expired on 27 April 2011.

On 27 April 2011, applicant filed purported 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 12 May 2011, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned as to the United States for failure to timely pay the basic national fee.

On 04 June 2011, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

The transmittal letter (Form PTO-1390) contained an authorization to charge the basic national fee. Accordingly, the Notification of Abandonment was sent in error.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is GRANTED.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 12 May 2011 is hereby VACATED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration executed by the fourth inventor must be filed.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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:	13/126,469	Filing date:	April 28, 2011
First Named Inventor:	Russell BAKER		
Title of the Invention:	ORTHOPEDIC CAST REMOVER		

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/US2009/062954

The international filing date of the corresponding PCT application(s) is/are: 02 NOVEMBER 2009 (02.11.2009)

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/126,469
First Named Inventor:	Russell BAKER

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	Canceled
2	2	Canceled
3	3	Canceled
4	4	Canceled
5	5	Canceled
6	6	Canceled
7	7	Identical and now independent
8	8	Canceled
9	9	Identical and now independent
10	10	Identical
11	11	Identical
12	12	Identical
13	13	Canceled
14	14	Identical and now independent
15	15	Identical
16	16	Identical
17	17	Identical and now independent
18	18	Identical
19	19	Identical

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

Signature /Samson Helfgott/	Date July 22, 2011
Name (Print/Typed) Samson Helfgott	Registration Number 23072

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

(continued)

Application No.:	13/126,469
First Named Inventor:	Russell BAKER

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
20	20	Canceled
21	21	Canceled
22	22	Canceled
23	23	Canceled
24	24	Canceled
25	25	Canceled
26	26	Identical and now independent
27	27	Canceled
28	28	Identical and now independent
29	29	Identical
30	30	Identical and now independent
31	31	Identical
32	32	Identical
33	33	Identical and now independent
34	34	Identical
35	35	Identical
36	36	Identical and now independent
37	37	Identical
38	38	Identical

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

Signature /Samson Helfgott/	Date July 22, 2011
Name (Print/Typed) Samson Helfgott	Registration Number 23072

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, VA 22313-1450
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MAILED

JUN 27 2011

PCT LEGAL ADMINISTRATION

LUCAS & MERCANTI, LLP
475 PARK AVENUE SOUTH
15TH FLOOR
NEW YORK NY 10016

In re Application of :
SONG, Eun Young, et al. :
Application No.: 13/126,500 :
PCT No.: PCT/KR2009/002039 :
Int. Filing Date: 20 April 2009 : DECISION
Priority Date: 22 October 2008 :
Att. Docket No.: 428.1197 :
For: DIAGNOSTIC KIT OF COLON ... :
DIAGNOSTIC METHOD THEREOF :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 28 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 fee for furnishing the search fee, examination fee or oath or declaration after thirty months will be charged to deposit account no. 02-2275, as authorized.

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
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.
13/126,569	04/28/2011	Masaya Okada	40616-302915	4241

26694 7590 07/12/2011
VENABLE LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

EXAMINER

ART UNIT	PAPER NUMBER
2811	

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

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P.O. Box 1450
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VENABLE LLP
P.O. BOX 34385
WASHINGTON DC 20043-999

In re Application of	
OKADA et al.	**: DECISION ON REQUEST TO**
Application No.: 13/126,569	**: PARTICIPATE IN THE PATENT**
Filed: 28 April 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 40616-302915	**: PROGRAM AND PETITION**
For: SEMICONDUCTOR DEVICE AND	**: TO MAKE SPECIAL UNDER**
METHOD FOR MANUFACTURING	**: 37 CFR 1.102(a)**
SAME	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 28 April 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

iii. contains no priority claim;

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/126,579	04/28/2011	Tsunekawa Koji	03507.002400.	4330

5514 7590 08/03/2011
FITZPATRICK CELLA HARPER & SCINTO
1290 Avenue of the Americas
NEW YORK, NY 10104-3800

EXAMINER
-

ART UNIT	PAPER NUMBER
1716	

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

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

August 2, 2011

WG

In re application of
Tsunekawa Koji
Serial No. 13/126,579
Filed: April 28, 2011
For: PLASMA PROCESSING APPARATUS, MAGNETORESISTIVE DEVICE MANUFACTURING APPARATUS, MAGNETIC THIN FILM FORMING METHOD, AND FILM FORMATION CONTROL 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 Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed June 28, 2011.

The request and petition are **GRANTED**.

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

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

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

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

b. Submit a claims correspondence table in English;

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

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

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

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

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

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

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

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/126,590	04/28/2011	Ki Nam Byun	Q124411	4399

23373 7590 07/13/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
1725	

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):

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

WG

July 12, 2011

In re application of Ki Nam Byun et al. Serial No. 13/126,590 Filed: April 28, 2011 For: ENVELOPE MATERIAL SHEET FOR SOLAR CELL MODULE AND SOLAR CELL MODULE INCLUDING 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) to make the above-identified application special filed June 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 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;

(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); and

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

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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HAMRE, SCHUMANN, MUELLER & LARSON, PC
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

MAILED
OCT 14 2011
OFFICE OF PETITIONS

In re Application of :
Villoo Morawala Patell, et al. :
Application No. 13/126,642 : DECISION ON PETITION
Filed: April 28, 2011 : TO WITHDRAW
Attorney Docket No. 20049.0023USWO : FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) filed September 28, 2011.

The request is **NOT APPROVED**.

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

A review of the file record indicates that Hambre, Schumann, Mueller & Larson, PC does not have power of attorney in this patent application. See 37 C.F.R. § 10.40. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (e.g., reel and frame number).

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

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

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

cc: AVESTHAGEN LIMITED
UNIT 3, "DISCOVERER" 9TH FLOOR
INTERNATION TECH PARK, WHITEFIELD ROAD
BANGALORE, 560066, INDIA

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MAILED
NOV 16 2011
OFFICE OF PETITIONS

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

In re Application of	:	
Villo Morawala Patell, et al.	:	
Application No. 13/126,642	:	DECISION ON PETITION
Filed: April 28, 2011	:	TO WITHDRAW
Attorney Docket No. 20049.0023USWO	:	FROM RECORD
	:	

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed October 17, 2011.

The request is **NOT APPROVED**.

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

The request cannot be approved because the practitioner(s) requesting the withdrawal have not certified that they (1) have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment, (2) have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled, (3) have notified the client of any responses that may be due and the time frame within which the client must respond. The failure to do so may subject the practitioner to discipline. It is also noted that false certification may violate a practitioners' duty under 37 CFR 10.23(b)(4) and (b)(5).

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

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

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

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

cc: AVESTHAGEN LIMITED
9TH FLOOR
'DISCOVERER' INTERNATIONAL TECH PARK,
WHITEFIELD ROAD
BANGALORE 560066 INDIA

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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HAMRE, SCHUMANN, MUELLER & LARSON, PC
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

MAILED

JAN 12 2012

OFFICE OF PETITIONS

In re Application of	:	
Villoo Morawala Patell, et al.	:	
Application No. 13/126,642	:	DECISION ON PETITION
Filed: April 28, 2011	:	TO WITHDRAW
Attorney Docket No. 20049.0023USWO	:	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 November 28, 2011.

The request is **APPROVED**.

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

The request was signed by Douglas P. Mueller on behalf of all attorneys of record who are associated with customer No. 52835. All attorneys/agents associated with the Customer Number 52835 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.

There are no pending Office actions at the present time.

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

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

cc: AVESTHAGEN LIMITED
DISCOVERER BUILDING, 9TH FLOOR
INTERNATIONAL TECH PARK
WHITE FIELD ROAD
BANGALORE 560066 INDIA

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/126,642	04/28/2011	Villoo Morawala Patell	20049.0023USWO

CONFIRMATION NO. 4691

52835
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

POWER OF ATTORNEY NOTICE

OC000000051955231

Date Mailed: 01/12/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/28/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/amwise/

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

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

PTO/SB/20PCT-EP (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 EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/126,649	Filing date:	
First Named Inventor:	KLAUS EDER		
Title of the Invention:	MILLING DEVICE FOR MAKING A BORE HOLE INTO A BONE		

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/AT2009/000410

The international date of the corresponding PCT application(s) is/are: October 20, 2009

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on April 28, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on April 28, 2011

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

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.:	13/126,649
First Named Inventor:	KLAUS EDER

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
23	1	US claim 23 substantially corresponds in scope to PCT claim 1, as amended in the Intern. Exam. Report, except for the deletion of reference numbers
24	2	US claims 24 substantially corresponds in scope to PCT claim 2 except for the deletion of reference numbers
25	3	US claim 25 substantially corresponds in scope to PCT claim 3 except for the deletion of reference numbers
26	4	US claim 26 substantially corresponds in scope to PCT claim 4 except for the deletion of reference numbers
27	5	US claim 27 substantially corresponds in scope to PCT claim 5 except for the deletion of reference numbers
28	6	US claims 28 substantially corresponds in scope to PCT claim 6 except for the deletion of reference numbers
29	7	US claim 29 substantially corresponds in scope to PCT claim 7 except for the deletion of reference numbers
30	8	US claim 30 substantially corresponds in scope to PCT claim 8 except for the deletion of reference numbers
31, 32	9	SEE CONTINUATION SHEET
33	10	US claim 33 substantially corresponds in scope to PCT claim 10 except for the deletion of reference numbers
34	11	US claim 34 substantially corresponds in scope to PCT claim 11 except for the deletion of a reference number
35	12	US claim 35 substantially corresponds in scope to PCT claim 12 except for the deletion of reference numbers
36	13	US claim 36 substantially corresponds in scope to PCT claim 13 except for the deletion of reference numbers
37	14	US claim 37 substantially corresponds in scope to PCT claim 14
38	15	US claim 38 substantially corresponds in scope to PCT claim 15
39, 40	16	SEE CONTINUATION SHEET
41, 42	17	SEE CONTINUATION SHEET
43	18	US claim 43 substantially corresponds in scope to PCT claim 18
44, 45	19	SEE CONTINUATION SHEET
46	20	US claim 46 substantially corresponds in scope to PCT claim 20
47	21	US claim 47 substantially corresponds in scope to PCT claim 21
48	22	US claim 48 substantially corresponds in scope to PCT claim 22

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 4-28-2011
Name (Print/Typed) Henry M. Feiereisen	Registration Number 31,084

CONTINUATION SHEET

US claim 31 substantially corresponds in scope to PCT claim 9 except for the deletion of reference numbers and recitation of a particular preferred example now set forth in claim 32.

US claim 39 substantially corresponds in scope to PCT claim 16 except for recitation of a particular preferred example now set forth in claim 40.

US claim 41 substantially corresponds in scope to PCT claim 17 except for recitation of a particular preferred example now set forth in claim 42.

US claim 44 substantially corresponds in scope to PCT claim 19 except for recitation of a particular preferred example now set forth in claim 45.

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

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

MAILED

OCT 03 2011

OFFICE OF PETITIONS

In re Application of
Villo Morawala Patell, et al.
Application No. 13/126,652
Filed: August 3, 2011
Attorney Docket No. 20049.0024USWO

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 September 28, 2011.

The request is **NOT APPROVED**.

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

The request cannot be approved because the statement under 3.73(b) is not proper or no statement under 3.73(b) was filed.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (*e.g.*, copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (*e.g.*, reel and frame number). The power of attorney filed on October 1, 2008 does not include one of the above two options.

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

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

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

cc: AVESTHAGEN LIMITED
9TH FLOOR
'DISCOVERER' INTERNATIONAL TECH PARK,
WHITEFIELD ROAD
BANGALORE 560066 INDIA

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS MN 55402-0902

MAILED

NOV 02 2011

OFFICE OF PETITIONS

In re Application of	:	
Villo Morawala Patell, et al.	:	
Application No. 13/126,652	:	DECISION ON PETITION
Filed: August 3, 2011	:	TO WITHDRAW
Attorney Docket No. 20049.0024USWO	:	FROM RECORD
	:	

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed October 12, 2011.

The request is **NOT APPROVED**.

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

The request cannot be approved because the practitioner(s) requesting the withdrawal have not certified that they (1) have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment, (2) have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled, (3) have notified the client of any responses that may be due and the time frame within which the client must respond. The failure to do so may subject the practitioner to discipline. It is also noted that false certification may violate a practitioners' duty under 37 CFR 10.23(b)(4) and (b)(5).

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

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

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

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

cc: AVESTHAGEN LIMITED
9TH FLOOR
'DISCOVERER' INTERNATIONAL TECH PARK,
WHITEFIELD ROAD
BANGALORE 560066 INDIA

UNITED STATES PATENT AND TRADEMARK OFFICE

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MINNEAPOLIS MN 55402-0902

MAILED

DEC 22 2011

OFFICE OF PETITIONS

In re Application of
Villo Morawala Patell, et al.
Application No. 13/126,652
Filed: April 28, 2011
Attorney Docket No. 20049.0024USWO

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed November 28, 2011.

The request is **APPROVED**.

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

The request was signed by Douglas P. Mueller on behalf of all attorneys of record who are associated with customer No. 52835. All attorneys/agents associated with the Customer Number 52835 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.

There are no pending Office actions at the present time.

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

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

cc: AVESTHAGEN LIMITED
9TH FLOOR
'DISCOVERER' INTERNATIONAL TECH PARK,
WHITEFIELD ROAD
BANGALORE 560066 INDIA

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/126,652	08/03/2011	Villoo Morawala Patell	20049.0024USWO

CONFIRMATION NO. 4741

POWER OF ATTORNEY NOTICE

52835
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

OC000000051580106

Date Mailed: 12/20/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/28/2011.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/amwise/

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

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GRANT ANDERSON LLP
C/O PORTFOLIOIP
PO BOX 52050
MINNEAPOLIS MN 55402

MAILED
JAN 24 2012
OFFICE OF PETITIONS

In re Application of
VAN DEN BOOM *et al*
Application No.: 13/126,684
PCT No.: PCT/US2009/062239
Int. Filing Date: 27 October 2009
Priority Date: 30 October 2008
Atty. Docket No.: SEQ-6020-US
For: PRODUCTS AND PROCESSES FOR MULTIPLEX NUCLEIC ACID IDENTIFICATION

DECISION

This is a decision on applicants' "PETITION UNDER 37 CFR 1.47(a)" filed in the U.S. Patent and Trademark Office (USPTO) on 12 October 2011.

BACKGROUND

On 27 October 2009, applicants filed international application No. PCT/US2009/062239 which claimed a priority date of 30 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. 30 April 2011.

On 28 April 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 12 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 that, inter alia, an oath or declaration in compliance with 37 CFR

1.497 was required, as well as a "Sequence Listing" in computer readable form in compliance with 37 CFR 1.821(e). A two (2) month period for reply was set.

On 12 October 2011, applicants filed the present petition which requests that the application be accepted without the signature of the joint inventor, Andrew Timms. A declaration naming Timms as a joint inventor was also filed, along with a three (3) month extension of time and the Sequence Listing.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor. Applicants have satisfied item (1) above.

Concerning item (2) above, the petition asserts that the present application should be accepted for entry into the national stage based on the refusal of the co-inventor to join in the present application for patent. In this regard, section 409.03(d) of the Manual Of Patent Examining Procedure (MPEP), under the heading "REFUSAL TO JOIN" states, in part:

> A refusal by an inventor to sign an oath or declaration when the inventor has not been presented with the application papers does not itself suggest that the inventor is refusing to join the application unless it is clear that the inventor understands exactly what he or she is being asked to sign and refuses to accept the application papers. A copy of the application papers should be sent to the last known address of the nonsigning inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney... It is reasonable to require that the inventor be presented with the application papers before a petition under 37 CFR 1.47 is granted since such a procedure ensures that the inventor is apprised of the application to which the oath or declaration is directed. *In re Gray*, 115 USPQ 80 (Comm'r Pat. 1956).
>
> Where a refusal of the inventor to sign the application papers is alleged, the circumstances of the presentation of the application papers and of the refusal must be specified in a statement of facts by the person who presented the inventor with the application papers and/or to whom the refusal was made. Statements by a party not present when an oral refusal is made will not be accepted.
>
> Proof that a *bona fide* attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature, but the inventor refused to accept delivery of the papers or expressly stated that the application papers should not be sent, may be sufficient. When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the statement of facts. When there is an

express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. The document may be redacted to remove material not related to the inventor's reasons for refusal.

When it is concluded by the 37 CFR 1.47 applicant that a nonsigning inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in the statement of facts in support of the petition or directly in the petition. If there is documentary evidence to support facts alleged in the petition or in any statement of facts, such evidence should be submitted. Whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the petition.

A review of the application file reveals that item (2) cannot be said to have been satisfied. Specifically, petitioners have not provided sufficient evidence that a complete copy of the application papers (specification, including claims, drawings, and oath or declaration) was sent or given to the non-signing inventor. In this regard, the petition states that counsel's Patent Specialist, Abby Boone, sent a copy of the declaration and a cover letter to the non-signing inventor at his last known address on two occasions, but that each mailing was returned as undeliverable by the US Postal Service (USPS).

In this regard, the inventor must be afforded an opportunity to review the application as filed (specification, including claims, drawings, if any, and the declaration). Petitioners must provide proof, in accordance with the above paragraphs, that the application papers were sent or given to the inventor, and that the inventor refused to sign the declaration after being sent or given a copy of the application. Petitioners must provide proof that the application was sent to the non-signing inventor by providing a copy of the cover letter transmitting the application papers to the non-signing inventor and/or details in an affidavit or declaration of facts by a person with first-hand knowledge of the details.

Furthermore, a statement of first-hand knowledge must be provided by the person who sent the application to the non-signing inventor. Statements based on hearsay will not normally be accepted. See MPEP 409.03(d).

Lastly, a brief Internet search suggests that the non-signing inventor is now living at a different address in Shoreline, WA. As such, petitioners must provide details of the efforts made to locate the non-signing inventor should be set forth in an affidavit or declaration of facts by a person having first-hand knowledge of the details. Petitioners should verify the last known address of the non-signing inventor by the use of social media listings, telephone directories, Internet searches, or other databases to determine a current address for the non-signing inventor. If a more recent address is discovered, petitioners should send or give a copy of the application papers to the inventor at that address.

If the inventor refuses in writing to sign the declaration, a copy of the written refusal must be supplied with any renewed petition. If the inventor refuses orally to sign the declaration, a declaration or statement of facts by a person having first-hand knowledge of the refusal must

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

In regards to item (3), if a new address for the non-singing inventor is determined, petitioners must inform the Office of that address in any renewed petition.

In regards to item (4), non-initialed and/or non - dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c). Specifically, alterations have been made in the signature block for joint inventor Smita V. Chitnis. The wording of an oath or declaration cannot be amended, altered or changed in any manner after it has been signed. Accordingly, a new oath or declaration, signed by inventor Chitnis, must be submitted and must properly identify the application of which it is to form a part, by application number and filing date in the body of the oath or declaration. See §§ MPEP 602.01 and 602.02.

Additionally, if a new address is determined for the non-signing inventor, a new oath or declaration, signed by all of the signing inventors on behalf of themselves and the non-signing inventor, containing the new mailing address of the non-signing inventor, must be supplied. Alternatively, the new mailing address may be supplied by means of an Application Data Sheet pursuant to 37 CFR 1.76.

Therefore, in that applicants have not satisfied items (2), (3), and (4) above, the petition under 37 CFR 1.47(a) may not be properly granted at this time.

CONCLUSION

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

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

A proper response must include either (a) an acceptable declaration executed by all of the inventors, or (b) an acceptable showing that the missing joint inventor has refused to execute the application as discussed above.

Receipt of the payment on January 19, 2012 of the petition fee of $200.00 as required by § 1.17(g) is acknowledged.

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

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Mail Stop Petitions, PO Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of Petitions. A reply may also be filed via the EFS-Web system of the USPTO.

D Wood
Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

571-272-3231
Fax: (571) 273-8300

Conferee: Richard R. Cole
Senior PCT Legal Examiner
Office of PCT Legal Administration

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01473
ROPES & GRAY LLP
Patent Docketing 39/361
1211 Avenue of the Americas
New York, NY 10036-8704

MAILED

OCT 25 2011

PCT LEGAL ADMINISTRATION

In re Application of :
NISHIMURA *et al* :
U.S. Application No.: 13/126,745 :
PCT No.: PCT/JP2009/068531 :
Int. Filing Date: 28 October 2009 :
Priority Date: 28 October 2008 :
Attorney Docket No.: 003824-0018-301 :
For: ANTI-MUC1 ANTIBODY :

DECISION

This decision is in response to the paper titled "Response to August 8, 2011 Communication" filed 24 August 2011. This paper has been treated as a petition under 37 CFR 1.182.

BACKGROUND

On 28 April 2011, applicants filed papers using the USPTO EFS-Web system as the national stage of PCT/US2009/068531. All other papers filed at this time listed the international application as PCT/JP2009/068531.

On 08 August 2011, a communication was mailed requesting clarification of the PCT number.

On 08 August 2011, applicants filed the subject response.

DISCUSSION

In the subject response, applicants state that the correct international application number should be PCT/JP2009/068531. Applicants request that the Office correct the PCT number in the above-captioned application.

This request is treated as a petition under 37 CFR 1.182. The $400.00 petition fee has been charged to counsel's Deposit Account as authorized.

A review of the above-captioned application file verifies that the wrong PCT number was designated when filing the application electronically using the USPTO EFS-Web. All other papers filed identified the PCT number as PCT/JP2009/068531. WIPO records show that the title, priority dates and name of applicants correspond to PCT/JP2009/068531.

Thus, it is clear that the subject application was intended to be filed as the national stage of PCT/JP2009/068531 but for a clerical error made upon filing.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

USPTO records have been changed to reflect that the above-captioned application is the national stage of PCT/JP2009/068531, filed 28 October 2009 which claims priority to Japanes patent application No. 2008-277344, filed 28 October 2008.

This application is being forwarded to the DO/EO/US for further processing in accordance with this decision.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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:	13/126,807	Filing date:	April 29, 2011
First Named Inventor:	Larry L. Stewart		
Title of the Invention:	DUMP TRAILER		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2011/026270

The international date of the corresponding PCT application(s) is/are: February 25, 2011

I. List of Required Documents:

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

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

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

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

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

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

Under the 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.:	13/126,807
First Named Inventor:	Larry L. Stewart

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

- [x] Is attached
- [ ] Has already been filed in the above-identified U.S. application on _____

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

- [x] Are attached.
- [ ] Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	All the claims in the US application are identical to the patentable claims in the corresponding PCT application.

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

Signature	Date May 3, 2011
Name (Print/Typed) Matthew S. Gibson	Registration Number 63523

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.
13/126,807	04/29/2011	Larry L. Stewart	2837.8	6109

24919 7590 11/15/2011
MCAFEE & TAFT
TENTH FLOOR, TWO LEADERSHIP SQUARE
211 NORTH ROBINSON
OKLAHOMA CITY, OK 73102

EXAMINER

ART UNIT	PAPER NUMBER
3612	

MAIL DATE	DELIVERY MODE
11/15/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 15 2011

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MCAFEE & TAFT
TENTH FLOOR, TWO LEADERSHIP SQUARE
211 NORTH ROBINSON
OKLAHOMA CITY OK 73102

In re application of Larry Stewart Application No. 13/126,807 Filed: April 29, 2011 For: DUMP TRAILER	**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 May 03, 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 USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

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

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 11/14/11

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:	13/126,841	Filing date:	April 29, 2011
First Named Inventor:	Jonas Kristensen		
Title of the Invention:	METHOD OF ERECTING A TOWER		

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/EP2009/063727

The international filing date of the corresponding PCT application(s) is/are: October 20, 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).**

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

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

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

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

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

(continued)

Application No.:	13/126,841
First Named Inventor:	Jonas Kristensen

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 29, 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 29, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	8	Combination of claims 1 and 8
2	2	Similar in scope; no substantive changes
3	3	Similar in scope; no substantive changes
4	4	Combination of claims 2 and 4; multiple dependency deleted
5	5	Combination of claims 2 and 5; multiple dependency deleted
6	6	Combination of claims 1, 8 and 6; multiple dependency deleted
7	7	Similar in scope; no substantive changes
8		Cancelled; subject matter added to claim 1
9	9	Combination of claims 1, 8 and 9; multiple dependency deleted
10	10	Combination of claims 1, 8 and 10; multiple dependency deleted
11	11	Combination of claims 1, 8 and 11; multiple dependency deleted
12	12	Combination of claims 1, 8 and 12; multiple dependency deleted
13	13	Combination of claims 1, 8 and 13; multiple dependency deleted
14	14	Combination of claims 1, 8 and 14; multiple dependency deleted
15	15	Combination of claims 12 and 15; multiple dependency deleted
16	16	Combination of claims 12 and 16; multiple dependency deleted
17	17	Combination of claims 14 and 17; 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 2011-05-27
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. Method of erecting a tower of a wind turbine plant comprising
- providing a foundation,
- providing at least one top section of a tower,
- providing a first lifting mechanism adapted to carry the top section of the tower,
- providing at least one lower most tower section onto the foundation,
- lifting said at least one top section of the tower by lifting the first lifting mechanism relative said at least one lower most tower section,
- adding at least one second lower most section above said at least one lower most tower section,
- lifting said at least one top section of the tower by lifting the first lifting mechanism relative said at least one second lower most tower section.

2. Method according to claim 1, wherein the first lifting mechanism comprises a climber having a body and a first set of arms extending outwardly from the body, and wherein lifting said at least one top section of the tower comprises:

engaging the first set of arms with the lower most tower section; and

moving the body upwardly relative to the first set of arms while they are engaging the lower most tower section.

3. Method according to claim 2, wherein the climber further comprises a second set of arms extending outwardly from the body, and wherein lifting said at least one top section of the tower further comprises:

engaging the second set of arms with the lower most tower section;

disengaging the first set of arms from the lower most tower section; and

moving the body upwardly relative to the second set of arms while they are engaging the lower most section.

4. Method according to claims 2 and 3, wherein said steps of engagement and disengagement of the arms and said upward movement of

the body are repeated until a space is formed between the lower most tower section and the top section allowing a new tower section to be built in said space.

5. Method according to claims 2 and 3, wherein there is a reciprocal interaction between the body and the arms along the vertical extension of the body, and along the longitudinal extension of the arms.

6. Method according to any of claims 1-5, wherein the top section is carrying a nacelle.

7. Method according to claim 6, wherein the nacelle is carrying a rotor blade.

8. Method according to any of claims 1-7, wherein the first lifting mechanism is a climber climbing on the inside of respective lower tower section.

9. Method according to any one of claims 1-8, wherein the first lifting mechanism extends beneath the top section.

10. Method according to any one of claims 1-9, wherein the first lifting mechanism extends inside the top section.

11. Method according to any one of claims 1-10, wherein the lower most tower section or sections are provided by two or more portions divided by interfaces having a vertical extension at least such that each portion only forms a portion of the circumference formed by respective section.

12. Method according to any one of claims 1-11, wherein said sections are lifted with a second lifting mechanism carried by the nacelle and/or the top section and/or the climber.

13. Method according to any one of claims 1-12, wherein the tower is conical.

14. Method according to any one of claims 1-13, wherein the tower is a plate shell tower.

15. Method according to any one of claims 12-14, wherein rotation of the nacelle in an essentially horizontal plane relative the top section provides means for different orientations of the second lifting mechanism carried by the nacelle.

16. Method according to any one of claims 12-15, wherein at least parts of the second lifting mechanism is kept in or on the nacelle after the tower is erected and ready for use.

17. Method according to any of claims 14-16, wherein the climber, during climbing engages grip portions forming part of, or being mounted to the plate shell sections.

7

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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.
13/126,841	04/29/2011	Jonas Kristensen	VWS-369US	6406

83583 7590 07/21/2011
Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER

ART UNIT	PAPER NUMBER
3633	

NOTIFICATION DATE	DELIVERY MODE
07/21/2011	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):

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

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Alexandria, VA 22313-1450
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JUL 20 2011

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

In re application of Jonas Kristensen Application No. 13/126,841 Filed: April 29, 2011 For: METHOD OF ERECTING A TOWER	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 27, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

In light of the preliminary amendment filed on May 27, 2011, and the petition being properly submitted via EFS-Web as is required, the request to participate in the PPH program complies with the above requirements, the above-identified application has been accorded "special" status.

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 07/20/11

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OSHA LIANG LLP
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON TX 77010

MAILED
APR 17 2012
OFFICE OF PETITIONS

In re Application of
Mikio Iwamura et al
Application No.: 13/126,882
Filed: July 8, 2011
Attorney Docket No.: 17470/135001
For: MOBILE STATION AND MOBILE COMMUNICATION METHOD

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 17, 2012 to make the above-identified application special.

The request and petition are **DENIED**.

DISCUSSION

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

1. The U.S. application is

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

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

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

However, the request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding the requirement of condition (3), a Notice of Allowance was issued for this application on March 2, 2012.

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

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

Anthony Knight
Director
Office of Petitions

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24728
MORRIS MANNING MARTIN LLP
3343 Peachtree Road, NE
1600 Atlanta Financial Center
Atlanta, GA 30326

MAILED

SEP 28 2011

PCT LEGAL ADMINISTRATION

In re Application of
XIAO, Dongping
U.S. Application No.: 13/126,895
PCT No.: PCT/CN2008/072902
Int. Filing Date: 31 October 2008
Priority Date: None
Attorney Docket No.: 14979-79737
For: TIRE BURST DETECTING AND ANTI-DEVIATION SYSTEM AND METHOD THEREOF

DECISION

This decision is in response to the petition under 37 CFR 1.182 filed 26 July 2011.

BACKGROUND

On 29 April 2011, applicant filed papers using the USPTO EFS-Web system as the national stage of PCT/US2008/072902. All other papers filed at this time listed the international application as PCT/CN2008/072902.

On 20 July 2011, a communication was mailed notifying applicant of the problem and requesting a petition to correct the PCT number.

On 26 July 2011, applicant filed the subject petition.

DISCUSSION

Applicant requests to correct the PCT number in the above-captioned national stage application to PCT/CN2008/072902 pursuant to 37 CFR 1.182.

The $400.00 petition fee has been paid.

A review of the above-captioned application file verifies that the wrong PCT number was designated when filing the application electronically using the USPTO EFS-Web. The transmittal letter, declaration and ADS record the international application as PCT/CN2008/072902. WIPO records show that the PCT number corresponding to the title and first-named inventor is PCT/CN2008/072902.

Thus, it is clear that the subject application was intended to be filed as the national stage of PCT/CN2008/072902 but for a clerical error made upon filing.

CONCLUSION

Applicant's petition under 37 CFR 1.182 is **GRANTED**.

USPTO records have been changed to reflect that the above-captioned application is the national stage of PCT/CN2008/072902.

This application is being forwarded to the DO/EO/US for further processing in accordance with this decision.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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MAY 20 2011

PCT LEGAL ADMINISTRATION

Coats & Bennett, PLLC
1400 Crescent Green, Suite 300
Cary NC 27518

In re Application of
KELLER et al.
Application No.: 13/126,902
PCT No.: PCT/EP2008/008265
Int. Filing Date: 29 September 2008
Priority Date: None
Attorney Docket No.: 4015-7512 / P27062-US1
For: CORRELATION OF SESSIONS IN CASE OF SESSION TRANSFER IN IMS DOMAIN

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 29 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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LRK Patent Law Firm
1952 Gallows Rd
Suite 200
Vienna VA 22182

MAILED
FEB 27 2012
OFFICE OF PETITIONS

In re Application of
LEE, et al.
Application No.: 13/126,998
Filed: April 29, 2011
Attorney Docket No.: P10379US
For: METHOD AND APPARATUS OF SEMANTIC TECHNOLOGICAL APPROACH BASED ON SEMANTIC RELATION IN CONTEXT AND STORAGE MEDIA HAVING PROGRAM SOURCE THEREOF

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 24, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

   a. a Paris Convention application which either
      i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
      ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

   or

   b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
      i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
      ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
      iii. contains no priority claim,

   or

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application

i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KR application(s);
   b. An English translation of the allowable/patentable claim(s), and
   c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
   a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
   b. An English language translation of the KIPO office action; and
   c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
   a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
   b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

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

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4549.

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

David Buccì
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 12 2012
OFFICE OF PETITIONS

LRK PATENT LAW FIRM
1952 GALLOWS RD
SUITE 200
VIENNA VA 22182

In re Application of
Min Ho Lee et al
Application No.: 13/127,011
Filed: April 29, 2011
Attorney Docket No.: P10380US
For: SYSTEM FOR EXTRACTING RALATION BETWEEN TECHNICAL TERMS IN LARGE COLLECTION USING A VERB-BASED PATTERN

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 27, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

    or

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
        iii. contains no priority claim,

    or

c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
    i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the KR application(s);
    b. An English translation of the allowable/patentable claim(s), and
    c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
    a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
    b. An English language translation of the KIPO office action; and
    c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
    a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
    b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

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

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.

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

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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:	13/127,022	Filing date:	April 29, 2011
First Named Inventor:	Daniel A. Doron		
Title of the Invention:	DUAL CONTAINER TRAILER 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/US2009/062766

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

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

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

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

(continued)

Application No.:	13/127,022
First Named Inventor:	Daniel A. Doron

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 29, 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 29, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-23	1-23	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 September 14, 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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

CONLEY ROSE, P.C.
DAVID A. ROSE
P. O. BOX 3267
HOUSTON TX 77253-3267

MAILED
JAN 31 2012
OFFICE OF PETITIONS

In re Application of	**: DECISION ON REQUEST TO**
Daniel A. DORON et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/127,022	**: PROSECUTION HIGHWAY**
Filed: April 29, 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 2712-00304	**: TO MAKE SPECIAL UNDER**
For: DUAL CONTAINER TRAILER SYSTEM	**: 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 September 14, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Thurman K. Page

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 30 2011

PCT LEGAL ADMINISTRATION

Conley Rose P.C
P.O.Box 3267
Houston TX 77253

In re Application of	:	
Wilmot et al.	:	
Application No.: 13/127,026 and 13/127,029	:	
PCT No.: PCT/GB2009/051436	:	
Int. Filing Date: 26 October 2009	:	DECISION
Priority Date: 29 October 2008	:	
Attorney Docket No.: 1814-68000	:	
For: Spindle Drive Apparatus And Methods	:	

This is in response to the correspondence filed on 29 April 2011.

BACKGROUND

International application PCT/GB2009/051436 was filed on 26 October 2009, claimed an earlier priority date of 29 October 2008, and designated the United States. The International Bureau transmitted a copy of the published international application to the USPTO on 06 May 2010. The period for payment of the basic national fee in the United States expired as of midnight on 29 April 2011. Applicants filed *inter alia* a basic national fee directed toward said international application in 13/127,029 on 29 April 2011. Applicants also filed correspondence on the same date, which was assigned to application no. 13/127,026.

DISCUSSION

Review of the record reveals that applicants have filed two sets of correspondence, 13/127,026 and 13/127,029, directed toward the national stage under 35 U.S.C. 371 of the same international application, PCT/GB2009/051436. 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 13/127,029, and since fees have not been charged and applied to 13/127,026, the papers filed in 13/127,026 are being placed into the '029 application file. All future correspondence should be directed toward 13/127,029.

DECISION

The application papers are **ACCEPTED**, as described above.

Application number 13/127,026 has not been activated, but has been merged with 13/127,029. All further correspondence with respect to this matter should be directed to 13/127,029.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

Copied from 13127026 on 07/14/2011

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:	Not Yet Assigned - US National Phase of PCT/IL2010/000167	Filing date:	Herewith
First Named Inventor:	Eli SPRECHER		
Title of the Invention:	A METHOD OF REGULATING PROLIFERATION AND DIFFERENTIATION OF KERATINOCYES		

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/IL2010/000167

The international filing date of the corresponding PCT application(s) is/are: February 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)**

- [x] Is attached
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [x] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	Not Yet Assigned - US National Phase of PCT/IL2010/000167
First Named Inventor:	Eli SPRECHER

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	Identical
2	2	Identical
4	4	Identical
5	5	Multiple Dependency Removed
6	6	Multiple Dependency Removed
7	7	Multiple Dependency Removed
8	8	Multiple Dependency Removed
9	9	Identical
10	10	Identical
11	11	Identical
12	12	Identical
13	13	Multiple Dependency Removed

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/Jason H. Rosenblum/	Date	May 2, 2011
Name (Print/Typed)	Jason H. Rosenblum	Registration Number	56,437

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.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	Unassigned	Filing date:	May 2, 2011
First Named Inventor:	Yuehu PU		
Title of the Invention:	PARTICLE BEAM THERAPY 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 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/JP2008/073407

The international date of the corresponding PCT application(s) is/are: 24 December 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 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.:	Unassigned
First Named Inventor:	Yuehu PU

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☒ Is attached.

☐ Has already been filed in the above identified U.S. application on _____

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Both claims are same
2	2	Both claims are same
3	3	Both claims are same
4	4	Both claims are same
5	5	Both claims are same
6	6	Both claims are same
7	7	Claim 7 is same as claim 7 except depending on claim 2 only
8	7	Claim 8 is same as claim 7 except depending on claim 5 only
9	7	Claim 9 is same as claim 7 except depending on claim 6 only
10	8	Claim 10 is same as claim 8 except depending on claim 1 only
11	8	Claim 11 is same as claim 8 except depending on claim 2 only
12	8	Claim 12 is same as claim 8 except depending on claim 5 only
13	8	Claim 13 is same as claim 8 except depending on claim 6 only
14	8	Claim 14 is same as claim 8 except depending on claim 7 only
15	9	Claim 15 is same as claim 9 except depending on claim 1 only
16	9	Claim 16 is same as claim 9 except depending on claim 2 only
17	9	Claim 17 is same as claim 9 except depending on claim 5 only
18	9	Claim 18 is same as claim 9 except depending on claim 6 only
19	9	Claim 19 is same as claim 9 except depending on claim 7 only

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	James A. LaBarre	Date	May 2, 2011
Name (Print/Typed)	James A. LaBarre	Registration Number	28632

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.
13/127,112	05/02/2011	Yuchu Pu	1033318-000230	9366

21839 7590 10/17/2011
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EXAMINER
KIM, ROBERT H

ART UNIT	PAPER NUMBER
2881	

NOTIFICATION DATE	DELIVERY MODE
10/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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ALEXANDRIA VA 22313-1404

OCT 17 2011

In re Application of	**: DECISION ON REQUEST TO**
PU et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/127112	**: PROSECUTION HIGHWAY**
Filed: 02 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 1033318-000230	**: TO MAKE SPECIAL UNDER**
For: PARTICLE BEAM THERAPY SYSTEM	**: 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 02 May 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-2) 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 (3-4).

Regarding the requirement of condition (3), applicant has failed to submit provide a statement that the translation is accurate.

Regarding the requirement of condition (4), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. Specifically, US claim 1 recites "a path or trajectory" while the PCT claim 1 requires "an orbit." US claim 1 is broader in scope than PCT claim 1 and therefore do not sufficiently correspond.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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Alexandria, VA 22313-1450
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SEP 09 2011

PCT LEGAL ADMINISTRATION

Wellstat Management Company. LLC
LEGAL DEPARTMENT
930 CLOPPER ROAD
GAITHERSBURG MD 20878

In re Application of	:	
WIRTH, David D., *et al.*	:	
Application No.: 13/127,120	:	DECISION ON
PCT No.: PCT/US2009/063096	:	
Int. Filing Date: 03 November 2009	:	REQUEST
Priority Date: 04 November 2008	:	
Attorney Docket No.: 18079-PCTUS	:	UNDER 37 CFR 1.42
For: SYNTHESIS OF (PHENYLALKYLOXY)	:	
PHENYL-OXOBUTANOIC ACIDS	:	

This is a decision on applicant's submission of a declaration on 21 June 2011, containing an indication that an inventor is deceased. It has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 23 May 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia,* that an oath or declaration of the inventors was required.

On 21 June 2011, applicants filed a declaration of the inventors, including a request for status under 37 CFR 1.42.

DISCUSSION

Under 35 U.S.C. §117, legal representatives of deceased inventors may make application for patent upon compliance with the requirements and on the same terms and conditions applicable to 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 1.42.

The 21 June 2011 declaration lists the inventors and their citizenships and the legal representative and the legal representative's citizenship, residence and postal address, satisfying 37 CFR 1.42 and 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **GRANTED**.

This application is being forwarded to the National Stage Processing Division 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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LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD FL 33022-2480

MAILED

AUG 04 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
SCHMIDT	:	
Application No.: 13/127,137	:	DECISION
PCT No.: PCT/DE2009/001492	:	
Int. Filing Date: 22 October 2009	:	
Priority Date: 30 October 2008	:	
Attorney's Docket No.: RWS-9158221	:	
For: TRANSVERSE FLUX MOTOR AS AN EXTERNAL ROTOR MOTOR AND DRIVE METHOD	:	

This decision is issued in response to applicant's petition under 37 CFR1.182 filed 13 June 2011 in the United States Patent and Trademark Office (USPTO). Applicant has provided payment of the $400.00 petition fee.

BACKGROUND

On 23 May 2011, applicant was mailed a "Notice of Acceptance" (Form PCT/DO/EO/903).

On 13 June 2011, applicant filed the petition considered herein.

DISCUSSION

Applicants confirm that the correct international application is PCT/DE2009/001492. An examination of the originally filed papers finds that the correct international application number was listed on the PTO-1390 transmittal letter and other papers concurrently filed. Applicant's present submission included the required petition fee to correct applicant's clerical error. Accordingly, these materials satisfy the requirements for a grantable petition to correct applicant's error in the bibliographical data filed 02 May 2011 and to permit such materials to be treated as having been directed to international application PCT/DE2009/001492.

CONCLUSION

Applicant's petition under 37 CFR 1.182 is **GRANTED**.

As requested, the international application number, title of invention, and continuity data have been corrected and are now associated with PCT/DE2009/001492.

The Form PCT/DO/EO/903 mailed 23 May 2011 is hereby **VACATED**.

This application is being forwarded to the United States Designated/Elected Office for further processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: 571-272-3294

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:	13/127,179	Filing date:	May 02, 2011
First Named Inventor:	Toshiki ITOI		
Title of the Invention:	BATTERY MODULE, METHOD FOR FABRICATING THE SAME, AND TEMPERATURE ADJUSTING 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/JP2010/005133

The international date of the corresponding PCT application(s) is/are: August 19, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/127,179
First Named Inventor:	Toshiki ITOI

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on May 2, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 2, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	substantially the same
2	2	substantially the same
3	3	substantially the same
4	4	substantially the same
5	5	substantially the same
6	6	substantially the same
7	7	substantially the same
8	8	substantially the same
9	9	substantially the same
10	10	substantially the same
11	11	substantially the same
12	12	substantially the same
13	13	substantially the same
14	14	substantially the same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date May 3, 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/JP2010/005133.

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.

Noriko Kiyohara
Noriko KIYOHARA

April 4. 2011
Date

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
前田弘
様

あて名
〒541-0053
日本国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〕

発送日 （日.月.年）	１６．１１．２０１０
出願人又は代理人 の書類記号　P056453P0	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／ＪＰ２０１０／００５１３３	（日.月.年）　１９．０８．２０１０	（日.月.年）　１８．０９．２００９

国際特許分類（ＩＰＣ）Int.Cl. H01M10/50(2006.01)i, H01M2/10(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
０４．１１．２０１０

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） 長谷山　健	４Ｋ	９１７１
	電話番号　０３－３５８１－１１０１　内線　３４３５		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００９年７月）

国際調査機関の見解書

国際出願番号 PCT／JP2010／005133

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／JP2010／005133

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	1－14	有
	請求項		無
進歩性（IS）	請求項	1－14	有
	請求項		無
産業上の利用可能性（IA）	請求項	1－14	有
	請求項		無

2. 文献及び説明

文献1: JP 2006-128124 A (三星エスディアイ株式会社) 2006.05.18, 全文, 第1-7図
& US 2006/0091856 A1 & KR 10-2006-0037625 A & CN 1790803 A

文献2: JP 10-106521 A (松下電器産業株式会社) 1998.04.24, 全文, 第1-7図
(ファミリーなし)

文献3: JP 2000-306560 A (日本電池株式会社) 2000.11.02, 全文, 第1-4図
(ファミリーなし)

文献4: JP 2004-185867 A (本田技研工業株式会社) 2004.07.02, 全文, 第1-9図
(ファミリーなし)

文献5: JP 2006-331956 A (三洋電機株式会社) 2006.12.07, 全文, 第1-9図
(ファミリーなし)

文献6: JP 2004-171856 A (松下電器産業株式会社) 2004.06.17, 全文, 第1-15図
(ファミリーなし)

文献7: JP 2009-193961 A (ヴァレオ クリマジステーメ ゲーエムベーハー) 2009.08.27, 全文, 第1-19図
& US 2009/0214940 A1 & EP 2093818 A1 & DE 102008009041 A

文献8: JP 2000-133225 A (三洋電機株式会社) 2000.05.12, 全文, 第1-9図
(ファミリーなし)

(補充欄に続く)

補充欄

いずれかの欄の大きさが足りない場合

第 V2. 欄の続き

請求項 1-14

請求項 1-14 に係る発明は、文献 1-8 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。

特に、温度調節用ユニットが、第１の平面部と、前記第１の平面部とは反対側に位置する第２の平面部と、前記第１の平面部と第２の平面部とに接続された側壁部とが一体的に形成された樹脂形成体からなる点、及び、前記側壁部によって、複数の素電池のそれぞれを保持する保持部と、前記素電池の温度を調節する液体が流れる流路とが区画されるとともに、前記素電池が、前記側壁部で区画された前記保持部に密着して保持される点は、文献 1-8 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。

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. **PCT/JP2010/005133**

Box No.V

1. Statement

Novelty(N)	Claims	1-14	YES
	Claims		NO
Inventive step(IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability(IA)	Claims	1-14	YES
	Claims		NO

2. Citation and explanations:

Claims 1-14

Inventions as set forth in claims 1-14 are not described in any of the documents 1-8 nor would be obvious to a person skilled in the art.

Any of the documents 1-8 dose not describe that a temperature adjusting unit is a resin-molded article in which a first flat portion, a second flat portion located on an opposing side of the first flat portion, and a side wall portion connected to the first flat portion and the second flat portion are integrally formed, and that a holding portion for holding a corresponding one of the cells and a flow path in which a liquid for adjusting the temperatures of the cells are separated by the side wall portion, and that each of the cells is held in close contact with the holding portion separated by the side wall portion. Thus inventions as set forth in claims 1-14 would not be obvious to a person skilled in the art.

Translation of claims determined to be patentable by the ISA

1. A battery module, comprising:

a plurality of cells electrically connected to each other; and

a temperature adjusting unit for adjusting temperatures of the cells, wherein

the temperature adjusting unit is a resin-molded article in which a first flat portion, a second flat portion located on an opposing side of the first flat portion, and a side wall portion connected to the first flat portion and the second flat portion are integrally formed,

a holding portion for holding a corresponding one of the cells, and a flow path in which a liquid for adjusting the temperatures of the cells are separated by the side wall portion, and

each of the cells is held in close contact with the holding portion separated by the side wall portion.

2. The battery module of claim 1, wherein

the temperature adjusting unit includes a unit body and a lid body,

the unit body has a repeating structure having, as a repeating unit, a resin-molded article in which the first flat portion, the side wall portion, the second flat portion, and the side wall portion are consecutively connected to each other,

the lid body is provided on a second flat portion side of the unit body,

the flow path is defined by the first flat portion, two of the side wall portions, and the lid body, and

the holding portion is defined by two of the side wall portions and the second flat portion.

3. The battery module of claim 2, wherein

the lid body has a cover surface opposed to the second flat portion side, and a rib provided on the cover surface,

the rib is sandwiched between the two side wall portions which define the flow path, and

a periphery of the cover surface is laser welded or thermo-compression bonded to a periphery of the unit body.

4. The battery module of claim 1, wherein

the holding portion is defined by two of the side wall portions, and

the flow path is surrounded and defined by the first flat portion, the second flat

portion, and two of the side wall portions.

5. The battery module of claim 4, wherein

the temperature adjusting unit includes two temperature adjusting units each having a same shape, and

in the two temperature adjusting units,

the first flat portion of one temperature adjusting unit and the second flat portion of the other temperature adjusting unit are opposed to each other, and

the holding portion of the one temperature adjusting unit and the holding portion of the other temperature adjusting unit communicate with each other.

6. The battery module of claim 1, wherein

a width between two of the side wall portions which define the holding portion is greater than a width of each of the cells on a first flat portion side.

7. The battery module of claim 6, wherein

the width between the two side wall portions which define the holding portion is increased from a second flat portion side to the first flat portion side.

8. The battery module of claim 1, wherein

each of the cells has a battery case made of a metal can.

9. The battery module of claim 1, wherein

the temperature adjusting unit further includes a supply section for supplying the liquid into the flow path, and a discharge section for discharging the liquid from the flow path.

10. The battery module of claim 1, wherein

the temperature adjusting unit is a cooling unit for cooling the cells, and

the liquid is a refrigerant for cooling the cells.

11. A method for fabricating the battery module of claim 2, comprising the steps of:

(a) forming the unit body by injection molding,

(b) providing the lid body to the second flat portion side of the unit body,

(c) electrically connecting the plurality of cells to each other, and

(d) holding the cells in close contact with the respective holding portions of the unit body.

12. The method for fabricating the battery module of claim 4, comprising the steps of:

(e) forming the temperature adjusting unit by blow molding,

(f) electrically connecting the plurality of cells to each other, and

(g) holding the cells in close contact with the respective holding portions of the temperature adjusting unit.

13. A temperature adjusting system comprising:

the battery module of claim 1, and

a pump for circulating the liquid through the flow path.

14. A temperature adjusting system comprising:

the battery module of claim 5, and

a pump control section, wherein

the pump control section allows the liquid in the flow path of the one temperature adjusting unit and the liquid in the flow path of the other temperature adjusting unit to circulate in reverse directions.

請求の範囲（PCT/JP2010/005133）

【請求項１】
互いに電気的に接続された複数の素電池と、
前記素電池の温度を調整する温度調整用ユニットとを備え、
前記温度調整用ユニットは、
第１の平面部と、前記第１の平面部とは反対側に位置する第２の平面部と、前記第１の平面部と前記第２の平面部とに接続された側壁部とが一体的に形成された樹脂成形体からなり、
前記側壁部により、前記素電池のそれぞれを保持する保持部と前記素電池の温度を調整する液体が流れる流路とに区画されており、
前記素電池は、前記側壁部で区画された前記保持部に密着されて保持されている電池モジュール。
【請求項２】
請求項１に記載の電池モジュールであって、
前記温度調整用ユニットは、ユニット本体と、蓋体とを有し、
前記ユニット本体は、
前記第１の平面部、前記側壁部、前記第２の平面部及び前記側壁部がこの順に接続されて形成された樹脂成形体を繰り返し単位として、連続的に形成されており、
前記蓋体は、前記ユニット本体の前記第２の平面部側に設けられており、
前記流路は、前記第１の平面部と、２つの前記側壁部と、前記蓋体とで規定されており、
前記保持部は、２つの前記側壁部と、前記第２の平面部とで規定されている電池モジュール。
【請求項３】
請求項２に記載の電池モジュールであって、
前記蓋体は、前記第２の平面部側に対向して配置される被覆面と、前記被覆面に設けられたリブとを有し、
前記リブは、前記流路を規定する前記２つの側壁部に挟持されており、
前記被覆面の周縁が前記ユニット本体の周縁にレーザー溶着又は熱圧着されている電池モジュール。
【請求項４】
請求項１に記載の電池モジュールであって、
前記保持部は、２つの前記側壁で規定されており、
前記流路は、前記第１の平面部と前記第２の平面部と２つの前記側壁部とに囲まれて規定されている電池モジュール。
【請求項５】
請求項４に記載の電池モジュールであって、
互いに同一形状に形成された２つの前記温度調整用ユニットを備え、
前記２つの温度調整用ユニットでは、

一方の前記温度調整用ユニットの前記第１の平面部と他方の前記温度調整用ユニットの前記第２の平面部とが互いに対向しており、

一方の前記温度調整用ユニットの前記保持部と他方の前記温度調整用ユニットの前記保持部とが互いに連通している電池モジュール。

【請求項６】

請求項１に記載の電池モジュールであって、

前記保持部を規定する２つの前記側壁部の幅は、前記第１の平面部側において、前記素電池の幅よりも大きい電池モジュール。

【請求項７】

請求項６に記載の電池モジュールであって、

前記保持部を規定する２つの前記側壁部の幅は、前記第２の平面部側から前記第１の平面部側へ向かうにつれて大きい電池モジュール。

【請求項８】

請求項１に記載の電池モジュールであって、

前記素電池は、金属缶からなる電池ケースを有している電池モジュール。

【請求項９】

請求項１に記載の電池モジュールであって、

前記温度調整用ユニットは、前記液体を前記流路に供給する供給部と、前記液体を前記流路から排出する排出部とをさらに有する電池モジュール。

【請求項１０】

請求項１に記載の電池モジュールであって、

前記温度調整用ユニットは、前記素電池を冷却する冷却用ユニットであり、

前記液体は、前記素電池を冷却する冷媒である電池モジュール。

【請求項１１】

請求項２に記載の電池モジュールを製造する方法であって、

射出成形により前記ユニット本体を形成する工程（ａ）と、

前記ユニット本体の前記第２の平面部側に前記蓋体を設ける工程（ｂ）と、

前記複数の素電池を電気的に接続する工程（ｃ）と、

前記ユニット本体の前記保持部のそれぞれに前記素電池を密着させて保持させる工程（ｄ）とを備えている電池モジュールの製造方法。

【請求項１２】

請求項４に記載の電池モジュールを製造する方法であって、

ブロー成形により前記温度調整用ユニットを形成する工程（ｅ）と、

前記複数の素電池を電気的に接続する工程（ｆ）と、

前記温度調整用ユニットの前記保持部のそれぞれに前記素電池を密着させて保持させる工程（ｇ）とを備えている電池モジュールの製造方法。

【請求項１３】

請求項１に記載の前記電池モジュールと、

前記流路内で前記液体を循環させるポンプとを備えた温度調整システム。

【請求項１４】

請求項５に記載の前記電池モジュールと、

ポンプ制御部とを備え、

前記ポンプ制御部は、前記一方の温度調整用ユニットに設けられた前記流路内において前記液体が循環する向きと前記他方の温度調整用ユニットに設けられた前記流路内において前記液体が循環する向きとを互いに逆にする温度調整システム。

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/127,179	05/02/2011	Toshiki Itoi	085393-0561	9899

53080 7590 08/26/2011
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER
ROE, CLAIRE LOUISE

ART UNIT	PAPER NUMBER
1727	

NOTIFICATION DATE	DELIVERY MODE
08/26/2011	ELECTRONIC

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8/26/11

BC

In re application of	:	DECISION ON REQUEST TO
Toshiki Itoi et al.	:	PARTICIPATE IN PATENT
Serial No. 13/127,179	:	PROSECUTION HIGHWAY
Filed: May 02, 2011	:	PROGRAM AND
Attorney Docket No: 085393-0561	:	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 03, 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

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KATTEN MUCHIN ROSENMAN LLP
(C/O PATENT ADMINISTRATOR)
2900 K STREET NW, SUITE 200
WASHINGTON, DC 20007-5118

MAILED

JAN 26 2012

OFFICE OF PETITIONS

Applicant: Julien Thomas Hodson-Walker
Appl. No.: 13/127,181
International Filing Date: November 5, 2009
Title: BOTANICAL ARRANGEMENT AND DISPLAY APPARATUS
Attorney Docket: 342465-00004
Pub. No.: US 2011/0219689 A1
Pub. Date: September 15, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on November 15, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains material error since the Office failed to include the amendments entered under Article 34 of the PCT.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The error noted by requestor with respect to the amendments to the application 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/127,198	05/02/2011	Shu Nakamura	110489	1034

38834 7590 05/25/2011
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
3775	

NOTIFICATION DATE	DELIVERY MODE
05/25/2011	ELECTRONIC

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patentmail@whda.com

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WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON DC 20036

In re Application of: NAKAMURA, SHU Serial No.: 13/127,198 Filed: May 2, 2011 Docket: 110489 Title: SURGICAL CHISEL	:: DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY (PPH) AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 3, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the JPO or to a PCT application that does not contain any priority claim, or the U.S. application must be a national stage entry of a PCT application that does not contain any priority claim;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. This application is currently undergoing pre-examination processing. Upon completion, the application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. All other inquiries concerning the examination or status of the application should be directed to Frantz Jules, SPE of Art Unit 3784, and 571-272-6681 for Class 62/238 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/127,248	05/03/2011	Noriyuki Kitao	07043.0079-00000	1753

22852 7590 11/07/2011
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

ART UNIT	PAPER NUMBER
1725	

MAIL DATE	DELIVERY MODE
11/07/2011	PAPER

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11/7/11

In re application of	:	DECISION ON REQUEST TO
Noriyuki Kitao et al.	:	PARTICIPATE IN PATENT
Serial No. 13/127,248	:	PROSECUTION HIGHWAY
Filed: May 03, 2011	:	PROGRAM AND
Attorney Docket No: 07043.0079-00000	:	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 11, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the 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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CONLEY ROSE, P.C.
David A. Rose
P. O. BOX 3267
HOUSTON TX 77253-3267

MAILED
MAR 07 2012
OFFICE OF PETITIONS

In re Application of:	:	
DORON, et al.	:	DECISION ON PETITION
Application No.: 13/127,278	:	TO MAKE SPECIAL UNDER
Filing Date: May 3, 2011	:	37 CFR 1.102(c)(1)
Attorney Docket No.: 2712-00404	:	

This is a decision on the petition to make special under 37 CFR 1.102(c)(1), filed February 13, 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 the applicant, Daniel A. Doron, who signed a statement indicating that said applicant 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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/127,305	05/03/2011	Gabor Horvath	VT-0006	1134

23599 7590 07/11/2011
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

EXAMINER

ART UNIT	PAPER NUMBER
3753	

NOTIFICATION DATE	DELIVERY MODE
07/11/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@mwzb.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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MILLEN, WHITE, ZELANO & BRANIGAN
P.C. 2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

In re Application of: HORVATH, GABOR Serial No.: 13/127305 Filed: May 3, 2011 Attorney Docket No. : VT-0006 Title: VALVE FOR UNIVERSAL UTILIZATION AND SEVERAL PURPOSES	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 27, 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 HPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the HPO 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 HPO 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 HPO 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 HPO examiner in the HPO 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 #6 above.

The IDS filed on May 3, 2011 and the corrective IDS filed on May 27, 2011 fail to disclose the reference, SU 337605 A, as disclosed on the IPER. Further, said reference is missing from the record.

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

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.
13/127,305	05/03/2011	Gabor Horvath	VT-0006	1134

23599 7590 07/27/2011
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

EXAMINER

ART UNIT	PAPER NUMBER
3753	

NOTIFICATION DATE	DELIVERY MODE
07/27/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON VA 22201

In re Application of:
HORVATH, GABOR
Serial No.: 13/127305
Filed: May 3, 2011
Attorney Docket No. : VT-0006
Title: VALVE FOR UNIVERSAL UTILIZATION AND SEVERAL PURPOSES

DECISION ON A REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 25, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the HPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the HPO 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 HPO 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 HPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit IDS listing the documents cited by the HPO examiner in the HPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

A previous decision on the instant petition was mailed on July 11, 2011. The previous decision stated the request and petition failed to meet conditions Item #6 above. Applicant at the time did not submit a copy of foreign reference SU 337605 A, which was cited by the PCT examiner in the IPER. Since then, Applicant has filed an IDS disclosing this reference and submitted a copy thereof.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Applicant has corrected the deficiencies in a timely manner within the given one month period. 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
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KELLY LOWRY & KELLEY, LLP
6320 CANOGA AVENUE
SUITE 1650
WOODLAND HILLS CA 91367

MAILED

JUN 10 2011

PCT LEGAL ADMINISTRATION

In re Application of
HOLLENBERG, et al.
U.S. Application No.: 13/127,317
PCT No.: PCT/AU2009/001434
Int. Filing Date: 04 November 2009
Priority Date: 04 November 2008
Attorney's Docket No.: GRIFF-53839
For: METHOD AND APPARATUS FOR MONITORING A PROPERTY OF A SAMPLE

DECISION ON PETITION

UNDER 37 CFR 1.182

This decision is in response to applicant's correspondence filed 03 May 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 Jared Cole.

BACKGROUND

On 04 November 2009, applicant filed international application PCT/AU2009/001434, which claimed priority of an earlier application filed 04 November 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 04 May 2011.

On 03 May 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 letter requesting a change in the name of inventor Cole pursuant to PCT Rule 92*bis*.

DISCUSSION

Applicant is advised that it is requests for the recording of changes in the international application pursuant to PCT Rule 92*bis* must be filed with the International Bureau (IB).

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.

The difference in the inventor's first name is more than a mere typographical error. Applicant has merely presented the above referenced letter. As applicant has not provided either 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, it is not possible to grant applicant's petition at this time. In addition, applicant has not provided payment of the requisite $400.00 petition fee.

If the IB made the change to inventor Cole's name applicant should supply the office with a copy of the Form PCT/IB/306 and no petition fee would be required. In addition, applicant is hereby afforded two months to file an executed oath or declaration of the inventors and $65.00 surcharge for providing an oath or declaration of the inventors after the expiration of thirty months form the priority date.

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
P.O. Box 1450
Alexandria, VA 22313-1450
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KELLY LOWRY & KELLEY, LLP
6320 CANOGA AVENUE
SUITE 1650
WOODLAND HILLS CA 91367

MAILED

SEP 01 2011

PCT LEGAL ADMINISTRATION

In re Application of
HOLLENBERG, et al.
U.S. Application No.: 13/127,317
PCT No.: PCT/AU2009/001434
Int. Filing Date: 04 November 2009
Priority Date: 04 November 2008
Attorney's Docket No.: GRIFF-53839
For: METHOD AND APPARATUS FOR MONITORING A PROPERTY OF A SAMPLE

DECISION ON PETITION

UNDER 37 CFR 1.182

This decision is in response to applicant's renewed petition under 37 CFR 1.182 filed 03 August 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 10 June 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 02 August 2011, applicant filed the renewed petition considered herein.

DISCUSSION

As detailed in the decision mailed 10 June 2011, The Manual of Patent Examining Procedure (MPEP) section 605.04 provides guidance for instances where an inventor has changed names. 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.

The present petition is accompanied by a signed statement from inventor Cole detailing the discrepancies between his actual name and the name listed on the filed international application As such, it is proper to grant applicant's petition at this time.

CONCLUSION

For the reasons stated above, applicant's 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 for further processing in accord with this decision. Specifically, the mailing of a "Notification of Missing Requirements" (Form PCT/DO/EO/905) indicating that an executed oath or declaration of the inventors is required. As this renewed petition has been granted and applicant has submitted an ADS with the subject inventor listed as Jared Cole, this is the name which will be listed on the published application.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE IP AUSTRALIA (IPAU) AND THE USPTO

Application No:	13/127,429	Filing date:	May 16, 2011 (371 National Stage Entry Date)
First Named Inventor:	WONG, Lok Yung		
Title of the Invention:	INSULATED FIRE SHUTTER		

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/SG2010/000182

The international filing date of the corresponding PCT application(s) is/are: May 14, 2010 (2010.05.14)

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE IPAU AND THE USPTO

(continued)

Application No.:	13/127,429
First Named Inventor:	WONG, Lok Yung

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 3, 2011 and May 27, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 3, 2011 and May 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 in the US application corresponds to Claim 1 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
2	2	Claim 2 in the US application corresponds to Claim 2 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
3	3	Claim 3 in the US application corresponds to Claim 3 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
4	4	Claim 4 in the US application corresponds to Claim 4 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
5	5	Claim 5 in the US application corresponds to Claim 5 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
6	6	Claim 6 in the US application corresponds to Claim 6 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
7	7	Claim 7 in the US application corresponds to Claim 7 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
8	8	Claim 8 in the US application corresponds to Claim 8 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
9	9	Claim 9 in the US application corresponds to Claim 9 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
		CLAIM CORRESPONDENCE CONTINUED ON NEXT PAGE

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature **CLAIM CORRESPONDENCE CONTINUED ON NEXT PAGE**	Date
Name (Print/Typed)	Registration Number

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE IPAU AND THE USPTO

(continued)

Application No.:	13/127,429
First Named Inventor:	WONG, Lok Yung

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 3, 2011 and May 27, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 3, 2011 and May 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
10	10	Claim 10 in the US application corresponds to Claim 10 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP),
		and is further amended to correct a minor typographical error
11		Claim 11 in the US application is cancelled
12	11	Claim 12 in the US application corresponds to Claim 11 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
13	12	Claim 13 in the US application corresponds to Claim 12 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
14	13	Claim 14 in the US application corresponds to Claim 13 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)
15	14	Claim 15 in the US application corresponds to Claim 14 in the PCT application
		as amended with the Chapter II Demand (and as examined in the IPRP)

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature *Brian Panka*	Date August 29, 2011
Name (Print/Typed) Brian G. Panka	Registration Number 53,430

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MARTIN D MOYNIHAN d/b/a PRTSI
PO BOX 16446
ARLINGTON VA 22215

MAILED

FEB 09 2012

OFFICE OF PETITIONS

In re Application of	:	DECISION
Ben-Ishai, et al.	:	ON PETITION
Application No. 13/127,476	:	
Filed: May 4, 2011	:	
Attorney Docket Number: 51130	:	

This is in response to the petition under 37 CFR 1.84(a)(2), filed May 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 the only practical medium by which to disclose the subject matter. See, e.g. MPEP 608.02, Section IX, which states that drawing symbols can be used to indicate various materials where the material is an important feature of the invention.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

The application is being forwarded to Group Art Unit 2811.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
MAY 18 2011
OFFICE OF PETITIONS

MARTIN D. MOYNIHAN d/b/a PRTSI, INC.
P.O. BOX 16446
ARLINGTON VA 22215

In re Application of	:	
Daniel Offen	:	
Application No. 13/127,494	:	DECISION ON PETITION
Filed:	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **50994**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed May 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Office of Patent Application Processing (OPAP) for action on the merits commensurate with this decision.

JoAnne Burke
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

45473
BRINKS, HOFER, GILSON & LIONE
P.O. Box 110285
Research Triangle Park, NC 27709

MAILED
OCT 11 2011
PCT LEGAL ADMINISTRATION

In re Application of
BERNASCONI *et al*
U.S. Application No.: 13/127,505
PCT No.: PCT/EP2009/064700
Int. Filing Date: 05 November 2008
Priority Date: 06 November 2007
Docket No.: 13779-695
For: SCREENING ASSAY FOR INSECTICIDES

DECISION

This decision is in response to the petition under 37 CFR 1.182 filed 17 August 2011.

BACKGROUND

On 04 May 2011, applicants filed papers to enter the national stage of PCT/EP2009/064700 which was accompanied by, *inter alia*, an ADS. The eighteenth-named inventor was listed as Damian LONDON.

On 23 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 that an oath or declaration and a surcharge fee were required. Applicants were given two months to respond with extensions of time available pursuant to 37 CFR 1.136(a).

On 21 June 2011, applicants filed an executed declaration and $130.00 surcharge fee. The eighteenth-named inventor was listed as Damian O'Brecht LONDON on the declaration. The inventor signed the declaration as such.

On 20 July 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 and 1.495 (Form PCT/DO/EO/903) and filing receipt.

On 17 August 2011, applicants filed the subject petition under 37 CFR 1.182 which included a statement by co-inventor, Damian LONDON.

DISCUSSION

Applicants' request that the Office recognize the eighteenth-named inventor as

Damian LONDON. Mr. London signed the declaration filed 21 June 2011 with his full name Damian O'Brecht LONDON. Mr. LONDON states that for professional purposes, he uses the name Damian LONDON.

Applicants also request that an updated filing receipt be issued which identifies the inventor only as Damian LONDON.

This request is treated as a petition under 37 CFR 1.182. The $400.00 petition fee has been charged to Deposit Account No. 23-1925 as authorized.

A review of the above-captioned application shows that the eighteenth named inventor was already recorded as Damian LONDON on the filing receipt mailed 20 July 2011. Nonetheless, applicants request that this decision be granted and a new filing receipt mailed.[1]

This is sufficient for a grantable petition.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

The eighteenth-named inventor is recognized as Damian LONDON. A new filing receipt was issued 07 October 2011.

This application is being forwarded to the appropriate Art Unit for examination.

James Thomson

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

[1] The undersigned contacted applicants' counsel by telephone on 05 October 2011 and told him that the filing receipt did not list Mr. LONDON's middle name. Applicants still request that the Office mail this decision and provide a new filing receipt indicating that the inventor is known as Mr. Damian London only.

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:	Unknown	Filing date:	Herewith
First Named Inventor:	Lee Huynh		
Title of the Invention:	COMMUNICATING IN-CASINO EMERGENCY NOTIFICATIONS		

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: PCTUS0964245

The international date of the corresponding PCT application(s) is/are: 12-Nov-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).**

- [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.

Under the 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.:	Unknown
First Named Inventor:	Lee Huynh

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
1-25	1-25	Same Claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew DeLizio Reg. 52,806/	Date May 3, 2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

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.
13/127,537	05/04/2011	Lee Huynh	100.070US1	2927

65375 7590 08/17/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER

ART UNIT	PAPER NUMBER
2612	

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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of	
HUYNH et al.	**: DECISION ON REQUEST TO**
Application No.: 13/127,537	**: PARTICIPATE IN THE PATENT**
Filed: 04 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 100.070US1	**: PROGRAM AND PETITION**
For: COMMUNICATING IN-CASINO	**: TO MAKE SPECIAL UNDER**
EMERGENCY NOTIFICATIONS	**: 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 04 May 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-3) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (4).

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, PCT claims 1-18 and 23-25 were not held to have novelty, inventive step, and industrial applicability.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	Unknown	Filing date:	Herewith
First Named Inventor:	Mark B. Gagner		
Title of the Invention:	OPTICAL MACHINE-READABLE DATA REPRESENTATION IMAGE		

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/US09/64003

The international date of the corresponding PCT application(s) is/are: 11-Nov-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).**

- [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.

Under the 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.:	Unknown
First Named Inventor:	Mark B. Gagner

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
1-9, 16-22, 26-31	1-9, 16-22, 26-31	same claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Steven R. Gilliam, #51734/	Date 2-May-2011
Name (Print/Typed) Steven R. Gilliam	Registration Number 51734

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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.
13/127,584	05/04/2011	Mark B. Gagner	100.067US1	3237

65375 7590 08/01/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of: GAGNER, MARK B., et al Serial No.: 13/127584 Filed: 05/04/2011 Attorney Docket No. : 100.067US1 Title: OPTICAL MACHINE-READABLE DATA REPRESENTATION IMAGE	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 4, 2011 to make the above-identified application special.

The request and petition are **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 #3 above.

Regarding Claims 10-15, the request to participate in the PPH pilot program and petition does not show current pending Claims 10-15 as corresponding with any allowed PCT claims. In order to grant this PPH petition, it is suggested that applicant cancel pending Claims 10-15 or submit a response explaining how pending Claims 10-15 are related to any allowed PCT claims.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Mark B. Gagner et al.	Examiner: Unknown
Appl No.:	13/127,584	Group Art Unit:
Filed:	November 11, 2009	Docket: 100.067US1
Title:	OPTICAL MACHINE-READABLE DATA REPRESENTATION IMAGE	

REQUEST TO RECONSIDER PETITION

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Dear Sir

This document is in response to the official communication dated 08/01/2011. The official communication was a Decision on Request to Participate in Patent Prosecution Highway and to Make Special Under 37 CFR 1.102(a) (hereinafter "Decision").

The Decision indicated that the request to participate in the PPH pilot program and petition does not show current pending Claims 10-15 as corresponding with any allowed PCT claims. The decision also suggested that applicant cancel pending Claims 10-15 or submit a response explaining how pending Claims 10-15 are related to any allowed PCT claims.

In response, Applicant has filed a Preliminary Amendment cancelling claims 10-15. As such, Applicant requests that the Examiner grant the Petition to Participate in the Patent Prosecution Highway.

Conclusion

The Examiner is invited to telephone Applicant's attorney Steven R. Gilliam at 202-596-5526 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3998.

Respectfully submitted,

DeLizio Gilliam, PLLC
15201 Mason Road
Suite 1000-312
Cypress, TX 77433
281-758-0025

Date 9/1/2011 By /Steven R. Gilliam/
Steven R. Gilliam
Reg. No. 51,734

This paper or fee is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	Unassigned	Filing date:	May 4, 2011
First Named Inventor:	Yosuke FUJIMORI et al.		
Title of the Invention:	VACUUM THERMAL INSULATING MATERIAL AND METHOD OF MANUFACTURING THE SAME, AND THERMAL INSULATING BOX HAVING THE VACUUM THERMAL INSULATING MATERIAL		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of 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/JP2010/000528

The international date of the corresponding PCT application(s) is/are: January 29, 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 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.:	Unassigned
First Named Inventor:	Yosuke FUJIMORI et al.

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☒ Is attached.

☐ Has already been filed in the above identified U.S. application on _____

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Same Claim
2	2	Same Claim
3	3	Same Claim
4	4	Corresponds to claim 4/1
5	5	Same Claim
6	6	Corresponds to claim 6/4/1
7	7	Corresponds to claim 7/4/1
8	8	Corresponds to claim 8/1
9	9	Same Claim
10	10	Same Claim
11	11	Same Claim
12	12	Corresponds to claim 12/1
13	13	Same Claim
14	14	Corresponds to claim 14/12/1
15	15	Corresponds to claim 15/11

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	James LaBarre	Date	May 4, 2011
Name (Print/Typed)	James A. LaBarre	Registration Number	28632

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.
13/127,596	05/04/2011	Yosuke Fujimori	1033413-000115	3291

21839 7590 08/26/2011
BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

EXAMINER
THOMAS, ALEXANDER S

ART UNIT	PAPER NUMBER
1783	

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):

ADIPFDD@bipc.com
offserv@bipc.com

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

8/26/11

BC

In re application of Yosuke Fujimori et al. Serial No. 13/127,596 Filed: May 04, 2011 Attorney Docket No: 1033413-000115	: : : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed May 04, 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

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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APR 09 2012
OFFICE OF PETITIONS

IP GROUP OF DLA PIPER LLP (US)
ONE LIBERTY PLACE
1650 MARKET ST, SUITE 4900
PHILADELPHIA, PA 19103

In re Application of Zitzlsperger et al.	:	
Application No. 13/127,623	:	
Int'l Filing Date: January 29, 2010	:	Decision on Request
Attorney Docket No. EHF-11-1107	:	
Pub. No. US 2011/0303945 A1	:	
Pub. Date: December 15, 2011	:	

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed February 14, 2012.

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 request is not a material mistake as required under 37 C.F.R. § 1.221(b). Specifically, the mistake does not affect the public's ability to appreciate the

[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).

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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GROSSMAN, TUCKER, PERREAULT & PFLEGER, PLLC
55 SOUTH COMMERICAL STREET
MANCHESTER, NH 03101

MAILED
JUN 22 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
AXELROD, Glen S.	:	
Application No.: 13/127,626	:	
PCT No.: PCT/US2009/059668	:	
Int. Filing Date: 06 October 2009	:	DECISION ON PETITION
Priority Date: 07 October 2008	:	
ATTY Docket No.: TFH155DIV	:	UNDER 37 CFR 1.137(b)
For: DURABLE BONE WITH SOFT CORE	:	

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 04 May 2011.

BACKGROUND

On 06 October 2009, applicant filed international application, PCT/US2009/059668, which claimed priority of an earlier United States application filed 07 October 2008. The thirty-month period for paying the basic national fee in the United States expired on 07 April 2011.

On 08 April 2011, international application PCT/US2009/059668 became abandoned as to the United States for failure to timely pay the basic national fee.

On 04 May 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.

Application No.: 13/127,626

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing.

Shane Thomas
PCT Legal Detailee
Office of PCT Legal Administration
Tel: (571) 272-6095

Boris Milef
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

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PCT LEGAL ADMINISTRATION

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 W. MADISON STREET
SUITE 3800
CHICAGO IL 60661

In re Application of NAKATANI et al. Application No.: 13/127,629 PCT No.: PCT/JP2009/069084 Int. Filing Date: 10 November 2009 Priority Date: 11 November 2008 Attorney's Docket No.: FUJ00682P01110US For: TIP UNIT FOR LIQUID APPLICATOR AND LIQUID APPLICATOR	:	DECISION

This is a decision on applicants' submission filed 25 May 2011 which has properly been treated as a petition under 37 CFR 1.182. The petition is **GRANTED** as discussed below.

On 04 May 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), and a declaration of inventors. The international application number keyed into EFS-Web was PCT/JP2009/069804. The Transmittal Letter, the ADS, and the declaration also indicate the international application number as PCT/JP2009/0069804.

On 25 May 2011, applicants filed the instant petition under 37 CFR 1.182 requesting that the international application number be changed to PCT/JP2009/069084

A petition under 37 CFR 1.182 to correct the record with regard to an incorrect international application number must include the following: (1) payment of the $400 petition fee; (2) an indication that the correct international application number was included somewhere in the national stage application papers filed prior to the expiration of thirty months from the priority date; and (3) a statement indicating the correct international application number.

As to item (1), the petition fee under 37 CFR 1.17(f) has been charged to Deposit Account 23-0785.

As to item (2), a review of the application file, including a review of the papers filed 04 May 2011 for the instant application at an internal USPTO website (http://es.uspto.gov/EFSSupportWeb/), shows the WIPO publication and the International Search Report filed by applicant as those for PCT/JP2009/069084. Accordingly, item (2) has been met.

Item (3) has also been met.

A review of the application file including counsel's statements in the instant submission, as well as a review of the international publication of PCT/JP2009/069084, reveals that the present application should in fact be the national stage application of international application **PCT/JP2009/069084**.

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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SEP 26 2011

PCT LEGAL ADMINISTRATION

BROWN RUDNICK LLP
ONE FINANCIAL CENTER
BOSTON MA 02111

In re Application of STEINMAN et al. Application No.: 13/127,669 PCT No.: PCT/US2009/064001 Int. Filing Date: 11 November 2009 Priority Date: 11 November 2008 Attorney's Docket No.: HELI-1004/02US 28526/436 For: METHODS OF SAMPLE ENCODING FOR MULTIPLEX ANALYSIS OF SAMPLES BY SINGLE MOLECULE SEQUENCING	:	DECISION

This is a decision on petition under 37 CFR 1.497(d) filed in the United States Patent and Trademark Office (USPTO) on 19 August 2011.

The NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 (Form DO/EO/903) mailed 01 September 2011 was mailed prematurely, i.e., before the decision on applicants' petition under 37 CFR 1.497(d) had been granted. Because applicants' petition has been granted, the application has met the requirements of 35 U.S.C. 371, and the 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) date and 35 U.S.C. 371 dates accorded in Form DO/EO/903 are correct. Accordingly, Form DO/EO/903 is hereby affirmed.

The Filing Receipt mailed 01 September 2011 was also mailed prematurely, i.e., before the decision on applicants' petition under 37 CFR 1.497(d) had been granted. Because applicants' petition has been granted, the inventorship listed in the Filing Receipt is correct. Accordingly, the Filing Receipt is hereby affirmed.

BACKGROUND

On 11 November 2009, applicants filed international application PCT/US2009/064001, which designated the U.S. and claimed a priority date of 11 November 2008. The thirty-month period for paying the basic national fee in the United States expires at midnight on 11 May 2011.

On 04 May 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.

On 19 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 oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 19 August 2011, applicants filed the instant petition under 37 CFR 1.497(d) to delete Eldar GILADI and Ed THAYER as inventors.

DISCUSSION

37 CFR 1.497(d), provides:

> (d) If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92bis subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:
>
> (1) A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;
>
> (2) The processing fee set forth in Sec. 1.17(i); and
>
> (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see Sec. 3.73(b) of this chapter); and
>
> (4) Any new oath or declaration required by paragraph (f) of this section.

Items (1) and (2) have been satisfied.

As to item (3), the petition indicates that none of the inventors have executed an assignment. Accordingly, item (3) is not required.

Item (4) is not required.

The declarations of inventors filed 19 August 2011 are in compliance with 37 CFR 1.497(a)-(d).

CONCLUSION

The request under 37 CFR 1.497(d) is **GRANTED** for the reasons set forth above.

A supplemental Application Data Sheet reflecting the change in inventorship is required.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

CONNOLLY BOVE LODGE & HUTZ, LLP
P O BOX 2207
WILMINGTON DE 19899

MAILED

MAY 24 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
NIESTEN, et al.	:	
Application No.: 13/127,677	:	
PCT No.: PCT/EP2007/003244	:	DECISION ON PETITION
Int. Filing Date: 12 April 2007	:	
Priority Date: 22 April 2006	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: 15778-00400-US	:	
For: POLYMERIC MASTICATORY MASSES FOR	:	
COSMETIC PRODUCTS	:	

The petition to revive under 37 CFR 1.137(b) filed 04 May 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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OCT 04 2011

PCT LEGAL ADMINISTRATION

WilmerHale/Columbia University
399 PARK AVENUE
NEW YORK NY 10022

In re Application of	:	
KOBERSTEIN et al.	:	
Application No.: 13/127,683	:	DECISION ON RESPONSE
PCT No.: PCT/US09/63282	:	
Int. Filing Date: 04 November 2009	:	TO NOTIFICATION OF
Priority Date: 04 November 2008	:	
Attorney Docket No.: 0019240.00728US2	:	MISSING REQUIREMENTS
For: HETEROBIFUNCTIONAL POLYMERS AND	:	
FOR LAYER-BY-LAYER CONSTRUCTION....	:	

This is a decision on applicant's Response to the Notification of Missing Requirements filed in the United States Patent and Trademark Office on 19 September 2011. Applicant's request for a two month extension of time is granted.

BACKGROUND

On 04 May 2011, applicant filed a transmittal letter concerning a filing under 35 U.S.C. 371 accompanied by the basic national fee.

On 18 May 2011, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), and the surcharge for filing the oath or declaration after the thirty month period, was required.

On 19 September 2011, applicant responded to the Notification with an executed declaration and a petition under 37 CFR 1.497(d) to add Jeffrey Lancaster as an inventor.

DISCUSSION

To change the inventorship, a petition under 37 CFR 1.497(d) is required. *See* MPEP

§1893.01(e). 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 the submission, Applicant has satisfied Items (1), (2) and (3). Applicant's petition under 37 CFR 1.497(d) is granted. Inventor Jeffrey Lancaster will be added as an inventor in the above referenced application. The declaration submitted on 19 September 2011 is acceptable and meets the requirements of 37 CFR 1.497(a) and (b).

CONCLUSION

The petition under 37 CFR 1.497(d) to add inventor Jeffrey Lancaster in the above-captioned application is hereby **GRANTED.**

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 19 September 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571)272-3286

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/127,802	Filing date:	May 5, 2011
First Named Inventor:	Shay Benyaminy		
Title of the Invention:	Solar Thermal Power Plant and Dual-Purpose Pipe for Use Therewith		

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/IL09/01036

The international date of the corresponding PCT application(s) is/are: November 5, 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.:	13/127,802
First Named Inventor:	Shay Benyaminy

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 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 May 5, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
52	1	According to Preliminary Amendment filed May 5, 2011
53	2	According to Preliminary Amendment filed May 5, 2011
54	3	According to Preliminary Amendment filed May 5, 2011
55	4	According to Preliminary Amendment filed May 5, 2011
56	7	According to Preliminary Amendment filed May 5, 2011
57	8	According to Preliminary Amendment filed May 5, 2011
58	9	According to Preliminary Amendment filed May 5, 2011
59	10	According to Preliminary Amendment filed May 5, 2011
60	11	According to Preliminary Amendment filed May 5, 2011
61	12	According to Preliminary Amendment filed May 5, 2011
62	13	According to Preliminary Amendment filed May 5, 2011
63	14	According to Preliminary Amendment filed May 5, 2011
64	15	According to Preliminary Amendment filed May 5, 2011
65	16	According to Preliminary Amendment filed May 5, 2011
66	17	According to Preliminary Amendment filed May 5, 2011
67	18	According to Preliminary Amendment filed May 5, 2011
68	18	According to Preliminary Amendment filed May 5, 2011
69	20	According to Preliminary Amendment filed May 5, 2011
70	34	According to Preliminary Amendment filed May 5, 2011

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Tina Gonka/	Date May 12, 2011
Name (Print/Typed) Tina Gonka	Registration Number L0623

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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SEP 12 2011
PCT LEGAL ADMINISTRATION

JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON DC 20004

In re Application of	:	
LOPEZ (deceased) et al.	:	DECISION ON
Application No.: 13/127,819	:	
PCT No.: PCT/US2008/084135	:	PAPERS
Int. Filing Date: 20 November 2008	:	
Priority Date: 05 November 2008	:	UNDER 37 CFR 1.42
Attorney's Docket No.: P72934US0	:	
For: PROCESS FOR DRYING BREWER'S	:	
SPENT GRAINS	:	

This is a decision on applicants' submission filed in the United States Patent and Trademark Office (USPTO) on 25 July 2011, which was accompanied by a declaration of inventors. The indication in this declaration that inventor Benito LOPEZ is deceased has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 20 November 2008, applicants filed international application PCT/US2008/084135, which designated the United States and claimed a priority date of 05 November 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 05 May 2011.

On 05 May 2011, applicants filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee.

On 23 May 2011, the United States Designated/Elected Office (DO/EO/US) issued a NOTIFICATION OF MISSING REQUIREMENTS (Form PCT/DO/EO/905) indicating, *inter alia*, that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) was required.

On 25 July 2011, applicants filed a submission which included a declaration of inventors. The indication in the declaration that inventor Benito LOPEZ is deceased has been treated as a request for status under 37 CFR 1.42.

DISCUSSION

The submission filed 25 July 2011 has been reviewed and has been found in compliance with 37 CFR 1.42.

The declaration filed 25 July 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, the request for status under 37 CFR 1.42 is **ACCEPTED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application in accordance with this decision.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

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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.
13/127,861	05/05/2011	Hiroshi Uyama	110528	5292

38834 7590 07/08/2011
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2157	

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):

patentmail@whda.com

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WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON DC 20036

In re Application of: H. UYAMA
Application No. 13/127,861
Attorney Docket #: **110528**
Filed: May 5, 2011
For: **ROUTING GUIDE MEDIATION SYSTEM, ROUTING GUIDE MEDIATION SERVER, AND ROUTING GUIDE METHOD**

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 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 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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Locke Lord Bissell & Liddell LLP
Attn: IP Docketing
Three World Financial Center
New York NY 10281-2101

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MAY 16 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
ENGSL et al.	:	
Application No.: 13/127,873	:	DECISION on
PCT No.: PCT/IB08/02020	:	
Int. Filing Date: 23 July 2008	:	PETITION
Priority Date: None	:	
Attorney Docket No.: 1005361.001US	:	UNDER 37 CFR 1.137(b)
For: A COMBINED SOLID WASTE, CARBON DIOXIDE: QUICKLIME SPARGING, BRINE WATER, ...		:

The petition to revive under 37 CFR 1.137(b) filed 05 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee has now been provided. The required petition fee of $810 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

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 05 May 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286

PTO/SB/20PCT-JP (05-10)
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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:	13/127,897	Filing date:	May 05, 2011
First Named Inventor:	Shunsuke YASUI		
Title of the Invention:	BATTERY MODULE AND BATTERY PACK USING THE SAME		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/004485

The international date of the corresponding PCT application(s) is/are: July 9, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

- [✓] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [✓] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/127,897
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 May 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 May 5, 2011

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
14	14	same
15	15	same
16	16	same
17	17	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 19, 2011
for 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/JP2010/004485.

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.

Kenji Kawakita

Kenji KAWAKITA

March 23, 2011

Date

Translation of claims determined to be patentable by the ISA

1. A battery module comprising:

a plurality of batteries aligned and accommodated in a housing, wherein

each of the batteries has an opening portion at an electrode portion of the battery to release gas generated in the battery outside the battery,

the housing is partitioned by a circuit board disposed in contact with battery cases around the electrode portions of the batteries into a storage portion in which the plurality of batteries are stored, and an exhaust chamber via which the gas released from the opening portion of the electrode portion is exhausted outside the housing,

the electrode portions of the batteries are connected to a connector formed on the circuit board, and

the opening portions of the electrode portions are in communication with the exhaust chamber via through holes formed in the circuit board.

2. The battery module of claim 1, wherein

the electrode portions of the batteries are inserted in the through holes of the circuit board.

3. The battery module of claim 2, wherein

the circuit board has a layered structure including a heat-resistant member and an elastic member, and

a lower surface of the elastic member is in contact with the battery cases.

4. The battery module of claim 2, wherein

the connector is formed on an upper surface of the circuit board, and

a lower surface of the circuit board is in contact with the battery cases.

5. The battery module of claim 4, wherein

a height of each electrode portion is substantially the same as a thickness of the circuit board.

6. The battery module of claim 4, wherein

a size of each through hole formed in the circuit board is smaller on a side on which the circuit board is in contact with the battery case than on a side on which the circuit board is provided with the connector.

7. The battery module of claim 2, wherein

the opening portion of each electrode portion is provided at an upper surface of the electrode portion, and

the connector connected to the electrode portions has through holes formed at least in positions of the connector corresponding to the opening portions.

8. The battery module of claim 7, wherein

the gas released from the opening portion of the electrode portion is released into the exhaust chamber via the through hole.

9. The battery module of claim 2, wherein

the connector connected to the electrode portions is formed to straddle the plurality of through holes formed in the circuit board.

10. The battery module of claim 2, wherein

the opening portion of each electrode portion is provided at a side surface of the electrode portion, and

a gap is provided between the circuit board and the electrode portion in each through hole formed in the circuit board.

11. The battery module of claim 10, wherein

the gas released from the opening portion of the electrode portion is released into the exhaust chamber through the gap.

12. The battery module of claim 2, wherein

the plurality of batteries are connected in parallel by the connector connected to the electrode portions of the batteries.

13. The battery module of claim 2, wherein

the storage portion is sealed by the circuit board.

14. The battery module of claim 1, wherein

the housing is made of a metal material having an insulated surface.

15. The battery module of claim 1, wherein

the housing includes the storage portion and a lid body,

partition portions are provided in the storage portion in such a manner that the batteries are individually stored, and

the lid body includes rib portions at positions facing the partition portions of the housing.

16. The battery module of claim 1, wherein

the housing includes the storage portion and a lid body, and

a supporting member for holding the circuit board is further provided between the lid body and the circuit board.

17. A battery pack comprising:

multiple ones of the battery module of any one of claims 1-16, wherein

the battery modules are aligned and connected in series and/or parallel.

請求の範囲（PCT/JP2010/004485）

【請求項１】

複数の電池が配列されて筐体内に収納された電池モジュールであって、

前記電池は、該電池の電極部に、前記電池内で発生したガスを電池外に排出する開放部を有しており、

前記筐体は、前記電池の電極部周囲の電池ケースに当接して配設された配線基板によって、前記複数の電池を収容する収納部と、前記電極部の開放部から排出されるガスを前記筐体外に排気する排気室とに区画されており、

前記電池の電極部は、前記配線基板に形成された接続体に接続されており、

前記電極部の開放部は、前記配線基板に形成された貫通孔を介して、前記排気室に連通している、電池モジュール。

【請求項２】

前記電池の電極部は、前記配線基板の貫通孔に挿入されている、請求項１に記載の電池モジュール。

【請求項３】

前記配線基板は、耐熱性部材と弾性部材との積層構造を有し、該弾性部材の下面は、前記電池ケースに当接している、請求項２に記載の電池モジュール。

【請求項４】

前記接続体は前記配線基板の上面に形成されており、前記配線基板の下面は、前記電池ケースに当接している、請求項２に記載の電池モジュール。

【請求項５】

前記電極部の高さは、前記配線基板の厚みと略同一である、請求項４に記載の電池モジュール。

【請求項６】

前記配線基板に形成された前記貫通孔は、前記電池ケースと当接する側の大きさが、前記接続体側の大きさより小さい、請求項４に記載の電池モジュール。

【請求項７】

前記電極部の開放部は、該電極部の上面に設けられており、

前記電極部に接続された前記接続体は、少なくとも前記開放部が形成された部位において貫通穴が形成されている、請求項２に記載の電池モジュール。

【請求項８】

前記電極部の開放部から排出されるガスは、前記貫通穴を介して前記排気室に排出される、請求項７に記載の電池モジュール。

【請求項９】

前記電極部に接続された前記接続体は、前記配線基板に形成された複数の貫通孔を跨いで形成されている、請求項２に記載の電池モジュール。

【請求項１０】

前記電極部の開放部は、該電極部の側面に設けられており、

前記配線基板に形成された貫通孔と前記電極部との間に、隙間が設けられている、請求

項２に記載の電池モジュール。

【請求項１１】

前記電極部の開放部から排出されるガスは、前記隙間を介して前記排気室に排出される、請求項１０に記載の電池モジュール。

【請求項１２】

前記複数の電池は、各電池の電極部に接続された前記接続体によって並列接続されている、請求項２に記載の電池モジュール。

【請求項１３】

前記収納部は、前記配線基板によって、密閉状態になっている、請求項２に記載の電池モジュール。

【請求項１４】

前記筐体は、表面に絶縁加工を施した金属材料からなることを特徴とする請求項１に記載の電池モジュール。

【請求項１５】

前記筐体は、収納部と蓋体を有し、

前記収納部に、前記電池を個別に収納する隔壁部を設け、

前記蓋体に、前記筐体の前記隔壁部と対向する位置にリブ部を設けることを特徴とする請求項１に記載の電池モジュール。

【請求項１６】

前記筐体は、収納部と蓋体を有し、

前記蓋体と前記配線基板との間に、前記配線基板を保持する支持部材を、さらに備えることを特徴とする請求項１に記載の電池モジュール。

【請求項１７】

請求項１～請求項１６のいずれか１項に記載の電池モジュールが複数個配列された電池パックであって、各電池モジュールは、直列接続および／または並列接続されている、電池パック。

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/JP2010/004485

Box No.V

1. Statement

Novelty(N)	Claims	1-17	YES
	Claims		NO
Inventive step(IS)	Claims	1-17	YES
	Claims		NO
Industrial applicability(IA)	Claims	1-17	YES
	Claims		NO

2. Citation and explanations:

Claims 1-17

Inventions as set forth in claims 1-17 are not described in any of the documents cited in the ISR nor would be obvious to a person skilled in the art, therefor they satisfy the requirements of novelty and inventive step.

特許協力条約

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〕

発送日 (日.月.年)	19. 10. 2010
出願人又は代理人 の書類記号　P056431P0	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／JP2010／004485	(日.月.年)　09. 07. 2010	(日.月.年)　17. 07. 2009

国際特許分類（IPC）Int.Cl. H01M2/10(2006.01)i, H01M2/12(2006.01)i, H01M2/20(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。

- ☑ 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. 10. 2010

名称及びあて先 日本国特許庁（ISA／JP） 郵便番号100－8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官（権限のある職員） 守安　太郎 電話番号　03－3581－1101　内線　3477	4X	9347

様式PCT／ISA／237（表紙）（2009年7月）

国際調査機関の見解書

国際出願番号　PCT／JP2010／004485

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／JP2010／004485

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	1-17	有
	請求項		無
進歩性（IS）	請求項	1-17	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-17	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,
【0015】-【0017】,【図1】,【図2】

文献2：JP 2008-117756 A（松下電器産業株式会社）2008.05.22,
【0037】,【0041】,【図1】,【図4】,【図6】

文献3：JP 2001-256949 A（東芝電池株式会社）2001.09.21,
【0028】-【0030】,【図4】

文献4：JP 2003-162993 A（松下電器産業株式会社）2003.06.06,
【0040】,【0054】-【0055】,【0058】,【図1】

請求の範囲 1-17
請求の範囲 1-17 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.
13/127,897	05/05/2011	Shunsuke Yasui	085393-0568	5445

53080 7590 09/07/2011
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER
WILLS, MONIQUE M

ART UNIT	PAPER NUMBER
1728	

NOTIFICATION DATE	DELIVERY MODE
09/07/2011	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):

mweipdocket@mwe.com

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BC

September 6, 2011

In re application of	:	DECISION ON REQUEST TO
Shunsuke Yasui et al.	:	PARTICIPATE IN PATENT
Serial No. 13/127,897	:	PROSECUTION HIGHWAY
Filed: May 05, 2011	:	PROGRAM AND
Attorney Docket No: 085393-0568	:	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 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 APO, IPA, JPO, KIPO, NBPR, NPI, EPO, Rospatent, IPOS, SPTO, PRV, UK IPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work

product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/127,914	05/05/2011	Jeffrey C. Bishop	149481	5523

25944 7590 10/17/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER

ART UNIT	PAPER NUMBER
3656	

NOTIFICATION DATE	DELIVERY MODE
10/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

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OCT 14 2011

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re application of Jeffrey Bishop Application No. 13/127,914 Filed: May 5, 2011 For: GEAR	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 20, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications filed in the EPO or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the 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: 10/13/11

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: GJE.1489	Application Number (if known):	Filing date: May 5, 2011

First Named Inventor: Anthony Atkinson

Title: Sporulation-Deficient Thermophilic Microorganisms for the Production ...

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement of Special Status, Request for Early Publication, Preliminary Amendment

Signature Glenn P. Ladwig	Date May 5, 2011
Name (Print/Typed) Glenn P. Ladwig	Registration Number 46,853

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

May 5, 2011

Patent Application
Docket No. GJE.1489

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Anthony Atkinson, Roger Cripps, Kirstin Eley
Filed	:	May 5, 2011
For	:	Sporulation-Deficient Thermophilic Microorganisms for the Production of Ethanol

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT

This Statement of Special Status is being submitted to make the subject application eligible for entry into the Green Technology Pilot Program.

I. Basis for Special Status

Applicants request special status as the claimed invention materially contributes to the discovery or development of renewable energy resources (*e.g.*, renewable biomass).

II. Explanation For How Materiality Standard is Met

This invention relates to thermophilic microorganisms that have been modified to inhibit sporulation, resulting in increased ethanol tolerance of the microorganisms, and also increased metabolism, which permits increased production of ethanol as a metabolic product.

There has been much interest in ethanol production using either microorganisms that undergo anaerobic fermentation naturally, or recombinant microorganisms that incorporate genes involved in the production of ethanol. Although there has been some success in producing ethanol by using these microorganisms, fermentation is often compromised by the increased concentration of the ethanol, especially where the microorganism has a low level of ethanol tolerance.

Thermophilic bacteria have been proposed for ethanol production, and their use has the advantage that fermentation can be carried out at elevated temperatures, which allows the ethanol produced to be removed as vapor at temperatures above 50°C and permits high sugar concentrations during fermentation. These attributes result in a more cost effective process. However, finding suitable thermophilic bacteria that can produce ethanol efficiently is problematic.

In the art, development of microorganisms for ethanol production relies on modifying laboratory-produced chemically mutated *Bacillus* microorganisms, treating these with *in vivo* methylation procedures, and further modifying the microorganisms to integrate plasmid DNA into the insertion element sequence. The procedure is complex and uncertain, and there are also regulations limiting how the strains can be used. Therefore, there is a need for improved microorganisms for ethanol production.

Ethanol use in vehicles reduces carbon dioxide emissions, because carbon dioxide is absorbed during growth of the cellulosic biomass feedstock (plant) used as a raw material. Ethanol production with thermophilic microorganisms requires less energy than conventional ethanol production processes, offering a climate-friendly substitute for gasoline and promoting more efficient use of agricultural land.

Respectfully submitted,

Glenn P. Ladwig
Patent Attorney
Registration No. 46,853
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: P.O. Box 142950
Gainesville, FL 32614-2950

GPL/jnw

Attachments: Petition to Make Special Under the Green Technology Pilot Program
Request for Early Publication
Preliminary Amendment

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/127,927	05/13/2011	Anthony Atkinson	GJE.1489	5597

23557 7590 07/15/2011
SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE, FL 32614

EXAMINER

ART UNIT	PAPER NUMBER
1653	

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):

euspto@slepatents.com

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United States Patent and Trademark Office
P.O. Box 1450
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JUL 15 2011

SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE FL 32614

In re Application of	:	
ATKINSON, Anthony *et al.*	:	DECISION ON PETITION
Application No.13/127927	:	TO MAKE SPECIAL UNDER
Filed:May 5, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GJE.1489	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 5, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1653 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OYEN, WIGGS, GREEN & MUTALA LLP
480 - THE STATION
601 WEST CORDOVA STREET
VANCOUVER BC V6B 1G1
CANADA

MAILED

JUN 10 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
GELBART, et al.	:	
Application No.: 13/127,977	:	
PCT No.: PCT/US2008/082700	:	DECISION ON PETITION
Int. Filing Date: 06 November 2008	:	
Priority Date: 06 November 2007	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: G400 0004/GNM	:	
For: IN VIVO INFLATABLE STRUCTURES, FOR	:	
EXAMPLE TO EXPAND STENTS	:	

The petition to revive under 37 CFR 1.137(b) filed 05 May 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

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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WRB-IP LLP
801 N. Pitt Street
Suite 123
ALEXANDRIA VA 22314

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DEC 14 2011
PCT LEGAL ADMINISTRATION

In re Application of: SANDBLOM	:	
U.S. Application No: 13/127,983	:	
PCT Application No.: PCT/SE2008/000634	:	
International Filing Date: 07 November 2008	:	DECISION ON PETITION
Attorney's Docket No.: 000009-535	:	UNDER
For: METHOD AND SYSTEM FOR	:	37 CFR 1.182
COMBINING SENSOR DATA	:	

This decision is response to applicant's "PETITION TO CHANGE NAME OF INVENTOR UNDER 37 C.F.R. 1.182" filed in the United States Patent and Trademark Office (USPTO) on 19 October 2011.

BACKGROUND

On 07 November 2008, applicant filed international application PCT/SE2008/000634. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 07 November 2008.

On 06 May 2011, applicant filed a submission 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).

On 17 May 2011, applicant was mailed a "NOTIFICATION OF MISSING REQUIREMENT UNDER 35 U.S.C. 371" (Form PCT/DO/EO/905) informing applicant of the need to provide an oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. Applicant was afforded two months to file the proper reply and informed that this period could be extended pursuant to 37 CFR 1.136(a).

On 09 August 2011, applicant filed a declaration executed by the inventor, –Fredrik SANDBLOM--.

On 02 September 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification of Defective Response" (Form PCT/DO/EO/916) indicating that the inventor's name was different on the declaration ("Fredrik SANDBLOM") than the name on the published international application ("Fredrik BENGTSSON").

On 19 October 2011, applicant filed "PETITION TO CHANGE NAME OF INVENTOR UNDER 37 C.F.R. 1.182" considered herein.

DISCUSSION

The Manual of Patent Examination Procedure (MPEP) at 605.04(c) details the procedures for proceeding where an inventor changes his or her name. It states 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. The petition must include an affidavit signed by the inventor and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order.

The present petition is accompanied by an affidavit setting forth the procedure whereby the change of the last name of inventor, SANDBLOM, effected by marriage with inventor's signature.

CONCLUSION

Applicant's petition under 37 CFR 1.182 to correct the inventor's name is **GRANTED.**

This application is being forwarded to the National Stage Processing Branch for continued national stage processing.

/Boris Milef/

Seungsook Ham
Office of PCT Legal Administration
United States Patent and Trademark Office

Boris Milef
PCT Legal Examiner
Office of PCT Legal Administration
Telephone: (571) 272-3288

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PCT LEGAL ADMINISTRATION

RADER, FISHMAN & GRAUER PLLC
39533 WOODWARD AVENUE
SUITE 140
BLOOMFIELD HILLS MI 48304-0610

In re Application of	: DECISION ON
Natalia P. Katina	:
Application No.: 13/128,011	:
PCT No.: PCT/RU2009/000363	:
Int. Filing Date: 21 July 2009	: PETITION UNDER
Priority Date: 06 November 2008	:
Attorney's Docket No.: 67221-0003	:
For: SYSTEM AND METHOD FOR...	:
OF FINANCIAL SERVICES	: 37 CFR 1.137(b)

This decision is in response to applicants' "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)," filed on 02 June 2011.

BACKGROUND

On 21 July 2009, this international application was filed, claiming an earliest priority date of 06 November 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 06 May 2011. This international application became abandoned with respect to the United States at midnight on 06 May 2011 for failure to pay the required basic national fee.

On 06 May 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 copy of the international application. However, the national basic fee and executed declaration were not provided at such time.

On 26 May 2011, the United States Patent and Trademark Office mailed the NOTICE OF INSUFFICIENT BASIC NATIONAL FEE REQUIRED AND/OR MISSING COPY OF INTERNATIONAL APPLICATION UNDER 35 U.SC. 371 AND 37 CFR 1.495 (FORM PCT/DO/EO/912).

On 02 June 2011, applicants filed the instant petition under 37 CFR 1.137(b), which was accompanied by the petition fee and the basic national fee.

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. 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

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AUG 09 2011
PCT LEGAL ADMINISTRATION

LEXYOUME IP GROUP, PLLC
5180 PARKSTONE DRIVE, SUITE 175
CHANTILLY, VA 20151

In re Application of LEE et al :
U.S. Application No.: 13/128,016 :
PCT Application No.: PCT/KR2009/006385 :
Int. Filing Date: 02 November 2009 : DECISION
Priority Date Claimed: 07 May 2008 :
Attorney Docket No.: LPP20110653US :
For: METHOD FOR MANUFACTURING :
MICRO STRUCTURE USING X-RAY EXPOSURE :

This is in response to applicant's correspondence filed 06 May 2011, which is being treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 02 November 2009, applicant filed international application PCT/KR2009/006385, which claimed priority of an earlier Korea application filed 09 May 2011. A copy of the international application was communicated to the USPTO from the International Bureau on 14 May 2010. The thirty-month period for paying the basic national fee in the United States expired on 09 May 2011.

On 06 May 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1), an executed declaration, and the instant request for status under 37 CFR 1.42.

DISCUSSION

The declaration indicates that joint inventor Tai-Hun Kwon is deceased.

37 CFR 1.42 provides, "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent."

Effective 07 November 2000, 37 CFR 1.497(b)(2) specifies that, where a person making the declaration is the legal representative of a deceased inventor, the declaration shall state the following: (1) the relationship of the person to the inventor, (2) the facts the inventor would have been required to state, upon information and belief, (3) that the person is the legal representative of the deceased inventor, and (4) the citizenship, residence, and mailing address of the legal representative.

The declaration filed 06 May 2011 is in compliance with 37 CFR 1.42 and 1.497.

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 02 November 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 06 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.

BryanLin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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:	AWAITED	Filing date:	May 6, 2011
First Named Inventor:	F. David Hussein		
Title of the Invention:	Method for Seed Bed Treatment for a Polymerization Reaction		

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/US2009/068439

The international filing date of the corresponding PCT application(s) is/are: December 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)**

- [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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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.:	AWAITED
First Named Inventor:	F. David Hussein

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	US & PCT claim are the same.
2	2	US & PCT claim are the same.
3	3	US & PCT claim are the same.
4	4	US & PCT claim are the same.
6	6	US & PCT claim are the same, except the dependency of the US claim has been amended.
7	7	US & PCT claim are the same, except the dependency of the US claim has been amended.
8	8 & 9	US claim corresponds to combined PCT claims 8 & 9.
10	10 & 11	US claim corresponds to combined PCT claims 10 & 11.
12	12	US & PCT claim are the same, except the dependency of the US claim has been amended.
15	15	US & PCT claim are the same, except the dependency of the US claim has been amended.
18	18	US & PCT claim are the same, except the dependency of the US claim has been amended.
20	20	US & PCT claim are the same, except the dependency of the US claim has been amended.
21	21	US & PCT claim are the same, except the dependency of the US claim has been amended.
24	24	US & PCT claim are the same, except the dependency of the US claim has been amended.
25	25	US & PCT claim are the same, except the dependency of the US claim has been amended.
26	26	US & PCT claim are the same, except the dependency of the US claim has been amended.
27	27	US & PCT claim are the same, except the dependency of the US claim has been amended.
29	29	US & PCT claim are the same, except the dependency of the US claim has been amended.
31	31	US & PCT claim are the same, except the dependency of the US claim has been amended.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jennifer A. Schmidt/	Date May 6, 2011
Name (Print/Typed) Jennifer A. Schmidt	Registration Number 63,040

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.
13/128,087	05/06/2011	F. David Hussein	2008U030.US	6886

25959 7590 10/25/2011
UNIVATION TECHNOLOGIES, LLC
5555 SAN FELIPE, SUITE 1950
HOUSTON, TX 77056

EXAMINER

ART UNIT	PAPER NUMBER
1762	

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):

univationlaw@univation.com

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Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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WG

October 24, 2011

In re application of F. David Hussein et al. Serial No. 13/128,087 Filed: May 6, 2011 For: METHOD FOR SEED BED TREATMENT FOR A POLYMERIZATION REACTION	: : : : : : :	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 May 6, 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

PTO/SB/20PCT-KR (06-10)
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13128094	Filing date:	2011-05-06
First Named Inventor:	Jerry L. Walker		
Title of the Invention:	High Density Powdered Material Liner		

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/US2010/039059

The international filing date of the corresponding PCT application(s) is/are: 2010-06-17

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.

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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Jerry L. Walker

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
1-17	1-17, respectively	Claims are identical.
18-20	18-20, respectively	Claims 18-20 of the U.S. Application have been amended in a preliminary
		amendment to satisfy the Box No. VIII clarity observation noted in the written opinion.
		Specifically, claims 18-20 were amended to delete the word "first", which was not
		recited in claim 15, from which claims 18-20 depend. Therefore claims 18-20 in the U.S.
		Application are not subject to the observation described in Box VIII of the written opinion.
		Otherwise, claims 18-20 of the US Application are identical to the claims in the PCT Application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael W. Piper/	Date 2011-05-06
Name (Print/Typed) Michael W. Piper	Registration Number 39800

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, VA 22313-1450
www.uspto.gov

HALLIBURTON ENERGY SERVICES, INC.
5601 Granite Parkway, Suite 750
Plano TX 75024

MAILED
MAR 12 2012
OFFICE OF PETITIONS

In re Application of
WALKER, Jerry L.
Application No.: 13/128,094
Filed: July 8, 2011
Attorney Docket
No2009IP026218U1US (91701)
For: HIGH DENSITY POWDERED MATERIAL LINER

: 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 May 6, 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 JoAnne Burke at 571-272-4584.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Thurman K Page

Thurman 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 14 2011

PCT LEGAL ADMINISTRATION

LONDA, BRUCE S.
NORRIS MCLAUGHLIN & MARCUS, PA
875 THIRD AVE, 8TH FLOOR
NEW YORK NY 10022

In re Application of:
PRATT, Dominic, et al.
U.S. Application No.: 13/128,134
PCT No.: PCT/PCT/EP2009/008374
International Filing Date: 25 November 2009
Priority Date: 27 November 2008
Attorney's Docket No.: 101216-159
For: BLEACHING/HIGHLIGHTING COMPOSITION

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to the "Petition Under 37 CFR § 1.182 To Correct Applicant's Error" filed 09 May 2011. Deposit Account No. 14-1263 will be charged the required $400 petition fee.

BACKGROUND

On 25 November 2009, applicants filed international application PCT/EP2009/008374. The international application claimed a priority date of 27 November 2008, and it designated the United States. On 03 June 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., 27 May 2011.

On 06 May 2011, applicants filed papers to initiate the present U.S. national stage application via "Express Mail." This submission included, among other materials, an application data sheet (ADS), preliminary amendment, description, claims, abstract, executed declaration, and payment of the basic national fee. The ADS and preliminary amendment identified the application as the U.S. national stage of PCT/EP2009/008374, and the declaration executed this application; however, as evidenced by the Electronic Acknowledgement Receipt, the information provided by applicants during the electronic filing process identified the application as the U.S. national stage of PCT/EP2009/008375. Thus, applicants' original national stage submission of 06 May 2011 identified two different international application numbers to which the submission was purportedly directed.

On 09 May 2011, applicants filed the "Petition Under 37 CFR § 1.182 To Correct Applicant's Error" considered herein.

DISCUSSION

The present petition seeks to correct the error in the international application number provided during the electronic filing process and to confirm that the present application is the national stage of PCT/EP2009/008374. The petition indicates that the entry of international application number PCT/EP2009/008375 during the electronic filing process was the result of an inadvertent typographical error, and it notes that the correct international application was present on the materials filed on 06 May 2011 (e.g., on the ADS and the preliminary amendment). Finally, the petition includes the authorization to charge applicants' Deposit Account the required petition fee.

The present petition satisfies the requirements for a grantable petition to correct the error in the international application number provided during the electronic filing process. Accordingly, the materials filed herein on 06 May 2011 will be treated as having been directed to international application PCT/EP2009/008374.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

The materials filed herein on 06 May 2011 will be treated as the U.S. national stage of PCT/EP2009/008374. These materials were filed prior to the expiration of 30 months from the priority date of such international application.

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) 272-329

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:	AWAITED	Filing date:	May 6, 2011
First Named Inventor:	Mark G. Goode		
Title of the Invention:	Systems and Methods for Fabricating Polymers		

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/US2009/068438

The international filing date of the corresponding PCT application(s) is/are: December 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)**

- [x] Is attached
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [x] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	AWAITED
First Named Inventor:	Mark G. Goode

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	US & PCT claim are the same.
2	2	US & PCT claim are the same.
3	3	US & PCT claim are the same, except the dependency of the US claim has been amended.
4	4	US & PCT claim are the same, except the dependency of the US claim has been amended.
5	5	US & PCT claim are the same, except the dependency of the US claim has been amended.
6	6	US & PCT claim are the same.
7	7	US & PCT claim are the same, except the dependency of the US claim has been amended.
8	8	US & PCT claim are the same, except the dependency of the US claim has been amended.
9	9	US & PCT claim are the same, except the dependency of the US claim has been amended.
10	10	US & PCT claim are the same, except the dependency of the US claim has been amended.
11	11	US & PCT claim are the same.
12	12	US & PCT claim are the same.
13	13	US & PCT claim are the same.
14	14	US & PCT claim are the same.
15	15	US & PCT claim are the same, except the dependency of the US claim has been amended.
16	16	US & PCT claim are the same.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jennifer A. Schmidt/	Date May 6, 2011
Name (Print/Typed) Jennifer A. Schmidt	Registration Number 63,040

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.
13/128,160	05/06/2011	Mark G. Goode	2008U032.US	7452

25959 7590 10/27/2011
UNIVATION TECHNOLOGIES, LLC
5555 SAN FELIPE, SUITE 1950
HOUSTON, TX 77056

EXAMINER
TESKIN, FRED M

ART UNIT	PAPER NUMBER
1762	

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):

univationlaw@univation.com

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P.O. Box 1450
Alexandria, VA 22313-1450
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OCT 27 2011

BC

In re application of	:	DECISION ON REQUEST TO
Mark G. Goode et al.	:	PARTICIPATE IN PATENT
Serial No. 13/128,160	:	PROSECUTION HIGHWAY
Filed: May 06, 2011	:	PROGRAM AND
For: SYSTEMS AND METHODS FOR	:	PETITION TO MAKE SPECIAL
FABRICATING POLYMERS	:	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 06, 2011, to make the above-identified application special.

The request and petition are **DENIED**.

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.

Regarding condition (5), examination began on this application on September 26, 2011, when the examiner mailed an Ex Parte Quayle action.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,190	05/06/2011	Kenji Sonomoto	0230-0294PUS1	7723

2292 7590 10/25/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
1771	

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):

mailroom@bskb.com

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www.uspto.gov

October 24, 2011 WG

In re application of Kenji Sonomoto et al. Serial No. 13/128,190 Filed: May 6, 2011 For: NOVEL METHOD OF PRODUCING BUTANOL	: : : : : :	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 July 1, 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,198	05/06/2011	Tsubasa Okuno	YR-US093079	7831

22919 7590 09/12/2011
GLOBAL IP COUNSELORS, LLP
1233 20TH STREET, NW, SUITE 700
WASHINGTON, DC 20036-2680

EXAMINER

ART UNIT	PAPER NUMBER
1762	

MAIL DATE	DELIVERY MODE
09/12/2011	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

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SEP 12 2011

WG

In re application of Tsubasa Okuno et al. Serial No. 13/128,198 Filed: May 6, 2011 For: CURING ACCELERATOR FOR EPOXY RESIN COMPOSITION, AND ONE-PACK TYPE THERMOSETTING EPOXY RESIN COMPOSITION	:	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 July 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 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

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	Application Number (if known): Not yet known	Filing date: Concurrently Herewith
First Named Inventor: Mervyn Smyth		
Title: SOLAR WATER HEATER		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments:

Signature	Date May 6, 2011
Name (Print/Typed) Christopher J. Daley-Watson	Registration Number 34,807

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below.*

[X] *Total of 1 forms are submitted.

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mervyn Smyth

Application No.: Not Yet Assigned | Confirmation No.: N/A

Filed: Concurrently Herewith | Art Unit: N/A

For: SOLAR WATER HEATER | Examiner: N/A

STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in support of the Petition to Make Special under the Green Technology Pilot Program filed concurrently herewith.

Petitioner hereby states that the referenced application is 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.

More specifically, the specification and the claims are directed to a solar water heater which is intended to be retrofitted to an existing domestic hot water supply system or the like, which can reduce the energy requirements of such a system. The solar water heater is (1) a development of renewable energy resources; and, (2) more efficiently utilizes (and conserves) any need for external energy resources.

In light of the above, it is requested that the Petition to Make Special under the Green Technology Pilot Program be granted.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665 from which the undersigned is authorized to draw.

Dated: May 6, 2011

Respectfully submitted,

By_____

Christopher J. Daley-Watson
Registration No.: 34,807
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,218	07/25/2011	Mervyn Smyth	77468-8001.US00	8162

25096 7590 09/14/2011
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

ART UNIT	PAPER NUMBER
3749	

NOTIFICATION DATE	DELIVERY MODE
09/14/2011	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):

patentprocurement@perkinscoie.com

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PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE WA 98111-1247

In re Application of	:	
SMYTH, MERVYN	:	DECISION ON PETITION
Application No. 13/128,218	:	TO MAKE SPECIAL UNDER
Filed: May 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 77468-8001.US00	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 6, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d). The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee $300.00 as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856. This application will be forwarded to the Technology Center Art Unit 3749 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

Docket No.: 774688001US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mervyn Smyth

Application No.: 13/128,218 | Confirmation No.: 8162

Filed: July 25, 2011 | Art Unit: 3749

For: SOLAR WATER HEATER | Examiner: Not Yet Assigned

RENEWED PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a renewed petition under 37 CFR 1.102 to make the present application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009). This petition was previously filed on May 6, 2011 but was dismissed in the Decision on Petition to Make Special under the Green Technology Pilot Program mailed September 14, 2011.

In the Decision mailed September 14, 2011, the Office of Petitions alleged that the following requirement was not met in the Petition as filed on May 6, 2011:

> 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).

Regarding requirement 8, petitioner submits herewith a copy of the previously filed Petition to Make Special Under the Green Technology Pilot Program which indicates the request for early publication in addition to the fee set forth in 37 CFR 1.18(d) which was missing during the initial submission. However, Petitioners did instruct the Commissioner to charge Deposit Account No. 50-0665 for any deficiencies in payment on the Statement in Support of Petition to Make Special.

Petitioner respectfully requests reconsideration and allowance of the present petition.

Please charge any deficiencies or credit any overpayments to our Deposit Account No. 50-0665, under Order No. 774688001US from which the undersigned is authorized to draw.

Dated: October 13, 2011

Respectfully submitted,

By_____

Christopher J. Daley-Watson
Registration No.: 34,807
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant

Attachment: Previously filed Petition and Statement

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	Application Number (if known): Not yet known	Filing date: Concurrently Herewith
First Named Inventor: Mervyn Smyth		
Title: SOLAR WATER HEATER		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments:

Signature	Date May 6, 2011
Name (Print/Typed) Christopher J. Daley-Watson	Registration Number 34,807

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.*

[X] *Total of 1 forms are submitted.

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mervyn Smyth

Application No.: Not Yet Assigned | Confirmation No.: N/A

Filed: Concurrently Herewith | Art Unit: N/A

For: SOLAR WATER HEATER | Examiner: N/A

STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in support of the Petition to Make Special under the Green Technology Pilot Program filed concurrently herewith.

Petitioner hereby states that the referenced application is 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.

More specifically, the specification and the claims are directed to a solar water heater which is intended to be retrofitted to an existing domestic hot water supply system or the like, which can reduce the energy requirements of such a system. The solar water heater is (1) a development of renewable energy resources; and, (2) more efficiently utilizes (and conserves) any need for external energy resources.

In light of the above, it is requested that the Petition to Make Special under the Green Technology Pilot Program be granted.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665 from which the undersigned is authorized to draw.

Dated: May 6, 2011

Respectfully submitted,

By_____

Christopher J. Daley-Watson
Registration No.: 34,807
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,218	07/25/2011	Mervyn Smyth	77468-8001.US00	8162

25096 7590 11/18/2011
PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

ART UNIT	PAPER NUMBER
3749	

NOTIFICATION DATE	DELIVERY MODE
11/18/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentprocurement@perkinscoie.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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11/18/11

PERKINS COIE LLP
PATENT-SEA
P.O. BOX 1247
SEATTLE WA 98111-1247

In re Application of	:	
Smyth	:	DECISION ON PETITION
Application No. 13/128,218	:	TO MAKE SPECIAL UNDER
Filed: 5/6/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **77468-8001.US00**	:	PILOT PROGRAM

This is a decision on the request for reconsideration filed 10/13/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3749 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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:	Unknown	Filing date:	Herewith
First Named Inventor:	Damon E. Gura		
Title of the Invention:	PRESENTING CONTENT IN WAGERING GAME SYSTEMS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US09/64281

The international date of the corresponding PCT application(s) is/are: 12-Nov-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).**

- [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.

Under the 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.:	Unknown
First Named Inventor:	Damon E. Gura

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- [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
1-25	1-25	Same claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew DeLizio Reg. 52,806/	Date April 6, 2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,235	05/07/2011	Damon E. Gura	100.082US1	8415

65375 7590 08/01/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER	
ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of: GURA, DAMON E., et al Serial No.: 13/128235 Filed: 05/07/2011 Attorney Docket No. : 100.082US1 Title: PRESENTING CONTENT IN WAGERING GAME SYSTEMS	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 7, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the 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

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13128239
Filing Date	08-May-2011
First Named Inventor	Andrzej Bernal
Art Unit	2626
Examiner Name	
Attorney Docket Number	121001
Title	METHOD AND SYSTEM FOR PROVIDING TRANSLATION SERVICES

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners (with registration number) of record listed below:

John DeBoer 59294

The reason(s) for this request are those described in 37 CFR:

10.40(c)(2)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature	/John M. DeBoer/
Name	John M. DeBoer
Registration Number	59294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : August 30,2011

In re Application of :

Andrzej Bernal

Application No : 13128239

Filed : 08-May-2011

Attorney Docket No : 121001

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENT OF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed August 30,2011

The request is **APPROVED**

The request was signed by John M. DeBoer (registration no. 59294) on behalf of practitioners withdrawn.

Attorney(s)/Agent(s) withdrawn:

John DeBoer (reg. no. 59294)

All other attorneys/agents previously of record, continue to be of record.

All future communications from the Office will continue to be directed to the correspondence of record.

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center at 866-217-9197.

Office of Petitions

UNITED STATES PATENT and TRADEMARK OFFICE

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www.uspto.gov

Schlumberger Technology Corporation, HPS
10001 Richmond Avenue
IP Administration Center of Excellence
Houston TX 77042

MAILED
DEC 07 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
Goswami et al	:	
Application No.: 13/128,261	:	
PCT No.: PCT/US209/65463	:	
Int. Filing Date: 23 November 2009	:	DECISION
Priority Date: 10 December 2008	:	
Attorney Docket No.: 19.0610	:	
For: METHOD AND APPARATUS FOR	:	
DIRECTIONAL WELL LOGGING	:	

This decision is in response to applicants' "REPLY TO NOTIFICATION OF DEFECTIVE RESPONSE," which is being treated as a petition under 37 CFR 1.181, filed on 26 October 2011 indicating that the executed declaration filed on 18 August 2011 contains the correct spelling of the fifth inventor's name **Jan S. Morely**. The middle initial for Jan Morely is "S."

BACKGROUND

On 09 May 2011, applicants filed in the United States Patent and Trademark Office (PTO) a Transmittal Letter (Form PTO-1390) accompanied by, *inter alia*, the basic national fee. Applicants, however, did not satisfy the requirement set forth by 35 U.S.C. 371(c)(4) because no executed oath or declaration was filed at that time.

On 31 May 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).

On 18 August 2011, applicants filed an executed declaration.

On 26 August 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF DEFECTIVE RESPONSE" (Form PCT/DO/EO/916). It indicated that the middle initial of inventor MORLEY is different than the initial listed on the international application (ie "S," vs "C"). Please provide an explanation for the name discrepancy.

On 26 October 2011, applicants responded with the current petition, which states that the executed Declaration, with the fifth named joint inventor listed as **Jan S. Morely** is his correct spelling.

DISCUSSION

The correct name of the fifth joint-inventor is "**Jan S. Morely**" as filed in the executed declaration on 18 August 2011, and not as it appeared in the publication of the international application. The petition states that his name was incorrectly spelled in the international application because of a typographical error but now has been corrected. Accordingly, the correct name, **Jan S. Morely**, now appears in the declaration as filed on 18 August 2011 to the USPTO. The middle initial for Jan Morely is "S".

DECISION

For the reasons above, the petition under 37 CFR 1.181 is **GRANTED** that the correct spelling of the fifth joint inventor is **Jan S. Morely.**

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,262	05/09/2011	Shinichirou Takigawa	P596519-02	8839

42212 7590 09/15/2011
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2482	

NOTIFICATION DATE	DELIVERY MODE
09/15/2011	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):

ppc@us.panasonic.com
Dhiren.Odedra@us.panasonic.com
idogawa.y@jp.panasonic.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 14 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

Dhiren Odedra
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

In re Application of: TAKIGAWA, S. et al.
Application No.: **13/128,262**
Filed: May 9, 2011
Attorney Docket No.: P596519-02
For: VIDEO PLAYBACK DEVICE

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR §1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR §1.102(a), filed **August 31, 2011**, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special requires:

(1) The U.S. application (including national stage entry of a PCT application and a so-called bypass application filed under 35 U.S.C. § 111(a) which validly claims benefit under 35 U.S.C. §120 to a PCT application) is:

(Case I) – is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with JPO; or
(Case II) – is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in JPO; or
(Case III) – is an application which shares a common priority document with the application filed in JPO; or
(Case IV) – and the JPO application are derived from/related to a PCT application having no priority.

Provisional applications, plant applications, design applications, reissue applications, reexamination proceedings, and applications subject to a secrecy order are excluded and not subject to participation in the PPH.

Where the JPO application that contains the allowable/patentable claims is not the same application for which priority is claimed in the U.S. application, applicant must identify the relationship between the JPO application that contains the allowable/patentable claims and the JPO priority application claimed in the U.S. application;

(2) At least one claim was determined by JPO to be allowable/patentable. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s), if the claims were published in a language other than English);
   c. A statement that the English translation is accurate; and
   d. If the JPO office action does not explicitly state that a particular claim is allowable, the applicant must include a statement in the request for participation in the PPH program or in the transmittal letter accompanying the request for participation that no rejection has been made in the JPO office action regarding that claim, and therefore, the claim is deemed allowable by JPO;

(3) Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s). Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond. and
   b. Submit a claim correspondence table in English indicating how all the claims in the U.S. application correspond to the allowable/patentable claims in the JPO Application(s). Dependent claims with addition limitations must be clearly identified in the claims correspondence table;

(4) Examination of the U.S. application has not begun;

(5) The applicant must file a request for participation in the PPH program and a request that the U.S. application be advanced out of turn for examination by order of the Director to expedite the business of the Office under 37 CFR 1.102(a).

(6) Applicant must submit:
   a. Documentation of prior office action: (i.) a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or (ii.) if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for

Refusal or (iii.) if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

b. The applicant must submit copies of any office actions (which are relevant to patentability) from the JPO application(s) issued after the grant of the request for participation in the PPH program in the USPTO (especially where JPO might have reversed a prior holding of allowability).

c. An English language translation of the JPO office action(s) (if the office action(s) are not in the English language); and

d. A statement that the English translation is accurate;

(7) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and

b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application).

The request to participate in the PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded "**special**" status.

Therefore, the petition is **GRANTED.**

This application is being forwarded to the examiner for action on the merits commensurate with the 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

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P.O. Box 1450
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86378
PEARNE & GORDON LLP
1801 East 9th Street
Suite 1200
Cleveland, OH 44114-3108

MAILED

JUL 22 2011

PCT LEGAL ADMINISTRATION

In re Application of
KROLL *et al*
U.S. Application No.: 13/128,265
PCT No.: PCT/EP2009/055302
Int. Filing Date: 30 April 2009
Priority Date: 02 May 2008
Docket No.: TSW-43722US2
For: PLASMA PROCESSING APPARATUS AND METHOD FOR THE PLASMA PROCESSING OF SUBSTRATES

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 09 May 2011 is hereby **GRANTED** as follows:

The appropriate fees and the petition fee have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing.

James Thomson

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

JUN 14 2011

PCT LEGAL ADMINISTRATION

JOSEPH S. HEINO, ESQ.
DAVIS & KUELTHAU, S.C.
111 E. KILBOURN
SUITE 1400
MILWAUKEE WI 53202-6613

In re Application of
JUZA et al.
Application No.: 13/128,342
PCT No.: PCT/US2009/052519
Int. Filing Date: 01 August 2009
Priority Date: 01 August 2008
Attorney Docket No.: 15235.85417
For: APPARATUS, METHOD AND SYSTEM FOR USING INTERCHANGEABLE DECORATIVE ELEMENTS WITH FOOTWEAR

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 09 May 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

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:	AWAITED	Filing date:	May 9, 2011
First Named Inventor:	William J. Blickley		
Title of the Invention:	Systems Using Mass Flow Promoting Insert with Gas Purging and Methods 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/US2009/061816

The international filing date of the corresponding PCT application(s) is/are: October 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)**

- [x] Is attached
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [x] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	AWAITED
First Named Inventor:	William J. Blickley

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	US & PCT claim are the same.
2	2	US & PCT claim are the same.
3	3	US & PCT claim are the same, except the dependency of the US claim has been amended.
4	4	US & PCT claim are the same, except the dependency of the US claim has been amended.
5	5	US & PCT claim are the same, except the dependency of the US claim has been amended.
6	6	US & PCT claim are the same, except the dependency of the US claim has been amended.
7	7	US & PCT claim are the same.
8	8	US & PCT claim are the same.
9	9	US & PCT claim are the same, except the dependency of the US claim has been amended.
10	10	US & PCT claim are the same, except the dependency of the US claim has been amended.
11	11	US & PCT claim are the same, except the dependency of the US claim has been amended.
12	12	US & PCT claim are the same, except the dependency of the US claim has been amended.
13	13	US & PCT claim are the same, except the dependency of the US claim has been amended.
14	14	US & PCT claim are the same, except the dependency of the US claim has been amended.
15	13	US & PCT claim are the same, except the dependency of the US claim has been amended.
16	14	US & PCT claim are the same, except the dependency of the US claim has been amended.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jennifer A. Schmidt/	Date May 9, 2011
Name (Print/Typed) Jennifer A. Schmidt	Registration Number 63,040

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 4331.1010-003	Application Number (if known): 13/128,365	Filing date: 28-Jul-2010
First Named Inventor: Morgan, Frederick M.		
Title: Photobioreactors, Solar Energy Gathering Systems, And Thermal Control Methods		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature	Date May 9, 2011
Name (Print/Typed) Michael Gottselig	Registration Number 57,941

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

☒ *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEB/MG/atc/cma/nzk
May 9, 2011

PATENT APPLICATION
Attorney's Docket No.: 4331.1010-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick M. Morgan, Stuart A. Jacobson and Johan van Walsem

Application No.:

U.S. National Stage Application of International Application No.: PCT/US2010/043573

International Filing Date: July 28, 2010

Examiner:

Group:

Confirmation No:

For: Photobioreactors, Solar Energy Gathering Systems, And Thermal Control Methods

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

Date Signature

Typed or printed name of person signing certificate

STATEMENTS OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT UNDER GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' basis for Special Status is that Applicants' invention materially contributes to the development of renewable energy resources and energy conservation. Applicants' invention materially contributes to the development of renewable energy resources, as well as the conservation of energy resources, by providing photobioreactors and methods for the renewable

generation of fuels, for example, biofuels such as ethanol from solar energy and carbon dioxide using phototrophic microorganisms.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Michael Gottselig
Registration No. 57,941
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133
Date: May 9, 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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,365	05/09/2011	Frederick M. Morgan	4331.1010-003	9720

21005 7590 07/14/2011
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

EXAMINER

ART UNIT	PAPER NUMBER
1641	

MAIL DATE	DELIVERY MODE
07/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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JUL 14 2011

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD MA 01742-9133

In re Application of	:	
MORGAN Frederick *et al.*	:	DECISION ON PETITION
Application No. 13/128365	:	TO MAKE SPECIAL UNDER
Filed: May 9, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 4331.1010-003	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 9, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1641 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

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.
13/128,365	05/09/2011	Frederick M. Morgan	4331.1010-003	9720

21005 7590 07/26/2011
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

EXAMINER

ART UNIT	PAPER NUMBER
1641	

MAIL DATE	DELIVERY MODE
07/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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JUL 2 6 2011

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD MA 01742-9133

In re Application of	:	
MORGAN Frederick *et al.*	:	DECISION ON PETITION
Application No. 13/128365	:	TO MAKE SPECIAL UNDER
Filed: May 9, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 4331.1010-003	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed May 9, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1641 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

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.
13/128,386	05/09/2011	Sin-Young Kim	29137.00740.US00	9936

30827 7590 08/10/2011
MCKENNA LONG & ALDRIDGE LLP
1900 K STREET, NW
WASHINGTON, DC 20006

EXAMINER

ART UNIT	PAPER NUMBER
1721	

MAIL DATE	DELIVERY MODE
08/10/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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AUG 10 2011

WG

In re application of Sin-Young Kim et al. Serial No. 13/128,386 Filed: May 9, 2011 For: METHOD FOR MANUFACTURING AN OPTICAL FILTER FOR A STEREOSCOPIC IMAGE DISPLAY DEVICE	: : : : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed July 18, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the 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;

(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); and

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

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

OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON, TX 77010

MAILED
JAN 27 2012
OFFICE OF PETITIONS

Applicant: Masayoshi Hino
Appl. No.: 13/128,414
Filing Date: August 31, 2009
Title: ION IMPLANTATION METHOD AND ION IMPLANTATION APPARATUS
Attorney Docket No.: 04995/605001
Pub. No.: US 2011/0215263 A1
Pub. Date: September 8, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b) for the above-identified application. The request was received on November 14, 2011 with a certificate of Mailing under 37 CFR 1.8 of November 8, 2011.

The request is granted

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

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

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/128,431	Filing date:	May 10, 2011
First Named Inventor:	Siegfriedsen		
Title of the Invention:	Hydraulic Supply Unit		

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/DE2009/001574

The international filing date of the corresponding PCT application(s) is/are: November 6, 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.

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.:	13/128,431
First Named Inventor:	Siegfriedsen

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 10, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on May 10, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Original claim without reference numerals

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date June 9, 2011
Name (Print/Typed) Everett G. Diederiks, Jr.	Registration Number 33,323

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.

INTERNATIONAL SEARCH REPORT

International application No
PCT/DE2009/001574

A. CLASSIFICATION OF SUBJECT MATTER
INV. F03D11/00
ADD.

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
F03D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 4 503 673 A (SCHACHLE CHARLES [US] ET AL) 12 March 1985 (1985-03-12) column 11, line 42 - column 12, line 13 -----	1
A	WO 2007/071239 A1 (VESTAS WIND SYS AS [DK]; SKIFTER LARS [DK]; LUND STEEN [DK]; DEMTROEDE) 28 June 2007 (2007-06-28) paragraph [0046] -----	1
A	WO 03/091577 A1 (VESTAS WIND SYS AS [DK]; CHRISTENSEN MOGENS [DK]; BUDTZ LARS [DK]) 6 November 2003 (2003-11-06) paragraph [0049] -----	1

[ ] Further documents are listed in the continuation of Box C.

[X] See patent family annex.

* Special categories of cited documents :

'A' document defining the general state of the art which is not considered to be of particular relevance
'E' earlier document but published on or after the international filing date
'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
'O' document referring to an oral disclosure, use, exhibition or other means
'P' document published prior to the international filing date but later than the priority date claimed

'T' later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
'&' document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
8 November 2010	26/01/2011

Name and mailing address of the ISA/	Authorized officer
European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Pileri, Pierluigi

2

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/DE2009/001574

Patent document cited in search report		Publication date	Patent family member(s)			Publication date
US 4503673	A	12-03-1985	CA	1125177	A1	08-06-1982
			EP	0020207	A1	10-12-1980
			ES	8104505	A1	01-07-1981
			JP	55164785	A	22-12-1980
WO 2007071239	A1	28-06-2007	CN	101341333	A	07-01-2009
			EP	1963670	A1	03-09-2008
			US	2009081026	A1	26-03-2009
WO 03091577	A1	06-11-2003	AT	471462	T	15-07-2010
			AU	2002311008	A1	10-11-2003
			CA	2483359	A1	06-11-2003
			CN	1671970	A	21-09-2005
			EP	1497562	A1	19-01-2005
			ES	2346639	T3	19-10-2010
			JP	4116573	B2	09-07-2008
			JP	2005524020	T	11-08-2005
			US	2006188371	A1	24-08-2006

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/DE2009/001574	International filing date *(day/month/year)* 06 November 2009 (06.11.2009)	Priority date *(day/month/year)* 14 November 2008 (14.11.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant AERODYN ENGINEERING GMBH		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 17 May 2011 (17.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Agnes Wittmann-Regis e-mail: pt06.pct@wipo.int

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	**See form PCT/ISA/210**
Applicant's or agent's file reference	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/DE2009/001574	06.11.2009	14.11.2008

International Patent Classification (IPC) or both national classification and IPC

F03D11/00

Applicant

AERODYN ENGINEERING GMBH

1. This opinion contains indications relating to the following items:

- [x] Box No. I — Basis of the opinion
- [ ] Box No. II — Priority
- [ ] Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV — Lack of unity of invention
- [x] Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI — Certain documents cited
- [ ] Box No. VII — Certain defects in the international application
- [ ] Box No. VIII — Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220

Name and mailing address of the ISA/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/DE2009/001574

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/DE2009/001574

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations:

1 Reference is made to the following documents:

D1: US 4 503 673 A (SCHACHLE CHARLES [US] ET AL) 12 March 1985 (1985-03-12)

D2: WO 2007/071239 A1 (VESTAS WIND SYS AS [DK]; SKIFTER LARS [DK]; LUND STEEN [DK]; DEMTROEDE) 28 June 2007 (2007-06-28)

D3: WO 03/091577 A1 (VESTAS WIND SYS AS [DK]; CHRISTENSEN MOGENS [DK]; BUDTZ LARS [DK]) 6 November 2003 (2003-11-06)

2 D1, which is considered to be an important document, discloses a hydraulic supply unit for lubricating and/or cooling mechanical and electrical components arranged in the nacelle of a wind energy plant, and for supplying hydraulic actuators with hydraulic fluid. D1 furthermore discloses a heat exchanger for removing heat from the transmission oil. The hydraulic oil is not cooled in D1.

The subject matter of claim 1 therefore differs from the known supply unit in that the heat

exchanger removes heat from the hydraulic oil, the transmission oil, and a cooling liquid that absorbs heat losses arising at the electrical components of the wind energy installation and is supplied to the heat exchanger, and is therefore novel (PCT Article 33(2)).

3 The problem addressed by the invention is therefore to create a hydraulic supply unit that can be installed in a simple, quick and reliable manner, wherein the testing phase of newly installed supply units in particular is to be reduced to a minimum.

The solution to this problem, as proposed in claim 1 of the present application, is neither known nor obvious from the available prior art and therefore involves an inventive step (PCT Article 33(3)).

4 Claims 2-11 are dependent on claim 1 and therefore likewise meet the requirements of the PCT in respect of novelty and inventive step.

5 The invention is industrially applicable.

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.
13/128,431	05/10/2011	Soenke Siegfriedsen	BOE038US	1596

27137 7590 07/29/2011
DIEDERIKS & WHITELAW, PLC
13885 HEDGEWOOD DR., SUITE 317
WOODBRIDGE, VA 22193

EXAMINER

ART UNIT	PAPER NUMBER
3753	

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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DIEDERIKS & WHITELAW, PLC
13885 HEDGEWOOD DR., SUITE 317
WOODBRIDGE VA 22193

In re Application of:
SIEGFRIEDSEN, SOENKE
Serial No.: 13/128431
Filed: 05/10/2011
Attorney Docket No. : BOE038US
Title: HYDRAULIC SUPPLY UNIT

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 June 10, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the IPAU, JPO, EPO, KIPO, or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/128,449	05/10/2011	Toru Terakawa	376236US99PCT	1728

22850 7590 11/02/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
KALAFUT, STEPHEN J

ART UNIT	PAPER NUMBER
1727	

NOTIFICATION DATE	DELIVERY MODE
11/02/2011	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):

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

11/2/11

In re application of	:	DECISION ON REQUEST TO
Toru Terakawa et al.	:	PARTICIPATE IN PATENT
Serial No. 13/128,449	:	PROSECUTION HIGHWAY
Filed: May 10, 2011	:	PROGRAM AND
Attorney Docket No: 376236US99PCT	:	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 June 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 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

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:	13/128,513	Filing date:	May 10, 2011
First Named Inventor:	Yuichi FURUKAWA		
Title of the Invention:	METHOD FOR SURFACE PROCESSING		

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: 2008-314991

The international filing date of the corresponding PCT application(s) is/are: December 10, 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)**

[x] Is attached

[ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

[x] Is attached.

[ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/128,513
First Named Inventor:	Yuichi FURUKAWA

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 10, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on May 10, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 2	Essentially the same
Claim 2	Claim 2	U.S. Claim 2 is introduced into Claim 1.
Claim 3	Claim 3	Essentially the same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 9/30/11
Name (Print/Typed) Robert T. Pous, Esq.	Registration Number 29,099

整理番号　Ｋ０８－４８２－ＪＰ　　発送番号　１８９４４０　　1/
発送日　平成２２年　３月２３日

拒絶理由通知書

特許出願の番号	特願２００８－３１４９９１
起案日	平成２２年　３月１２日
特許庁審査官	横島　隆裕　　３９７４　４Ｓ００
特許出願人代理人	特許業務法人快友国際特許事務所　様
適用条文	第２９条第２項、第２９条の２、第３６条

この出願は、次の理由によって拒絶をすべきものです。これについて意見がありましたら、この通知書の発送の日から６０日以内に意見書を提出してください。

理　由

１．この出願は、特許請求の範囲及び発明の詳細な説明の記載が下記の点で、特許法第３６条第４項第１号及び第６項第１号に規定する要件を満たしていない。

２．この出願の下記の請求項に係る発明は、その出願前に日本国内又は外国において、頒布された下記の刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第２９条第２項の規定により特許を受けることができない。

３．この出願の下記の請求項に係る発明は、その出願の日前の特許出願であって、その出願後に出願公開がされた下記の特許出願の願書に最初に添付された明細書、特許請求の範囲又は図面に記載された発明と同一であり、しかも、この出願の発明者がその出願前の特許出願に係る上記の発明をした者と同一ではなく、またこの出願の時において、その出願人が上記特許出願の出願人と同一でもないので、特許法第２９条の２の規定により、特許を受けることができない。

記　　（引用文献等については引用文献等一覧参照）

理由１．について

（１）法第３６条第４項第１号

・備考

本発明が解決しようとする課題は、表面にナノカーボン類の炭素膜を被覆して耐摩耗性等を向上させる手段における（【０００２】【０００３】）、フラーレン類が金型表面から脱落することを抑制でき、フラーレン類を頻繁に再塗布する

必要をなくする発明について（【０００５】）、非処理物体を３００℃程度に一旦加熱することや、フラーレン類の粉末を塗布する際に２５０ｋＰａ程度の圧力で均すことを要しない、簡便な塗布方法を提供することと認められる（【０００６】【０００７】）。

その手段として、炭素膜の表面にフラーレン類を含有する液体を塗布することを開示する（【請求項１】）。

ところが、発明の詳細な説明には、フラーレン類を含有する液体が塗布された炭素膜の表面は、水との接触角（θ）のばらつきが小さいこと、また、θの値が大きいことが記載されるが（【００２０】【表１】【００２１】【００２２】）、開示した手段によって、フラーレン類が金型表面から脱落することを抑制することができたこと、フラーレン類を頻繁に再塗布する必要がないことについては何も記載されていない。

そうすると、開示した手段により課題が解決されることが認められないこの出願の発明の詳細な説明は、当業者が請求項１、２に係る発明を実施することができる程度に明確かつ十分に記載されたものでない。

（２）法第３６条第６項第１号

・備考

請求項１は「物体の表面を」と記載するから、本願表面処理方法は、表面を構成する材質を問わず、あらゆる表面に適用することを含むものである。

しかし、発明の詳細な説明には、本願方法を合金工具鋼鋼材（ＳＫＤ６１）の板に適用したことが記載されるに過ぎず、あらゆる表面を含む範囲にまで、これを拡張ないし一般化するための原理は開示されていない。

よって、請求項１、２に係る発明は、発明の詳細な説明に記載したものでない。

理由２．について

・請求項１

・引用文献１－２

・備考

文献１には、鋳造用金型等の摺動特性等を向上させ、焼付き等を防止するために、金型表面にナノカーボン類を含む炭素膜の被覆を施すことが記載されている（【特許請求の範囲】【０００１】～【０００９】）。

文献２には、金型キャビティー面への溶融材料の融着や焼付きを防止するために、金型キャビティー面にフラーレンを付着させて離型性を改善することが記載され（【請求項１】【０００３】）、フラーレンは潤滑剤等との混合物としてスプレー等によりキャビティー面に塗布されること（【０００４】【００２０】～【００２３】実施例１－３）、一般的に用いられるエアゾールタイプの離型剤等

を併用塗布してもよく、これにより離型性が一層向上すること（【請求項２】【０００６】）等が記載されている。

文献１に記載の鋳造用金型等において、文献２に記載されたフラーレン混合物からなる離型剤をスプレー等することを採用して、炭素膜の表面にフラーレン類を含有する液体を塗布する第２工程を含む表面処理方法とするのは、当業者にとって容易なことである。

離型処理（窒化処理、炭素被膜処理等）がされた金型ではスプレー離型剤は使用しないなどの、両者を組み合わせることを阻害する理由も見当たらない。

・請求項２
・引用文献１－２、
及び４－６（フラーレン類を塗布することについての技術水準を示す文献）
・備考

文献４－６には、フラーレン膜はフラーレン類の溶液を調整して塗布すること、その溶媒としてはアルコール類が好ましいこと等が記載されている（文献４【００９８】【００９９】、文献５【００４５】、文献６【請求項５】【請求項７】【００１２】）。

これら文献を参酌すれば、フラーレン類をアルコール類の分散液として塗布することは、本願出願時における周知・慣用の手段と認められ、文献２に記載のフラーレン混合物を塗布する溶媒としてアルコール類を用いるのは、当業者にとって容易なことである。

理由３．について
・請求項１
・引用文献等３
・備考

本願の日前の特許出願であって、その出願後に出願公開がされた特願２００８－１９８５８８号の願書に最初に添付された明細書等である、引用文献等３には、ナノカーボン類を含む炭素膜の表面に、フラーレン類を塗布する鋳造型の表面処理方法が記載されている（【請求項１】）。

文献３は「フラーレン類を塗布する」ことを記載し、本願は「フラーレン類を含有する液体を塗布する」と記載する点で、両者は一応相違する。

しかしながら、フラーレン類の塗布について、これをアルコール類の分散液に調整して塗布することは、出願時において周知、慣用の手段と認められる（理由２．についての、請求項２の備考を参照）。

そうすると、本願の「フラーレン類を含有する液体を塗布する」ことは、文献３の「フラーレン類を塗布する」ことについて、周知、慣用の手段が付加されたものといえ、これは発明の具体化手段における微差であるから、両者は実質同一

である。

よって、本願の請求項１に係る発明は、下記の特許出願の願書に最初に添付された明細書等に記載された発明と同一である。

なお、微粉末を塗布すること一般の技術常識に照らしても、（１）微粉末をそのまま塗布するか、（２）分散液等として塗布した後に分散媒を取り除くか、いずれかの手段で塗布が行われるものである。

また、粉末をそのまま塗布したものより、分散液として塗布したものがより分散性に優れるのは、当然の効果である。

引　用　文　献　等　一　覧

１.特開２００８－１０５０８２号公報
２.特開２００７－１４４４９９号公報
３.特願２００８－１９８５８８号（特開２０１０－３６１９４号）

（以下はフラーレン類を塗布することについての技術水準を示す文献である）
４.国際公開第２００８／０８１８４５号
５.特開２００７－１２８６８２号公報
６.特開２００７－３５９６６号公報

先行技術文献調査結果の記録

・調査した分野　　ＩＰＣ　Ｂ０５Ｄ１／００－７／２６

この先行技術文献調査結果の記録は拒絶理由を構成するものではありません。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第三部　プラスチック工学（繊維・積層）　横島　隆裕
ＴＥＬ．０３（３５８１）１１０１　内線３４７２
ＦＡＸ．０３（３５０１）０６９８

STATEMENT OF TRANSLATION ACCURACY

I, Hideo Kodama, c/o Kai-U Patent Law Firm, Nisseki Meieki Building 7F, 45-14, Meieki 2-chome, Nakamura-ku, Nagoya, 450-0002, Japan, hereby declare that:

1. I am conversant in both Japanese and English languages;

2. I translated claims to which a Decision to Grant a Patent has been issued, of Japanese Patent Application No. 2008-314991 filed on December 10, 2008, which are now published as claims of Japanese Patent No. 4554704, from Japanese to English;

3 To the best of my knowledge and belief, the attached English translation is a true and correct translation of the document identified in the above paragraph 2.

September 14, 2011

Date

Hideo Kodama

K08-482-JP

Dispatch No.: 189440
Mailing date: March 23, 2010

Notification of Reasons for Rejection

Patent Application No.:	2008-314991	
Drafting Date:	March 12, 2010	
JPO Examiner:	Takayuki YOKOSHIMA	3974 4S00
Patent Attorney:	Kai-U Patent Law Firm	
Applicable text:	Sections 29(2), 29bis and 36	

The present application should be rejected due to the reasons clarified below. Please address any comments in a written argument within sixty days of the mailing date of this notification.

Reasons

1. The present application with respect to the claims and the detailed description fails to meet the requirements set forth in Japanese Patent Law Section 36(4)(i) and (6)(i).

2. The inventions defined by below claims of the present application could easily have been made by a person skilled in the art prior to the filing date of the present application based on inventions described in publications as listed below which were distributed in Japan or foreign countries prior to the filing date or inventions made available to the public through telecommunication lines prior to the filing date. Consequently, the below claims are unpatentable due to Patent Law Section 29(2).

3. The inventions according to the below claims are identical with the inventions described in specification, claims and drawings as originally attached to the request of the below patent applications or utility model registration applications which were filed prior to the filing of the present application and published after the filing the present application; whereas the inventor of the present application is not identical to the person who had made the invention of the patent applications or utility model registration applications which were filed prior to the filing of the present application, and the applicant of the present application at the time of filing is not identical to the applicant

of the patent applications or utility model registration applications which were filed prior to the filing of the present application; thus this application cannot be patented in accordance with the Patent Law Section 29bis (29-2).

Note (See the list below for the cited references)

As to Reason 1

(1) Japanese Patent Law Section 36(4)(i)

• Remarks

The problem to be solved by the present invention is understood as being related to the technique for improving a surface characteristic by applying a carbon coating including nanocarbons and the like ([0002, [0003]]), specifically to an invention for preventing fullerenes to exfoliate from a mold surface and saving the labor of frequently reapplying fullerenes ([0005]); and is understood as to provide a simple method of applying fullerenes in which processes for heating an object to be processed to about 300°C and equalizing fullerenes powder by applying pressure of about 250 kPa upon applying the same are not necessary ([0006], [0007]).

As a means to achieve the above, it discloses to apply liquid including fullerenes to a surface of the carbon coating (claim 1).

However, in the detailed description of the invention, although it is described that the surface of the carbon coating to which the liquid including fullerenes has small variety in the contact angle (θ) with water, and that the value of θ is large ([0020] [Table 1], [0021], [0022]), there is no description regarding the fullerenes being prevented from exfoliating from the mold surface and the frequent reapplication of fullerenes being unnecessary.

In view of the above, the problem cannot be regarded as being solved by the means disclosed in the application. The detailed description of the invention of this application is not described sufficiently clear and to a degree by which those skilled in the art can carry out the inventions of claims 1 and 2.

(2) Japanese Patent Law Section 36(6)(i)

• Remarks

Claim 1 recites "a surface of an object". Thus, the method for surface processing recited therein includes adaptation to any surface regardless of the material thereof.

However, the detailed description of the invention merely describes adapting

the present invention to a plate manufactured from an alloy tool steel (SKD 61), and a principle for expanding or generalizing the adaptation to a scope including any surface is not disclosed.

Therefore, the inventions of claims 1 and 2 are not described in the detailed description of the invention.

As to Reason 2

• Claim 1

• Cited references 1 and 2

• Remarks

Reference 1 describes improving sliding characteristic of a casting mold, etc. and preventing seizures, etc. by coating a mold surface with a carbon coating including nano carbons (claims and [0001] to [0009]).

Reference 2 describes: preventing fusions and seizures of melted material to a cavity surface of a mold by applying fullerene to the cavity surface of the mold, thereby improving mold releasing characteristic (claim 1 and [0003]); fullerene can be applied to the cavity surface by spraying, etc. in a form of a mixture with lubricant, etc. ([0004] and [0020] to [0023], first to third embodiments); and a generally-used, aerosol parting agent can be applied concurrently, by which the mold releasing characteristic can further be improved (claim 2 and [0006]).

In the casting mold, etc. of reference 1, it would be easy for those skilled in the art configure a surface processing method including a second process of employing the spraying of parting agent made of fullerene mixture as in reference 2 to apply liquid including fullerenes onto a surface of the carbon film.

Further, no obstacle to the above combination, such as the spray parting agent is not to be used in the mold in which mold releasing processing (nitriding, carbon coating, etc.) has been performed, can be found.

• Claim 2

• Cited references 1, 2 and 4 to 6 (references showing technical standard of fullerene application)

• Remarks

References 4 to 6 describe applying a fullerene film by adjusting a fullerenes solution, and alcohol is preferable as a solvent thereof. (reference 4: [0098], [0099], reference 5: [0045], reference 6: claims 5 and 7, [0012]).

In studying these references, the application of fullerenes as alcohol-dispersed

solution can be regarded as a well-known technique at the time of filing the application, thus it would be easy for those skilled in the art to use alcohol as the solvent for applying the fullerene mixture described in reference 2.

As to Reason 3

• Claim 1

• Cited reference 3

• Remarks

Cited reference 3, which is the specification, etc. as originally attached to Japanese Patent Application No.2008-198588 which had been filed prior to the filing of the present application and published thereafter, describes a surface processing method for a casting mold including applying fullerenes to the surface of the carbon coating including nano carbons (claim 1).

Reference 3 describes "applying fullerenes", and the present invention differ slightly in that it describes "applying liquid including fullerene".

However, as to the application of fullerenes, the application thereof by making adjustments in the alcohol-dispersed solution is regarded as a well-known technique at the time of filing (cf. remarks for claim 2 in the above Reason 2).

In considering this, "applying liquid including fullerene" of the present invention merely includes an addition of the well-known technique to the "applying fullerenes" of reference 3; thus, the two are substantially the same.

Thus, the invention of claim 1 is identical to the invention described in the specification, etc. as originally attached to the below listed patent application.

Note that, even in view of the general technical knowledge of application of micropowder, such application is performed by either (1) applying the micropowder directly or (2) applying the same as dispersed solution and removing the dispersing solvent thereafter.

Further, it is obvious that the dispersing characteristic is superior in the application of the dispersed solution than in the direct application of the powder.

List of Cited References

1. Japanese Patent Application Publication No.2008-105082

2. Japanese Patent Application Publication No.2007-144499

3. Japanese Patent Application No.2008-198588 (Publication No.2010-36194)

(References showing technical standard of fullerene application)

4. International Publication No.2008/081845
5. Japanese Patent Application Publication No.2007-128682
6. Japanese Patent Application Publication No.2007-35966

Record of Search Results for Prior Art documents

Technical field searched IPC B05D 1/00-7/26

This record of search results for prior art documents is not part of the reasons for rejection.

If there are any questions regarding the content of this notification, please contact below:

Patent Examination 3rd Department, plastic engineering (textiles and layered products) Takayuki YOKOSHIMA
TEL: 03 (3581) 1101 ext. 3472 FAX: 03 (3501) 0698

STATEMENT OF TRANSLATION ACCURACY

I, Hideo Kodama, c/o Kai-U Patent Law Firm, Nisseki Meieki Building 7F, 45-14, Meieki 2-chome, Nakamura-ku, Nagoya, 450-0002, Japan, hereby declare that:

1. I am conversant in both Japanese and English languages;

2. I translated the latest Notification of Reasons for Rejection, with dispatch No. 189440 and mailing date of March 23, 2010, issued to Japanese Patent Application No. 2008-314991 from Japanese to English;

3. To the best of my knowledge and belief, the attached English translation is a true and correct translation of the document identified in the above paragraph 2.

September 14. 2011

Date

Hideo Kodama

Claims allowed by JPO for Japanese Patent Application No.2008-314991, which is now patented as Japanese Patent No.4554704

【請求項１】

合金工具鋼鋼材の表面を、カーボンナノコイル、カーボンナノチューブおよびカーボンナノフィラメントからなる群から選ばれる少なくとも１種のナノカーボン類を含む炭素膜で被膜する第１工程と、

炭素膜の表面にフラーレン類を含有するアルコール類の液体を塗布する第２工程を含む表面処理方法。

【請求項２】

前記アルコール類の液体は、１から１０重量%のフラーレン類を含有することを特徴とする請求項１に記載の表面処理方法。

Translation of Claims Allowed by JPO

Claims allowed for Japanese Patent Application No.2008-314991, which is now patented as Japanese Patent No.4554704:

1. A method for a surface processing comprising:

coating a surface of an alloy tool steel by a carbon coating including at least one type of a nano carbon selected from a carbon nano coil, a carbon nanotube and a carbon nano filament; and

applying liquid of alcohol including fullerene to the carbon coating.

2. The method for the surface processing as in claim 1, wherein,

the liquid of alcohol includes 1 to 10 wt% of fullerene.

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JAN 25 2012

OFFICE OF PETITIONS

OBLON, SPIVAK, MCCLELLAND
MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of
Yuichi Furukawa et al.
Application No.: 13/128,513
Filed: May 10, 2011
Attorney Docket No.: 380005US71X PCT
For: Method for Surface Processing

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed September 30, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;

4. Examination of the U.S. application has not begun;

5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

    Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
    b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;

6. Applicant must submit:
    a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

Conditions (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (3).

Regarding the requirement of condition (3), the US and JPO claims do not correspond as listed on the claims correspondence table. For example, claim 3 was not supplied for the JPO claim and US claim 2 was cancelled.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed Kimberly Inabinet at 571-272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

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Alexandria, VA 22313-1450
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1940 DUKE STREET
ALEXANDRIA VA 22314

MAILED
MAR 12 2012
OFFICE OF PETITIONS

In re Application of
Yuichi Furukawa et al.
Application No.: 13/128,513
Filed: May 10, 2011
Attorney Docket No.: 380005US71X PCT
For: Method for Surface Processing

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 24, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

It should be noted that the request for participation in the PPH-PCT petition form submitted on September 30, 2011 was the correct form for this application.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

David Bucci
Petitions Examiner
Office of Petitions

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WENDEROTH, LIND & PONACK, L.L.P.
1030 15th Street, N.W.,
Suite 400 East
Washington DC 20005-1503

MAILED
MAR 21 2012
PCT LEGAL ADMINISTRATION

In re Application of
Amishiro et al.
Application No.: 13/128,516
PCT No.: PCT/JP2009/069065
Int. Filing Date: 09 November 2009
Priority Date: 10 November 2008
Attorney Docket No.: 2011_0681A
For: Kynurenine Production Inhibitor

DECISION

This is in response to the correspondence filed on 02 September 2011.

BACKGROUND

International application PCT/JP2009/069065 was filed on 09 November 2009, claimed an earliest priority date of 10 November 2008, and designated the United States. The period for payment of the basic national fee in the United States expired as of midnight on 10 May 2011. Applicants filed *inter alia* a basic national fee on 10 May 2011. On 22 June 2011, a Notice of Acceptance (Form PCT/DO/EO/903) showing a 35 U.S.C. 371(c)(1), (2) and (4) date of "05/10/2011" was mailed to counsel.

DISCUSSION

Review of the instant application file reveals that the published international application and the declaration filed on 10 May 2011 both nominate "KINPARA, Keisuke" as an inventor. However, counsel now states that "the executed Declaration filed with the new application on May 10, 2011 has been discovered to contain a typographical error or transliteration error in the third inventor's last name. The correct spelling of the name of the third inventor is Keisuke KIMPARA not Keisuke KINPARA."

Counsel requests acceptance of the inventor's name (and the declaration) under the policy described at MPEP 605.04(b). In view of counsel's characterization of the discrepancy as having arisen from a "typographical error or transliteration error," it would be appropriate to accept the inventor's name as it appears on said declaration. *See also* MPEP 1893.01(e).

Counsel further requests that the electronic records of the UPSTO be updated to reflect the correct spelling of the inventor's name. By analogy to the policy described at MPEP 605.04(c), the USPTO will correct the spelling of the inventor's name, but applicants also are encouraged to submit an application data sheet showing the corrected name.

The $130 surcharge under 37 CFR 1.492(h) was not necessary, and will be refunded to applicants.

DECISION

The declaration filed on 10 May 2011 is **ACCEPTED** for purposes of compliance with 37 CFR 1.497(a) and (b), in view of the correspondence filed on 02 September 2011.

This application is being returned to the Office of Patent Application Processing for correction of the electronic records of the USPTO to show the correct spelling of the third inventor's name as Keisuke KIMPARA.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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38500 CHARDON ROAD
DEPT. DLBH
WILLOUGBY HILLS OH 44094

MAILED

JUL 27 2011

PCT LEGAL ADMINISTRATION

In re Application of
MCKENNA, Gilbert W.
Application No.: 13/128,519
PCT No.: PCT/US08/77467
Int. Filing Date: 24 September 2008
Priority Date: NONE
ATTY Docket No.: ANA1014-WO-ANA-10-6586-US
For: **SUBJECT SUPPORT APPARATUS**

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This decision is in response to applicant's PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) in application serial number 13/128,519. The petition was filed in the United States Patent and Trademark Office (USPTO) on 10 May 2011.

BACKGROUND

On 24 September 2008, 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 24 March 2011. This application became abandoned with respect to the United States at midnight on 24 March 2011 for failure to pay the required basic national fee and providing the documents as required by 35 U.S.C. 371 (c).

On 10 May 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 under 37 CFR 1.137(b), and petition fee.

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by:

(1) The required reply, unless previously filed;

(2) The petition fee as set forth in 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 provided 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.

CONCLUSION

The petition under 37 CFR 1.137(b) is **GRANTED.**

The application is being forwarded 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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Workman Nydegger
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City UT 84111

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SEP 06 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
STOLL, et al.	:	
U.S. Application No.: 13/128,617	:	DECISION ON PAPERS
PCT No.: PCT/EP2009/007971	:	
Int. Filing Date: 07 November 2009	:	UNDER 37 CFR 1.42
Priority Date: 11 November 2008	:	
Attorney's Docket No.: 18570.7	:	
For: METHOD FOR GENERATING A DOWNWARD	:	
COMPATIBLE SOUND FORMAT	:	

This decision is in response to applicant's filing of 14 July 2011. The filing of the declaration in question is being treated as a request for status pursuant to 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 07 November 2009, applicant filed the above-referenced international application, which claimed a priority date of 11 November 2008. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 20 May 2010. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 11 May 2011.

On 10 May 2011, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, among other items, payment of the requisite basic national fee and an English translation of the international application as filed.

On 27 May 2011, applicant was mailed a "Notification of Missing Requirements" (Form PCT/DO/EO/905) indicating that an executed oath or declaration of the inventors was required. Applicant was afforded two months to file a response.

On 14 July 2011, applicant filed the declaration discussed herein.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

Application No.: 13/128,617

> "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent."

An examination of the filed declaration and power of attorney finds that the document lists the post office, residence and citizenship for both the deceased inventor Gerhard Stoll and the heirs to his estate. In addition, this information has been provided for the additional inventors listed on the published international application. The declaration has been executed by the heirs (it is clear from the declaration that the listed individuals represent all of the heirs to the estate) and the additional listed inventors. As such, the declaration is in compliance with 37 CFR 1.497(a)-(b).

In light of the above, it is proper to grant applicant's request at this time.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application has an international application filing date of 07 November 2009 and will be given a date of **14 July 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

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:	Unknown	Filing date:	Herewith
First Named Inventor:	Alfred Thomas		
Title of the Invention:	NORMALIZING SKILL-BASED WAGERING GAMES		

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/US09/64485

The international date of the corresponding PCT application(s) is/are: 13-Nov-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).**

- [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.

Under the 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.:	Unknown
First Named Inventor:	Alfred Thomas

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
1-25	1-25	Same claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew DeLizio Reg. 52,806/	Date May 10, 2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

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.
13/128,662	05/11/2011	Alfred Thomas	100.081US1	2494

65375 7590 08/01/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of: THOMAS, ALFRED Serial No.: 13/128662 Filed: 05/11/2011 Attorney Docket No. : 100.081US1 Title: NORMALIZING SKILL-BASED WAGERING GAMES	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 11, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more 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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MAILED

JUN 14 2011

PCT LEGAL ADMINISTRATION

BOND, SCHOENECK & KING, PLLC
10 BROWN ROAD, SUITE 201
ITHACA NY 14850-1248

In re Application of: LAL, Amit, et al.
U.S. Application No.: 13/128,684
PCT No.: PCT/US2009/063855
International Filing Date: 10 November 2009
Priority Date: 10 November 2008
Attorney's Docket No.: 606P018D (US)
For: SELF-POWERED, PIEZO-SURFACE ACOUSTIC WAVE APPARATUS AND METHOD

DECISION ON PETITION
(37 CFR 1.137(b))

The petition for revival under 37 CFR 1.137(b) filed 11 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/US2009/063855 became abandoned with respect to the United States at midnight on 10 May 2011 based on applicants' failure to pay the U.S. 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 the present national stage application 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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SEP 30 2011

PCT LEGAL ADMINISTRATION

Dennemeyer & Associates, LLC
175 N. Franklin Street
Suite 400
Chicago IL 60606

In re Application of	:	
CHARRIN	:	
Application No.: 13/128,689	:	DECISION ON PETITION
PCT No.: PCT/EP2009/003229	:	
Int. Filing Date: 06 May 2009	:	UNDER 37 CFR 1.181
Priority Date: 14 November 2008	:	
Attorney Docket No.: 30100-100507 (F-14088/US)	:	
For: AUTONOMOUS ANTI-SPILL CARRIER FOR	:	
A BOUQUET OF FLOWERS	:	

This decision is in response to applicant's petition under 37 CFR 1.181 filed 02 June 2011 in the United States Patent and Trademark Office (USPTO). No petition fee is required.

BACKGROUND

On 06 May 2009, applicant filed international application PCT/EP2009/003229 which claimed priority to a previous application filed 14 November 2008. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States was set to expire at midnight on 14 May 2011.

On 11 May 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 as filed and an Application Data Sheet.

On 01 June 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 also notified that the text in the drawings had not been properly translated and of the need to provide additional fees in the amount of $195. ($65.00 for surcharge for providing an oath or declaration of the inventor later than thirty months from the earliest priority date and $130.00 for an English language translation surcharge as to the drawings). Applicant was given two months to respond.

On 02 June 20011, applicant filed the present petition under 37 CFR 1.181 concerning translation of marginalia in the drawing sheets.

On 27 July 2011, applicant filed an executed declaration of the inventor accompanied by a fee payment of $65.00.

DISCUSSION

Applicant properly notes in the petition filed 02 June 2011 that foreign language text is not part of the application papers but rather a replacement sheet stamp pursuant to PCT Rule 26 applied during the processing of the underlying international application. Therefore, it is proper to grant applicant's petition in that not foreign text is present in the drawing sheets.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.181 is **GRANTED**.

The Form PCT/DO/EO/905 mailed 01 June 2011 is hereby **VACATED** as to the need to translate the text in the drawings and provide payment of the $130.00 processing fee.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision and consideration of applicant's response of 27 July 2011.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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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.
13/128,701	05/11/2011	Takashi Nakagawa	WASH1-47842	2803

52054 7590 07/20/2011
PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND, OH 44114-3108

EXAMINER
ALEJANDRO, RAYMOND

ART UNIT	PAPER NUMBER
1727	

NOTIFICATION DATE	DELIVERY MODE
07/20/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com
dchervenak@pearne.com

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JUL 20 2011

CST

In re application of	:	DECISION ON REQUEST TO
Takashi Nakagawa et al	:	PARTICIPATE IN PATENT
Serial No. 13/128,701	:	PROSECUTION HIGHWAY
Filed: May 11, 2011	:	PROGRAM AND
For: FUEL CELL	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed June 15, 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 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 (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy;
b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and
c. A statement that the English translation is accurate;

(6) Applicant must submit:

a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already 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 fail because:

(6) Applicant must submit:

c. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
d. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The following reference was cited in the Reasons for Refusal from the JPO in JPO application 2010-507756, however it has not been listed in an IDS, nor has a copy of this reference been provided: JP 2008-112738.

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.

Application No. 13/128,701

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,701	05/11/2011	Takashi Nakagawa	WASH1-47842	2803

52054 7590 09/15/2011
PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND, OH 44114-3108

EXAMINER
ALEJANDRO, RAYMOND

ART UNIT	PAPER NUMBER
1727	

NOTIFICATION DATE	DELIVERY MODE
09/15/2011	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.

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patdocket@pearne.com
dchervenak@pearne.com

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CST

September 14, 2011

In re application of	:	DECISION ON REQUEST TO
Takashi Nakagawa et al	:	PARTICIPATE IN PATENT
Serial No. 13/128,701	:	PROSECUTION HIGHWAY
Filed: May 11, 2011	:	PROGRAM AND
For: FUEL CELL	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the supplemental request to participate in the Patent Prosecution Highway (PPH) program filed August 15, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO to obtain a copy from DAS; however, if the USPTO is unable to obtain a copy from the DAS, the applicant will be required to submit a copy;
   b. An English translation of the allowable/ patentable claim(s), if applicable; and
   c. A statement that the English translation is accurate, if applicable;

(3) Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s); and
   b. Submit a claims correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claims(s) or
      ii. if the allowable/patentable claim(s) are from "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form:
      Further, if a copy of the documents from a or b is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above if applicable; and
   c. A statement that the English translation is accurate; and

(6) Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/128,712	05/11/2011	Yasunori Hoshihara	1163-0900PUS1	2871

2292 7590 08/01/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
08/01/2011	ELECTRONIC

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mailroom@bskb.com

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of: HOSHIHARA et al.
Application No. 13128712
Filed: May 11, 2011
For: RADIO COMMUNICATION DEVICE AND RADIO COMMUNICATION SYSTEM

DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed June 10, 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);
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 JPO application(s) and
b. Submit a claim correspondence table in English;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:
a. A copy of all the office action(s) (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s);
b. An English language translation of the JPO office action(s) (if the office action(s) are not in the English language); and
c. A statement that the English translation is accurate;

(6) Applicant must submit:
a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and
b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application); and

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 Kim Huynh at 571-272-4147

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Kim Huynh/

Kim Huynh
Quality Assurance Specialist
Technology Center 2400

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QUEEN'S UNIVERSITY
KINGSTON ON K7L 3N6
CANADA

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AUG 12 2011

PCT LEGAL ADMINISTRATION

In re Application of :
BROWN, Ian E., et al. :
Application No.: 13/128,750 :
PCT No.: PCT/CA2009/001626 :
Int. Filing Date: 12 November 2009 :
Priority Date: 13 November 2008 :
Att. Docket No.: 2008-011-04US :
For: SYSTEM AND METHOD FOR :
INTEGRATING GAZE TRACKING :
WITH VIRTUAL REALITY OR :
AUGMENTED REALITY :

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 23 June 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

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AUG 01 2011

PCT LEGAL ADMINISTRATION

CANTOR COLBURN LLP
20 Church Street
22nd Floor
Hartford CT 06103

In re Application of	:	
BROYER et al.	:	
Application No.: 13/128,783	:	DECISION on
PCT No.: PCT/FR09/52104	:	
Int. Filing Date: 30 October 2009	:	PETITION
Priority Date: 05 November 2008	:	
Attorney Docket No.: GER1927US	:	UNDER 37 CFR 1.137(b)
For: DEVICE FOR PREPARING AND/OR TREATING	:	
A BIOLOGICAL SAMPLE	:	

The petition to revive under 37 CFR 1.137(b) filed 11 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that the basic national fee has now been provided. The required petition fee of $1620 was also paid. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The application will be forwarded to the United States Designated/Elected Office for further processing including issuance of a Notification of Missing Requirements indicating, *inter alia*, that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), and the surcharge for filing the oath or declaration after the thirty month period, is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Decision Date : November 11,2011

In re Application of :

Dennis Børsting

Application No : 13128863

Filed : 01-Aug-2011

Attorney Docket No : 695752000300

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed November 11,2011

The request is **APPROVED.**

The request was signed by Michael Ward (registration no. 38651) on behalf of all attorneys/agents associated with Customer Number 20872 . All attorneys/agents associated with Cusotmer Number 20872 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name LM Glasfiber A/S

Name2

Address 1 JupiterVej 6

Address 2

City Kolding

State

Postal Code DK-6000

Country DK

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13128863
Filing Date	01-Aug-2011
First Named Inventor	Dennis Børsting
Art Unit	1712
Examiner Name	MICHAEL WIECZOREK
Attorney Docket Number	695752000300
Title	METHOD OF APPLYING GELCOAT AND AN ARRANGEMENT PERFORMING SAID METHOD

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 20872

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	LM Glasfiber A/S
Address	JupiterVej 6
City	Kolding
State	
Postal Code	DK-6000
Country	DK

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Michael Ward/
Name	Michael Ward
Registration Number	38651

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : November 11,2011

In re Application of :

Dennis Børsting

Application No : 13128866

Filed : 26-Jul-2011

Attorney Docket No : 695752000400

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed November 11,2011

The request is **APPROVED.**

The request was signed by Michael Ward (registration no. 38651) on behalf of all attorneys/agents associated with Customer Number 20872 . All attorneys/agents associated with Cusotmer Number 20872 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name LM Glasfiber A/S

Name2

Address 1 JupiterVej 6

Address 2

City Kolding

State

Postal Code DK-6000

Country DK

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13128866
Filing Date	26-Jul-2011
First Named Inventor	Dennis Børsting
Art Unit	1746
Examiner Name	
Attorney Docket Number	695752000400
Title	METHOD OF LAYING A LAYER OF FIBRE MATERIAL AND THE RELATED APPARATUS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 20872

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	LM Glasfiber A/S
Address	JupiterVej 6
City	Kolding
State	
Postal Code	DK-6000
Country	DK

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Michael Ward/
Name	Michael Ward
Registration Number	38651

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : November 11,2011

In re Application of :

Dennis Børsting

Application No : 13128868

Filed : 18-Jul-2011

Attorney Docket No : 616562005100

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed November 11,2011

The request is **APPROVED.**

The request was signed by Michael Ward (registration no. 38651) on behalf of all attorneys/agents associated with Customer Number 20872 . All attorneys/agents associated with Cusotmer Number 20872 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name LM Glasfiber A/S

Name2

Address 1 JupiterVej 6

Address 2

City Kolding

State

Postal Code DK-6000

Country DK

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13128868
Filing Date	18-Jul-2011
First Named Inventor	Dennis Børsting
Art Unit	1746
Examiner Name	
Attorney Docket Number	616562005100
Title	METHOD AND SYSTEM FOR MONITORING AND CONTROLLING THE MANUFACTURING OF PARTS FOR A WIND POWER PLANT

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 20872

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	LM Glasfiber A/S
Address	JupiterVej 6
City	Kolding
State	
Postal Code	DK-6000
Country	DK

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Michael Ward/
Name	Michael Ward
Registration Number	38651

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13128869
Filing Date	29-Jul-2011
First Named Inventor	Dennis Børsting
Art Unit	1746
Examiner Name	
Attorney Docket Number	695752000200
Title	METHOD OF MANUFACTURING A LAMINATED PART FROM FIBRE MATERIAL

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 20872

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	LM Glasfiber A/S
Address	JupiterVej 6
City	Kolding
State	
Postal Code	DK-6000
Country	DK

I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Michael Ward/
Name	Michael Ward
Registration Number	38651

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : November 11,2011

In re Application of :

Dennis Børsting

Application No : 13128869

Filed : 29-Jul-2011

Attorney Docket No : 695752000200

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed November 11,2011

The request is **APPROVED.**

The request was signed by Michael Ward (registration no. 38651) on behalf of all attorneys/agents associated with Customer Number 20872 . All attorneys/agents associated with Cusotmer Number 20872 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name LM Glasfiber A/S

Name2

Address 1 JupiterVej 6

Address 2

City Kolding

State

Postal Code DK-6000

Country DK

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE IP AUSTRALIA (IPAU) AND THE USPTO

Application No:		Filing date:	May 12, 2011
First Named Inventor:	Yukihiko ITANI		
Title of the Invention:	AIR IONIZER ELECTRODE ASSEMBLY		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/SG08/000497

The international filing date of the corresponding PCT application(s) is/are: 23 December 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.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE IPAU AND THE USPTO

(continued)

Application No.:	
First Named Inventor:	Yukihiko ITANI

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☑ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	same claim as set forth in Annex of IPER
2	-	claim cancelled
3	2	same claim as set forth in Annex of IPER with multiple dependency removed
4	3	same claim as set forth in Annex of IPER with multiple dependency removed
5	4	same claim as set forth in Annex of IPER with multiple dependency removed
6	5	same claim as set forth in Annex of IPER with multiple dependency removed
7	6	same claim as set forth in Annex of IPER, but revised under US practice
8	7	same claim as set forth in Annex of IPER with multiple dependency removed
9	8	same claim as set forth in Annex of IPER
10	9	same claim as set forth in Annex of IPER with multiple dependency removed
11	10	same claim as set forth in Annex of IPER
12	11	same claim as set forth in Annex of IPER
13	12	same claim as set forth in Annex of IPER with multiple dependency removed
14	13	same claim as set forth in Annex of IPER with multiple dependency removed
15	14	same claim as set forth in Annex of IPER
16	15	same claim as set forth in Annex of IPER, but revised under US practice

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Rodney L. Skoglund/	Date May 12, 2011
Name (Print/Typed) Rodney L. Skoglund	Registration Number 36,010

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.
13/128,953	05/12/2011	Yukihiko Itani	HGC.P.US0001	4787

26360 7590 07/25/2011
RENNER KENNER GREIVE BOBAK TAYLOR & WEBER
FIRST NATIONAL TOWER, SUITE 400
106 SOUTH MAIN STREET
AKRON, OH 44308-1412

EXAMINER

ART UNIT	PAPER NUMBER
2836	

MAIL DATE	DELIVERY MODE
07/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

RENNER KENNER GREIVE BOBAK TAYLOR & WEBER
FIRST NATIONAL TOWER, SUITE 400
106 SOUTH MAIN STREET
AKRON OH 44308-1412

In re Application of	
Yukihiko ITANI	**: DECISION ON REQUEST TO**
Application No.: 13/128,953	**: PARTICIPATE IN THE PATENT**
Filed: 12 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: HGC.P.US0001	**: PROGRAM AND PETITION**
For: AIR IONIZER ELECTRODE	**: TO MAKE SPECIAL UNDER**
ASSEMBLY	**: 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 12 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.

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

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.:	13/128,978	Filing Date:	May 12, 2011
First Named Inventor:	Kiyotaka TAKANO		
Attorney Docket No.:	149509		
Title of the Invention:	UPPER HEATER FOR USE IN PRODUCTION OF SINGLE CRYSTAL, SINGLE CRYSTAL PRODUCTION EQUIPMENT, AND METHOD FOR PRODUCING SINGLE CRYSTAL		

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/JP2009/005234

The international 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.

Under the 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.:	13/128,978
First Named Inventor:	Kiyotaka TAKANO

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 12, 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 12, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
12	1	Substantially identical
13	2	Substantially identical
14	3	Substantially identical, but amended to remove multiple dependency
15		Substantially identical to multiple dependent claim 3
16	4	Substantially identical, but amended to remove multiple dependency
17		Substantially identical to multiple dependent claim 4
18		Substantially identical to multiple dependent claim 4
19		Substantially identical to multiple dependent claim 4
20	5	Substantially identical, but amended to remove multiple dependency
21		Substantially identical to multiple dependent claim 5
22	6	Substantially identical, but amended to remove multiple dependency
23		Substantially identical to multiple dependent claim 6
24	7	Substantially identical
25		Substantially identical to claim 7
26	8	Substantially identical, but amended to remove multiple dependency
27		Substantially identical to multiple dependent claim 8
28	9	Substantially identical, but amended to remove multiple dependency
29		Substantially identical to multiple dependent claim 9
30	10	Substantially identical
31		Substantially identical to claim 10
32	11	Substantially identical, but amended to remove multiple dependency
33		Substantially identical to multiple dependent claim 11
34		Substantially identical to multiple dependent claim 11
35		Substantially identical to multiple dependent claim 11

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date August 23, 2011
Name (Print/Typed) William P. Berridge	Registration Number 30,024
Name (Print/Typed) Justin T. Lingard	Registration Number 61,276

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.

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
好宮幹夫
様

あて名
〒110-0005
日本国東京都台東区上野７丁目６番１１号第一下谷ビル８Ｆ

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

発送日 （日.月.年）	１５．１２．２００９
出願人又は代理人の書類記号　08F00128WO	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／ＪＰ２００９／００５２３４	０８．１０．２００９	０５．１２．２００８

国際特許分類（ＩＰＣ）Int.Cl. C30B15/14(2006.01)i, C30B29/06(2006.01)i, H05B3/14(2006.01)i, H05B3/64(2006.01)i

出願人（氏名又は名称）
信越半導体株式会社

１．この見解書は次の内容を含む。
- ☑ 第Ｉ欄　見解の基礎
- ☐ 第II欄　優先権
- ☐ 第III欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第IV欄　発明の単一性の欠如
- ☑ 第Ｖ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第VI欄　ある種の引用文献
- ☐ 第VII欄　国際出願の不備
- ☐ 第VIII欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
０３．１２．２００９

名称及びあて先	特許庁審査官（権限のある職員）	４Ｇ	３５５１
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	鮎沢　輝万 電話番号　０３－３５８１－１１０１　内線　３４１６		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００７年４月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／００５２３４

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／ＪＰ２００９／００５２３４

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 2001-039792 A (三菱マテリアルシリコン株式会社) 2001.02.13
文献2:　JP 10-152389 A (コマツ電子金属株式会社) 1998.06.09
文献3:　JP 5-294782 A (川崎製鉄株式会社) 1993.11.09
文献4:　JP 2-059494 A (日本鋼管株式会社) 1990.02.28
文献5:　JP 9-183691 A (信越半導体株式会社) 1997.07.15
文献6:　JP 2005-053722 A (信越半導体株式会社) 2005.03.03

請求項1－11に記載された発明は、国際調査報告書に引用された文献1－6に対して新規性、進歩性を有する。

シリコン融液を収容するルツボを囲繞するように配置される黒鉛ヒーターの上部に配置される上部ヒーターであって、発熱部が、リング状で、内側および外側から、それぞれ水平方向にスリットが形成されたものは、いずれの文献にも開示されておらず、当業者にとって自明なものでもない。

請求の範囲

[請求項1] 少なくとも、電流が供給される電極と、抵抗加熱による発熱部とが設けられ、チョクラルスキー法により単結晶を製造する際に用いられるシリコン融液を収容するルツボを囲繞するように配置される黒鉛ヒーターの上部に配置される上部ヒーターであって、前記発熱部は、リング状でルツボを囲繞するように配置され、該発熱部の内側および外側から、それぞれ水平方向にスリットが形成されたものであることを特徴とする単結晶製造用上部ヒーター。

[請求項2] 前記上部ヒーターは、前記電極の他に該電極からそれぞれ円周方向９０度の位置に、下方より前記上部ヒーターの発熱部を支持するように配置されるダミー電極を有するものであることを特徴とする請求項１に記載の単結晶製造用上部ヒーター。

[請求項3] 前記発熱部は、カーボン繊維複合材からなるものであることを特徴とする請求項１または請求項２に記載の単結晶製造用上部ヒーター。

[請求項4] 前記発熱部は、該発熱部の発熱分布が所望の値になるように、前記スリットの幅が内外で変更して形成されたものであることを特徴とする請求項１ないし請求項３のいずれか１項に記載の単結晶製造用上部ヒーター。

[請求項5] 前記電流が供給される電極は、前記上部ヒーターが、前記シリコン融液に磁場印加装置により水平磁場を印加しながら単結晶を引き上げる水平磁場印加ＣＺ法により単結晶を製造する際に用いられる場合に、該電極が前記磁場印加装置から印加される水平磁場のコイル中心を結ぶ磁力線の方向に対して垂直位置に配置され、該電極の極性は前記上部ヒーターが前記水平磁場から下向きの力を受けるように配置されることを特徴とする請求項１ないし請求項４のいずれか１項に記載の単結晶製造用上部ヒーター。

[請求項6] 少なくとも、請求項１ないし請求項５のいずれか１項に記載の単結晶製造用上部ヒーターを具備することを特徴とする単結晶製造装置。

[請求項7] 前記単結晶製造装置は、少なくとも、前記シリコン融液を収容するルツボと、該ルツボから引き上げた単結晶を冷却する冷却筒と、該冷却筒の下部に設けられた黒鉛筒の外側下端に前記シリコン融液と対向するように配置された前記シリコン融液表面を保温する熱遮蔽体を具備し、前記上部ヒーターの底面が単結晶の成長中における前記シリコン融液表面よりも上方、かつ、前記上部ヒーターの上面が前記熱遮蔽体の底部よりも下方になるように、前記上部ヒーターが配置されたものであることを特徴とする請求項６に記載の単結晶製造装置。

[請求項8] 前記単結晶製造装置は、少なくとも、前記シリコン融液に水平磁場を印加する磁場発生装置を具備し、該磁場発生装置により水平磁場を印加しながら単結晶を引き上げる水平磁場印加ＣＺ法により単結晶を製造するものであることを特徴とする請求項６または請求項７に記載の単結晶製造装置。

[請求項9] 前記単結晶の直径が３００ｍｍ以上の大口径の単結晶を製造する際に用いられるものであることを特徴とする請求項６ないし請求項８のいずれか１項に記載の単結晶製造装置。

[請求項10] 請求項６に記載の単結晶製造装置を用いてチョクラルスキー法により単結晶を製造することを特徴とする単結晶製造方法。

[請求項11] 請求項７または請求項８に記載の単結晶製造装置を用いてチョクラルスキー法により単結晶を製造する方法において、前記単結晶を引き上げて、該単結晶の直径が一定となる直胴部を形成してから、該直胴部の上部が前記冷却筒の下端部に到達するまでの間、前記上部ヒーターのパワーを徐々に減じることを特徴とする単結晶製造方法。

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II

(PCT Rules 44*bis*.3(c) and 72.2)

To:

YOSHIMIYA, Mikio
1st Shitaya Bldg. 8F, 6-11, Ueno 7-chome, Taito-ku,
Tokyo
1100005
JAPON

Date of mailing *(day/month/year)* 14 July 2011 (14.07.2011)	
Applicant's or agent's file reference 08F00128WO	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/005234	International filing date *(day/month/year)* 08 October 2009 (08.10.2009)
Applicant Shin-Etsu Handotai Co.,Ltd. et al	

1. **Transmittal of the translation to the applicant.**

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OA, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 08F00128WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/005234	International filing date *(day/month/year)* 08 October 2009 (08.10.2009)	Priority date *(day/month/year)* 05 December 2008 (05.12.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant Shin-Etsu Handotai Co.,Ltd.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 05 July 2011 (05.07.2011)
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

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 08F00128WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/005234	08.10.2009	05.12.2008

International Patent Classification (IPC) or both national classification and IPC

Applicant
Shin-Etsu Handotai Co.,Ltd.

1. This opinion contains indications relating to the following items:

- [x] Box No. I — Basis of the opinion
- [ ] Box No. II — Priority
- [ ] Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV — Lack of unity of invention
- [x] Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI — Certain documents cited
- [ ] Box No. VII — Certain defects in the international application
- [ ] Box No. VIII — Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/005234

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/JP2009/005234

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-11	YES
	Claims		NO
Inventive step (IS)	Claims	1-11	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-11	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2001-039792 A (Mitsubishi Materials Silicon Corp.), 13 February 2001

Document 2: JP 10-152389 A (Komatsu Electronic Metals Co., Ltd.), 09 June 1998

Document 3: JP 5-294782 A (Kawasaki Steel Corp.), 09 November 1993

Document 4: JP 2-059494 A (NKK Corp.), 28 February 1990

Document 5: JP 9-183691 A (Shin-Etsu Handotai Co., Ltd.), 15 July 1997

Document 6: JP 2005-053722 A (Shin-Etsu Handotai Co., Ltd.), 03 March 2005

The invention as set forth in claims 1-11 is novel and involves an inventive step in relation to documents 1-6 cited in the ISR.

None of the documents cited in the ISR discloses an upper heater disposed on the upper portion of a graphite heater that is disposed so as to surround a crucible containing a silicon melt, wherein a heat generation unit is ring-shaped and has slits formed therein from the

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

inner side and the outer side in the horizontal direction, nor would the foregoing be obvious to a person skilled in the art.

CLAIMS

1. An upper heater for use in the production of a single crystal, the upper heater in which at least electrodes to which a current is supplied and a heat generating section which generates heat by resistance heating are provided, the upper heater being used when a single crystal is produced by Czochralski method, the upper heater being placed above a graphite heater which is placed so as to surround a crucible containing silicon melt, wherein

the heat generating section is ring-shaped and is placed so as to surround the crucible, and has slits formed from the inside and the outside of the heat generating section in a horizontal direction.

2. The upper heater for use in the production of a single crystal according to claim 1, wherein

the upper heater has, in addition to the electrodes, dummy electrodes placed so as to support the heat generating section of the upper heater from below, the dummy electrodes each being placed in a position at an angle of 90 degrees from the electrodes in a circumferential direction.

3. The upper heater for use in the production of a single crystal according to claim 1 or 2, wherein

the heat generating section is formed of carbon fiber composite material.

4. The upper heater for use in the production of a single crystal according to any one of claims 1 to 3, wherein

the heat generating section is formed by making the width of the slits on the inside different from the width of the slits on the outside to make a heat generation distribution of the heat generating section have an intended value.

5. The upper heater for use in the production of a single crystal according to any one of claims 1 to 4, wherein

when a single crystal is produced by the horizontal magnetic field applying CZ method which pulls a single crystal upwardly while applying a horizontal magnetic field to the silicon melt by a magnetic field applying apparatus, the electrodes of the upper heater to which a current is supplied are placed in vertical positions with respect to a direction of a magnetic line connecting coil's centers of the horizontal magnetic field applied from the magnetic field applying apparatus, and the polarities of the electrodes are disposed such that the upper heater experiences downward forces from the horizontal magnetic field.

6. Single crystal production equipment, comprising at least:

the upper heater for use in the production of a single crystal according to any one of claims 1 to 5.

7. The single crystal production equipment according to claim 6, comprising at least:

a crucible containing the silicon melt;

a cooling cylinder cooling a single crystal pulled upwardly from the crucible; and

a thermal shield which keeps the heat on a surface

of the silicon melt and is placed so as to face the silicon melt, the thermal shield being placed outside a lower end of a graphite cylinder provided in a lower part of the cooling cylinder, wherein

the upper heater is placed in such a way that a bottom face of the upper heater is above the surface of the silicon melt during the growth of the single crystal and a top face of the upper heater is below a bottom of the thermal shield.

8. The single crystal production equipment according to claim 6 or 7, comprising at least:

a magnetic field generating apparatus applying a horizontal magnetic field to the silicon melt, wherein

the single crystal production equipment produces a single crystal by the horizontal magnetic field applying CZ method, which pulls the single crystal upwardly while applying the horizontal magnetic field by the magnetic field generating apparatus.

9. The single crystal production equipment according to any one of claims 6 to 8, wherein

the single crystal production equipment is used when a large-diameter single crystal with a diameter of 300 mm or more is produced.

10. A method for producing a single crystal, wherein

a single crystal is produced by Czochralski method by using the single crystal production equipment according to claim 6.

11. A method for producing a single crystal, the method which produces a single crystal by Czochralski

method by using the single crystal production equipment according to claim 7 or 8, wherein

a straight body of the single crystal with a constant diameter is formed by pulling the single crystal upwardly, and then the power of the upper heater is gradually reduced until an upper part of the straight body reaches a lower end part of the cooling cylinder.

CERTIFICATION OF ENGLISH LANGUAGE TRANSLATION

I, Chihiro Yamazaki, hereby declare and state that I am knowledgeable of each of the Japanese and English languages.

I hereby certify that the attached English language translation is a complete and accurate translation of the claims of PCT/JP2009/005234 that were the subject of the latest international work product (the International Preliminary Report on Patentability (IPRP)) mailed July 14, 2011.

August 19, 2011
Date

Chihiro Yamazaki
Signature

Chihiro Yamazaki
Typed Name

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.
13/128,978	05/12/2011	Kiyotaka Takano	149509	4992

25944 7590 10/14/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER
BRATLAND JR, KENNETH A

ART UNIT	PAPER NUMBER
1714	

NOTIFICATION DATE	DELIVERY MODE
10/14/2011	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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

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OCT 14 2011

WG

In re application of Kiyotaka Takano Serial No. 13/128,978 Filed: May 12, 2011 For: UPPER HEATER FOR USE IN PRODUCTION OF SINGLE CRYSTAL, SINGLE CRYSTAL PRODUCTION EQUIPMENT, AND METHOD FOR PRODUCING SINGLE CRYSTAL	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 August 23, 2011.

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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96767
WILLIAM PARK & ASSOCIATES LTD.
930 N. York Road, Suite 201
Hinsdale, IL 60521

MAILED
AUG 05 2011
PCT LEGAL ADMINISTRATION

In re Application of :
LIM *et al* :
U.S. Application No.: 13/128,995 :
PCT No.: PCT/KR2009/005675 :
Int. Filing Date: 05 October 2009 :
Priority Date: 02 October 2008 :
Docket No.: PA0286-0 :
For: APPARATUS AND METHOD FOR CODING/DECODING IMAGE SELECTIVELY USING DESCRETE COSINE/SINE TRANSTORM :

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 12 May 2011 is hereby **GRANTED** as follows:

The proper fees and the petition fee for a small entity have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
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AUG 04 2011

PCT LEGAL ADMINISTRATION

Hemingway & Hansen, LLP
1700 Pacific Avenue
Suite 4800
Dallas TX 75201

In re Application of PANICKER et al.	:
Application No.: 13/129,003	: DECISION ON PETITION
PCT Appl No.: PCT/IB09/07687	:
Int'l Filing Date: 13 November 2009	: UNDER 37 CFR 1.47(a)
Priority Date: 13 November 2008	:
Attorney Docket No.: 19722RO/P1064	:
For: REDUCED COMPLEXITY CHANNEL	:
ESTIMATION FOR UPLINK RECEIVER	:

This is a decision on applicant's petition under 37 CFR 1.47(a) to accept the application without the signature of joint inventor ED ILLIDGE filed in the United States Patent and Trademark Office (USPTO) on 12 May 2011.

BACKGROUND

On 12 May 2011, applicant filed a transmittal letter requesting U.S. national stage entry of international application PCT/IB09/07687 along with the basic national fee along with the instant petition on behalf of the nonsigning inventor. The petition under 37 CFR 1.47(a), in an attempt to satisfy the requirements of 35 U.S.C. 371(c)(4), requested the acceptance of the application without the signature of inventor ED ILLIDGE alleging that the inventor refuses to sign the application papers.

DISCUSSION

A petition under 37 CFR §1.47(a) must be accompanied by (1) the fee under 37 CFR §1.17(g), (2) factual proof that the non-signing joint inventor(s) refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the non-signing inventor(s), and (4) an oath or declaration by each available joint inventor on his or her own behalf and on behalf of the non-signing joint inventor(s).

Petitioner satisfied Item (1) with the payment of the petition fee.

With respect to Item (2) above, Section 409.03(d) of the Manual of Patent Examining Procedure (MPEP), Proof of Unavailability or Refusal, states, in pertinent 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 the conclusion is based should be stated in a 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 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.

Here, Petitioner provides a first-hand statement of facts from attorney of record D. Scott Hemingway regarding the refusal of the nonsigning inventor Ed Illidge to sign the application papers. Mr. Hemingway indicates that on 01 October 2010, he mailed a letter along with a copy of the PCT application, combined declaration and power of attorney and assignment documents to Mr. Illidge via Federal Express. Mr. Hemingway indicates that proof of delivery by Federal Express indicated that Mr. Illidge signed for the package of documents on 05 October 2010. Mr. Hemingway sent a second copy of this correspondence on 01 March 2011, which Mr. Illidge signed for on 02 March 2011. A copy of the correspondence and the delivery receipts accompanied Mr. Hemingway's statement as documentary evidence. From the evidence presented, it appears that Mr. Illidge received a complete copy of the application papers and that by his conduct, he refused to sign the application papers. Item (2) above is satisfied.

Petitioner provided the last known address of the nonsigning inventor satisfying Item (3) above.

Item (4) is satisfied with the submission of the declaration, in compliance with 37 CFR

1.497(a) and (b), executed by the joint inventors on their behalf and on behalf of the nonsigning inventor.

In sum, Petitioner has satisfied Items (1)- (4) above. Accordingly, it is appropriate to accord the national stage application status under 37 CFR §1.47(a) at this time.

CONCLUSION

The petition under 37 CFR 1.47(a) is **GRANTED**.

The U.S. Designated/Elected Office has accepted the application as a 37 CFR 1.47(a) application using the declaration filed 12 May 2010. The application has an international filing date of 13 November 2009 under 35 U.S.C. 363, and a date of 12 May 2011 under 35 U.S.C. 371(c).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his respective last known address of record. Also, a notice of the filing of this application will be published in the Official Gazette.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: (571) 272-3286
Facsimile (571) 272-0459

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ED ILLIDGE
GRIERSON LANE
KANATA, ONTARIO K2W1A6
CANADA

MAILED
AUG 04 2011
PCT LEGAL ADMINISTRATION

In re Application of PANICKER et al.
Application No.: 13/129,003
PCT Appl No.: PCT/IB09/07687
Int'l Filing Date: 13 November 2009
Priority Date: 13 November 2008
Attorney Docket No.: 19722RO/P1064
For: REDUCED COMPLEXITY CHANNEL ESTIMATION FOR UPLINK RECEIVER

Dear Mr. Illidge:

You are named as legal representative of the deceased 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 legal representative of 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 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.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Telephone: (571) 272-3286
Facsimile: (571) 273-0459

Hemingway & Hansen, LLP
1700 Pacific Avenue
Suite 4800
Dallas TX 75201

PTO/SB/20PCT-US (09-10)
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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:	Unknown	Filing date:	Herewith
First Named Inventor:	Shridhar P. Joshi		
Title of the Invention:	STORING AND USING CASINO CONTENT		

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/US09/64481

The international date of the corresponding PCT application(s) is/are: 13-Nov-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).**

- [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.

Under the 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.:	Unknown
First Named Inventor:	Shridhar P. Joshi

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
1-25	1-25	Same Claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Andrew DeLizio Reg.# 52,806/	Date May 6, 2011
Name (Print/Typed) Andrew DeLizio	Registration Number 52806

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,022	05/12/2011	Shridhar P. Joshi	100.057US1	5257

65375 7590 08/01/2011
WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS, TX 77433

EXAMINER

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
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):

USPTO@DELIZIOGILLIAM.COM
USPTO2@DELIZIOGILLIAM.COM

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www.uspto.gov

WMS GAMING (DELIZIO GILLIAM)
C/O DELIZIO GILLIAM, PLLC
15201 MASON ROAD
SUITE 1000-312
CYPRESS TX 77433

In re Application of: JOSHI, SHRIDHAR P., et al Serial No.: 13/129022 Filed: 05/12/2011 Attorney Docket No. : 100.057US1 Title: STORING AND USING CASINO CONTENT	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PCT/PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed May 12, 2011 to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more 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 #3 above.

The instant petition complies with items 1 – 6 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3714 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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:	To Be Assigned	Filing date:	2011-05-12
First Named Inventor:	Hiroki Kamiguchi et al.		
Title of the Invention:	ELECTRODE FOIL AND CAPACITOR USING THE SAME		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/2010/005954

The international date of the corresponding PCT application(s) is/are: 2010-10-05

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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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.:	To Be Assigned
First Named Inventor:	Hiroki Kamiguchi et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☑ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	same
2	2	same
3	3	same
4	4	same
5	5	same
6	6	same
7	7	same
8	8	same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 2011-05-12
Name (Print/Typed) Lawrence E. Ashery	Registration Number 34,515

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT COOPERATION TREATY

From THE 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)*	21.12.2010
Applicant's or agent's file reference P597815P0	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/005954	05.10.2010	09.10.2009

International Patent Classification (IPC) Int. Cl. H01G9/04 (2006.01)i, H01G9/055 (2006)i

Applicant
PANASONIC CORPORATION

1. This o pinion contains indications relating to the following items:

- [X] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV L ack of unity of invention
- [X] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [X] Box No. VI C ertain 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 13.12.2010	
Name and mailing address of the ISA/JP Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915 Japan	Authorized officer S. Shigeta Telephone No. 03-3581-1101 (ext. 3565)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.
PCT/JP2010/005954

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

   [X] the international application in the language in which it was filed

   [ ] a translation of the international application into _____ , which is the language of a translation furnished for the purposes of international search (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. W ith 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

      [ ] conta ined in the international application as filed

      [ ] filed together with the international application in electronic form

      [ ] furn ished 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/JP2010/005954

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1 - 8	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 8	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 8	YES
	Claims		NO

2. Citations and explanations:

RE: Claims 1 to 8/

Document 1: JP 2007-123816A (Nippon Chemi-Con Corporation) 2007.05.17 entire document, entire drawings & EP 2009653 A1 & WO 2007/116845 A1 & KR 10-2009-0014154 A

Document 2: JP 1-183110A (Matsushita Electric Industrial Co., Ltd.) 1989.07.20

The feature that first to third fine metallic particles are formed consecutively on a surface of a substrate and the diameters of second fine particles is greater than the diameters of the first and third fine particles is not described in any document cited in the International Search Report and is not obvious to one skilled in the art.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International Application No.
PCT/JP2010/005954

Box No. VI Certain Cited Document

1. Certain Document Published (Rule 43 2.1 & 70.10

Application No, Patent No.	Published Date (Date. Month. Year)	Application Date Published Date	Priority Date (Valid Priority) (Date. Month. Year)
WO 2010/064359 A1 (E, A)	10.06.2010	09.11.2009	01.12.2008

2. Disclosure except for disclosure in document (Rule 43 2.1 & 70.9

Kind of Disclosure except for disclosure in document	Published Date (Date. Month. Year)	Priority Date (Valid Priority) (Date. Month. Year)

請求の範囲

[請求項1]　金属よりなる基材と、

前記基材の表面上に形成された、複数の金属微粒子からなる粗膜層と、

を備え、

前記粗膜層は、

下層と、

前記下層に比べて前記基材から離れておりかつ、前記下層上に設けられた中間層と、

前記中間層に比べて前記基材から離れておりかつ、前記中間層上に設けられた上層と、

を有し、

前記複数の金属微粒子は、

前記下層に位置する複数の第１の微粒子と、

前記中間層に位置する複数の第２の微粒子と、

前記上層に位置する複数の第３の微粒子と、

を含み、

前記複数の第２の微粒子の粒子径の最頻値は、前記複数の第１の微粒子の粒子径の最頻値と前記複数の第３の微粒子の粒子径の最頻値よりも大きい、電極箔。

[請求項2]　前記粗膜層は、前記基材の表面に接合する密着層をさらに有し、

前記複数の金属微粒子は、前記密着層に位置する複数の第４の微粒子をさらに含み、

前記複数の第４の微粒子の粒子径の最頻値は、前記複数の第２の微粒子の粒子径の最頻値より大きい、請求項１に記載の電極箔。

[請求項3]　前記中間層の膜厚は前記下層の膜厚よりも小さい、請求項１に記載の電極箔。

[請求項4]　前記中間層の膜厚は、前記上層の膜厚よりも小さい、請求項１に記載

の電極箔。

[請求項5]　前記下層は、前記複数の第１の微粒子が連なって形成されてかつ湾曲しながら前記基材の前記表面より遠ざかる方向にそれぞれ延びる柱形状を有する複数の第１の部分構造体よりなり、

前記上層は、前記複数の第３の微粒子が連なって形成されてかつ湾曲しながら前記基材の前記表面より遠ざかる方向にそれぞれ延びる柱形状を有する複数の第２の部分構造体よりなる、請求項１に記載の電極箔。

[請求項6]　前記粗膜層は、前記複数の金属微粒子が連なって形成されてかつ前記基材の前記表面から前記上層までそれぞれ延びる複数の構造体よりなる、請求項１に記載の電極箔。

[請求項7]　金属よりなる基材と、

前記基材の表面上に形成された、複数の金属微粒子からなる粗膜層と、

を有する電極箔と、

前記粗膜層上に設けられた誘電膜と、

前記誘電膜上に設けられた電解質と、

前記電解質を介して前記誘電膜に対向する電極と、

を備え、

前記粗膜層は、

下層と、

前記下層に比べて前記基材から離れて、前記下層上に設けられた中間層と、

前記中間層に比べて前記基材から離れて、前記中間層上に設けられた上層と、

を有し、

前記複数の金属微粒子は、

前記下層に位置する複数の第１の微粒子と、

前記中間層に位置する複数の第２の微粒子と、

前記上層に位置する複数の第３の微粒子と、

を含み、

前記複数の第２の微粒子の粒子径の最頻値は、前記複数の第１の微粒子の粒子径の最頻値と前記複数の第３の微粒子の粒子径の最頻値よりも大きい、コンデンサ。

[請求項8]　前記電極箔と前記電極との間に設けられたセパレータをさらに備え、前記電解質は、前記セパレータに含浸されてかつ前記誘電膜と前記電極とに接触する駆動用電解液である、請求項７に記載のコンデンサ。

CLAIMS

1. An electrode foil comprising:

a substrate made of metal; and

a rough layer disposed on a surface of the substrate, the rough layer including a plurality of fine metallic particles, the rough layer including

a lower layer;

an intermediate layer disposed on the lower layer, wherein the intermediate layer is more distanced from the substrate than the lower layer is, and

an upper layer disposed on the intermediate layer, wherein the upper layer is more distanced from the substrate than the intermediate layer is,

wherein the plurality of fine metallic particles include:

first fine particles located in the lower layer;

second fine particles located in the intermediate layer; and

third fine particles located in the upper layer, and

wherein a mode of diameters of the second fine particles is greater than a mode of diameters of the first fine particles and a mode of diameters of the third fine particles.

2. The electrode foil according to claim 1,

wherein the rough layer further comprises an adhering layer attached to the surface of the substrate,

wherein the plurality of fine metallic particles further include fourth fine particles located in the adhering layer, and

wherein a mode of diameter of the fourth fine particles is greater than the mode of the diameters of the second fine particles.

3. The electrode foil according to claim 1, wherein a thickness of the intermediate layer is smaller than a thickness of the lower layer.

4. The electrode foil according to claim 1, wherein a thickness of the intermediate layer is smaller than a thickness of the upper layer.

5. The electrode foil according to claim 1,

wherein the lower layer includes a plurality of first partial structures, each of the first partial structures including the first fine particles joined with one another to form a pillar shape extending away from the surface of the substrate while curving, and

wherein the upper layer includes a plurality of second partial structures, each of the second partial structures having the third fine particles joined with one another to form a pillar shape extending away from the surface of the substrate while curving.

6. The electrode foil according to claim 1, wherein the rough layer including a plurality of structures, each of the structures having the fine metallic particles joined with one another and extending from the surface of the substrate to the upper layer.

7. A capacitor comprising:

an electrode foil including

a substrate made of metal, and

a rough layer disposed on a surface of the substrate, the rough layer including a plurality of fine metallic particles;

a dielectric film disposed on the rough layer;

an electrolyte disposed on the dielectric film; and

an electrode facing the dielectric film across the electrolyte, the rough layer including

a lower layer;

an intermediate layer disposed on the lower layer, wherein the intermediate layer is more distanced from the substrate than the lower layer is, and

an upper layer disposed on the intermediate layer, wherein the upper layer is more distanced from the substrate than the intermediate layer is,

wherein the plurality of fine metallic particles include:

first fine particles located in the lower layer;

second fine particles located in the intermediate layer; and

third fine particles located in the upper layer, and

wherein a mode of diameters of the second fine particles is greater than a mode of diameters of the first fine particles and a mode of diameters of the third fine particles.

8. The capacitor according to claim 7, further comprising

a separator disposed between the electrode foil and the electrode,

wherein the electrolyte is an electrolytic solution impregnating the separator and contacting the dielectric film and the electrode.

VERIFICATION OF TRANSLATION

I, Yukihisa Nakao translator of 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, hereby declare that I am conversant with the English and Japanese languages and am a competent translator thereof. I further declare that to the best of my knowledge and belief the translation of the attached documents made by me is a true and complete translation.

- Claims of PCT/JP2010/005954 that were identified as having novelty, inventive step and industrial applicability.

Date: May 10, 2011

Signature: Y. N.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:	To Be Assigned
Applicant:	Hiroki Kamiguchi et al.
Filed:	May 6, 2011
Title:	ELECTRODE FOIL AND CAPACITOR USING THE SAME
TC/A.U.:	To Be Assigned
Examiner:	To Be Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a form submitted herewith. A copy of each reference listed on the PTO/SB/08a, form, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following references are not in the English language:

1) JP 2007-123816 A

2) WO 2010/064359 A1

3) JP 1-183110 A

4) JP 2008-288295 A

5) JP 2008-10490 A

6) JP 6-267803 A

7) JP 2008-288296 A

8) JP 3-196510 A

9) JP 2008-258404 A

10) WO 2009/060563 A1

11) JP 8-107044 A

References 1) - 11) include an English language abstract. References 5), 9) and 11) also include an English language translation. Reference 1) is a counterpart application of EP 2 009 653 A1.

References 1) - 3) were cited by a foreign patent office in an International Search Report for PCT/JP2010/005954. References 4) - 8) were cited by a foreign patent office in an International Search Report for PCT/JP2009/005942. A copy of these English language International Search Reports, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP Section 609.04(a)III, second paragraph.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/dmw

Enclosures: PTO/SB/08a
(12) References
(2) International Search Reports

Dated: May 6, 2011

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1253189

PTO/SB/08a (02-09)
Approved for use through 03/31/2009. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 1

Complete if Known	
Application Number	To Be Assigned
Filing Date	May 6, 2011
First Named Inventor	Hiroki Kamiguchi et al.
Art Unit	To Be Assigned
Examiner Name	To Be Assigned
Attorney Docket No.	MAT-10462US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number: Number - Kind Code[2] (if known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-2010/0202102 A1	08/12/2010	TATSUJI AOYAMA ET AL.	
		US-7,709,082 B2	05/04/2010	DINA KATSIR ET AL.	
		US-6,993,041 B2	08/23/2005	DINA KATSIR ET AL.	
		US-6,456,483 B1	09/24/2002	GIOVANNI PIETRO CHIAVAROTTI ET AL.	
		US-6,226,173 B1	05/01/2001	GERHARD WELSCH ET AL.	
		US-6,495,021 B2	12/17/2002	GERHARD WELSCH ET AL.	
		US-6,914,769 B2	07/05/2005	GERHARD E WELSCH ET AL.	
		US-5,431,971	07/11/1995	FRANCIS ALLEGRET ET AL.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] - Number[4] - Kind Code[5] (If known)	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
		International Search Report for PCT/JP2010/005954 (with English translation and written opinion)	12/21/2010			☒
		JP 2007-123816 A (with English abstract and corresponds to EP 2 009 653 A1)	05/17/2007	NIPPON CHEMI-CON CORP		☐
		EP 2009 653 A1 (corresponds to JP 2007-123816 A)	12/31/2008	NIPPON CHEMI-CON CORP		☒
		WO 2010/064359 A (with English abstract)	06/10/2010	PANASONIC CORPORATION		☐
		JP 1-183110 A (with English abstract)	07/20/1989	MATSUSHITA ELECTRIC IND CO LTD		☐
		International Search Report for PCT/JP2009/005942	02/02/2010			☒
		JP 2008-288295 A (with English abstract)	11/27/2008	PANASONIC CORP		☐
		JP 2008-10490 A	01/17/2008	NICHICON CORP - ULVAC JAPAN LTD		☒
		JP 6-267803 A (with English abstract)	09/22/1994	NIPPON STEEL CORP		☐
		JP 2008-288296 A (with English abstract)	11/27/2008	PANASONIC CORP		☐
		JP 3-196510 A (with English abstract)	08/28/1991	TORAY IND INC TOYO METARAIJINGU KK		☐
		JP 2008-258404 A	10/23/2008	MATSUSHITA ELECTRIC IND CO LTD		☒
		WO 2009/060563 A1 (with English abstract)	05/14/2009	PANASONIC CORP		☐
		JP 8-107044 A	04/23/1996	MITSUBISHI SHINDOH CO LTD		☒

Examiner Signature		Date Considered	

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.
13/129,024	05/12/2011	Hiroki Kamiguchi	MAT-10462US	5261

52473 7590 07/25/2011
RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE, PA 19482

EXAMINER

ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
07/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

In re Application of	
KAMIGUCHI et al.	**: DECISION ON REQUEST TO**
Application No.: 13/129,024	**: PARTICIPATE IN THE PATENT**
Filed: 12 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: MAT-10462US	**: PROGRAM AND PETITION**
For: ELECTRODE FOIL AND	**: TO MAKE SPECIAL UNDER**
CAPACITOR USING THE SAME	**: 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 12 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.

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.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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MAILED
JUN 22 2011
PCT LEGAL ADMINISTRATION

In re Application of :
DRIESEN, Georges et al. :
Application No.: 13/129,049 :
PCT No.: PCT/IB2009/054905 :
Int. Filing Date: 04 November 2009 : DECISION ON PETITION
Priority Date: 05 November 2008 :
ATTY Docket No.: Z8108Q-DW : UNDER 37 CFR 1.137(b)
For: TOOTHBRUSH AND BRISTLE AND :
BRUSH HEAD FOR A TOOTHBRUSH :

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 12 May 2011.

BACKGROUND

On 04 November 2009, applicant filed international application, PCT/IB2009/054905, which claimed priority of an earlier European application filed 05 November 2008. The thirty-month period for paying the basic national fee in the United States expired on 05 May 2011.

On 06 May 2011, international application PCT/IB2009/054905 became abandoned as to the United States for failure to timely pay the basic national fee.

On 12 May 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.

Application No.: 13/129,049

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing.

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Boris Milef
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