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:	unknown	Filing date:	12 May 2011
First Named Inventor:	Branchut, Jean-Pierre		
Title of the Invention:	Methods and Associated Apparatus of Constructing and Installing Rigid Riser Structures		

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/GB2009/051514

The international filing date of the corresponding PCT application(s) is/are: 11 November 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.:	unknown
First Named Inventor:	Branchut, Jean-Pierre

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
34-36	(Art. 19) 1-3	US claims 34-36 = Art. 19 claims 1-3
37	(Art. 19) 4	US claim 37 = Art. 19 Claim 4 - delete mult. dep.
38-39	(Art. 19) 5-6	US claims 38-39 = Art. 19 claims 5-6
40-45	(Art. 19) 7-12	US claims 40-45 = Art. 19 claims 7-12 - delete mult. dep.
46	(Art. 19) 13	US claim 46 = Art. 19 claim 13
47-51	(Art. 19) 14-18	US claims 47-51 = Art. 19 claims 14-18 - delete mult. dep.
52	(Art. 19) 19	US claim 52 = Art. 19 claim 19
53	(Art. 19) 20	US claim 53 = Art. 19 claim 20 - delete mult. dep.
54-55	(Art. 19) 21-22	US claims 54-55 = Art. 19 claims 21-22
56-61	(Art. 19) 23-28	US claims 56-61 = Art. 19 claims 23-28 - delete mult. dep.

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

Signature	/Paul Grandinetti/	Date	May 12, 2011
Name (Print/Typed)	Paul Grandinetti	Registration Number	30,754

130W

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
MURGITROYD & COMPANY
Scotland House
165-169 Scotland Street
Glasgow
Strathclyde G5 8PL
GRANDE BRETAGNE

RECEIVED 29 APR 2010

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)* 26/04/2010
Applicant's or agent's file reference P108705.WO.01	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/GB2009/051514	International filing date *(day/month/year)* 11/11/2009
Applicant ACERGY US INC.	

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 Fax: (+31-70) 340-3016	Authorized officer Nathalie Kermani

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 P108705.WO.01	**FOR FURTHER ACTION** see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/GB2009/051514	International filing date *(day/month/year)* 11/11/2009	(Earliest) Priority Date *(day/month/year)* 13/11/2008
Applicant ACERGY US INC.		

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 5 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**,
   [ ] the text is approved as submitted by the applicant
   [X] 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. 6c
      [ ] as suggested by the applicant
      [X] as selected by this Authority, because the applicant failed to suggest a figure
      [ ] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB2009/051514

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

Disclosed is a method of fabricating and installing a riser tower structure (112, 114), preferably in a welding chamber, and a welding chamber (200) suitable for the method. The method comprises fabricating sections (300) of said riser tower structure at a site remote from the site of installation;transporting the sections of said riser tower structure to within the vicinity of the installation site; and assembling together the sections of said riser tower structure in the vicinity of said installation site. The welding chamber comprises a plurality of guide means (280), each providing a guide for one of the elongate elements (600) of the riser tower structure,and is designed to float on the sea surface, when in use.

INTERNATIONAL SEARCH REPORT

International application No
PCT/GB2009/051514

A. CLASSIFICATION OF SUBJECT MATTER
INV. E21B17/01 E21B19/00 E21B43/01
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)
E21B

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	GB 1 375 969 A (KAISER STEEL CORP) 4 December 1974 (1974-12-04) page 2, lines 26-43 page 2, lines 68-102 page 5, lines 26-55 page 5, lines 73-97 page 6, lines 21-39 figures 1-6 -----	1-14, 23-33
X	WO 95/17576 A1 (SHELL INT RESEARCH [NL]; SHELL CANADA LTD [CA]) 29 June 1995 (1995-06-29) page 6, lines 18-26 figures 1-7 -----	1
	-/--	

[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
14 April 2010	26/04/2010
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 Manolache, Iustin

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

INTERNATIONAL SEARCH REPORT

International application No
PCT/GB2009/051514

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 2005/103436 A1 (STOLT OFFSHORE SA [FR]; ALLIOT VINCENT MARCEL GHISLAIN [FR]) 3 November 2005 (2005-11-03) the whole document -----	1-33
A	US 6 461 083 B1 (PIONETTI REGIS [FR] ET AL) 8 October 2002 (2002-10-08) the whole document -----	1

2

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

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/GB2009/051514

Patent document cited in search report		Publication date	Patent family member(s)			Publication date
GB 1375969	A	04-12-1974	NONE			
WO 9517576	A1	29-06-1995	AU	1316795	A	10-07-1995
			GB	2299355	A	02-10-1996
			NO	962583	A	15-08-1996
			OA	10298	A	07-10-1997
			US	5533574	A	09-07-1996
WO 2005103436	A1	03-11-2005	BR	PI0510450	A	26-12-2007
			GB	2429227	A	21-02-2007
			US	2008196899	A1	21-08-2008
US 6461083	B1	08-10-2002	AT	324512	T	15-05-2006
			AU	2809200	A	04-09-2000
			BR	0004931	A	26-12-2000
			CN	1294654	A	09-05-2001
			EP	1073823	A1	07-02-2001
			WO	0049267	A1	24-08-2000
			FR	2790054	A1	25-08-2000
			ID	28051	A	03-05-2001
			OA	11541	A	24-05-2004

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/GB2009/051514	11.11.2009	13.11.2008

International Patent Classification (IPC) or both national classification and IPC
INV. E21B17/01 E21B19/00 E21B43/01

Applicant
ACERGY US INC.

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 D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	see form PCT/ISA/210	Manolache, Iustin Telephone No. +49 89 2399-2065

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. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☐ the entire international application

☒ claims Nos. 32, 33

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search *(specify)*:

☒ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. 32, 33 are so unclear that no meaningful opinion could be formed *(specify)*:

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☐ no international search report has been established for the whole application or for said claims Nos.

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13*ter*.1(a) or (b).

☐ See Supplemental Box for further details

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	10-22, 26-31
	No:	Claims	1-9, 23-25
Inventive step (IS)	Yes:	Claims	15-22
	No:	Claims	1-14, 23-31
Industrial applicability (IA)	Yes:	Claims	1-31
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item III.

In contrast with Rule 6.2(a) PCT claims 32 and 33 rely entirely on references to the drawings. Therefore the scope of the claims is not defined and they cannot be examined.

Re Item V.

1 The following document (D) is referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: GB 1 375 969 A (KAISER STEEL CORP) 4 December 1974 (1974-12-04)

2 Document D1 is considered the closest prior art with regard to the subject-matter of claim 1, disclosing a method of fabricating and installing a riser tower structure of the type comprising a plurality of elongate elements extending from the sea bed to a point at, or relatively near to, the sea surface (fig. 1-6), said method comprising:

fabricating sections of said riser tower structure at a site remote from the site of installation (page 2, lines 68-96);

transporting the sections of said riser tower structure to within the vicinity of the installation site (page 2, lines 97-102); and

assembling together the sections of said riser tower structure in the vicinity of said installation site (page 2, lines 23-43).

A method having all the features defined in claim 1 of the present application is known from the above cited prior art document. Therefore claim 1 does not meet the requirements of Article 33.2 PCT.

3 The additionally specified features of claims 2-14 are also disclosed in D1 (fig. 2-5; page 2, lines 68-96; page 2, lines 97-102; page 6, lines 21-39) and therefore these claims also lack to meet the requirements of Art. 33.3 PCT.

4 It appears that the combination of the features of dependent claims 15 and 16 is neither known from, nor rendered obvious by, the available prior art. It is suggested therefore that a new independent claim be drafted to include these features, bearing in mind that the features known in combination in D1 should be placed in the preamble of such a claim. In these circumstances the remaining dependent claims 17-22 will also meet the novelty and inventive step requirements of Art. 33 (2) and (3) PCT (EPC), as claims depending in an allowable claim.

5 Document D1 also discloses (fig. 1-5) a marine welding chamber specifically adapted for the assembling together of sections (24) of a riser tower structure (10) of the type comprising a plurality of elongate elements extending from the sea bed to a point at, or relatively near to, the sea surface, wherein said welding chamber comprises a plurality of guide means, each providing a guide for one of the elongate elements of the riser tower structure, the welding chamber being designed to float on the sea surface, when in use (page 5, lines 73-97).

A marine welding chamber having all the features defined in claim 23 of the present application is known from the above cited prior art document. Therefore claim 1 does not meet the requirements of Article 33.2 PCT.

6 The additionally specified features of claims 24-28 and 31 are also disclosed in D1 (fig. 2-5; page 6, lines 21-39; page 5, lines 73-97) and therefore these claims also lack to meet the requirements of Art. 33.2 PCT

Having regard to remaining claims 29, 30, it is pointed out that they seem to relate to minor constructional features, appearing to relate to obvious modifications thereof. These features will be selected and used by the man skilled in the art as and when he needs them, without any inventive thought being required. These claims do not appear therefore to meet the inventive step requirements of Art. 33.3 PCT.

Re Item VII.

The following formal matters are pointed out:

- The independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT.

- Prior art document D1 is not identified in disclosure as required by Rule 5.1 (a)(ii).

- The features of the claims are not provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 6.2(b) PCT). This applies to both the preamble and characterising portion.

- For the sake of clarity (Art. 6 PCT), the expressions such as "spirit and scope" (see for example page 7, lines 5-7) should be excised from the

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

CLAIMS

1. A method of fabricating and installing a riser tower structure of the type comprising a plurality of elongate elements extending from the sea bed to a point at, or relatively near to, the sea surface, said method comprising:

fabricating sections of said riser tower structure by arranging said plurality of elongate conduits around a central core to form said structure, said fabrication occurring at a site remote from the site of installation;

transporting the sections of said riser tower structure to within the vicinity of the installation site; and

assembling together the sections of said riser tower structure in the vicinity of said installation site,

wherein said assembly step comprises initially bringing together and attaching the central core of each of two sections of riser tower structure to be connected, before bringing together and attaching the elongate conduits.

2. A method as claimed in claim 1, wherein the sections of said riser tower structure are assembled together in a welding chamber, or cofferdam.

3. A method as claimed in claim 2 wherein said welding chamber comprises a dry welding area.

4. A method as claimed in claim 2 or 3 wherein each of the elongate elements is introduced into said welding chamber via a corresponding guide means.

5. A method as claimed in claim 4 wherein two groups of such guide means are provided, each group on opposite sides of said welding chamber.

6. A method as claimed in claim 5 wherein the act of introducing each elongate element into a corresponding guide means provides a watertight seal into said welding chamber.

7. A method as claimed in claim 5 or 6 comprising the initial steps of selecting the groups of guide means so as to correspond with the riser tower structure's cross sectional dimensions, and installing these on the welding chamber.

8. A method as claimed in any of claims 5, 6 or 7 wherein each of said groups of guide means is provided on a door of said welding chamber.

9. A method as claimed in any of claims 4 to 8 wherein said fabrication step comprises the provision of at least one guiding frame on each section of riser structure, and the assembly step comprises the attachment of said guiding frame to holding means provided on the welding chamber so as to hold the riser structure such that each elongate element is in alignment with its corresponding guide means.

10. A method as claimed in any of claims 2 to 9 wherein said assembly of sections of riser tower structure is undertaken with said welding chamber floating on the sea surface.

11. A method as claimed in any of claim 2 to 10 including selectively ballasting the welding chamber appropriately.

12. A method as claimed in any of claims 2 to 11 wherein an alignment frame is used for fine alignment of two sections to be connected.

13 A method as claimed in claim 12 wherein said alignment frame is introduced into said welding chamber from above.

14. A method as claimed in any of claims 2 to 13 wherein a second welding chamber is used to increase the assembly speed.

15. A method as claimed in any preceding claim wherein said riser tower structure is of the type designed to be held substantially vertical, as a result of a buoyancy force applied to its top, while its bottom is anchored to the sea bed.

16. A method as claimed in any preceding claim wherein fabrication of each section of riser tower structure is performed in any fabrication yard, floating dock or dry dock at any suitable site.

17. A method as claimed in any preceding claim wherein said riser tower structure sections are transported by sea on any suitable vessel including heavy lift vessel, a cargo barge or a semi submersible heavy transport vessel.

18. A method as claimed in any preceding claim wherein each section of riser tower structure is greater than 100 metres long,

19. A method as claimed in claim 18, wherein each section of riser tower structure lies between 100 metres and 300 metres.

20. A method as claimed in any of claims 18 or 19 wherein each section of riser tower structure lies between approximately 150 and 200 metres.

21. A marine welding chamber specifically adapted for the assembling together of sections of a riser tower structure of the type comprising a plurality of elongate elements extending from the sea bed to a point at, or relatively near to, the sea surface, wherein said welding chamber comprises two groups of guide means, provided on opposite sides of said welding chamber, each of the groups providing a plurality of openings, each opening providing an entry into the chamber for one of the elongate elements of the riser tower structure, the welding chamber being designed to float on the sea surface, when in use.

22. A welding chamber as claimed in claim 21 comprising providing a dry welding area.

23. A welding chamber as claimed in claim 21 or 22 wherein each of said guide means provides a watertight opening into said welding chamber when said elongate element is in place.

24. A welding chamber as claimed in any of claims 21 to 23 wherein said two groups of guide means are located directly opposite each other and are similarly aligned such that, when two sections of riser tower structure are introduced into said welding chamber, each via one of said groups of guide means, they are substantially aligned for welding.

25. A welding chamber as claimed in any of claims 21 to 24 wherein each of said groups of guide means is provided on a door of said welding chamber.

26. A welding chamber as claimed in any of claims 21 to 25 wherein said groups of guide means comprise removable and replaceable inserts specific to a particular riser tower structure's cross sectional dimensions.

27. A welding chamber as claimed in any of claims 21 to 26 wherein said welding chamber comprises ballasting tanks for selectively ballasting the welding chamber.

28. A welding chamber as claimed in any of claim 21 to 27 wherein said welding chamber being substantially open, or have an opening, at its top.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

KELTIE
Fleet Place House
2 Fleet Place
London EC4M 7ET
GRANDE BRETAGNE

DEPT RECEIVED 2 NOV 2010

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	29.10.2010
Applicant's or agent's file reference P108705.WO.01	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/GB2009/051514	11.11.2009	13.11.2008

Applicant
Acergy Us Inc.

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

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

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

4. **REMINDER**

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

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

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

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

Name and mailing address of the international preliminary examining authority:	Authorized Officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Kermani, Nathalie Tel. +49 89 2399-7740

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P108705.WO.01	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/GB2009/051514	International filing date *(day/month/year)* 11.11.2009	Priority date *(day/month/year)* 13.11.2008
International Patent Classification (IPC) or national classification and IPC INV. E21B17/01		
Applicant Acergy Us Inc.		

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

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

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

Date of submission of the demand	Date of completion of this report
2010-07-27	29.10.2010
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 Manolache, Iustin Telephone No. +49 89 2399-2065

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/GB2009/051514

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

   1-12 as originally filed

   Claims, Numbers

   1-28 filed with the letter of 23-07-2010

   Drawings, Sheets

   1/9-9/9 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	1-28
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-28
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-28
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V.

Document GB 1375969 is considered the closest prior art publication disclosing a marine welding chamber for assembling together sections of a riser tower structure comprising a central core element. The remaining features are new and therefore the claim meets the novelty requirements of Art. 33. 2 PCT.

Problem

The assemblage of a riser tower comprising a plurality of elongated conduits disposed around a central core element.

Solution

The distinguishing features of claim 21 "two groups of guide means .... providing a plurality of openings" allow equally the central core and the conduits disposed around the central core to be guided through the openings, aligned and prepared for welding on the welding chamber. The said distinguishing features are not disclosed or suggested in D1 and their use permits the assemblage of a riser provided with a plurality of elongated conduits which is not possible to be performed using the welding chamber known from the prior art document. It is considered therefore that subject-matter of claim 21 fulfils the inventive step requirements of Art. 33.3 PCT.

The method of claim 1 relating to installation of a riser tower structure of the type comprising a plurality of elongate elements is possible to be performed using the welding chamber of claim 21 and moreover, the features of claim 1 specify in method terms the same inventive concept specified in technical terms in apparatus of claim 21. It is therefore considered that claim 1 also satisfy the requirements of Art. 33 (2) and (3) PCT,

Claims 2-20 and 22-28 meet the requirements of Art. 33 (2) and (3) PCT EPC as they are formulated as depending from a claim which does meet said requirements.

Re Item VII.

The following formal matters are pointed out:

- The independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT.

- Prior art document D1 is not identified in disclosure as required by Rule 5.1 (a)(ii).

- The features of the claims are not provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 6.2(b) PCT). This applies to both the preamble and characterising portion.

- For the sake of clarity, the expressions such as "spirit and scope" (see for example page 12, lines 18, 19) should be excised from the wording of the application.

UNITED STATES 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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JUN 22 2011

PCT LEGAL ADMINISTRATION

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

In re Application of:
JENARO RABADAN, Guillermo, et al.
U.S. Application No.: 13/129,054
PCT No.: PCT/FR2009/001269
International Filing Date: 02 November 2009
Priority Date: 05 November 2008
Attorney's Docket No.: 380824US41PCT
For: DEVICE AND METHOD FOR DETECTING AND MEASURING FOR AN AIRCRAFT

DECISION ON PETITION UNDER 37 CFR 1.137(b)

The petition for revival under 37 CFR 1.137(b) filed 12 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/FR2009/001269 became abandoned with respect to the United States at midnight on 05 May 2011 based on applicants' failure to 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 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 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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MARSHALL, GERSTEIN & BORUN LLP
(XOMA)
233 SOUTH WACKER DRIVE
6300 WILLIS TOWER
CHICAGO, IL 60606-6357

MAILED
JAN 27 2012
OFFICE OF PETITIONS

Applicant: Patrick J. Scannon, et al.
Appl. No.: 13/129,073
International Filing Date: December 22, 2009
Title: FLEXIBLE MANUFACTURING SYSTEM
Attorney Docket No.: 27129/44407
Pub. No.: US 2011/0258837 A1
Pub. Date: October 27, 2011

This is a decision on the request for correction of patent application publication under 37 CFR 1.221(b), received on November 11, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error on the front page of the publication wherein the inventor's last name was misprinted.

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 determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The error on the front page of the publication wherein the spelling of the inventor's last name "Tenerowicz" was misprinted as "Tenerowics" may be Office error, but is not a material error under 37 CFR 1.221(b). The typographical error of the inventor's name does not affect the understanding of the application. 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

[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).

application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

On July 20, 2011, a Filing Receipt was mailed by the Office, which improperly listed the last name of the inventor. To avoid this type of problem in the future, applicant's representative should correct the error, if applicable and make a request for a corrected filing receipt prior to export of the application to the publisher and publication of the application. The request for a Corrected Filing Receipt on November 9, 2011 was received too late for the Office to update the Office's records and for use in the publication.

Applicant is encouraged to use and submit an eADS (PTO/SB/14) as an EFS-Web Fillable Form, rather than a scanned PDF image, to benefit from having the data loaded directly into USPTO electronic systems. For questions, contact the Patent EBC (Electronic Business Center):

Telephone: 1-866-217-9197 (toll-free) or E-mail: ebc@uspto.gov.
571-272-4100 (local)

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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AUG 01 2011

PCT LEGAL ADMINISTRATION

IPLA P.A.
3550 WILSHIRE BLVD.
17TH FLOOR
LOS ANGELES CA 90010

In re Application of	:	
CHO	:	
Application No.: 13/129,083	:	DECISION on
PCT No.: PCT/KR09/06102	:	
Int. Filing Date: 21 October 2009	:	PETITION
Priority Date: 22 October 2008	:	
Attorney Docket No.: 2199-01	:	UNDER 37 CFR 1.137(b)
For: NATURAL CIRCULATION MODE BOILER	:	
FOR HEATING	:	

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" 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, *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. The declaration submitted on 12 May 2011 was incomplete.

/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:	unknown	Filing date:	12 May 2011
First Named Inventor:	Branchut, Jean-Pierre et al.		
Title of the Invention:	Improvements in Hybrid Riser Towers and Fabrication Thereof		

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

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

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

The corresponding PCT application number(s) is/are: PCT/GB2009/051515

The international filing date of the corresponding PCT application(s) is/are: 11 November 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.:	unknown
First Named Inventor:	Branchut, Jean-Pierre 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.**

- [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
27	(Art. 19) 1	US claim 27 = Art. 19 claim 1
28-37	(Art. 19) 2-11	US claims 28-37 = Art. 19 claims 2-11 - delete mult. dep.
38	(Art. 19) 12	US claim 38 = Art. 19 claim 12
39	(Art. 19) 13	US claim 39 = Art. 19 claim 13 recites claim 1
40	(Art. 19) 14	US claim 40 = Art. 19 claim 14 recites claim 1 and deletes mult. dep.
41	(Art. 19) 15	US claims 41 = Art. 19 claim 15 - deletes mult. dep.
42	(Art. 19) 16	US claim 42 = Art. 19 claim 16
43-45	(Art. 19) 17-19	US claim 43-45 = Art. 19 claims 17-19 - delete mult. dep.

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

Signature	/Paul Grandinetti/	Date	May 12, 2011
Name (Print/Typed)	Paul Grandinetti	Registration Number	30,754

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P108706.WO.01	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/GB2009/051515	International filing date *(day/month/year)* 11/11/2009	(Earliest) Priority Date *(day/month/year)* 13/11/2008
Applicant ACERGY US INC.		

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 5 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**,
   [ ] the text is approved as submitted by the applicant
   [X] 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. 2
      [ ] as suggested by the applicant
      [X] as selected by this Authority, because the applicant failed to suggest a figure
      [ ] as selected by this Authority, because this figure better characterizes the invention
   b. [ ] none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.

PCT/GB2009/051515

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

Disclosed is a riser tower structure (112, 114) of a type comprising a plurality of elongate objects (200, 210). The riser tower structure is provided with blocks (220, 230), preferably of buoyant material,along at least part of its length, said blocks providing said riser tower with a substantially circular cross-sectional profile, wherein one or more strakes (250) are provided on the outside of said blocks. Said strakes in a main embodiment are helical. Also disclosed is a corresponding method of constructing such a riser tower structure.

INTERNATIONAL SEARCH REPORT

International application No
PCT/GB2009/051515

A. CLASSIFICATION OF SUBJECT MATTER
INV. E21B17/01
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)
E21B

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.
Y	WO 2008/056185 A2 (ACERGY FRANCE SA [FR]; ACERGY UK LTD [GB]; SAINT-MARCOUX JEAN-FRANCOIS) 15 May 2008 (2008-05-15) page 8, lines 18-28 figures 2-5	1-26
Y	WO 2006/127718 A1 (SHELL OIL CO [US]; ALLEN DONALD WAYNE [US]; ARMSTRONG STEPHEN PAUL [US) 30 November 2006 (2006-11-30) paragraphs [0011], [0050] figures 1-8c	1-26
Y	US 6 561 734 B1 (ALLEN DONALD WAYNE [US] ET AL) 13 May 2003 (2003-05-13) paragraph [0020]; figures 1-5	1,2,18

-/--

[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
14 April 2010	26/04/2010

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	Manolache, Iustin

1

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

INTERNATIONAL SEARCH REPORT

International application No
PCT/GB2009/051515

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6 685 394 B1 (ALLEN DONALD W [US] ET AL) 3 February 2004 (2004-02-03) paragraph [0021]	1,18
A	US 6 619 887 B1 (SZEWCZYK ALBIN A [US] ET AL) 16 September 2003 (2003-09-16) the whole document	1-26

1

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

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/GB2009/051515

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 2008056185 A2	15-05-2008	AU 2007319011 A1	15-05-2008
		EP 2079633 A2	22-07-2009
		EP 2130758 A2	09-12-2009
WO 2006127718 A1	30-11-2006	GB 2440083 A	16-01-2008
US 6561734 B1	13-05-2003	NONE	
US 6685394 B1	03-02-2004	NONE	
US 6619887 B1	16-09-2003	NONE	

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

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/GB2009/051515	11.11.2009	13.11.2008

International Patent Classification (IPC) or both national classification and IPC
INV. E21B17/01

Applicant
ACERGY US INC.

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 D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	see form PCT/ISA/210	Manolache, Iustin Telephone No. +49 89 2399-2065

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2009/051515

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. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☐ the entire international application

☒ claims Nos. 16, 17

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search *(specify)*:

☒ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. 16, 17 are so unclear that no meaningful opinion could be formed *(specify)*:

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☐ no international search report has been established for the whole application or for said claims Nos.

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13*ter*.1(a) or (b).

☐ See Supplemental Box for further details

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

1. Statement

Novelty (N)	Yes:	Claims	1-15, 18-26
	No:	Claims	
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-15, 18-26
Industrial applicability (IA)	Yes:	Claims	1-15, 18-26
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item III.

In contrast with Rule 6.2(a) PCT claims 25 and 26 rely entirely on references to the drawings. Therefore the scope of the claims is not defined and they cannot be examined.

Re Item V.

1 The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: WO 2008/056185 A2 (ACERGY FRANCE SA [FR]; ACERGY UK LTD [GB]; SAINT-MARCOUX JEAN-FRANCOIS) 15 May 2008 (2008-05-15)

D2: WO 2006/127718 A1 (SHELL OIL CO [US]; ALLEN DONALD WAYNE [US]; ARMSTRONG STEPHEN PAUL [US) 30 November 2006 (2006-11-30)

2 Document D1 is regarded as being the closest prior art to the subject-matter of claim 1, disclosing a riser tower structure (fig. 2) of a type comprising a plurality of elongate objects (fig. 2), said riser tower structure being provided with blocks (fig. 4b) along at least part of its length, said blocks providing said riser tower with a substantially circular cross-sectional profile.

From this disclosure the subject-matter of claim 1 differs in that one or more strakes are provided on the outside of said blocks.

The subject-matter of claim 1 is therefore new and the claim meets the novelty requirement of Art. 33 (2) PCT.

However these distinguishing features cannot imply an inventive step because they have already been employed in a similar riser tower in D2 (paragraph 0011, 0050; fig. 1-8C) for the same purpose of mitigating the effect of the vortex induced vibrations.

Therefore the subject-matter of claim 1 does not involve an inventive step and the claim does not meet the requirements of Articles 33 (3) PCT.

3 The additionally specified features of claims 4-8, 12-17 are disclosed in D1 (fig. 2-5) and therefore these claims also lack to meet the requirements of Art. 33.3 PCT

4 The additionally specified features of claims 2, 3, 9-11 represent merely one of several possibilities of configuring the strakes on the body of the riser. The skilled person would select these features in the virtue of knowledge and experience and implement them according to the circumstantial working needs without the exercise of inventive skill. Claims 2, 3, 9-11 do not meet the requirements of Art. 33.3 PCT.

5 Claim 18 discloses in method terms the construction of a riser of the kind specified in claim 1. However, the specified steps are one way possibility of construction of a riser and the same arguments of lack of inventive step pointed out in the analyses of claim 1 are to be followed mutatis mutandis with regard to the method features specified in claim 18. Therefore claim 18 also does not meet the inventive step requirements of Art. 33.3 PCT.

6 Dependent claims 19-24 do not bring a contribution to an inventive step because their features are well known to the skilled person which will use them in construction of a riser in the virtue of knowledge and experience.

7 It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Should the applicant nevertheless regard some particular matter as patentable he is invited to file a corresponding independent claim and to state in the letter of reply the reasoning supporting his opinion, following preferably the "problem-solution approach"

Re Item VII.

The following formal matters are pointed out:

- The independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT.

- Prior art document D1 is not identified in disclosure as required by Rule 5.1 (a)(ii).

- The features of the claims are not provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 6.2(b) PCT). This applies to both the preamble and characterising portion.

- For the sake of clarity (Art. 6 PCT), the expressions such as "spirit and scope" (see for example page 7, lines 5-7) should be excised from the wording of the application.

CLAIMS

1. A riser tower structure comprising a plurality of elongate conduits arranged around a central core, and being provided with buoyancy and/or insulation blocks along at least part of its length, the buoyancy and/or insulation blocks being formed out of a plurality of main sections, which are attached together around the central core, to form a channel therefor and provide the riser tower structure with a substantially circular cross-sectional profile, wherein the main sections further comprise recesses around their periphery and along their length for the location of the elongate conduits, said blocks further comprising closing pieces to retain said elongate conduits when in place and thereby providing the riser tower structure with a substantially unbroken cylindrical cross section, and wherein one or more strakes are provided on the outside of said blocks.

2. A tower according to claim 1 wherein said strakes are helical in shape.

3. A tower according to claim 1 or 2 wherein more than one strake is provided on a single block, circumferentially offset from one another.

4. A tower according to claim 1, wherein said blocks each comprise two main sections.

5. A tower according to any preceding claim wherein said blocks are provided with one or more inserts, each for the location therein of said one or more strakes.

6. A tower according to claim 5 wherein said insert follows the intended footprint of its corresponding strake.

7. A tower according to any preceding claim wherein said strakes are made of the same material than said blocks.

8. A tower according to any preceding claim wherein in addition to said conduits, said elongate objects also include umbilical and/or control lines.

9. A tower according to any preceding claim wherein said riser tower structure comprises said blocks along the majority of the riser tower structure length.

10. A tower according to any preceding claim wherein said riser tower comprises guide frames along its length, to guide the some or all of said elongate objects.

11. A tower according to claim 10 comprising providing said blocks between successive guide frames.

12. A method of constructing a riser tower structure comprising:

attaching buoyancy and/or insulation blocks around a central core of a riser tower structure, said blocks being provided with recesses, around their periphery and along their length;

locating conduits and/or other elongate objects in said recesses;

closing said recesses with a closing piece, thus providing said riser tower structure with a substantially circular cross sectional profile along its length; and

attaching at least one strake to the outside of said riser tower structure.

13. A method according to claim 12 wherein said riser tower structure comprises any one of those described in any of claims 1 to 11.

14. A method according to claim 12 or 13 wherein said riser tower is fabricated in sections, each of said sections being fabricated according to any of claims 1 to 10 and then assembled together.

15. A method according to any of claims 12 to 14 wherein each section is greater than 100 metres long,

16. A method according to claim 15 wherein each section lies between 100 metres and 300 metres in length.

17. A method according to any of claims 12 to 16 wherein each section is between approximately 150 and 200 metres.

18. A method according to any of claims 12 to 17 wherein said strake is attached to the blocks.

19. A method according to any of claims 12 to 18 comprising providing an insert for each strake during fabrication of said blocks.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

KELTIE
Fleet Place House
2 Fleet Place
London EC4M 7ET
GRANDE BRETAGNE

-2 NOV 2010

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	29.10.2010
Applicant's or agent's file reference P108706.WO.01	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/GB2009/051515	11.11.2009	13.11.2008

Applicant
Acergy Us Inc.

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

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

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

4. **REMINDER**

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

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

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

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

Name and mailing address of the international preliminary examining authority:	Authorized Officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Kermani, Nathalie Tel. +49 89 2399-7740

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P108706.WO.01	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/GB2009/051515	International filing date *(day/month/year)* 11.11.2009	Priority date *(day/month/year)* 13.11.2008
International Patent Classification (IPC) or national classification and IPC INV. E21B17/01		
Applicant Acergy Us Inc.		

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

   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

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

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

Date of submission of the demand	Date of completion of this report
2010-07-27	29.10.2010
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 Manolache, Iustin Telephone No. +49 89 2399-2065

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/GB2009/051515

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

   1-7 as originally filed

   Claims, Numbers

   1-19 filed with the letter of 23-07-2010

   Drawings, Sheets

   1/4-4/4 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	1-19
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-19
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-19
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Re Item V.

Documnet D1: WO 2008/056185 is considered the closest prior art disclosing a riser structure comprising a central core and a plurality of elongate conduits provided with bouyancy blocks which are attached together around the central core.

The remaining features of claim 1 are new and therefore the claim meets the inventive step requirements of Art. 33.2 PCT.

Problem

Mitigating the effect of the vortex induced vibrations.

Solution

The remaining features of claim 1 "said blocks further comprising closing pieces to retain said elongate conduits when in place and thereby providing the riser tower structure with a substantially unbroken cylindrical cross section" manage to create a buoyant structure around the riser which is free of gaps and improve the hydrodynamic performance of the riser which further in combination with the features "... one or more strakes, provided on the outside of said blocks" manage to efficienty mitigate the vortex effect induced on riser by the submarine currents. Moreover, the buoyancy blocks with integral pipe recesses results in a relatively light-weight design that lends itself to cost-effective fabrication and assembly techniques.

These features are not known from the documents mentioned in the Search report and cannot be obtained by combining the features known from the prior art without making appeal to an inventive step. Consequently, the subject-matter of claim 1 is also inventive as set out in Art. 33(3)PCT.

The method claim 12 also meets the requirements of Art. 33 (2) and (3) PCT specifying in method terms the same inventive concept corresponding to the features of the apparatus claim 1.

Claims 2-11 and 13-19 meet the requirements of Art. 33 (2) and (3) PCT as they are formulated as depending from a claim which does meet said requirements.

Re Item VII.

The following formal matters are pointed out:

- The independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT.

- Prior art documents D1 and D2 are not identified in disclosure as required by Rule 5.1 (a)(ii).

- The features of the claims are not provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 6.2(b) PCT). This applies to both the preamble and characterising portion.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,084	07/26/2011	Jean-Pierre Branchut	24776US	5766

83942 7590 10/13/2011
Levy & Grandinetti
P.O. Box 18385
Washington, DC 20036

EXAMINER
LAGMAN, FREDERICK LYNDON

ART UNIT	PAPER NUMBER
3672	

MAIL DATE	DELIVERY MODE
10/13/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 13 2011

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Levy & Grandinetti
P.O. Box 18385
Washington DC 20036

In re application of	:	**DECISION ON REQUEST TO**
Branchut et al.	:	**PARTICIPATE IN PATENT**
Application No. 13/129,084	:	**PROSECUTION HIGHWAY**
Filed: July 26, 2011	:	**PROGRAM AND PETITION**
For: HYBRID RISER TOWERS AND	:	**TO MAKE SPECIAL UNDER**
FABRICATION 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 May 12, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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: 10/12/11

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
Under the Paperwork Reduction Act of 1995, 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:	13129159	Filing date:	May 13, 2011
First Named Inventor:	Holger Rautschek		
Title of the Invention:	ANTIFOAMING COMPOSITIONS		

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/EP2009/065236

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

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.:	13129159
First Named Inventor:	Holger Rautschek

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 13, 2011

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

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on May 13, 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	4	Rewritten in U.S. format and to eliminate multiple dependencies
15	5	Rewritten in U.S. format and to eliminate multiple dependencies
16	5	Repetition of claim 15, dependent on claim 13
17	5	Repetition of claim 15, dependent on claim 14
18	6	Rewritten in U.S. format and to eliminate multiple dependencies
19	7	Rewritten in U.S. format and to eliminate multiple dependencies
20	8	Rewritten in U.S. format and to eliminate multiple dependencies
21	9	Rewritten in U.S. format and to eliminate multiple dependencies
22	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 June 7, 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,159	05/13/2011	Holger Rautschek	WAS1100PUSA	6535

22045 7590 08/09/2011
BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER

ART UNIT	PAPER NUMBER
1764	

MAIL DATE	DELIVERY MODE
08/09/2011	PAPER

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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EL

August 9, 2011

In re application of	:	DECISION ON REQUEST TO
Rautschek et al.	:	PARTICIPATE IN PATENT
Serial No. 13/129,159	:	PROSECUTION HIGHWAY
Filed: May 13, 2011	:	PROGRAM AND
For: **ANTIFOAMING COMPOSITIONS**	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed June 07, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

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

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

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

product is not in the English language; and

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

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

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

Any inquiry regarding this decision should be directed to Emily M. Le, Supervisory Patent Examiner at (571) 272-0903.

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

/Emily M. Le/

Emily M. Le
Supervisory Patent Examiner
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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GREENLEE SULLIVAN P.C.
4875 PEARL EAST CIRCLE
SUITE 200
BOULDER CO 80301

MAILED
DEC 29 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
GUEROUT, et al.	:	
U.S. Application No.: 13/129,196	:	DECISION ON PETITION
PCT No.: PCT/CA2009/001654	:	
Int. Filing Date: 16 November 2009	:	UNDER 37 CFR 1.47(a)
Priority Date: 14 November 2008	:	
Attorney Docket No.: 59-11	:	
For: PORTABLE POLYMER TESTER	:	

This decision is in response to applicant's "PETITION UNDER 37 C.F.R. §1.47(a) FOR FILING WHEN AN INVENTOR CANNOT BE REACHED" filed 02 December 2011 in the United States Patent and Trademark Office (USPTO) and supplemented on 21 December 2011.

BACKGROUND

On 16 November 2009, applicant filed the above-referenced international application, which claimed a priority date of 14 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, 14 May 2011.

On 13 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.

On 03 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 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 02 December 2011, applicant filed the present petition under 37 CFR 1.47(a) accompanied by a petition for a four-month extension of time and payment of the four-month extension of time fee. The response was timely filed.

On 21 December 2011, applicant filed a supplement to the petition discussed herein.

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.

As detailed in applicant's supplemental response of 21 December 2011, applicant has located the previously non-signing inventor and currently provided a declaration signed by all of the inventors listed on the published international application, therefore the petition under 37 CFR 1.47(a) will be dismissed as moot.

Regarding applicant's fee payments. The response of 21 December 2011 was accompanied by a payment of $710.00 in order to extended the response time to five months. As shown above, applicant timely filed a petition, complete with payment of the $200.00 petition fee, on 02 December 2011. Absent the filing of 21 December 2011 this petition would have been dismissed as it did not contain an executed oath or declaration signed by the remaining inventors. Applicant would have been afforded two months to file a renewed petition. Therefore, the $710.00 paid on 21 December 2011 will be refunded to applicant.

CONCLUSION

For the reasons above, applicant's petition under 37 CFR 1.47(a) is **DISMISSED as moot**.

The application has an international filing date of 16 November 2009 under 35 U.S.C. 363, and will be given a date of **21 December 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. Specifically, the mailing of a Notification of Acceptance (Form PCT/DO/EO/903).

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
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RENNER OTTO BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
NINETEENTH FLOOR
CLEVELAND OH 44115

MAILED

JUL 25 2011

PCT LEGAL ADMINISTRATION

In re Application of :
WAGNER, et al. :
U.S. Application No.: 13/129,207 : DECISION ON PAPERS
PCT No.: PCT/EP2009/064545 :
Int. Filing Date: 03 November 2009 : UNDER 37 CFR 1.42
Priority Date: 14 November 2008 :
Attorney's Docket No.: VKSWP0147US :
For: SCREW TENSIONING DEVICE :

This decision is in response to applicant's filing of 13 May 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 03 November 2009, applicant filed the above-referenced international application, which claimed a priority date of 14 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, 14 May 2011.

On 13 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 the subject declaration of the inventors.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

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

An examination of the filed declaration and power of attorney finds that the document lists the post office, residence and citizenship for both the deceased co-inventor P.H. Wagner and the legal representatives to his estate. In addition, this information has been provided for the

additional inventor listed on the published international application, Bernd Thelen. The declaration has been executed by the legal representative and the additional listed inventors. As such, the declaration is in compliance with 37 CFR 1.497(a)-(b).

In light of the above, it is proper to grant applicant's request at this time.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application has an international application filing date of 03 November 2009 and will be given a date of **13 May 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Dowell & Dowell P.C.
103 Oronoco St.
Suite 220
Alexandria VA 22314

MAILED
JUN 28 2011
PCT LEGAL ADMINISTRATION

In re Application of
SAEEDKIA et al.
Application No.: 13/129,232
PCT No.: PCT/CA2009/001128
Int. Filing Date: 12 August 2009
Priority Date: 13 August 2008
Attorney Docket No.: 17533NP
For: TERAHERTZ AND MILLIMETER-WAVE WHISPERING GALLERY MODE RESONATOR SYSTEMS, APPARATUS AND METHODS

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 13 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-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:	Mary M. Burke		
Title of the Invention:	MANAGING GAMES IN WAGERING GAMING NETWORKS		

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/US09/64482

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.

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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.:	Unknown
First Named Inventor:	Mary M. Burke

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	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 9, 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,306	05/27/2011	Mary M. Burke	100.068WO1	7625

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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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: BURKE, MARY M., et al Serial No.: 13/129306 Filed: 05/13/2011 Attorney Docket No. : 100.068WO1 Title: MANAGING GAMES IN WAGERING GAMING NETWORKS	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 13, 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-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:	13/129,312	Filing date:	May 13, 2011
First Named Inventor:	Eiji KAMBARA		
Title of the Invention:	CARBON FIBER AGGREGATES AND PROCESS FOR PRODUCTION OF 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/JP2010/053546
JPA No. 2010-525149 with the allowed claims is a national stage entry of PCT/JP2010/053546. U.S. Application No. 13/129,312 is also a national stage of the same PCT application. The PCT application claims Paris Convention priority to

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

☐ 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 JPO AND THE USPTO

(continued)

Application No.:	13/129,312
First Named Inventor:	Eiji KAMBARA

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 13, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 13, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 is identical to patentable claim 1 of the PCT application
2	2	Claim 2 is identical to patentable claim 2 of the PCT application
3	3	Claim 3 is identical to patentable claim 3 of the PCT application
		except multiple dependency has been removed
4	4	Claim 4 is identical to patentable claim 4 of the PCT application
5	5	Claim 5 is identical to patentable claim 5 of the PCT application
		except multiple dependency has been removed
6	6	Claim 6 is identical to patentable claim 6 of the PCT application
		except multiple dependency has been removed
7	7	Claim 7 is identical to patentable claim 7 of the PCT application
		except multiple dependency has been removed
8	8	Claim 8 is identical to patentable claim 8 of the PCT application
		except multiple dependency has been removed
9	9	Claim 9 is identical to patentable claim 9 of the PCT application
10	10	Claim 10 is identical to patentable claim 10 of the PCT applicatior
11	11	Claim 11 is identical to patentable claim 11 of the PCT applicatior

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

Signature /Abraham J. Rosner/	Date May 13, 2011
Name (Print/Typed) Abraham J. Rosner	Registration Number 33,276

Privacy Act Statement

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

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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).
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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.

DECLARATION

I, 大家邦久, of OHIE PATENT OFFICE, Selva-Ningyocho Bldg. 6F,
Kunihisa OHIE

14-6, Nihonbashi-Ningyocho 2-chome, Chuo-ku, Tokyo 103-0013 Japan, do hereby certify that I am conversant with the English and Japanese languages and am a competent translator thereof. I further certify that to the best of my knowledge and belief the attached English translation is a true and correct translation made by me of the allowed claims of Japanese Patent Application No. 2010-525149 corresponding to PCT Application No. PCT/JP2010/053546.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 6th day of April, 2010

大家邦久

Kunihisa OHIE

CLAIMS

1. A method of producing a carbon fiber aggregate, comprising the steps of:

preparing aluminum hydroxide which has a BET specific surface area of 1 m^2/g or less and has a cumulative 50% volume particle diameter (D_{50}) of 10 to 300 μm;

yielding a catalyst support by heat-treating the aluminum hydroxide until the BET specific surface area reaches 50 to 200 m^2/g;

having a catalytic metal or a catalytic metal precursor be supported on the catalyst support; and

contacting the catalyst with a carbon-containing compound in a heated zone.

2. The method of producing the carbon fiber aggregate according to claim 1, in which the aluminum hydroxide is heat-treated at a temperature of 500 to 1000°C.

3. The method of producing the carbon fiber aggregate according to claim 1 or 2, in which the carbon fiber aggregate is a cocoon-shaped aggregate clump formed by agglomerating secondary aggregate fibers, each of the secondary aggregate fibers having a diameter of 1 μm or more and a length of 5 μm or more and being non-linear, which secondary aggregate fibers are formed by agglomerating non-linear carbon fibers, the non-linear carbon fibers each having a diameter of 5 to 100 nm and an aspect ratio of 5 to 1000, and the non-linear carbon fibers comprising graphitic layers which extend approximately parallel to a fiber axis.

4. The method of producing the carbon fiber aggregate according to claim 3, in which the cocoon-shaped aggregate includes a cocoon-shaped aggregate having a major/minor diameter ratio of 5 or more.

5. The method of producing the carbon fiber aggregate according to any one of claims 1 to 4, in which the aluminum hydroxide is gibbsite.

6. The method of producing the carbon fiber aggregate according to any one of claims 1 to 5, in which aluminum hydroxide having a particle size distribution index of 1.50 or less is used, the particle size distribution index being represented by Equation (1),

$$\text{Particle size distribution index} = (D_{90} - D_{10}) / D_{50} \quad (1)$$

where D_{90}, D_{10}, and D_{50} represent a cumulative 90% volume particle diameter, a cumulative 10% volume particle diameter, and a cumulative 50% volume particle diameter, respectively measured by a particle size distribution analyzer.

7. The method of producing the carbon fiber aggregate according to any one of claims 1 to 6, in which aluminum hydroxide prepared from primary particles each having a size of 5 to 300 μm is used.

8. The method of producing the carbon fiber aggregate according to any one of claims 1 to 7, in which the catalytic metal or the catalytic metal precursor includes at least one of Fe, Ni, Co, Cr, Mo, W, Ti, V, Ru, Rh, Pd, Pt, and rare-earth elements.

9. A carbon fiber aggregate, comprising a cocoon-shaped aggregate clump having a major/minor diameter ratio of 5 or more formed by agglomerating secondary aggregate fibers, each of the secondary aggregate fibers having a diameter of 1 μm or more and a length of 5 μm or more and being non-linear, which secondary aggregate fibers are formed by agglomerating non-linear carbon fibers, the non-linear carbon fibers each having a diameter of 5 to 100 nm and an aspect ratio of 5 to 1000, and the non-linear carbon fibers comprising graphitic layers which extend approximately parallel to a fiber axis.

10. A resin composite material, comprising the carbon fiber aggregate according to claim 9.

11. A catalyst for producing a carbon fiber aggregate, which is prepared by the steps of:
preparing aluminum hydroxide which has a BET specific surface area of 1 m^2/g or less and has a cumulative 50% volume particle diameter (D_{50}) of 10 to 300 μm;
yielding a catalyst support by heat-treating the aluminum hydroxide until the BET specific surface area reaches 50 to 200 m2/g; and
having a catalytic metal or a catalytic metal precursor be supported on the catalyst support.

(19)日本国特許庁(JP)　(12)特　許　公　報(B2)　(11)特許番号
特許第4593692号
(P4593692)

(45)発行日　平成22年12月8日(2010.12.8)　(24)登録日　平成22年9月24日(2010.9.24)

(51)Int.Cl.		F I	
C01B 31/02	(2006.01)	C01B 31/02	101A
B01J 23/745	(2006.01)	B01J 23/74	301M
C08K 3/04	(2006.01)	C08K 3/04	
C08L 101/00	(2006.01)	C08L 101/00	
D01F 9/127	(2006.01)	D01F 9/127	

請求項の数 11　(全 22 頁)

(21)出願番号　特願2010-525149(P2010-525149)
(86)(22)出願日　平成22年3月4日(2010.3.4)
(86)国際出願番号　PCT/JP2010/053546
(87)国際公開番号　WO2010/101215
(87)国際公開日　平成22年9月10日(2010.9.10)
審査請求日　平成22年6月29日(2010.6.29)
(31)優先権主張番号　特願2009-52036(P2009-52036)
(32)優先日　平成21年3月5日(2009.3.5)
(33)優先権主張国　日本国(JP)

早期審査対象出願

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昭和電工株式会社内

審査官　廣野　知子

最終頁に続く

(54)【発明の名称】炭素繊維凝集体、及びその製造方法

(57)【特許請求の範囲】

【請求項1】

ＢＥＴ法比表面積が１m^2／ｇ以下で、５０％体積累積粒子径（D_{50}）が１０～３００μｍの水酸化アルミニウムを、加熱処理してＢＥＴ法比表面積を５０～２００m^2／ｇとした担体に触媒金属または触媒金属前駆体を担持させた触媒と炭素含有化合物を加熱領域下で接触させることを特徴とする炭素繊維凝集体の製造方法。

【請求項2】

水酸化アルミニウムの加熱処理温度が５００～１０００℃である請求項１に記載の炭素繊維凝集体の製造方法。

【請求項3】

炭素繊維凝集体が、直径が５～１００ｎｍ、アスペクト比が５～１０００であり、黒鉛層が繊維軸に対しほぼ平行に伸長している非直線状の一次炭素繊維が凝集して二次凝集繊維を構成し、前記二次凝集繊維は直径が１μｍ以上、長さが５μｍ以上の非直線状であり、さらに前記二次凝集繊維が凝集して繭状の凝集塊を形成しているものである請求項１または２に記載の炭素繊維凝集体の製造方法。

【請求項4】

繭状の凝集塊が、長径と短径の比が５以上のものを含む請求項３に記載の炭素繊維凝集体の製造方法。

【請求項5】

水酸化アルミニウムがギブサイトである請求項１～４のいずれかに記載の炭素繊維凝集

体の製造方法。
【請求項６】
水酸化アルミニウムとして、式（１）で示される粒度分布指数が１．５０以下のものを使用する請求項１～５のいずれかに記載の炭素繊維凝集体の製造方法：
【数１】

$$粒度分布指数=(D_{90}-D_{10})/D_{50} \quad (1)$$

（式中、D_{90}、D_{10}及びD_{50}は、各々粒度分布計で求めた９０％体積累積粒子径、１０％体積累積粒子径、５０％体積累積粒子径である。）
【請求項７】
水酸化アルミニウムとして、一次粒子の大きさが５～３００μｍのものを使用する請求項１～６のいずれかに記載の炭素繊維凝集体の製造方法：
【請求項８】
触媒金属または触媒金属前駆体が、Ｆｅ、Ｎｉ、Ｃｏ、Ｃｒ、Ｍｏ、Ｗ、Ｔｉ、Ｖ、Ｒｕ、Ｒｈ、Ｐｄ、Ｐｔ及び希土類元素の少なくともひとつを含む請求項１～７のいずれかに記載の炭素繊維凝集体の製造方法。
【請求項９】
炭素繊維凝集体が、直径が５～１００ｎｍ、アスペクト比が５～１０００であり、黒鉛層が繊維軸に対しほぼ平行に伸長している非直線状の炭素繊維が凝集して二次凝集繊維を構成し、前記二次凝集繊維は直径が１μｍ以上、長さが５μｍ以上の非直線状であり、さらに前記二次凝集繊維が凝集した長径と短径の比が５以上の繭状の凝集塊を含むことを特徴とする炭素繊維凝集体。
【請求項１０】
請求項９に記載の炭素繊維凝集体を含有する樹脂複合材料。
【請求項１１】
ＢＥＴ法比表面積が１m^2／ｇ以下で、５０％体積累積粒子径D_{50}が１０～３００μｍの水酸化アルミニウムを、加熱処理してＢＥＴ法比表面積を５０～２００m^2／ｇとした担体に、触媒金属または触媒金属前駆体を担持させてなる炭素繊維凝集体製造用触媒。
【発明の詳細な説明】
【技術分野】
【０００１】
本発明は炭素繊維凝集体、その製造方法及び用途に関する。さらに詳しく言えば、樹脂材料に添加して導電性を改善するフィラーとして好適な炭素繊維凝集体、その製造方法及びその炭素繊維凝集体を配合した複合材料に関する。
【背景技術】
【０００２】
従来、熱硬化性樹脂や熱可塑性樹脂などのマトリックス樹脂に、カーボンブラック、カーボン繊維または金属粉等の導電性フィラーを配合して導電性を付与した導電性樹脂複合材料が知られている。
しかし、この種の複合材料に高導電性（特に望ましくは、体積抵抗率１×１０^{6}Ω・ｃｍ以下）を付与するには、相当な量の導電性フィラーを添加する必要がある。しかし、多量の導電性フィラーを添加するとマトリックス樹脂の物性に悪影響を及ぼし、調製された複合材料に樹脂本来の特性が反映されなくなるという欠点があった。そのため少量の配合量でも十分に高い導電性を発現するフィラー材料が望まれていた。
【０００３】
このようなフィラー材料として、カーボンナノチューブが注目されている。カーボンナノチューブの製造方法としては、化学的気相成長法（以下、ＣＶＤ法という。）による方法が知られている。ＣＶＤ法としては、有機金属錯体などを触媒として用い、反応系内で触媒金属を気相中に生成させる方法と、触媒金属を担体に担持して用いる方法などが知られている。

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,312	05/13/2011	Eiji Kambara	Q123028	7672

23373 7590 08/26/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
1762	

NOTIFICATION DATE	DELIVERY MODE
08/26/2011	ELECTRONIC

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

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

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

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8/26/11

BC

In re application of	:	DECISION ON REQUEST TO
Eiji Kambara	:	PARTICIPATE IN PATENT
Serial No. 13/129,312	:	PROSECUTION HIGHWAY
Filed: May 13, 2011	:	PROGRAM AND
Attorney Docket No: Q123028	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed May 13, 2011. It is noted that the request was filed for participation in the PCT-PPH program between the JPO and USPTO, but it is clear from the submission that the applicant intended for the request to be filed for the (regular) PPH program between the JPO and USPTO.

The request and petition are **GRANTED**.

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

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

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

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

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

(5) Applicant must submit:

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

(6) Applicant must submit:

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

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

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

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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MAILED
AUG 16 2011
PCT LEGAL ADMINISTRATION

In re Application of PANICKER, et al
Application No.: 13/129,316
PCT No.: PCT/CA2009/001627
Int. Filing Date: 12 November 2009
Priority Date: 13 November 2008
ATTY Docket No.: 22493-153PUS (19759ROUS09N)
For: METHOD AND SYSTEM FOR REDUCED COMPLEXITY CHANNEL ESTIMATION AND INTERFERENCE CANCELLATION FOR V-MIMO DEMODULATION COVERINGS

DECISION ON PETITION UNDER 37 CFR 1.47(a)

This decision is in response to applicant's PETITION FOR FILING WITHOUT INVENTOR SIGNATURE 37 C.F.R. 1.47(a) in application serial number 13/129,316. The petition was filed in the United States Patent and Trademark Office (USPTO) on 25 July 2011.

BACKGROUND

On 12 November 2009, applicant filed international application, PCT/CA2009/001627, claiming priority to a United States Application filed 13 November 2008. The thirty-month period for paying the basic national fee in the United States expired on 13 May 2011.

On 13 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 filing fee required by 35 U.S.C. 371 (c).

On 27 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 C.F.R. 1.497 must be filed.

On 25 July 2011, applicant filed the present petition under 37 C.F.R. 1.47(a).

DISCUSSION

A petition under 37 C.F.R. 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 non-signing joint inventors;

(2) factual proof that the missing joint inventor refuses to join in the application or cannot be reached after diligent effort;

(3) the fee set forth in § 1.17(g); and,

(4) the last known address of the non-signing joint inventor.

With regards to item (1) above, application has submitted a declaration signed by the available inventors each on his /her own behalf and on behalf of the non-signing 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 non-signing inventor, or, if the nonsigning inventor is represented by counsel, to the address of the nonsigning inventor's attorney. The fact that an application may contain proprietary information does not relieve the 37 CFR 1.47 applicant of the responsibility to present the application papers to the inventor if the inventor is willing to receive the papers in order to sign the oath or declaration. It is noted that the inventor may obtain a complete copy of the application, unless the inventor has assigned his or her interest in the application, and the assignee has requested that the inventor not be permitted access. See MPEP § 106. It is reasonable to require that the inventor be presented with the application papers before a petition under 37 CFR 1.47 is granted since such a procedure ensures that the inventor is apprised of the application to which the oath or declaration is directed. *In re Gray*, 115 USPQ 80 (Comm'r Pat. 1956).
>
> Where a refusal of the inventor to sign the application papers is alleged, the circumstances of the presentation of the application papers and of the refusal must be specified in a statement of facts by the person who presented the inventor with the application papers and/or to whom the refusal was made. Statements by a party not present when an oral refusal is made will not be accepted.
>
> Proof that a *bona fide* attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning inventor for signature, but the inventor refused to accept delivery of the papers or expressly stated that the application papers should not be sent, may be
>
> sufficient. When there is an express oral refusal, that fact along with the time and place of the refusal must be stated in the statement of facts. When there is an express written refusal, a copy of the document evidencing that refusal must be made part of the statement of facts. The document may be redacted to remove material not related to the inventor's reasons for refusal.

> When it is concluded by the 37 CFR 1.47 applicant that a nonsigning inventor's conduct constitutes a refusal, all facts upon which that conclusion is based should be stated in the statement of facts in support of the petition or directly in the petition. If there is documentary evidence to support facts alleged in the petition or in any statement of facts, such evidence should be submitted. Whenever a nonsigning inventor gives a reason for refusing to sign the application oath or declaration, that reason should be stated in the petition.

The petition states that joint inventor W.E. Illidge refuses to sign the application papers. The petition adequately demonstrates that bona fide attempts were made to present a copy of the application papers to inventor Illidge (see Exhibits B and C). Furthermore, the petition sufficiently illustrates that inventor Illidge has not responded to communications through either the telephone, electronic communication or through the mail. As set forth in MPEP 409.03, the unavailability of an inventor after diligent effort has been made to reach or find the inventor may be sufficient to indicate refusal to sign. Thus, it can be concluded with reasonable certainty that inventor Illidge 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 applicant has provided inventor Illidge's last known home address as required by MPEP 605.03.

CONCLUSION

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 November 2009, and a date under 35 U.S.C. 371 (c)(1), (c)(2), and (c)(4) of 13 May 2011.

As set forth in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at the last known address of record and will e 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.

Gwendolyn Blackwell
PCT Legal Detailee
Office of PCT Legal Administration

Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3281

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Mr. Ed. Illidge
2 Grierson Lane
Kanata, ON CANADA K2W 1A6

MAILED
AUG 16 2011
PCT LEGAL ADMINISTRATION

In re Application of PANICKER, et al
Application No.: 13/129,316
PCT No.: PCT/CA2009/001627
Int. Filing Date: 12 November 2009
Priority Date: 13 November 2008
For: METHOD AND SYSTEM FOR REDUCED COMPLEXITY CHANNEL ESTIMATION AND INTERFERENCE CANCELLATION FOR V-MIMO DEMODULATION COVERINGS

Dear Mr. Illidge:

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.

Richard Cole
PCT Legal Examiner
PCT Legal Office
Telephone: 571-272-3281
Facsimile: 571-273-0459

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OFFICIAL GAZETTE NOTICE

37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signature of one of the joint inventors. The petition has been granted. A notice has been sent to the last known address of the non-signing inventor. The inventor whose signature is missing (W. E. Illidge) may join in the application by promptly filing an appropriate oath or declaration complying with 37 CFR 1.63. The international application number is PCT/CA2009/001627 and was filed on 12 November 2009 in the name of PANICKER et al for the invention entitled " METHOD AND SYSTEM FOR REDUCED COMPLEXITY CHANNEL ESTIMATION AND INTERFERENCE CANCELLATION FOR V-MIMO DEMODULATION ". The national stage application number is 13/129,316 and has a date of 13 May 2011 under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4).

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KENYON & KENYON LLP
ONE BROADWAY
NEW YORK NY 10004

MAILED
OCT 24 2011
PCT LEGAL ADMINISTRATION

In re Application of:
KUCIA et al.
Application No.: 13/129,352
PCT No.: PCT/US2009/064612
Int. Filing Date: 16 November 2009
Attorney's Docket No.: 14827/468US1
For: IMPRINTING IN VERY SMALL EMBRYONIC-LIKE (VSEL) STEM CELLS

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to applicant's "Petition under 37 CFR 1.182" filed 12 October 2011. The petition seeks to correct the bibliographic data for the national stage application papers filed 13 May 2011, so as to allow such materials to be treated as the U.S. national stage of PCT/US2009/064612.

BACKGROUND

On 30 August 2011, applicant was mailed a Notification of Defective Response detailing the discrepancy between international application numbers on the transmittal letter and other filing papers such as the oath/declaration of inventorship.

On 12 October 2011, applicant filed the petition considered herein.

DISCUSSION

Applicant confirms that the correct international application is PCT/US2009/064612. An examination of the originally filed papers finds that the correct international application number was listed on the application data sheets filed 13 May 2011. 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 13 May 2011 and to permit such materials to be treated as having been directed to international application PCT/US2009/064612.

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/US2009/064612.

This application is being forwarded to the United States Designated/Elected Office for further processing.

Anthony Smith
Attorney-Advisor
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AUG 30 2011

PCT LEGAL ADMINISTRATION

DICKSTEIN SHAPIRO LLP
1633 Broadway
NEW YORK NY 10019

In re Application of: BECKEN, Wolfgang, et al. :
U.S. Application No.: 13/129,354 :
PCT No.: PCT/EP2009/008069 :
International Filing Date: 12 November 2009 :
Priority Date: 13 November 2008 :
Attorney's Docket No.: M0023.0006 :
For: OPTIMIZATION AND :
PRODUCTION OF AN EYEGLASS :
LENS FOR CORRECTING AN :
ASTIGMATIC REFRACTION :

DECISION ON REQUEST FOR REFUND

This decision is issued in response to the "Request For Refund" filed on 03 August 2011.

BACKGROUND

On 12 November 2009, applicants filed international application PCT/EP2009/008069. The application claimed a priority date of 13 November 2008, and it designated the United States. On 20 May 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., 13 May 2011.

On 13 May 2011, applicants filed a Form PTO-1390 Transmittal Letter requesting entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and an English translation of the international application as filed. The submission included the authorization to charge Deposit Account No. 50-2215 "any additional fees which may be required." Applicant's 13 May 2011 submission did not include a preliminary amendment to the claims.

Pursuant to the fee authorization included with the original national stage submission, on 03 June 2011 the USPTO charged $1,298 in claims fees to Deposit Account No. 50-2215. These fees were calculated based on the claims of record in the international application and consisted of the following specific charges: $468 as the fee for inclusion of 9 total claims over 20; $440 as the fee for inclusion of 2 independent claims over 3; and $390 as the fee for inclusion of a multiple dependent claim.

On 03 June 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 03 August 2011, applicants filed a response to the Notification Of Missing Requirements, accompanied by a preliminary amendment and the "Request For Refund" considered herein.

DISCUSSION

Applicants' "Request For Refund" seeks a refund of $702 of the claims fees charged herein (specifically, $312 of the fee for extra total claims and the full $390 fee charged for inclusion of a multiple dependent claim). Applicants argue that the refund is appropriate because the preliminary amendment filed with the refund request reduces the number of total claims to 23 and removes the multiple dependencies. However, as expressly set forth in MPEP section 1893.01(c) (emphasis added):

> A preliminary amendment **accompanying the initial national stage submission under 35 U.SC. 371** that is effective to cancel claims and/or eliminate multiple dependent claims will be effective to reduce the number of claims to be considered in calculating extra claim fees required under 37 CFR 1.492(d)-(e) and/or eliminate the multiple dependent claim fee required under 37 CFR 1.492(f). **A subsequently filed amendment canceling claims and/or eliminating multiple dependent claims will not entitle applicant to a refund of fees previously paid.**

As noted above, a preliminary amendment was not included with the initial national stage submission on 13 May 2011, and such submission did authorize a charge to Deposit Account No. 50-2215 for "any additional fees which may be required." The claims fees were therefore properly calculated based on the claims of record in the international application and appropriately charged to applicants' Deposit Account prior to applicants' 03 August 2011 submission of the preliminary amendment. As expressly stated in the MPEP, an applicants' subsequent filing of a preliminary amendment reducing the claims and/or removing multiple dependencies does not entitle the applicant to a refund of previously paid claims fees.

In view of the above, applicants' present request for a refund of the previously paid claims fees based on the later-filed preliminary amendment is appropriately dismissed.

CONCLUSION

Applicants' request for refund is **DISMISSED** without prejudice.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 03 August 2011.

/RichardMRoss/

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SEP 26 2011

PCT LEGAL ADMINISTRATION

PARK LAW FIRM
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LOS ANGELES CA 90010

In re Application of
AHN et al.
Application No.: 13/129,449
PCT No.: PCT/KR2009/006600
Int. Filing Date: 11 November 2009
Priority Date: 17 November 2008
Attorney's Docket No.: 2105.04
For: COMPACT MULTIBEAM
REFLECTOR ANTENNA

DECISION

This decision is in response to applicants' submission filed 02 August 2011, which has properly been treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 11 November 2009, applicants filed international application PCT/KR2009/006600 which designated the U.S. and claimed a priority date of 17 November 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 17 May 2011.

On 16 May 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 10 June 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 the declaration of inventors filed 16 May 2011 was not in compliance with 37 CFR 1.497(a)-(b) because there was a difference in the last name of the third inventor between the published international application (FLOROVA) and the declaration of inventors (FROLOVA).

On 02 August 2011, applicants filed the instant petition under 37 CFR 1.181.

DISCUSSION

The petition filed 02 August 2011 concerns the spelling of the last name of the third inventor and explains that the spelling of the inventor's name in the declaration is accurate (FROLOVA) and that the spelling in the international application (FLOROVA) is inaccurate. This explanation of the difference in spelling between the international application and the declaration of inventors is accepted and noted for the record.

Accordingly, the declaration of inventors filed 02 august 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

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

/Daniel Stemmer/

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WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington DC 20005-1503

MAILED
JAN 13 2012
PCT LEGAL ADMINISTRATION

In re Application of
HAYASHI, et al.
U.S. Application No.: 13/129,457
PCT No.: PCT/JP2009/070623
International Filing Date: 09 December 2009
Priority Date: 12 December 2008
Attorney's Docket No.: 2011_0701A
For: RECEIVER APPARATUS AND RECEIVING METHOD

DECISION ON PETITION
UNDER 37 CFR 1.182

This decision is in response to applicant's petition under 37 CFR 1.182 filed 14 December 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 25 July 2011, applicant was mailed a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495" (Form PCT/DO/EO/903).

On 14 December 2011, applicant filed the petition considered herein indicating that the original English translation of the international application as filed supplied on 16 May 2011 was not accurate. Applicant asks that the concurrently filed English translation and preliminary amendment be accepted.

DISCUSSION

Applicant has presently provided an English translation of the international application as filed and certificate of accuracy of translation. The petition provides that the filing of the prior erroneous translation was a mistake which occurred without deceptive intent. Applicant has provided payment of the appropriate petition fee. Therefore 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.

The Form PCT/DO/EO/903 mailed 25 July 2011 is hereby VACATED.

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 including the preparation and mailing of a new Form PCT/DO/EO/903. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is **14 December 2011**.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria VA 22314

MAILED

JUN 23 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
DAVID BEAULIEU, Xavier	:	
Application No.: 13/129,499	:	DECISION ON PETITION
PCT No.: PCT/FR2008/052040	:	
Int. Filing Date: 13 November 2008	:	UNDER 37 CFR 1.137(b)
Priority Date: 16 November 2007	:	
ATTY Docket No.: 0540-1254	:	
For: METHOD FOR TENDING AN	:	
AGRICULTURAL ESTATE	:	

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 16 May 2011.

BACKGROUND

On 13 November 2008, applicant filed international application, PCT/FR2008/052040, which claimed priority of an earlier France application filed 16 November 2007. The thirty-month period for paying the basic national fee in the United States expired on 16 May 2010.

On 17 May 2010, international application PCT/FR2008/052040 became abandoned as to the United States for failure to timely pay the basic national fee.

On 16 May 2011, applicant filed the present petition under 37 CFR 1.137(b).

On 20 June 2011, a Notice of Acceptance of Application Under 35 U.S.C. 371 was mailed to applicant.

Application No.: 13/129,499

DISCUSSION

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

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

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

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

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

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.137(b) is **GRANTED**.

The Notice of Acceptance of Application Under 35 U.S.C. 371 mailed 20 June 2011 is hereby ratified.

This application is being forwarded to the Technology Center to await examination in due course.

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

Boris Milef
PCT Legal Examiner
Office of PCT Legal Administration

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:	13/129,502	Filing date:	10/06/2011
First Named Inventor:	Maria Belen Pancorbo Marcos, et al.		
Title of the Invention:	Detection And Report Of Limited Policy And Charging Control Capabilities		

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/IB2009/007440

The international date of the corresponding PCT application(s) is/are: 11/12/2009

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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.:	13/129,502
First Named Inventor:	Maria Belen Pancorbo Marcos, 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 05/16/2011

(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 05/16/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	PCT claims 1-20 amended to remove unnecessary parentheticals, eliminate multiple dependencies, correct grammatical errors, and make non-substantive changes to wording.

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

Signature /Brian M. Kearns,Reg#62287/	Date December 6, 2011
Name (Print/Typed) Brian M. Kearns	Registration Number 62,287

Privacy Act Statement

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

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

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

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P.O. Box 1450

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OFFICE OF PETITIONS

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO TX 75024

In re Application of	: DECISION ON REQUEST TO
Maria Belwn Pancorbo MARCOS et al.	: PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/129,502	: AND PETITION TO MAKE SPECIAL
Filed: October 6, 2011	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: P27004-US2	:

For: DETECTION AND REPORT OF LIMITED POLICY AND CHARGING CONTROL CAPABILITIES

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 6, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

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

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

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

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

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to Technology Center Art Unit 2617 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SEP 08 2011
PCT LEGAL ADMINISTRATION

VIERRA MAGEN/SANDISK CORPORATION
575 MARKET STREET
SUITE 2500
SAN FRANCISCO CA 94105

In re Application of: POMERANTZ et al
U.S. Application No: 13/129,510
PCT Application No.: PCT/CN2010/077567
International Filing Date: 04 October 2010
Priority Date: NONE
Attorney's Docket No.: SAND-01483US0
For: PRE-TREATMENT OF MEMORY CARDS FOR INK JET PRINTING

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is in response to applicants' "PETITION UNDER 37 CFR § 1.182 REQUEST FOR CORRECTION OF PRIORITY DATA" filed 25 July 2011. Applicant has paid the required petition fee.

BACKGROUND

Applicant filed the present petition on 25 July 2011 in order to correct the international application number for the present national stage application. The petition noted that the original national stage application submission on 16 May 2011 referenced two different international applications. Specifically, while the Form PTO-1390 Transmittal Letter filed by applicants identified the application as the U.S. national stage of international application number PCT/**CN**2010/077567, the information provided by applicants on the Application Data Sheet identified the application as the U.S. national stage of international application PCT/**US**2010/077567 as well as on the EFS Acknowledgment Receipt.

DISCUSSION

The petition confirms that the correct international application number for the present national stage application is PCT/**CN**2010/077567 and that the entry of the incorrect international application number, PCT/**US**2010/077567, during the electronic filing process was the result of an error. The petition also includes payment of the required petition fee.

The present submission satisfies the requirements for a grantable petition to correct the inconsistency in the international application numbers listed in the materials filed herein on 04 October 2010. Accordingly, the national stage application materials filed herein on 04 December 2010, including the payment of the basic national fee, will be treated as the U.S. national stage of PCT/**CN**2010/077567. Such materials, including payment of the U.S. basic national fee, were filed prior to the expiration of thirty months from the priority date of PCT/**CN**2010/077567, thereby avoiding abandonment of the international application with respect to the United States.

CONCLUSION

For the reason given above, the petition 25 July 2011 filed under 37 CFR 1.182 is **GRANTED**.

The present application will be treated as the U.S. national stage under 35 U.S.C. 371 of PCT/**CN**2010/077567.

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.

Gwendolyn Blackwell
Office of PCT Legal Administration
United States Patent and Trademark Office

Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration
Telephone: (571) 272-3281

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OFFICE OF PETITIONS

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

In re Application of
Ryuichi KAMAGA
Application No. 13/129,519
Filed: May 16, 2011
Attorney Docket No. 149558
For: Control Device and Control Method for Vehicle

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

This is a decision on the request to participate in the 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 **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

Inquiries concerning this decision should be directed to Joanne Hama at (571) 272-2911 or to the undersigned at (571) 272-7099.

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

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

David Bucci
Petitions Examiner
Office of Petitions

PTO/SB/20PCT-JP (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 COORPERATION TREATY-PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

Application No.:	13/129,538	Filing Date:	May 16, 2011
First Named Inventor:	Tohru ISHIZUKA et al.		
Attorney Docket No.:	149540		
Title of the Invention:	METHOD FOR MANUFACTURING SOI WAFER		

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 PROGRAM.

The above-identified application (1) a national stage entry of the corresponding PCT application, or (2) is 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: The above-identified application validly claims priority to PCT/JP2009/006007.

The filing date of the corresponding PCT application(s) is/are: November 11, 2009.

I. **List of Required Documents:**

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

☒ Is attached.

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

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

☐ Is attached.

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

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

d. **(1) An information disclosure statement listing the documents cited in the International Work Product (WO/ISA, WO/IPEA, or IPER) of the corresponding PCT application**

☐ Is attached.

☒ Has already been filed in the above-identified U.S. application on May 16, 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 16, 2011.

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

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

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

(continued)

Application No.:	13/129,538
First Named Inventor:	Tohru ISHIZUKA et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in Corresponding PCT Application	Explanation regarding the correspondence
1-5 (canceled)		
6	1	U.S. claim 6 substantially corresponds to patentable PCT claim 1.
7	2	U.S. claim 7 substantially corresponds to patentable PCT claim 2.
8	3	U.S. claim 8 substantially corresponds to patentable PCT claim 3.
9		U.S. claim 9 substantially corresponds to patentable PCT claim 3.
10	4	U.S. claim 10 substantially corresponds to patentable PCT claim 4.
11		U.S. claim 11 substantially corresponds to patentable PCT claim 4.
12		U.S. claim 12 substantially corresponds to patentable PCT claim 4.
13		U.S. claim 13 substantially corresponds to patentable PCT claim 4.
14	5	U.S. claim 14 substantially corresponds to patentable PCT claim 5.
15		U.S. claim 15 substantially corresponds to patentable PCT claim 5.
16		U.S. claim 16 substantially corresponds to patentable PCT claim 5.
17		U.S. claim 17 substantially corresponds to patentable PCT claim 5.
18		U.S. claim 18 substantially corresponds to patentable PCT claim 5.
19		U.S. claim 19 substantially corresponds to patentable PCT claim 5.
20		U.S. claim 20 substantially corresponds to patentable PCT claim 5.
21		U.S. claim 21 substantially corresponds to patentable PCT claim 5.

III. Claims 6-21 in the US application sufficiently correspond to the patentable claims 1-5 in the corresponding PCT application.

IV. Payment of Fees:

The petition fee under 37 CFR 1.17(h) is no longer required for participation in Patent Prosecution Highway Program.

Signature		Date	August 9, 2011
Name (Print/Typed)	William P. Berridge	Registration Number	30,024
Name (Print/Typed)	Aya Suzuki	Registration Number	64,621

Privacy Act Statement

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

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

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

I. List of Required Documents

a. A copy of the latest International Work Product (WO/ISA, WO/IPEA or IPER) in the corresponding PCT application(s)

- The latest work product in the international phase (International Preliminary Report on Patentability in PCT/JP2009/006007) issued on June 14, 2011 by the International Bureau of WIPO is attached.

PATENT COOPERATION TREATY

PCT/JP2009/006007

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION CONCERNING TRANSMITTAL OF COPY OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (CHAPTER I OF THE PATENT COOPERATION TREATY)
(PCT Rule 44bis.1(c))

To:

YOSHIMIYA, Mikio
1st Shitaya Bldg. 8F, 6-11, Ueno 7-chome, Taito-ku, Tokyo
1100005
JAPON

Date of mailing *(day/month/year)* 23 June 2011 (23.06.2011)	
Applicant's or agent's file reference 08F00123WO	**IMPORTANT NOTICE**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/006007	11 November 2009 (11.11.2009)	11 December 2008 (11.12.2008)

Applicant
Shin-Etsu Handotai Co.,Ltd. et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 08F00123WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/006007	International filing date *(day/month/year)* 11 November 2009 (11.11.2009)	Priority date *(day/month/year)* 11 December 2008 (11.12.2008)
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 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 14 June 2011 (14.06.2011)
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

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
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様

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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）	１６．０２．２０１０
出願人又は代理人 の書類記号　08F00123WO	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／ＪＰ２００９／００６００７	（日.月.年）　１１．１１．２００９	（日.月.年）　１１．１２．２００８

国際特許分類（ＩＰＣ）Int.Cl. H01L21/02(2006.01)i, H01L27/12(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
０３．０２．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	４Ｌ	９８３５
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	萩原　周治 電話番号　０３－３５８１－１１０１　内線　３４９８		

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／００６００７

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／ＪＰ２００９／００６００７

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

１．　見解

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

２．　文献及び説明

文献１：JP 2004-221198 A（信越半導体株式会社）2004.08.05，段落【００２６】－【００４１】，第１，４図
文献２：JP 2006-156770 A（信越半導体株式会社）2006.06.15，段落【００３４】－【００４８】
文献３：JP 10-242154 A（三菱マテリアルシリコン株式会社）1998.09.11，段落【００１０】，【００１１】，第１図
文献４：JP 2000-036445 A（住友金属工業株式会社）2000.02.02，第１図

請求項１－５
　請求項１－５に係る発明は、国際調査報告で引用された文献１－４に対し、新規性、進歩性を有する。
　埋め込み酸化膜の厚さを減ずる熱処理を行うＳＯＩウェーハ材料のＳＯＩ層の厚さを、熱処理により減ずる埋め込み酸化膜の厚さと、熱処理により発生する埋め込み酸化膜の面内レンジの変化量の許容値との比に応じて算出し、該算出されたＳＯＩ層の厚さとなるようにボンドウェーハを薄膜化して得られたＳＯＩウェーハ材料に、埋め込み酸化膜の厚さを減ずる熱処理を行うことは、国際調査報告で引用されたいずれの文献にも教示されておらず、当業者にとって容易でもない。

I. List of Required Documents

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

- A copy of the International Application as filed (including claims 1-5, which were indicated as having novelty, inventive step and industrial applicability) has been communicated by the International Bureau to the USPTO.

I. List of Required Documents

c. English translations of the documents in a. and b. along with a statement that the English translations are accurate

- English translation of International Preliminary Report on Patentability issued on July 5, 2011 by the International Bureau of WIPO is attached.
- English translation of claims 1-5, which were indicated as having novelty, inventive step and industrial applicability was submitted on May 16, 2011.
- Statement that the English translation of the claims 1-5, which were indicated as having novelty, inventive step and industrial applicability is accurate is attached.

PATENT COOPERATION TREATY

PCT/JP2009/006007

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 08F00123WO	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/006007	International filing date *(day/month/year)* 11 November 2009 (11.11.2009)
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 08F00123WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/006007	International filing date *(day/month/year)* 11 November 2009 (11.11.2009)	Priority date *(day/month/year)* 11 December 2008 (11.12.2008)
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)

Applicant's or agent's file reference 08F00123WO	Date of mailing *(day/month/year)* **FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/006007	11.11.2009	11.12.2008

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/JP2009/006007

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/JP2009/006007

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

1. Statement

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

2. Citations and explanations:

Document 1: JP 2004-221198 A (Shin-Etsu Handotai Co., Ltd.), 05 August 2004, paragraphs [0026]-[0041], fig. 1 and 4

Document 2: JP 2006-156770 A (Shin-Etsu Handotai Co., Ltd.), 15 June 2006, paragraphs [0034]-[0048]

Document 3: JP 10-242154 A (Mitsubishi Materials Silicon Corp.), 11 September 1998, paragraphs [0010] and [0011], fig. 1

Document 4: JP 2000-036445 A (Sumitomo Metal Industries, Ltd.), 02 February 2000, fig. 1

Claims 1-5

The invention as in claims 1-5 is novel and involves an inventive step in view of documents 1-4 cited in the ISR.

The feature wherein the thickness of the SOI layer of an SOI wafer material to be subjected to the thermal process for reducing the thickness of an embedded oxide film is calculated in accordance with the ratio of the thickness of the embedded oxide film to be reduced by the thermal process with respect to an allowable value of the change amount of the in-plane range of the embedded oxide film caused by the thermal

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

process, and the SOI wafer material obtained by reducing the thickness of a bond wafer film so as to be the thickness of the calculated SOI layer is subjected to the thermal process to reduce the thickness of the embedded oxide film, is not taught by any of the documents cited in the ISR, and would not be easy for a person skilled in the art.

CERTIFICATION OF ENGLISH LANGUAGE TRANSLATION

I hereby declare and state that I am knowledgeable of each of the Japanese and English languages.

I hereby certify that the English language translation of the claims 1-5 submitted on May 16, 2011 is a complete and accurate translation of the claims 1-5 of the PCT/JP2009/006007 application, which were indicated as having novelty, inventive step, and industrial applicability.

August 9, 2011
Date

Signature

Aya Suzuki
Typed Name

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the International Work Product

- Was filed on May 16, 2011. See Information Disclosure Statement filed on May 16, 2011.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

MAILED
FEB 22 2012
OFFICE OF PETITIONS

In re Application of
ISHIZUKA, et al
Application No.: 13/129,538
Filed: May 16, 2011
Attorney Docket No.: 149540
For: METHOD FOR MANUFACTURING SOI WAFER

: 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 August 9, 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.

(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 the undersigned at (571) 272-6735.

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

This application is being referred to Technology Center 2891 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petition 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

PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
525 B STREET
SUITE 2200
SAN DIEGO CA 92101

MAILED
JUL 12 2011
PCT LEGAL ADMINISTRATION

In re Application of :
SETO et al. :
Application No.: 13/129,562 :
PCT No.: PCT/JP2008/069639 :
Int. Filing Date: 29 October 2008 :
Priority Date: None :
Attorney Docket No.: 114324-KC0205 :
For: VEHICLE-MOUNTED CAMERA MODULE :

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 16 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 required reply 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
Fax: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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MAILED

JUL 18 2011

PCT LEGAL ADMINISTRATION

IP & T GROUP LLP
7700 Little River Turnpike
Suite 207
Annandale VA 22003

In re Application of
CHOI, Hae Chul, et al.
Application No.: 13/129,570
PCT No.: PCT/KR2009/005647
Int. Filing Date: 01 October 2009
Priority Date: 01 October 2008
Att. Docket No.: FPE-11-0456-US
For: IMAGE ENCODER AND DECODER USING UNIDIRECTIONAL PREDICTION

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 16 May 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. 50-5025, 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

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

MAILED

JUL 05 2011

PCT LEGAL ADMINISTRATION

INSKEEP INTELLECTUAL PROPERTY
GROUP, INC
2281 W. 190TH STREET
SUITE 200
TORRANCE CA 90504

In re Application of: BOBO, Donald, E., Sr. :
U.S. Application No.: 13/129,574 :
PCT No.: PCT/US2009/062138 :
International Filing Date26 October 2009 :
Priority Date: 24 October 2008 :
Attorney's Docket No.: 20439-505 :
For: SENSOR CONTROLLED FLOW PATH :
FOR PROVIDING FLUIDS TO :
PATIENTS :

DECISION ON PETITION UNDER
37 CFR 1.137(b)

The petition for revival under 37 CFR 1.137(b) filed 16 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/US2009/062138 became abandoned with respect to the United States at midnight on 24 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 filing 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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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PATENT LAW OFFICES OF DR. NORMAN B. THOT
POSTFACH 10 17 56
RATINGEN 40837 DE GERMANY

MAILED
FEB 16 2012
OFFICE OF PETITIONS

Applicant: Dieter Willbold et al
Appl. No.: 13/129,579
International Filing Date: November 17, 2009
Title: COMPOSITION FOR PRODUCING ANTI-AMYLOID BETA PEPTIDE ANTIBODIES WITH D-PEPTIDES
Attorney Docket: FI/FZJ 1101 US-PAT
Pub. No.: US 20110243949 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

PATENT LAW OFFICES OF DR. NORMAN B. THOT
POSTFACH 10 17 56
RATINGEN 40837 DE GERMANY

MAILED
APR 04 2012
OFFICE OF PETITIONS

Applicant: Dieter Willbold et al
Appl. No.: 13/129,579
International Filing Date: November 17, 2009
Title: COMPOSITION FOR PRODUCING ANTI-AMYLOID BETA PEPTIDE ANTIBODIES WITH D-PEPTIDES
Attorney Docket: FI/FZJ 1101 US-PAT
Pub. No.: US 20110243949 A1
Pub. Date: October 6, 2011

This is a corrected 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. A decision granting the request was mailed February 16, 2012, and a notice of acceptance of the request mailed February 23, 2012. The decision on the request was in error.

The request is **dismissed**.

Applicant requests that the application be republished because the patent application publication contains the material error of not including a preliminary amendment to the specification, thus, the specification and sequence listing do not match.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records." 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 failure to include the preliminary amendment in the publication is <u>not</u> an Office error. See 37 CFR 1.211(a) and 1.215(a).

37 CFR 1.215(a) states in pertinent part:

[1] <u>Changes to Implement Eighteen-Month Publication of Patent Applications</u>, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, <u>Off. Gaz. Pat. Office Notices</u> 63, 75 (Oct. 10, 2000) (final rule).

> [t]he patent application publication may also be based upon amendments to the specification ... that are reflected in a *substitute specification* under § 1.125(b), ... provided that such *substitute specification* or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. (emphasis added)

Also, 37 CFR 1.215(c) indicates that applicant may file an amended copy of the application for publication purposes, but such amendments, including a substitute specification, must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under title 35, United States Code, whichever is later.

The application was published with the sequence listing in compliance with §§ 1.821 through 1.825, which was the amended sequence listing.

Applicant did not properly file a substitute specification including the amendment. Applicant did not file a copy of the application in compliance with the Office electronic filing systems requirements. The application was properly published in accordance with 37 CFR 1.215 without matching content in the specification.

The Office cannot guarantee that the latest amendment or any particular amendment will be included in the patent application publication. If applicant wishes to have the patent application publication be based upon a copy of the application (specification, drawings and oath or declaration) as amended, applicant must supply such a copy via the electronic filing system (EFS-Web) with a substitute specification when necessary. See MPEP 1121 I.

Accordingly, correction of this error and inclusion of any desired amendments into the text of the specification will only occur if applicant files a request for republication under 37 CFR 1.221(a). They will not be corrected by the Office in a corrected publication under 37 CFR 1.221(b).

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/ebc/portal/tutorials.htm

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 the undersigned at (571) 272-6692.

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 27 2011

PCT LEGAL ADMINISTRATION

IP GROUP OF DLA PIPER LLP (US)
ONE LIBERTY PLACE
1650 MARKET ST, SUITE 4900
PHILADELPHIA PA 19103

In re Application of: TAKITA, Tokaro, et al.
U.S. Application No.: 13/129,654
PCT No.: PCT/JP2009/069143
International Filing Date: 04 November 2009
Priority Date: 17 November 2008
Attorney's Docket No.: TTS-11-1116
For: MICROPOROUS MEMBRANES AND METHODS FOR PRODUCING AND USING SUCH MEMBRANES

DECISION ON SUBMISSION UNDER 37 CFR 1.42

This decision is issued in response to applicants' 17 May 2011 filing of a declaration executed on behalf of deceased co-inventor Tokaro TAKITA by his legal representative, considered herein as a submission under 37 CFR 1.42.

BACKGROUND

On 04 November 2009, applicants filed international application PCT/JP2009/069143. The international application claimed a priority date of 17 November 2008, and it designated the United States. On 20 May 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., 17 May 2011.

On 17 May 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and a declaration executed by the two surviving inventors of record and on behalf of deceased inventor Tokaro TAKITA by his legal representative, Junko TAKITA. The declaration is considered herein under 37 CFR 1.42 and 1.497.

DISCUSSION

37 CFR 1.42 states in part:

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

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

37 CFR 1.497(b)(2) states the following:

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

Pursuant to 37 CFR 1.497(b)(2), the citizenship for both the deceased inventor and the legal representative must be identified on the declaration, as well as the mailing address and residence information of the legal representative and all other information required under 37 CFR 1.497. Here, the declaration filed 17 May 2011 includes the required citizenship, residence, and mailing address information for the person signing the declaration on behalf of the deceased inventor, Junko TAKITA, as well as the required citizenship of the deceased inventor, Kotaro TAKITA. The declaration also states the relationship of the person signing to the deceased inventor (i.e., "legal representative"). The declaration therefore includes all information required under 37 CFR 1.497(b)(2).

CONCLUSION

Applicant's request for status under 37 CFR 1.42 with respect to deceased inventor Kotaro TAKITA is **GRANTED**.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 17 May 2011.

/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.:	13/129,742	Filing Date:	July 13, 2011
First Named Inventor:	Masaru SASAKI		
Attorney Docket No.:	149574		
Title of the Invention:	ELECTRICAL POWERED VEHICLE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2008/071215

The international date of the corresponding PCT application(s) is/are: November 21, 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 JPO AND THE USPTO

(continued)

Application No.:	13/129,742
First Named Inventor:	Masaru SASAKI

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

☐ Is attached.

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

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

☐ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	U.S. Claim 1 sufficiently corresponds to PCT claim 1.
2	2	U.S. Claim 2 and PCT Claim 2 have both been cancelled.
3	3	U.S. Claim 3 and PCT Claim 3 have both been cancelled.
4	4	U.S. Claim 4 sufficiently corresponds to PCT claim 4.
5	5	U.S. Claim 5 sufficiently corresponds to PCT claim 5.
6	6	U.S. Claim 6 sufficiently corresponds to PCT claim 6.

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

Signature		Date	July 22, 2011
Name (Print/Typed)	James A. Oliff	Registration Number	27,075
Name (Print/Typed)	Ryan M. Crockett	Registration Number	62,945

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461

I. List of Required Documents

a. A copy of the latest International Work Product

- International Preliminary Report on Patentability (in Japanese)

特 許 協 力 条 約

ＰＣＴ

特許性に関する国際予備報告（特許協力条約第二章）

（法第 12 条、法施行規則第 56 条）
〔ＰＣＴ36 条及びＰＣＴ規則 70〕

出願人又は代理人の書類記号 908518W001	今後の手続きについては、様式ＰＣＴ／ＩＰＥＡ／４１６を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００８／０７１２１５	国際出願日（日．月．年） ２１．１１．２００８	優先日（日．月．年）
国際特許分類（ＩＰＣ） Int.Cl. B60L11/18(2006.01)i, B60K6/445(2007.10)i, B60L5/00(2006.01)i		
出願人（氏名又は名称） トヨタ自動車株式会社		

１．この報告書は、ＰＣＴ35 条に基づきこの国際予備審査機関で作成された国際予備審査報告である。
法施行規則第 57 条（ＰＣＴ36 条）の規定に従い送付する。

２．この国際予備審査報告は、この表紙を含めて全部で ３ ページからなる。

３．この報告には次の附属物件も添付されている。

ａ．☑ 附属書類は全部で ２ ページである。

☑ 補正されて、この報告の基礎とされた及び／又はこの国際予備審査機関が認めた訂正を含む明細書、請求の範囲及び／又は図面の用紙（ＰＣＴ規則 70.16 及び実施細則第 607 号参照）

☐ 第Ｉ欄４．及び補充欄に示したように、出願時における国際出願の開示の範囲を超えた補正を含むものとこの国際予備審査機関が認定した差替え用紙

ｂ．☐ 配列表に関する補充欄に示され、電子形式のみで提出された、配列表を含む電子媒体は全部で ＿＿＿＿＿＿ （電子媒体の種類、数を示す）。
（実施細則附属書Ｃ３の２第３段落参照）

４．この国際予備審査報告は、次の内容を含む。

☑ 第Ｉ欄 国際予備審査報告の基礎
☐ 第Ⅱ欄 優先権
☐ 第Ⅲ欄 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
☐ 第Ⅳ欄 発明の単一性の欠如
☑ 第Ｖ欄 ＰＣＴ35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
☐ 第Ⅵ欄 ある種の引用文献
☐ 第Ⅶ欄 国際出願の不備
☐ 第Ⅷ欄 国際出願に対する意見

国際予備審査の請求書を受理した日 ０１．０４．２０１０	国際予備審査報告を作成した日 １６．０２．２０１１	
名称及びあて先 日本国特許庁（ＩＰＥＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 上野 力	３Ｈ ３７４８
	電話番号 ０３－３５８１－１１０１ 内線 ３３１６	

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００８／０７１２１５

第Ｉ欄　報告の基礎

1．言語に関し、この予備審査報告は以下のものを基礎とした。

☑ 出願時の言語による国際出願

☐ 出願時の言語から次の目的のための言語である ＿＿＿＿＿＿ 語に翻訳された、この国際出願の翻訳文

☐ 国際調査（ＰＣＴ規則12.3(a)及び23.1(b)）

☐ 国際公開（ＰＣＴ規則12.4(a)）

☐ 国際予備審査（ＰＣＴ規則55.2(a)又は55.3(a)）

2．この報告は下記の出願書類を基礎とした。（法第6条（ＰＣＴ14条）の規定に基づく命令に応答するために提出された差替え用紙は、この報告において「出願時」とし、この報告に添付していない。）

☐ 出願時の国際出願書類

☑ 明細書

第 １－１４ ページ、出願時に提出されたもの
第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの
第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 請求の範囲

第 ＿＿＿＿ 項、出願時に提出されたもの
第 ＿＿＿＿ 項*、ＰＣＴ１９条の規定に基づき補正されたもの
第 １、４－６ 項*、０１．０４．２０１０ 付けで国際予備審査機関が受理したもの
第 ＿＿＿＿ 項*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 図面

第 １－１０ ページ／図、出願時に提出されたもの
第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの
第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☐ 配列表
配列表に関する補充欄を参照すること。

3．☑ 補正により、下記の書類が削除された。

☐ 明細書　第 ＿＿＿＿ ページ
☑ 請求の範囲　第 ２－３ 項
☐ 図面　第 ＿＿＿＿ ページ／図
☐ 配列表（具体的に記載すること）＿＿＿＿

4．☐ この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。（ＰＣＴ規則70.2(c)）

☐ 明細書　第 ＿＿＿＿ ページ
☐ 請求の範囲　第 ＿＿＿＿ 項
☐ 図面　第 ＿＿＿＿ ページ／図
☐ 配列表（具体的に記載すること）＿＿＿＿

5．☐ この報告は、ＰＣＴ規則 91 の規定により国際予備審査機関が認めた又は国際予備審査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則70.2(e)）。

6．☐ この報告を作成するにあたり、補充国際調査機関である ＿＿＿＿ から受領した補充国際調査報告を考慮した。（ＰＣＴ規則45の2.8(b)及び(c)）

＊４．に該当する場合、その用紙に "superseded" と記入されることがある。

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００８／０７１２１５

第Ｖ欄　新規性、進歩性又は産業上の利用可能性についての法第12条（ＰＣＴ35条(2)）に定める見解、それを裏付ける文献及び説明

１．　見解

新規性（N）	請求項	１、４－６	有
	請求項		無
進歩性（ＩＳ）	請求項	１、４－６	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	１、４－６	有
	請求項		無

２．　文献及び説明（ＰＣＴ規則70.7）

請求項１、４－６に係る発明は国際調査報告で引用された各文献に対して新規性・進歩性を有する。各文献には、導線端部が開放されたＬＣ共振コイルである二次自己共振コイルが二次自己共振コイルに最も近接する電気機器から導線端部の双方を遠ざけるように配置される電動車両が記載されておらず、しかも各文献から当業者といえども容易に想到し得ないものである。

I. List of Required Documents

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

- Claims 1 and 4-6 (in Japanese)

請求の範囲

[1]
電力によって車両の駆動力を発生可能な電動車両であって、
予め定められた位置に据付けられ、車両外部の給電設備(200)に設けられる一次自己共振コイル(220)と電磁場を介して共鳴することにより前記一次自己共振コイルから非接触で受電する二次自己共振コイル(150)と、
前記二次自己共振コイルによって受電された電力を蓄電可能な蓄電装置(130)、車両の駆動力を発生する電動機(110)、前記二次自己共振コイルによって受電された電力を用いて前記電動機を駆動する駆動装置(120)、および前記駆動装置を制御する電子制御装置(140)の少なくとも1つを含む電気機器とを備え、
前記二次自己共振コイルは、前記二次自己共振コイルの導線端部(160)と前記電気機器との間の距離が最も確保されるように配置される、電動車両。
[2]
前記二次自己共振コイルは、端部が開放されたLC共振コイルである、請求の範囲第1項に記載の電動車両。
[3]
前記二次自己共振コイルは、前記二次自己共振コイルに最も近接する前記電気機器から前記導線端部を遠ざけるように配置される、請求の範囲第1項に記載の電動車両。
[4]
前記電動機および前記駆動装置は、車体前方に配設され、
前記蓄電装置は、車体後方に配設され、
前記電子制御機器は、車体前後方向について前記電動機および前記駆動装置と前記蓄電装置との間であって、車体の左右対称軸から左右のいずれかにずれた位置に配設され、
前記二次自己共振コイルは、車体底面の略中央部に据付けられ、前記左右対称軸に対して前記電子制御機器がずらされた側と反対側に前記導線端部が位置するように配置される、請求の範囲第1項から第3項のいずれかに記載の電動車両。
[5]
前記電動機および前記駆動装置は、車体前方に配設され、
前記蓄電装置は、車体後方に配設され、
前記電子制御機器は、車体前後方向について前記電動機および前記駆動装置と前記蓄電装置との間であって、車体の左右対称軸から左右のいずれかにずれた位置に配設され、
前記二次自己共振コイルは、車体上部の略中央部に据付けられ、前記左右対称軸に対して前記電子制御機器がずらされた側と反対側に前記導線端部が位置するように配置される、請求の範囲第1項から第3項のいずれかに記載の電動車両。
[6]
前記電動機および前記駆動装置は、車体前方に配設され、
前記蓄電装置は、車体後方において車体底面に近接して配設され、
前記電子制御機器は、車体前後方向について前記電動機および前記駆動装置と前記蓄電装置との間に配設され、
前記二次自己共振コイルは、車体最後方に据付けられ、前記導線端部が車体上部側に位置するように配置される、請求の範囲第1項から第3項のいずれかに記載の電動車両。

I. List of Required Documents

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

- International Preliminary Report on Patentability (English translation)
- Claims 1 and 4-6 (English translation)
- Statement that the English Translation of Claims is accurate

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 908518WO01	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2008/071215	International filing date *(day/month/year)* 21. 11. 2008	Priority date *(day/month/year)*
International Patent Classification (IPC) or national classification and IPC Itnl.Cl. B60L11/18(2006.01)i, B60K6/445(2007.10)i, B60L5/00(2006.01)i		
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 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 2 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 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

Date of submission of the demand	Date of completion of this report
01. 04. 2010	16. 02. 2011
Name and mailing address of the IPEA/ the Japan Patent Office Facsimile No.	Authorized officer Chikara UENO Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2008/071215

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:
   - [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)).
     - [ ] publication of the international application (Rule 12.4(a)).
     - [ ] international preliminary examination (Rules 55.2(a) and/or 55.3(a)).
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
   - [ ] the international application as originally filed/furnished.
   - [x] the description:
     - pages 1-14 as originally filed/furnished.
     - pages* _____ received by this Authority on April 1, 2010
     - pages* _____ received by this Authority on _____
   - [x] the claims:
     - pages _____ as originally filed/furnished.
     - pages* _____ as amended (together with any statement) under Article 19
     - pages* 1, 4-6 received by this Authority on _____
     - pages* _____ received by this Authority on _____
   - [x] the drawings:
     - pages 1-10 as originally filed/furnished.
     - pages* _____ received by this Authority on _____
     - pages* _____ received by this Authority on _____
   - [ ] a sequence listing - see Supplemental Box Relating to Sequence Listing.
3. [x] The amendments have resulted in the cancellation of:
   - [ ] the description, pages _____
   - [x] the claims, Nos. 2-3
   - [ ] the drawings, sheets/figs _____
   - [ ] the sequence listing *(specify)*: _____
4. [ ] This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
   - [ ] the description, pages _____
   - [ ] the claims, Nos. _____
   - [ ] the drawings, sheets/figs _____
   - [ ] the sequence listing *(specify)*: _____
5. [ ] This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).
6. [ ] Supplementary international search report(s) from Authority(ies) _____ have been received and taken into account in drawing up this report (Rule 45*bis*.8(b) and (c)).

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2008/071215

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

1. Statement

Novelty (N)	Claims	1, 4-6	YES
	Claims		NO
Inventive step (IS)	Claims	1, 4-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1, 4-6	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

The invention according to claims 1 and 4-6 posses novelty and an inventive step over the documents cited in the International Search Report. Each of the documents does not teach an electrical powered vehicle having a secondary self-resonant coil that is an LC resonant coil having wire ends open, arranged such that both the wire ends are kept distant from the electric apparatus located closest to the secondary self-resonant coil. The invention according to claims 1 and 4-6 could not have been readily achieved by a person skilled in the art based on the cited documents.

Re: U.S. Patent Application No. 13/129,742

Inventor: Masaru SASAKI

Our Ref.: 149574

ENGLISH TRANSLATION OF PCT CLAIMS

1. An electrical powered vehicle capable of generating a vehicle driving force by an electric power, said electrical powered vehicle comprising:

a secondary self-resonant coil installed at a predetermined position, and receiving electric power from a primary self-resonant coil provided at a power feeding apparatus external to the vehicle in a non-contact manner by resonating, via an electromagnetic field, with said primary self-resonant coil, and

an electric apparatus including at least one of a power storage device capable of storing electric power received by said secondary self-resonant coil, an electric motor generating a vehicle driving force, a driving device driving said electric motor using the electric power received by said secondary self-resonant coil, and an electronic control unit controlling said driving device,

said secondary self-resonant coil being an LC resonant coil having wire ends open,

said secondary self-resonant coil being arranged such that both said wire ends are kept distant from said electric apparatus located closest to said secondary self-resonant coil.

2. (Canceled)

3. (Canceled)

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

said electric motor and said driving device are arranged at a front region of a vehicle body,

said power storage device is arranged at a rear region of the vehicle body,

said electronic control unit is arranged between said electric motor as well as said driving device and said power storage device in a longitudinal direction of the vehicle body, and located deviated to a left side or right side from a bilateral symmetric axis of the vehicle body,

said secondary self-resonant coil is installed at substantially a central region at a bottom face of the vehicle body, and arranged such that both of said wire ends are located at a side opposite to the side where said electronic control unit is deviated relative to said bilateral symmetric axis.

5. The electrical powered vehicle according to claim 1, wherein

said electric motor and said driving device are arranged at a front region of the vehicle body,

said power storage device is arranged at a rear region of the vehicle body,

said electronic control unit is arranged between said electric motor as well as said driving device and said power storage device in a longitudinal direction of the vehicle body, and located deviated to a left side or right side from a bilateral symmetric axis of the vehicle body, and

said secondary self-resonant coil is installed at substantially a central region at an upper portion of the vehicle body, and arranged such that both of said wire ends are located at a side opposite to the side where said electronic control unit is deviated relative to said bilateral symmetric axis.

6. The electrical powered vehicle according to claim 1, wherein

said electric motor and said driving device are arranged at a front region of the vehicle body,

said power storage device is arranged in proximity to a bottom face of the vehicle body at a rear region of the vehicle body,

said electronic control unit is arranged between said electric motor as well as said driving device and said power storage device in a longitudinal direction of the vehicle body, and

said secondary self-resonant coil is installed at a rearmost region of the vehicle body, and arranged such that both of said wire ends are located at an upper portion side of the vehicle body.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaru SASAKI

Application No.: 13/129,742

Filed: May 17, 2011 Docket No.: 149574

For: Electrical Powered Vehicle

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

I Yutaka Horii, hereby declare and state that I am knowledgeable of each of the Japanese and English languages. I hereby certify that the attached English language translation is a complete and accurate translation of the patentable claims of the PCT application.

July 13, 2011

Date

Signature

Yutaka Horii

Name

I. List of Required Documents

d. Information Disclosure Statement listing the documents cited in the JPO office actions

- The references cited in the International Preliminary Report on Patentability were submitted in an Information Disclosure Statement filed on **July 18, 2011**.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaru SASAKI

Application No.: 13/129,742

Filed: July 13, 2011 Docket No.: 149574

For: ELECTRICAL POWERED VEHICLE

PRELIMINARY AMENDMENT

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

Sir:

Please consider the following:

Amendments to the Claims as reflected in the listing of claims;

Remarks.

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Previously Presented) An electrical powered vehicle capable of generating a vehicle driving force by an electric power, said electrical powered vehicle comprising:

a secondary self-resonant coil installed at a predetermined position, and receiving electric power from a primary self-resonant coil provided at a power feeding apparatus external to the vehicle in a non-contact manner by resonating, via an electromagnetic field, with said primary self-resonant coil, and

an electric apparatus including at least one of a power storage device capable of storing electric power received by said secondary self-resonant coil, an electric motor generating a vehicle driving force, a driving device driving said electric motor using the electric power received by said secondary self-resonant coil, and an electronic control unit controlling said driving device,

said secondary self-resonant coil being an LC resonant coil having wire ends open,

said secondary self-resonant coil being arranged such that both said wire ends are kept distant from said electric apparatus located closest to said secondary self-resonant coil.

2. (Canceled)

3. (Canceled)

4. (Currently Amended) The electrical powered vehicle according to claim 1, wherein

said electric motor and said driving device are arranged at a front region of a vehicle body,

said power storage device is arranged at a rear region of the vehicle body,

said electronic control ~~apparatus~~ unit is arranged between said electric motor as well as said driving device and said power storage device in a longitudinal direction of the vehicle body, and located deviated to a left side or right side from a bilateral symmetric axis of the vehicle body,

said secondary self-resonant coil is installed at substantially a central region at a bottom face of the vehicle body, and arranged such that both of said wire ends are located at a side opposite to the side where said electronic control unit is deviated relative to said bilateral symmetric axis.

5. (Previously Presented) The electrical powered vehicle according to claim 1, wherein

said electric motor and said driving device are arranged at a front region of the vehicle body,

said power storage device is arranged at a rear region of the vehicle body,

said electronic control unit is arranged between said electric motor as well as said driving device and said power storage device in a longitudinal direction of the vehicle body, and located deviated to a left side or right side from a bilateral symmetric axis of the vehicle body, and

said secondary self-resonant coil is installed at substantially a central region at an upper portion of the vehicle body, and arranged such that both of said wire ends are located at a side opposite to the side where said electronic control unit is deviated relative to said bilateral symmetric axis.

6. (Previously Presented) The electrical powered vehicle according to claim 1, wherein

said electric motor and said driving device are arranged at a front region of the vehicle body,

said power storage device is arranged in proximity to a bottom face of the vehicle body at a rear region of the vehicle body,

said electronic control unit is arranged between said electric motor as well as said driving device and said power storage device in a longitudinal direction of the vehicle body, and

said secondary self-resonant coil is installed at a rearmost region of the vehicle body, and arranged such that both of said wire ends are located at an upper portion side of the vehicle body.

REMARKS

Claims 1 and 4-6 are pending in this application. By this Amendment, claim 4 is amended. No new matter is added.

It is respectfully submitted that this application is in condition for allowance. Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Ryan M. Crockett
Registration No. 62,945

JAO:RMC/elm

Date: July 20, 2011

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

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.
13/129,742	07/13/2011	Masaru Sasaki	149574	1856

25944 7590 11/03/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER
ASSOUAD, PATRICK J

ART UNIT	PAPER NUMBER
2858	

NOTIFICATION DATE	DELIVERY MODE
11/03/2011	ELECTRONIC

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

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

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

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

NOV 3 2011

In re Application of	:	
Masaru SASAKI	:	DECISION ON REQUEST TO
Application No. 13/129742	:	PARTICIPATE IN PATENT
Filed: 7/13/2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 149574	:	PILOT PROGRAM AND PETITION
For: **ELECTRICAL POWERED**	:	TO MAKE SPECIAL UNDER
VEHICLE	:	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 22 July 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 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 claims 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 English;
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;
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, 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 English; and

7. Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with 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 meet the requirements (1) through (6), above. This request to participate in the PPH program and petition fail to meet the requirements (7), above.

Referring to condition (7) above, applicant must submit copies of all the documents cited in the international work products. Here, applicants failed to submit a copy of the document by Andre Kurs *et al.*, "Wireless Power Transfer via Strongly Coupled Magnetic Resonances," Science, Vol. 317, 2007.07.06, pp 83-86. Rather, applicants an "online" link for obtaining a copy of the document.

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 the Electronic Filing System (EFS) with the Document Code PPH.PET

Telephone inquiries concerning this decision should be directed to Michael Day at 571-272-1568.

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

/Michael Day/

Michael Day
TQAS
Technology Center 2800- Semiconductors,
Electrical & Optical Systems & Components

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaru SASAKI

Group Art Unit: 2858

Application No.: 13/129,742

Examiner: P. ASSOUAD

Filed: July 13, 2011

Docket No.: 149574

For: ELECTRICAL POWERED VEHICLE

RESPONSE TO DISMISSAL OF REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

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

Sir:

In reply to the November 3, 2011 Dismissal of Request to Participate in Patent Prosecution Highway Pilot Program and Petition to Make Special Under 37 CFR 1.102(a) (copy attached), Applicant submits herewith a copy of Reference 57 ("Wireless Power Transfer via Strongly Coupled Magnetic Resonances") from the July 18, 2011 Information Disclosure Statement.

Entry of this document should complete all of the filing formalities and fully satisfy all requirements of the Request to Participate in Patent Prosecution Highway Pilot Program and Petition to Make Special. Accordingly, examination and allowance of this application in due course are respectfully solicited.

The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated for this filing to Deposit Account No. 15-0461.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Omar A. Galiano
Registration No. 65,764

JAO:OAG/nlp
Date: November 16, 2011

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

MAILED
JAN 24 2012
OFFICE OF PETITIONS

In re Application of
Masaru SASAKI
Application No.: 13/129,742
Filed: July 13, 2011
Attorney Docket No.: 149574
For: ELECTRICAL POWERED VEHICLE

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

This is a decision on the 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 November 16, 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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

STITES & HARBISON PLLC
1199 NORTH FAIRFAX STREET
SUITE 900
ALEXANDRIA VA 22314

MAILED
JUL 06 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
MESIARA	:	
Application No.: 13/129,761	:	
PCT No.: PCT/BR2009/000268	:	DECISION ON PETITION
Int. Filing Date: 14 August 2009	:	
Priority Date: 13 November 2008	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: P10368US00/BAS	:	
For: IMPROVEMENT TO WALL-MOUNTED SET	:	
OF ORNAMENTAL PLANT POTS	:	

The petition to revive under 37 CFR 1.137(b) filed 17 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
Alexandria, VA 22313-1450
www.uspto.gov

SCHMEISER OLSEN & WATTS
18 E UNIVERSITY DRIVE
SUITE # 101
MESA AZ 85201

MAILED
JUL 11 2011
PCT LEGAL ADMINISTRATION

In re Application of
LEDBETTER, Timothy W.
Application No.: 13/129,762
PCT No.: PCT/US2009/057736
Int. Filing Date: 21 September 2009
Priority Date: 21 September 2008
Attorney Docket No.: ATLA.13713
For: FEED CABLE SYSTEM FOR A TOWER OF A DRILLING MACHINE

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 17 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
Fax: (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:	13/129,802	Filing date:	May 17, 2011
First Named Inventor:	Volker Harms		
Title of the Invention:	HINGED CAP FOR NEEDLE 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/US2009/062294

The international filing date of the corresponding PCT application(s) is/are: October 28, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

c. **English translations of the documents in a. and b. above are attached (if the documents are not in 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.:	13/129,802
First Named Inventor:	Volker Harms

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
2-26	2-26	claim 1 in US application has been canceled, remaining claims 2-26 correspond to claims 2-26 in PCT application

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

Signature	Date September 16 , 2011
Name (Print/Typed) Tom H. Dao	Registration Number 44,641

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.
13/129,802	08/25/2011	Volker Harms	1131-033.101	2375

22145 7590 09/26/2011
KLEIN, O'NEILL & SINGH, LLP
18200 VON KARMAN AVENUE
SUITE 725
IRVINE, CA 92612

EXAMINER

ART UNIT	PAPER NUMBER
3767	

MAIL DATE	DELIVERY MODE
09/26/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

KLEIN, O'NEILL & SINGH, LLP
18200 VON KARMAN AVENUE
SUITE 725
IRVINE CA 92612

In re Application of	
HARMS, VOLKER, et al,	: DECISION ON REQUEST TO
Application No. 13/129,802	: PARTICIPATE IN PATENT
Filed: August 25, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No. 1131-033.101	: PROGRAM AND PETITION
For: HINGED CAP FOR NEEDLE DEVICE	: TO MAKE SPECIAL UNDER
	: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed September 16, 2011 to make the above-identified application special.

The request and petition are granted.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.
In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

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

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Kevin Sirmons, SPE of Art Unit 3767, and 571-272-4965 for Class 604 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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MAILED

JUN 30 2011

PCT LEGAL ADMINISTRATION

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

In re Application of:	:	
BRYAN, Richard, Wayne	:	DECISION ON PETITION UNDER
U.S. Application No.: 13/129,814	:	37 CFR 1.137(b)
PCT No.: PCT/NZ2009/000248	:	
International Filing Date: 12 November 2009	:	
Priority Date: 13 November 2008	:	
Attorney's Docket No.: 6108-0109PUS1	:	
For: A MANUAL RAZOR WITH	:	
ROTATABLE BLADE HEAD	:	

The petition for revival under 37 CFR 1.137(b) filed 17 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/NZ2009/000248 became abandoned with respect to the United States at midnight on 13 May 2011 based on applicants' failure 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 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 requirements of 37 CFR 1.137(b).

Based on the above, applicants have satisfied the requirements for a grantable petition under 37 CFR 1.137(b). 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
www.uspto.gov

Choate, Hall & Stewart LLP
Two International Place
Boston, MA 02110

MAILED
OCT 14 2011
PCT LEGAL ADMINISTRATION

In re Application of:
KIRSCH et al.
Application No.: 13/129,854
PCT No.: PCT/US2009/006237
Int. Filing Date: 20 November 2009
Priority Date: 20 November 2008
Attorney's Docket No.: 2002630-0049
For: TREATMENT OF AMYOTROPHIC LATERAL SCLEROSIS

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to applicant's "Petition under 37 CFR 1.182 for Questions Not Specifically Provided For" filed 19 September 2011. The petition seeks to correct the bibliographic data for the national stage application papers filed 18 May 2011, so as to allow such materials to be treated as the U.S. national stage of PCT/US2009/006237.

BACKGROUND

On 18 May 2011, applicant filed electronically a U.S. national stage application in the United States Designated/Elected Office (DO/EO/US). The submission included, inter alia, a Transmittal Letter to the United States Designated Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371 (Form PTO-1390) identifying international application number PCT/US2009/006237.

Based on United States Patent and Trademark Office (USPTO) processing procedures, the application file was initiated in the USPTO PALM system as a U.S. national PCT/US2009/006234 the international application number set forth in the bibliographical data provided by applicant when filing the electronic application.

On 19 September 2011, applicant filed the petition considered herein.

DISCUSSION

Applicant confirms that the correct international application is PCT/US2009/006237. An examination of the originally filed papers finds that the correct international application number was listed on the Transmittal Letter filed 18 May 2010. 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 18 May 2010 and to permit such materials to be treated as having been directed to international application PCT/US2009/006237.

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/US2009/006237.

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
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

WINSTEAD PC
P.O. BOX 50784
DALLAS, TX 75201

MAILED

JAN 26 2012

OFFICE OF PETITIONS

Applicant(s): OBI, et al.
Appl. No.: 13/129,856
International Filing Date: November 20, 2009
Title: SEALING METHOD AND APPARATUS
Attorney Docket: 51026-P097WOUS
Pub. No.: US 2011/0221137 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 14, 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 claim amendments introduced by a preliminary amendment filed May 18, 2011.

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 amended claims is not Office error. The patent application publication does not include a mistake regarding the failure to include a preliminary amendment to the application because patent application publications are not required to include preliminary amendments. See 37 CFR 1.215(a). The "failure to include an amendment is not an Office error." See MPEP 1130(b). The publication accurately reflected the specification as filed.

[1] Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.12(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under § 1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under 35, United States Code, whichever is later.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/129,929	08/08/2011	Fumiaki Abe	086650-0026	3411

20277 7590 10/11/2011
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER

ART UNIT	PAPER NUMBER
1782	

NOTIFICATION DATE	DELIVERY MODE
10/11/2011	ELECTRONIC

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

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

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

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

OCT 11 2011

CST

In re application of Fumiaki Abe et al Serial No. 13/129,929 Filed: August 8, 2011 For: POLYARYLENE SULFIDE RESIN COMPOSITION AND FLUID PIPE MATERIAL	: : : : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed August 8, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,955	07/13/2011	Michael Aven	01-2458	3595

EXAMINER

7590 12/29/2011

MICHAEL P. MORRIS
BOEHRINGER INGELHEIM USA CORPORATION
900 RIDGEBURY ROAD
P. O. BOX 368
RIDGEFIELD, CT 06877-0368

ART UNIT	PAPER NUMBER
1629	

NOTIFICATION DATE	DELIVERY MODE
12/29/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

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

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

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

Mimi Farmer

Patent Publication Branch
Office of Data Management

FORM PET651D (Rev. 08/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,963	08/31/2011	Bettina Heblich	01-2461	3624

7590 12/29/2011

MICHAEL P. MORRIS
BOEHRINGER INGELHEIM USA CORPORATION
900 RIDGEBURY ROAD
P. O. BOX 368
RIDGEFIELD, CT 06877-0368

EXAMINER

ART UNIT	PAPER NUMBER
1629	

NOTIFICATION DATE	DELIVERY MODE
12/29/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

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

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

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

Kaletus Buchanan
Patent Publication Branch
Office of Data Management

FORM PET651D (Rev. 08/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/129,963	08/31/2011	Bettina Heblich	01-2461	3624

EXAMINER

7590 12/29/2011

MICHAEL P. MORRIS
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900 RIDGEBURY ROAD
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RIDGEFIELD, CT 06877-0368

ART UNIT	PAPER NUMBER
1629	

NOTIFICATION DATE	DELIVERY MODE
12/29/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(c)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(c), for express abandonment to avoid publication of the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☑ The petition under 37 CFR 1.138(c) was not filed in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process.
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☐ The Application was published in compliance with 35 U.S.C. 122(b), and it is available on the USPTO web site at http://www.uspto.gov/patft/index.html.
4. ☐ Petition fee was not paid.

The application **has/will be published** as scheduled.

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

Kalethe Buchanan
Patent Publication Branch
Office of Data Management

FORM PET650D (Rev. 08/07)

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POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON VA 20191

MAILED
AUG 09 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
KOYAMA, Masaki, *et al.*	:	
Application No.: 13/129,980	:	REQUEST
PCT No.: PCT/JP2010/03296	:	
Int. Filing Date: 17 May 2010	:	UNDER 37 CFR 1.42
Priority Date: 29 June 2009	:	
Attorney Docket No.: 01_2030_TN	:	
For: SEMICONDUCTOR DEVICE	:	

This is a decision on applicant's submission of a declaration on 18 May 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 18 May 2011, applicants filed a transmittal letter for entry into the national phase in the United States, accompanied by, *inter alia*, the basic national fee, a declaration of the inventors and this 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 18 May 2011 declaration lists the inventors and their citizenships and the legal representatives and the legal representatives' citizenships, residences and postal addresses, 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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Alexandria, VA 22313-1450
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SNELL & WILMER LLP (Main)
400 EAST VAN BUREN
ONE ARIZONA CENTER
PHOENIX, AZ 85004-2202

MAILED

JUL 15 2011

PCT LEGAL ADMINISTRATION

In re Application of
RAWLINGS-LLOYD
Application No.: 13/130049
PCT No.: PCT/GB2009/051552
Int. Filing Date: 17 NOVEMBER 2009
Priority Date: 18 NOVEMBER 2008
Atty. Docket No.: 35814.0700
For: INFLATABLE LIFE RAFT

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 15 June 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the abandonment of this application was unintentional" is hereby construed as a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

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

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Seung Jin Kim
277 Lockford
Irvine, CA 92602

MAILED
JUL 11 2011
PCT LEGAL ADMINISTRATION

In re Application of :
KIM et al. :
Application No.: 13/130,052 :
PCT No.: PCT/US2009/059912 :
Int. Filing Date: 07 October 2009 :
Priority Date: 07 October 2008 :
Attorney Docket No.: none :
For: SYSTEM AND METHOD FOR IN-ROOM DRINKING WATER SERVICE IN A HOTEL

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

This decision is issued in response to the petition under 37 CFR 1.137(b) filed 19 May 2011 to revive the above-entitled application. Additionally, this decision is issued in response to applicant's Supplemental Filing for Petition for Revival dated 20 May 2011.

The petition to revive under 37 CFR 1.137(b) 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
Fax: (571) 273-0459

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KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	DECISION ON
PARK et al	:	
Application No.: 13/130,081	:	
PCT No.: PCT/KR2009/006588	:	
Int. Filing Date: 10 November 2009	:	PETITION UNDER
Priority Date: 10 November 2008	:	
Attorney's Docket No.: PBC-0294	:	
For: DISHWASHER AND A CONTROL METHOD THEREFOR	:	37 CFR 1.137(b)

MAILED
JUL 20 2011
PCT LEGAL ADMINISTRATION

This decision is in response to applicants' "Petition For Revival Of An International Application For Patent Designating The U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)," filed on 19 May 2011.

BACKGROUND

On 10 November 2009, this international application was filed, claiming an earliest priority date of 09 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 10 May 2011. This international application became abandoned with respect to the United States at midnight on 10 May 2011 for failure to pay the required basic national fee.

On 19 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 national basic fee, petition fee, and a petition under 37 CFR 1.137(b).

DISCUSSION

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

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

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

DECISION

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

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

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

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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.
13/130,084	05/19/2011	Hideto Motomura	OKUDP0592US	4699

51921 7590 08/04/2011
MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND, OH 44115

EXAMINER
WU, XIAO MIN

ART UNIT	PAPER NUMBER
2628	

MAIL DATE	DELIVERY MODE
08/04/2011	PAPER

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

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

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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MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND OH 44115

In re Application of	
MOTOMURA et al.	**: DECISION ON REQUEST TO**
Application No.: 13/130,084	**: PARTICIPATE IN THE PATENT**
Filed: 19 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: OKUDP0592US	**: PROGRAM AND PETITION**
For: IMAGE GENERATION SYSTEM,	**: TO MAKE SPECIAL UNDER**
IMAGE GENERATION METHOD,	**: 37 CFR 1.102(a)**
COMPUTER PROGRAM ...	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 28 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

Lee W. Young
TQAS, Technology Center 2600

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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ALBEMARLE CORPORATION
451 FLORIDA STREET
BATON ROUGE, LA 70801-1765

MAILED
OCT 21 2011
PCT LEGAL ADMINISTRATION

In re Application of LAYMAN et al	:	
U.S. Application No.: 13/130,098	:	
PCT Application No.: PCT/US2009/066121	:	
Int. Filing Date: 30 November 2009	:	
Priority Date Claimed: 02 December 2008	:	
Attorney Docket No.: F1-7807*-US	:	DECISION
For: TOLUENE AND STYRENE DERIVED	:	
TELOMER DISTRIBUTIONS AND	:	
BROMINATED FLAME RETARDANTS	:	
PRODUCED THEREFROM	:	

This is in response to applicant's petition filed 13 September 2011, which is being treated under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 30 November 2009, applicant filed international application PCT/US2009/066121, which claimed priority of an earlier United States application filed 02 December 2008. The thirty-month period for paying the basic national fee in the United States expired on 02 June 2011.

On 19 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) and an executed declaration.

On 07 June 2011, the DO/EO/US mailed a Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

On 13 September 2011, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

The petition states that the declaration filed 19 May 2011 was altered after it was executed, which is improper. See MPEP 602.01. Applicant's explanation for the error is accepted.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181. is GRANTED.

The Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) mailed 07 June 2011 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 30 November 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 13 September 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a corrected Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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ALBEMARLE CORPORATION
451 FLORIDA STREET
BATON ROUGE LA 70801-1765

MAILED
NOV 09 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
LAYMAN et al	:	
Application No.: 13/130,101	:	DECISION ON
PCT No.: PCT/US2009/066127	:	
Int. Filing Date: 30 November 2009	:	PETITION
Priority Date: 2 December 2008	:	
Attorney's Docket No.: F1-7808-US	:	UNDER 37 CFR 1.181
For: BROMINATION OF TELOMER...	:	
AND STYRENE	:	

This decision is in response to the "PETITION FOR RE-ISSUANCE OF NOTICE OF ACCEPTANCE," filed on 13 September 2011, which is being treated as a petition under 37 CFR 1.181 to correct the Notice of Acceptance.

BACKGROUND

On 19 May 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 a copy of the executed declaration submitted under PCT Rule 4.17(iv).

On 07 June 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" which informed applicants that the 371(c)(1), (c)(2) and (c)(4) date is 5/19/2011 and that the date of completion of all 35 U.S.C. 371 is 6/02/2011.

On 13 September 2011, petitioner filed the present petition in order to ensure that this application has a properly filed executed declaration in accordance with 37 CFR §1.497. As a result, a newly executed declaration has been filed with the current petition.

DISCUSSION

Petitioner states that as part of the filing on May 19, 2011, a declaration was filed. However, the "Filed Herewith" section on the PCT Rule 4.17(iv) declaration had been struck through and the international application number was added, PCT/US2009/066127, but the inventors did not re-sign the declaration after the international number was added. As a result, the declaration was not executed in accordance with 37 CFR 1.497(a) and (b) and PCT Rule 4.17(iv). Thus, the executed declaration filed on 19 May 2011 is improper. As a result, a newly executed declaration has been filed.

A review of the newly executed declaration filed on 13 September 2011 shows that it complies with 37 CFR 1.497(a) and (b).

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 07 June 2011 was in **ERROR** and is hereby **VACATED**.

Thus, the executed declaration filed on 13 September 2011 is proper.

CONCLUSION

The petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 07 June 2011 is **VACATED** with the mailing of this decision.

The application is being returned to the United States Designated/Elected Office (DO/EO/US) for processing in accordance with this decision and for the issuance of new Notification of Acceptance (Form PCT/DO/EO/903).

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

MAILED

FEB 03 2012

OFFICE OF PETITIONS

Decision on Request

In re Application of Din Belle et al. :
Application No. 13/130,102 :
Int'l Filing Date: November 20, 2009 :
Attorney Docket No. 06267.0173-00000 :
Pub. No. US 2011/0262352 A1 :
Pub. Date: October 27, 2011 :

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed December 22, 2011.

The request is **dismissed**.

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

37 C.F.R. § 1.221(b) states,

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

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

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

[1] *See* Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000). *See also* Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. *See* MPEP § 1130(B). Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicants are advised that a "request for republication of an application previously published" may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office's electronic filing system requirements, the publication fee set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a "Pre-Grant Publication" and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

65895
ALBEMARLE CORPORATION
451 Florida Street
Baton Rouge, LA 70801-1765

MAILED
OCT 28 2011
PCT LEGAL ADMINISTRATION

In re Application of :
LAYMAN *et al* :
Application No.: 13/130,105 :
PCT No.: PCT/US2009/066132 :
Int. Filing Date: 30 November 2009 :
Priority Date: 02 December 2008 :
Attorney Docket No.: F1-7829*-US :
For: BRANCHED AND STAR-BRANCHED :
STYRENE POLYMERS, TELOMERS, :
AND ADDUCTS . . . :

DECISION

This decision is in response to the "Petition for Re-Issuance of Notice of Acceptance" filed on 13 September 2011. This is treated as a petition under 37 CFR 1.181 and **GRANTED** as follows:

Applicants state that the declaration filed in the international application pursuant to PCT Rule 4.17(iv) was altered after execution. The PCT number was added.

Applicants request that the Notification of Acceptance of Application Under 35 U.S.C. 371 and 1.495 (Form PCT/DO/EO/903) mailed 09 June 2011 be withdrawn or rescinded and a new Form PCT/DO/EO/903 be issued.

A declaration must not be altered after execution. *See* 37 CFR 1.52(c)(1). The declaration filed in the international application is unacceptable. A new declaration is required.

A review of the Form PCT/DO/EO/903 mailed 09 June 2011 shows that the "Date of Receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) Requirements" was listed as "05/19/2011." This date is erroneous. It is also noted that the filing receipt mailed 09 June 2011 listed the "Filing or 371(c) Date as "05/19/2011." This date must also be corrected.

The Form PCT/DO/EO/903 and filing receipt mailed 09 June 2011 contain erroneous information and are both **VACATED**.

Applicants included a newly executed declaration with the subject petition. This declaration is in compliance with 37 CFR 1.497(a) and (b).

A $130.00 surcharge fee for late filing of the declaration is required. 37 CFR 1.492(h).

This fee has been charged to Deposit Account No. 50-2768 as authorized.

Applicants have now completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 30 November 2011 under 35 U.S.C. 363 and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 13 September 2011.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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NOV 08 2011

PCT LEGAL ADMINISTRATION

ALBEMARLE CORPORATION
451 FLORIDA STREET
BATON ROUGE LA 70801-1765

In re Application of	:	
LAYMAN, William J., Jr., et al.	:	
Application No.: 13/130,110	:	
PCT No.: PCT/US2009/066134	:	
Int. Filing Date: 30 November 2009	:	DECISION
Priority Date: 02 December 2008	:	
Docket No.: F1-7832*-US	:	
For: BROMINATED FLAME	:	
RETARDANTS AND PRECURSORS	:	
THEREFOR	:	

This decision is in response to Applicant's Petition Under 37 CFR 1.181, filed in the above-captioned application on 13 September 2011.

BACKGROUND

On 19 May 2011, applicants supplied a transmittal letter for entry into the national phase in the United States, accompanied by, *inter alia*, the basic national fee. Applicants had supplied a declaration for the United States under PCT Rule 26*ter* during the international phase.

On 03 June 2011, the Office mailed Notification of Acceptance (Form PCT/DO/EO/903) indicating, *inter alia*, that the requirements for entry into the national phase under 35 USC 371(c)(1), (c)(2) and (c)(4) were satisfied on 19 May 2011, while those under all of 35 USC 371 were satisfied on 02 June 2011.

On 13 September 2011, applicants filed a petition under 37 CFR 1.181 to correct the Notification of Acceptance, accompanied by a new declaration of the inventors.

DISCUSSION

Applicants indicate that the declaration did not identify the application to which it was directed at the time of execution by the inventors. It listed "Filed Herewith" in the application number space. After execution and prior to submission, the international application number was inserted. As such, this declaration does not comply with 37 CFR 1.497(a)-(b). It fails to identify the international application to which it was directed.

On 13 September 2011, applicants supplied a new declaration of the inventors listing the international application and required information in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

Applicants' petition to accept the new declaration and issue a corrected Notice of Acceptance is **GRANTED**.

The Form PCT/DO/EO/903, mailed 03 June 2011, is **VACATED**.

This application is being referred to the National Phase Processing Branch of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

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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AUG 12 2011

PCT LEGAL ADMINISTRATION

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

In re Application of	:	
HIRAOKA, Soichiro, et al.	:	
Application No.: 13/130,150	:	DECISION ON
PCT No.: PCT/JP2009/006190	:	
Int. Filing Date: 18 November 2009	:	REQUEST
Priority Date: 20 November 2008	:	
Attorney Docket No.: MAT-10463US	:	UNDER 37 CFR 1.42
For: OPTICAL REFLECTION ELEMENT	:	

A review of the declaration reveals an indication that inventor Shigeo Furukawa is deceased. Applicants' submission has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 08 June 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 20 June 2011, applicants filed this 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 declaration must list the inventors and the inventors' citizenships and the legal representative and the legal representative's citizenship, residence and postal address. See 37 CFR 1.497. The declaration lists the information for the living inventor and presumably for the legal representative, but does not clearly state the citizenship of the deceased inventor. As such, the declaration does not satisfy 37 CFR 1.497(a)-(b) and 37 CFR 1.42.

CONCLUSION

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

Applicant is required to submit a declaration in compliance with 37 CFR 1.497 and 1.42, within a time period of **TWO (2) MONTHS** from the mail date of this Decision. THIS PERIOD FOR RESPONSE MAY BE EXTENDED UNDER 37 CFR 1.136(a). FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT. Any request for reconsideration of this decision should include a cover letter entitled "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.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: (571) 272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 12 2011

PCT LEGAL ADMINISTRATION

RATNERPRESTIA
P.O. BOX 980
VALLEY FORGE PA 19482

In re Application of
HIRAOKA, Soichiro, et al.
Application No.: 13/130,150
PCT No.: PCT/JP2009/006190
Int. Filing Date: 18 November 2009
Priority Date: 20 November 2008
Attorney Docket No.: MAT-10463US
For: OPTICAL REFLECTION ELEMENT

DECISION ON

REQUEST

UNDER 37 CFR 1.42

A review of the declaration reveals an indication that inventor Shigeo Furukawa is deceased. Applicants' submission has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 08 June 2011, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 20 June 2011, applicants filed this 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 declaration must list the inventors and the inventors' citizenships and the legal representative and the legal representative's citizenship, residence and postal address. See 37 CFR 1.497. The declaration lists the information for the living inventor and presumably for the legal representative, but does not clearly state the citizenship of the deceased inventor. As such, the declaration does not satisfy 37 CFR 1.497(a)-(b) and 37 CFR 1.42.

CONCLUSION

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

Applicant is required to submit a declaration in compliance with 37 CFR 1.497 and 1.42, within a time period of **TWO (2) MONTHS** from the mail date of this Decision. THIS PERIOD FOR RESPONSE MAY BE EXTENDED UNDER 37 CFR 1.136(a). FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT. Any request for reconsideration of this decision should include a cover letter entitled "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.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: (571) 272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 16 2011

PCT LEGAL ADMINISTRATION

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

In re Application of EGUCHI et al. Application No.: 13/130,229 PCT No.: PCT/JP2009/070276 Int. Filing Date: 26 November 2009 Priority Date: 28 November 2008 Attorney's Docket No.: Q124530 For: ELECTRODE FILM, ELECTRODE, METHOD FOR MANUFACTURING THE ELECTRODE, AND ELECTRICAL STORAGE DEVICE	DECISION ON PAPERS UNDER 37 CFR 1.42

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

BACKGROUND

On 26 November 2009, applicants filed international application PCT/JP2009/070276, which designated the U.S. and claimed a priority date of 28 November 2008. The thirty-month period for paying the basic national fee in the United States expires at midnight on 28 May 2011.

On 19 May 2011, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the Basic National Fee and a declaration of inventors. The indication in the declaration that inventor Taiichi SAKAYA is deceased has been treated as a request for status under 37 CFR 1.42.

DISCUSSION

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

The declaration filed 19 May 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

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:	13/130,243	Filing date:	19-May-2011
First Named Inventor:	Luciano Bacchetti		
Title of the Invention:	Hinge for cold rooms, swing gates or the like		

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/IB2010/053535

The international date of the corresponding PCT application(s) is/are: 04 August 2010

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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.:	13/130,243
First Named Inventor:	Luciano Bacchetti

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 19 May 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 19 May 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	2	See enclosed Addendum
2	3	See enclosed Addendum
3	4	See enclosed Addendum
4	5+6	See enclosed Addendum
5	7	See enclosed Addendum
6	8	See enclosed Addendum
7	9	See enclosed Addendum
8	10	See enclosed Addendum
9	11	See enclosed Addendum
10	12	See enclosed Addendum
11	14	See enclosed Addendum
12	14	See enclosed Addendum
13	15	See enclosed Addendum
14	17+ 18	See enclosed Addendum
15	21	See enclosed Addendum
16	22 + 23	See enclosed Addendum
17	24	See enclosed Addendum
18	25 + 26+ 28 + 30	See enclosed Addendum
19	27	See enclosed Addendum

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

Signature /Franco A. Serafini/	Date 20 May 2011
Name (Print/Typed) Franco A. Serafini	Registration Number 52207

Privacy Act Statement

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

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

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

IN THE UNTED STATES PATENT AND TRADEMARK OFFICE

International Application S/N:	PCT/IB2010/053535		
International Filing Date:	04-Aug-2010		
For:	Hinge for cold rooms, swing gates or the like		
U.S. Application S/N:	13/130,243	**Confirmation No:**	5846
First Named Inventor:	Luciano Bacchetti		
Attorney Docket No.:	10190.00003		
Customer No.:	39232		

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

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

Sir:

The present addendum supplements the information provided in Form PTO/SB/20PCT-EP by:

I. Listing all 21 claims in the enclosed Preliminary Amendment;

II. Providing a cross-reference between the claims in the enclosed Preliminary Amendment, the claims that were originally filed in the PCT application and examined in the International Search Report, ands the claims amended under PCT Art. 19;

III. Explaning the correspondence between the claims in the enclosed Preliminary Amendment and the claims examined in the ISR.

Please refer to the following table:

A Preliminary Amendment Claims	B Patentable PCT Claims as Examined in ISR	C Supported in PCT Claims after Art. 19 Amendment	D Explanation Regarding the Correspondence between A and B
1	2	1	Corresponds to claim 2, which had been found allowable; Corrects misidentification of cam element and pushing head; Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
2	3	2	Puts claim in conventional US format
3	4	3	Puts claim in conventional US format
4	5 + 6	4	Puts claim in conventional US format
5	7	5 + 6	Puts claim in conventional US format
6	8	7	Puts claim in conventional US format
7	9	8	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
8	10	9	Puts claim in conventional US format
9	11	10	Puts claim in conventional US format
10	12	11	Puts claim in conventional US format
11	14 in first part	13	Puts claim in conventional US format
12	14 in second part	33	Puts claim in conventional US format
13	15	14	Puts claim in conventional US format
14	17 + 18	16 + 17	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
15	21	20	Puts claim in conventional US format
16	22 + 23	21 + 22	Puts claim in conventional US format
17	24	17	Puts claim in conventional US format
18	25 + 26 + 28 + 30	24 +25 + 27 + 29	Removes “means” to avoid 35 USC 112 presumption;

			Puts claim in conventional US format
19	27	26	Puts claim in conventional US format
20	31	30	Puts claim in conventional US format
21	32	31	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format

Respectfully submitted,

THEMIS LAW

Dated: May 19, 2011

By: /Franco A. Serafini/
Franco A. Serafini, Registration No. 52,207
Tel.: (858) 456-2898

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/130,243	05/19/2011	Luciano Bacchetti	10190.00003	5846

39232 7590 07/18/2011
Themis Law
7979 Ivanhoe Ave Ste 400
La Jolla, CA 92037

EXAMINER

ART UNIT	PAPER NUMBER
3677	

NOTIFICATION DATE	DELIVERY MODE
07/18/2011	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):

contact@themisipc.com

UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 15 2011

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

Themis Law
7979 Ivanhoe Ave Ste 400
La Jolla CA 92037

In re application of Luciano Bacchetti Application No. 13/130,243 Filed: May 19, 2011 For: HINGE FOR COLD ROOMS, SWING GATES OR THE LIKE	: : : : : :	**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 20, 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 EPO or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition fail to include:
(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);

There are several different sets of claims filed in this US application;
first set of claims 1 - 32 and second set of claims 1 - 33 filed on May 19, 2011;
and the third set of claim filed on May 20, 2011 with claims 34- 54 filed on May 20, 2011.

Applicant is requested to clearly identify which set of claims are the allowable/patentable claims in the PCT application and cancel the other set of claims.

The Claims Correspondence Table is silent as to claims 34 -54.

Applicant is requested to submit a new "Claims Correspondence Table" to clarify the present of claims 34 – 54 and how these claims 34 – 54 are CLEARLY sufficiently correspond to the allowable/patentable claims in the PCT application(s).

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. All replies to a decision to dismiss must be submitted by EFS-Web using the document description "Petition to make special under Patent Prosecution Highway."

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

/ Mikado Buiz /
Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 7/15/11

IN THE UNTED STATES PATENT AND TRADEMARK OFFICE

International Application S/N:	PCT/IB2010/053535		
International Filing Date:	04-Aug-2010		
For:	Hinge for cold rooms, swing gates or the like		
U.S. Application S/N:	13/130,243	**Confirmation No:**	5846
First Named Inventor:	Luciano Bacchetti		
Attorney Docket No.:	10190.00003		
Customer No.:	39232		

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P.O. Box 1450
Alexandria, VA 22313-1450

SECOND ADDENDUM TO THE REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO (FORM PTO/SB/20PCT-EP)

Sir:

The Decision on Request to Participate in Patent Prosecution Highway Program and Petition to Make Special under 37 CFR 1.102(a) dated July 15, 2011 states that two documents are missing from the Request:

(2) A copy of the allowable/patentable claim(s) from the PCT application 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 to the allowable/patentable claim(s) in the PCT application.

A brief summary of relevant prosecution history to date may be helpful before a response to items (2) and (3) above is provided.

The original application PCT/IB2010/053535 filed on August 4, 2010 had 32 claims ("the original claims"). A copy of the original claims has already been filed in the US national stage application.

The Written Opinion of the International Searching Authority dated December 21, 2010 (a copy of which also has been filed in the US national stage) found that claim 1 of the original claims did not have novelty and inventive step, but instead that claim 2 (among other claims) had novelty, inventive step and industrial applicability.

In response, the international applicant filed an amendment under Art. 19 on February 14, 2011 replacing the original claims with new claims 1-33 ("the Art. 19 claims"). A copy of the Art. 19 claims also has been filed in the US national stage. The undersigned is not aware that the Art. 19 claims have been examined by the International Searching Authority.

After entering the U.S. national stage, Applicant filed a Preliminary Amendment replacing the Art. 19 claims with claims 34-54 ("the US claims"). The US claims include a single independent claim (claim 34), which substantially corresponds to claim 2 of the original claims that had been found to have novelty, inventive step and industrial applicability by the International Searching Authority.

The following table provides a cross-reference between the US claims (column A) and the original claims (column B). As mentioned, copies of the original claims, of the US claims and of the report by the International Searching Authority have already been filed in the US national stage application. Accordingly, in response to item (2) above, it is believed that no new copies are required.

Column (D) in the table below explains the correspondence between the US claims and the original claims. It is believed that such explanations are responsive to item (3) above.

Should additional information be required, please do not hesitate to contact the undersigned.

No fee is believed due with this renewed petition. If necessary, please charge any additional required fees to deposit account 505043.

Respectfully submitted,

THEMIS LAW

Dated: July 22, 2011

By: /Franco A. Serafini/
Franco A. Serafini, Registration No. 52,207
Tel.: (858) 456-2898

A The US Claims	B The Original Claims	C The Art. 19 Claims	D Explanation on Correspondence between the US claims and the original claims (Cols. A and B)
34	2	1	Corresponds to claim 2 of the original claims, which had been found allowable; Corrects misidentification of cam element and pushing head; Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
35	3	2	Puts claim in conventional US format
36	4	3	Puts claim in conventional US format
37	5 + 6	4	Puts claim in conventional US format
38	7	5 + 6	Puts claim in conventional US format
39	8	7	Puts claim in conventional US format
40	9	8	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
41	10	9	Puts claim in conventional US format
42	11	10	Puts claim in conventional US format
43	12	11	Puts claim in conventional US format
44	14 in first part	13	Puts claim in conventional US format
45	14 in second part	33	Puts claim in conventional US format
46	15	14	Puts claim in conventional US format
47	17 + 18	16 + 17	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
48	21	20	Puts claim in conventional US format

49	22 + 23	21 + 22	Puts claim in conventional US format
50	24	17	Puts claim in conventional US format
51	25 + 26 + 28 + 30	24 +25 + 27 + 29	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format
52	27	26	Puts claim in conventional US format
53	31	30	Puts claim in conventional US format
54	32	31	Removes “means” to avoid 35 USC 112 presumption; Puts claim in conventional US format

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.:	13/130,434	Filing Date:	May 20, 2011
First Named Inventor:	Syuzo HASHIMOTO et al.		
Attorney Docket No.:	149205		
Title of the Invention:	OCCUPANT PROTECTION DEVICE 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/IB2009/007571

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.**

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.:	13/130,434
First Named Inventor:	Syuzo HASHIMOTO 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 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 May 20, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
12	1	U.S. claim 12 substantially corresponds to PCT (EPO) claim 1 after amendment under PCT Rule 34.
13	2	U.S. claim 13 substantially corresponds to PCT (EPO) claim 2 after amendment under PCT Rule 34. The duplicated feature "adjustment amount detecting portion" has been deleted. And, a few minor amendments have been made.
14	3	U.S. claim 14 substantially corresponds to PCT (EPO) claim 3 after amendment under PCT Rule 34. However, the dependency has been changed. And, a few minor amendments have been made.
15	4	U.S. claim 15 substantially corresponds to PCT (EPO) claim 4 after amendment under PCT Rule 34. However, the dependency has been changed. The duplicated feature "collision detecting portion" has been deleted.
16	5	U.S. claim 16 substantially corresponds to PCT (EPO) claim 5 after amendment under PCT Rule 34. However, the dependency has been changed. And, a few minor amendments have been made.
17	6	U.S. claim 17 substantially corresponds to PCT (EPO) claim 6 after amendment under PCT Rule 34. However, the dependency has been changed.
18	7	U.S. claim 18 substantially corresponds to PCT (EPO) claim 7 after amendment under PCT Rule 34. However, the dependency has been changed.
19	8	U.S. claim 19 substantially corresponds to PCT (EPO) claim 8 after amendment under PCT Rule 34. However, the dependency has been changed.
20	9	U.S. claim 20 substantially corresponds to PCT (EPO) claim 9 after amendment under PCT Rule 34. However, the dependency has been changed.
21	10	U.S. claim 21 substantially corresponds to PCT (EPO) claim 10 after amendment under PCT Rule 34. However, the dependency has been changed.
22	11	U.S. claim 22 substantially corresponds to PCT (EPO) claim 11 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	Date June 1, 2011
Name (Print/Typed) James A. Oliff	Registration Number 27,075
Name (Print/Typed) Ryan M. Crockett	Registration Number 62,945

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461

Privacy Act Statement

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

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

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

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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.
13/130,434	05/20/2011	Syuzo Hashimoto	149205	7512

25944 7590 07/21/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER

ART UNIT	PAPER NUMBER
3636	

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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

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JUL 20 2011

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ALEXANDRIA VA 22320-4850

In re application of	:	**DECISION ON REQUEST TO**
Hashimoto et al.	:	**PARTICIPATE IN PATENT**
Application No. 13/130,434	:	**PROSECUTION HIGHWAY**
Filed: May 20, 2011	:	**PROGRAM AND PETITION**
For: OCCUPANT PROTECTION DEVICE AND	:	**TO MAKE SPECIAL UNDER**
CONTROL METHOD 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 June 01, 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 20, 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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2040 Main Street
Fourteenth Floor
Irvine, CA 92614

MAILED

AUG 09 2011

PCT LEGAL ADMINISTRATION

In re Application of
TERAKAWA *et al*
U.S. Application No.: 13/130,465
PCT No.: PCT/JP2009/069977
Int. Filing Date: 26 November 2009
Priority Date: 28 November 2008
Attorney Docket No.: TOYA188.001APC
For: TRANSFORMED SOYBEAN PLANT WHICH ACCUMULATES VACCINE, AND USE THEREOF

DECISION

This decision is in response to the declaration filed on 20 May 2011 which is treated as a petition under 37 CFR 1.42. No fee is required.

BACKGROUND

On 20 May 2011, applicants filed papers to enter the national stage of PCT/JP2009/069977 which was accompanied by, *inter alia*, a declaration executed by five inventors and the legal representative of a deceased inventor.

On 30 June 2011, the 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.

DISCUSSION

Applicants included a declaration signed by five of the six joint inventors and Yasuko Utsumi as legal representative of a deceased inventor, Shigeru UTSUMI, with the initial national stage papers.

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.

A review of the declaration shows that the names and citizenship of the joint inventors are listed on the declaration pursuant to 37 CFR 1.497(a)(3). In addition, the

citizenship, residence and address of the legal representative for the deceased inventor is recorded pursuant to 37 CFR 1.497(b)(2).

The declaration complies with 37 CFR 1.497(a) and (b).

CONCLUSION

The papers filed under 37 CFR 1.42 are **ACCEPTED**.

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

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JAN 11 2012
OFFICE OF PETITIONS

In re Application of Osaland et al. :
Application No. 13/130,489 :
Int'l Filing Date: November 18, 2009 :
Attorney Docket No. 007831-00044 :
Pub. No. US 2011/0220346 A1 :
Pub. Date: September 15, 2011 :

Decision on Request

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed November 4, 2011.

The request is **granted**.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Telephone inquiries regarding this communication may be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

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Speckman Law Group PLLC
2014-B East Union
Seattle WA 98122

MAILED
SEP 20 2011
PCT LEGAL ADMINISTRATION

In re Application of:
DUBACH et al.
Application No.: 13/130,512
PCT No.: PCT/CH2009/000374
Int. Filing Date: 24 November 2009
Priority Date: 27 November 2008
Attorney's Docket No.: 82000.2038
For: SUPRAGLOTTIC TUBE FOR INSERTING A LARYNX MASK

DECISION ON PETITION

This decision is issued in response to applicant's Petition under 37 CFR 1.182 filed 01 September 2011. The petition seeks to correct the bibliographic data for the national stage application papers filed 20 May 2011, so as to allow such materials to be treated as the U.S. national stage of PCT/CH2009/000374.

BACKGROUND

On 05 August 2011, applicant was mailed a communication detailing the discrepancy between international application numbers on the transmittal letter and other filing papers such as the Application Data Sheet.

On 01 September 2011, applicant filed the petition considered herein.

DISCUSSION

Applicant confirms that the correct international application is PCT/CH2009/000374. An examination of the originally filed papers finds that the correct international application number was listed on the Application Data Sheet filed 20 May 2011. 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 20 May 2011 and to permit such materials to be treated as having been directed to international application PCT/CH2009/000374.

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/CH2009/000374.

This application is being forwarded to the United States Designated/Elected Office for further processing.

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

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:	13/130,517	Filing date:	May 20, 2011
First Named Inventor:	HANEWINKEL, William H., III, et al.		
Title of the Invention:	MANDIBULAR MANIPULATOR		

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/US2010/001839

The international filing date of the corresponding PCT application(s) is/are: 24 June 2010 (24.06.2010)

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

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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:	

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 claim
2	2	Identical claim
3	3	Identical claim
4	4	Identical claim
5	5	Depends from Claim 1
6	6	Identical claim
7	7	Depends from Claim 1
8	8	Depends from Claim 1
9	9	Depends from Claim 1
10	10	Depends from Claim 1
11	11	Depends from Claim 1
12	12	Depends from Claim 1
13	13	Depends from Claim 1
14	14	Depends from Claim 1
15	15	Depends from Claim 1
16	16	Depends from Claim 1

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

Signature Tyler S. Nield	Date May 20, 2011
Name (Print/Typed) Tyler S. Nield	Registration Number 63,287

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.
13/130,517	05/20/2011	William H. Hanewinkel	2430-P10072.1US	8081

24247 7590 08/01/2011
TRASKBRITT, P.C.
P.O. BOX 2550
SALT LAKE CITY, UT 84110

EXAMINER

ART UNIT	PAPER NUMBER
3732	

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):

USPTOMail@traskbritt.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

TRASKBRITT, P.C.
P.O. BOX 2550
SALT LAKE CITY UT 84110

In re Application of:
HANEWINKEL, WILLIAM H.
Serial No.: 13/130517
Filed: 05/20/2011
Attorney Docket No. : 2430-P10072.1US
Title: MANDIBULAR MANIPULATOR

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 20, 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

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

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

MAILED

JAN 26 2012

OFFICE OF PETITIONS

Applicant(s): Yoneda, et al.
Appl. No.: 13/130,530
International Filing Date: November 26, 2009
Title: ILLUMINATION DEVICE AND METHOD FOR MANUFACTURING THE SAME
Attorney Docket No.: KKI11307PCTUS
Pub. No.: US 2011/0220958 A1
Pub. Date: September 15, 2011

This is a decision on the request for correction of patent application publication under 37 CFR 1.221(b), received on October 17, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error on the front page of the publication wherein the second named inventor was omitted.

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 determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The error on the front page of the publication wherein Kenji Miura was omitted as an inventor may be an Office error; however, it is not a material error under 37 CFR 1.221(b). The omission of an inventor's name does not affect the understanding of the application. The mistake does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

[1] Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

Applicant is encouraged to use and submit an eADS (PTO/SB/14) as an EFS-Web Fillable Form, rather than a scanned PDF image, to benefit from having the data loaded directly into USPTO electronic systems. For questions, contact the Patent EBC (Electronic Business Center):

Telephone: 1-866-217-9197 (toll-free) or E-mail: ebc@uspto.gov.
571-272-4100 (local)

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Telephone inquiries related to this decision should be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/130,539	05/20/2011	Tsuyoshi Murai	M0A-27	8280

20311 7590 09/07/2011
LUCAS & MERCANTI, LLP
475 PARK AVENUE SOUTH
15TH FLOOR
NEW YORK, NY 10016

EXAMINER

ART UNIT	PAPER NUMBER
1715	

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):

info@lmiplaw.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

September 6, 2011

In re application of	:	DECISION ON REQUEST TO
Tsuyoshi Murai et al.	:	PARTICIPATE IN PATENT
Serial No. 13/130,539	:	PROSECUTION HIGHWAY
Filed: May 20, 2011	:	PROGRAM AND
Attorney Docket No: MOA-27	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed May 20, 2011.

The request and petition are **GRANTED**.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the 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-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:		Filing date:	May 20, 2011
First Named Inventor:	Kerner et al.		
Title of the Invention:	DIGITAL DISTANCE MEASURER FOR NERVE CONDUCTION STUDIES		

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/US2009/065407

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

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.:	
First Named Inventor:	Kerner 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
1-8	1-8	Exact duplicate
9	9	Duplicate, but typographical error ("and") corrected
10-22	10-22	Exact duplicate

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

Signature /Christopher M. Jackson/	Date May 20, 2011
Name (Print/Typed) Christopher M. Jackson	Registration Number 61,209

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.

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:	13/130,545	Filing date:	May 20, 2011
First Named Inventor:	Youji Kobayahsi		
Title of the Invention:	CUTTING INSERT, CUTTING TOOL AND METHOD USING CUTTING TOOL		

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/JP2009/069809

The international date of the corresponding PCT application(s) is/are: November 24, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/130,545
First Named Inventor:	Youji Kobayashi

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 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 May 20, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1+7+8	
2	2	New claim 2 is dependent on new claim 1
3	3	New claim 3 is dependent on new claim 2
4	4	New claim 4 is dependent on new claim 1
5	5	New claim 5 is dependent on new claim 1
6	6	New claim 6 is dependent on new claim 1
9	9	New claim 9 is dependent on new claim 1
11	11	New claim 11 is dependent on new claim 1
14	1+9	
15	10	New claim 15 is dependent on new claim 14
16	2	New claim 16 is dependent on new claim 14
17	3	New claim 17 is dependent on new claim 16
18	4	New claim 18 is dependent on new claim 14
19	5	New claim 19 is dependent on new claim 14
20	6	New claim 20 is dependent on new claim 14
21	7	New claim 21 is dependent on new claim 14
22	8	New claim 22 is dependent on new claim 21

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

Signature /Alexander R. Schlee/	Date August 11, 2011
Name (Print/Typed) Alexander R. Schlee	Registration Number 55,912

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 09P02636WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/069809	International filing date *(day/month/year)* 24 November 2009 (24.11.2009)	Priority date *(day/month/year)* 21 November 2008 (21.11.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KYOCERA CORPORATION		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

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

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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 24 May 2011 (24.05.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Gijsbertus Beijer e-mail: pt07.pct@wipo.int

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

出願人
京セラ株式会社

様

あて名
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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）　１９．０１．２０１０	
出願人又は代理人 の書類記号　09P02636WO	今後の手続きについては、下記２を参照すること。

国際出願番号 ＰＣＴ／ＪＰ２００９／０６９８０９	国際出願日 （日.月.年）　２４．１１．２００９	優先日 （日.月.年）　２１．１１．２００８

国際特許分類（ＩＰＣ）Int.Cl. B23B27/22(2006.01)i

出願人（氏名又は名称）
京セラ株式会社

１．この見解書は次の内容を含む。

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

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

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

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
０６．０１．２０１０

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） 小川　真	３Ｃ	３９３４
	電話番号　０３－３５８１－１１０１　内線　３３２４		

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／ＪＰ２００９／０６９８０９

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／ＪＰ２００９／０６９８０９

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

１．　見解

新規性（N）	請求項	１－１３	有
	請求項		無
進歩性（ＩＳ）	請求項	７－１０	有
	請求項	１－６、１１－１３	無
産業上の利用可能性（ＩＡ）	請求項	１－１３	有
	請求項		無

２．　文献及び説明

文献１：JP 2006-110666 A（三菱マテリアル株式会社）2006.04.27,
段落【0015】-【0019】，図1-6（ファミリーなし）
文献２：JP 2004-106150 A（住友電気工業株式会社）2004.04.08,
段落【0015】-【0019】，図3-4（ファミリーなし）
文献３：JP 10-217008 A（京セラ株式会社）1998.08.18,
段落【0014】-【0020】，図2（ファミリーなし）
文献４：JP 10-328911 A（京セラ株式会社）1998.12.15,
段落【0011】-【0012】，図1（ファミリーなし）
文献５：JP 2006-110667 A（三菱マテリアル株式会社）2006.04.27,
段落【0016】，図2,5（ファミリーなし）

（１）請求項１－３、５、１２－１３

請求項１－３、５、１２－１３に係る発明は、国際調査報告で引用された文献１及び２により、進歩性を有しない。

文献１には、コーナー刃６からすくい面の内側に向かって、ランド部７、下降傾斜面８、第１ブレーカ壁１０、第１の平坦面１１、第２のブレーカ壁１２及び第２の平坦面１３が形成されたスローアウェイチップが記載されている。

また、文献２には、ブレーカ壁の中間に形成される平面を、コーナー切刃から遠ざかる方向に下方に傾斜させることが記載されている。

したがって、文献１に記載されたスローアウェイチップに対して、文献２に記載された技術的事項を適用して、平坦面をコーナー切刃から遠ざかる方向に下方に傾斜させるようにすることは、当業者が容易に想到し得ることである。

（２）請求項４、１１

請求項４、１１に係る発明は、文献１及び２と、国際調査報告で引用された文献３とにより、進歩性を有しない。

文献３には、辺部切刃に沿う方向に、平面で離間された２段ブレーカ壁を形成することが記載されている。

国際調査機関の見解書

国際出願番号 ＰＣＴ／ＪＰ２００９／０６９８０９

第Ⅶ欄　国際出願の不備

この国際出願の形式又は内容について、次の不備を発見した。

・請求項７の「・・第２すくい面と、請求項１に記載の・・」との記載は、誤記と認められる。

補充欄

いずれかの欄の大きさが足りない場合

第 Ｖ 欄の続き

（３）請求項６

請求項６に係る発明は、文献１及び２と、国際調査報告で引用された文献４及び５とにより、進歩性を有しない。

ブレーカ壁と切刃との距離がコーナ切刃から遠ざかるにつれて小さくなるように、ブレーカ壁を形成することは、文献４及び５等に記載されているように周知の技術である。

（４）請求項７－１０

請求項７－１０に係る発明は、国際調査報告で引用されたいずれの文献にも記載されておらず、また、当業者にとって自明なものでもない。

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 09P02636WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/069809	International filing date *(day/month/year)* 24 November 2009 (24.11.2009)	Priority date *(day/month/year)* 21 November 2008 (21.11.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KYOCERA CORPORATION		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

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

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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 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 09P02636WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/069809	24.11.2009	21.11.2008

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

Applicant
KYOCERA CORPORATION

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

- ☒ Box No. I — Basis of the opinion
- ☐ Box No. II — Priority
- ☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV — Lack of unity of invention
- ☒ Box No. V — Reasoned statement under Rule 43*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/JP2009/069809

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/JP2009/069809

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

1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims	7-10	YES
	Claims	1-6, 11-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2006-110666 A (Mitsubishi Materials Corp.), 27 April 2006, paragraphs [0015] to [0019]; fig. 1 to 6 (Family: none)

Document 2: JP 2004-106150 A (Sumitomo Electric Industries, Ltd.), 08 April 2004, paragraphs [0015] to [0019]; fig. 3 to 4 (Family: none)

Document 3: JP 10-217008 A (Kyocera Corp.), 18 August 1998, paragraphs [0014] to [0020]; fig. 2 (Family: none)

Document 4: JP 10-328911 A (Kyocera Corp.), 15 December 1998, paragraphs [0011] to [0012]; fig. 1 (Family: none)

Document 5: JP 2006-110667 A (Mitsubishi Materials Corp.), 27 April 2006, paragraph [0016]; fig. 2, 5 (Family: none)

(1) Claims 1-3, 5, and 12-13

The invention as in claims 1-3, 5, and 12-13 does not involve an inventive step in light of documents 1 and 2 cited in the ISR.

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**

Document 1 discloses a throw-away chip wherein, from a corner blade (6) towards the interior of the rake surface, a land section (7), a downward incline surface (8), a first breaker wall (10), and a first plane surface (11), a second breaker wall (12) and a second plane surface (13) are formed.

Document 2 discloses inclining the flat surface formed between breaker walls downwards in a direction as the flat surface is away from the corner cutting blade.

Accordingly, a person skilled in the art could easily conceive of applying the technical matter disclosed in document 2 to the throw-away chip disclosed in document 1 to incline the plane surface downwards in a direction as the plane surface is away from a corner cutting blade.

(2) Claims 4 and 11

The invention as in claims 4 and 11 does not involve an inventive step in the light of documents 1 and 2, and document 3 cited in the ISR.

Document 3 discloses forming, in a direction along the border of a cutting blade, a two-step breaker wall divided by a flat surface.

(3) Claim 6

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

As described in documents 4 and 5, forming a breaker wall so that the distance between the breaker wall and a cutting blade decreases with distance from the corner cutting blade.

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**

(4) Claims 7-10

The invention as set forth in claims 7-10 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/069809

Box No. VII **Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

The wording of "...the second rake surface and ... described in claim 1" is found to be a typographical error.

In re: United States Patent Application Serial No. 13/130,545

Translation Statement:

I, Hiroshi Aida, prepared the English translation of the Specification and Claims in the application presented for participation in The Patent Prosecution Highway (PCT-PPH) between The Japan Patent office (JPO) and the USPTO. I am familiar with both the English language and the Japanese language and state that to the best of my knowledge the translation is accurate and correct.

Date: August 8, 2011

Signed: Hiroshi Aida

Name: Hiroshi Aida

Title: Manager, Kyocera Corporation Intellectual Property
Kyocera International, Inc.

In re: United States Patent Application Serial No.: 13/130,545

Translation Statement:

The English translation of the International Preliminary Examination Report (IPER) referred to in I. a. (List of Required Documents) is the official translation from the WIPO file and to the best of my knowledge is accurate and correct.

Date: August 11, 2011

Signed: _____
Name: Alexander R. Schlee
Title: Attorney for Applicant, Reg. No. 55,912

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.
13/130,545	05/20/2011	Youji Kobayashi	P401386	8329

46155 7590 09/26/2011
ALEXANDER R SCHLEE
SCHLEE IP INTERNATIONAL P.C.
3770 HIGHLAND AVENUE, SUITE 203
MANHATTAN BEACH, CA 90266

EXAMINER

ART UNIT	PAPER NUMBER
3724	

MAIL DATE	DELIVERY MODE
09/26/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

ALEXANDER R SCHLEE
SCHLEE IP INTERNATIONAL P.C.
3770 HIGHLAND AVENUE, SUITE 203
MANHATTAN BEACH CA 90266

In re Application of	
KOBAYASHI, YOUJI	: DECISION ON REQUEST TO
Application No. 13/130,545	: PARTICIPATE IN PATENT
Filed: May 20, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No. P401386	: PROGRAM AND PETITION
For: CUTTING INSERT, CUTTING TOOL, AND	: TO MAKE SPECIAL UNDER
CUTTING METHOD USING CUTTING TOOL:	37 CFR 1.102(a)

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

The request and petition are granted.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.
In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

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

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Boyer Ashley, SPE of Art Unit 3724, and 571-272-4502 for Class 407 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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JUL 15 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
LAWHON, et al.	:	
Application No.: 13/130,547	:	
PCT No.: PCT/US2008/069892	:	DECISION ON PETITION
Int. Filing Date: 11 July 2008	:	
Priority Date: 12 July 2007	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: 35293-702.831	:	
For: PATIENT SELECTION AND THERAPEUTIC	:	
METHODS USING MARKERS OF	:	
PROSTAGLANDIN METABOLISM	:	

The petition to revive under 37 CFR 1.137(b) filed 20 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
Alexandria, VA 22313-1450
www.uspto.gov

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AUG 02 2011

PCT LEGAL ADMINISTRATION

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

In re Application of
ESTOK, Thomas M., et al.
Application No.: 13/130,550
PCT No.: PCT/US2008/077402
Int. Filing Date: 23 September 2008
Priority Date: 24 September 2007
Att. Docket No.: 35293-708.831
For: COMBINATION THERAPY FOR ... AND HER-2 [ErbB2]

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 20 May 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 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

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EDWARDS WILDMAN PALMER LLP
P.O. BOX 55874
BOSTON MA 02205

MAILED
NOV 15 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
HOVEYDA, et al.	:	
U.S. Application No.: 13/130,567	:	
PCT No.: PCT/EP2009/066536	:	DECISION
Int. Filing Date: 07 December 2009	:	
Priority Date: 08 December 2008	:	
Attorney's Docket No.: 88705 (209409)	:	
For: COMPOUNDS, PHARMACEUTICAL	:	
COMPOSITION AND METHODS FOR USE IN	:	
TREATING METABOLIC DISORDERS	:	

This decision is issued in response to applicants' request under 37 CFR 1.28(c) to excuse error in payment of small entity fees and request for change in entity status filed 12 October 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 20 May 2011, applicants filed a transmittal letter for entry into the national stage in the United States accompanied, inter alia, by the basic national fee for a small entity; an Application Data Sheet; and a preliminary amendment.

On 12 October 2011, applicants filed the paper discussed herein accompanied by a fee payment of $1800.00.

DISCUSSION

In the request for change in status filed 12 October 2011, applicants state that upon further review large entity fees should have been paid and that there was "no intent of deception in the payment at small entity fee rates."

37 CFR 1.28(c) provides:

> that if small entity status is established in good faith and the small entity fees are paid in good faith, and it later discovered that such status as a small entity was established in error or through the Office

> was not notified of a change, the error will be excused upon compliance with the separate submission and itemization requirements of 37 CFR 1.28(c)(1) and (c)(2) and the deficiency payment requirement of 37 CFR 1.28(c)(2) is calculated using the date on which deficiency was paid in full.

Applicants have fulfilled the requirements set forth in 37 CFR 1.28(c) and counsel's has submitted the appropriate fees under 37 CFR 1.492.

CONCLUSION

The request under 37 CFR 1.28(c) is **GRANTED**.

This application is being returned to Group Art Unit 1626 for continued examination.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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MAILED
DEC 19 2011
OFFICE OF PETITIONS

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

In re Application of Ryan Kole	:	
Application No. 13/130,613	:	
Int'l Filing Date: November 23, 2009	:	Decision on Request
Attorney Docket No. 5202-004	:	
Pub. No. US 2011/0220223 A1	:	
Pub. Date: September 15, 2011	:	

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed September 26, 2011.

The request is **dismissed**.

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

37 C.F.R. § 1.221(b) states,

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

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

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

[1] *See* Changes to Implement Eighteen-Month Publication of Patent Applications; Final Rule, 65 Fed. Reg. 57023, 57038 (Sept. 20, 2000), 1239 Off. Gaz. Pat. Office 63, 75 (Oct. 10, 2000). *See also* Section 1130 of the Manual of Patent Examining Procedure (8th ed., Rev. 8, July 2010).

the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. *See* MPEP § 1130(B). Therefore, relief under 37 C.F.R. § 1.221(b) is unwarranted and the request is dismissed.

Applicant is advised that a "request for republication of an application previously published" may be filed under 37 C.F.R. § 1.221(a). The request must include a copy of the application, which complies with the Office's electronic filing system requirements, the publication fee set forth in 37 C.F.R. § 1.18(d), and the required processing fee set forth in 37 C.F.R. § 1.17(i).

If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in 37 C.F.R. § 1.18(d) will be refunded. However, the processing fee will be retained.

Guidance for filing a request for a Pre-Grant Publication, such as a request for republication, may be found at the links below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 C.F.R. § 1.221(a), must be submitted via the EFS system as a "Pre-Grant Publication" and questions or any request for reconsideration of the instant decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

Telephone inquiries regarding this communication should be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

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

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

Application No:		Filing date:	
First Named Inventor:	Sergio MANTEGANI		
Title of the Invention:	BICYCLIC PYRAZOLE AND ISOXAZOLE DERIVATIVES AS ANTITUMOR AND ANTINEURODEGENERATIVE AGENTS		

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/EP2009/065480

The international filing date of the corresponding PCT application(s) is/are: 19 November 2009 (19.11.2009)

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)**

- [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.:	
First Named Inventor:	

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on concurrently herewith

(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 concurrently herewith

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-6	1-6	SAME
7-8	7-8	SAME except multiple dependency deleted
9-10	9-10	SAME
11	11	SAME except amended to meet U.S. practice
12	12	SAME except amended to meet U.S. practice
13-14	13-14	SAME
	15-18	Canceled in U.S. application
19-21	19-21	SAME
	22	Canceled in U.S. application
23	23	SAME except amended to meet U.S. practice
24	24	SAME
	25-26	Canceled in U.S. practice
27-28	27	PCT claim 27 divided into two U.S. claims, i.e. claims 27 and 28

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

Signature	Date May 23, 2011
Name (Print/Typed) Peter I. Bernstein	Registration Number 43,497

Privacy Act Statement

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

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

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

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/130,623	05/23/2011	Asako Omote	1163-0909PUS1	9302

2292 7590 11/16/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
ZANELLI, MICHAEL J

ART UNIT	PAPER NUMBER
3661	

NOTIFICATION DATE	DELIVERY MODE
11/16/2011	ELECTRONIC

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

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

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

mailroom@bskb.com

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NOV 15 2011

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

In re application of	:	**DECISION ON REQUEST TO**
Omote et al.	:	**PARTICIPATE IN PATENT**
Application No. 13/130,623	:	**PROSECUTION HIGHWAY**
Filed: May 23, 2011	:	**PROGRAM AND PETITION**
For: SOUND-DIRECTED-OUTSIDE	:	**TO MAKE SPECIAL UNDER**
-VEHICLE EMITING 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 June 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 validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest Office action from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO Office action along with copies of documents except U.S. patents or U.S. patent application publications.

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

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

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

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 11/15/11

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AUG 03 2011
PCT LEGAL ADMINISTRATION

McKeon Meunier Carlin & Curfman LLC
817 W. Peachtree Street, Suite 900
Atlanta GA 30308

In re Application of :
FRAZIER, et al. :
U.S. Application No.: 13/130,657 :
PCT No.: PCT/US2009/065349 : DECISION
Int. Filing Date: 20 November 2009 :
Priority Date: 25 November 2008 :
Attorney's Docket No.: 10025-038US1 :
For: EXFOLIATION OF GRAPHITE USING IONIC :
LIQUIDS :

This decision is in response to applicant's "Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States" filed 23 June 2011 in the United States Patent and Trademark Office (USPTO). The response is being treated as a petition under 37 CFR 1.181 to assign a 35 U.S.C. 371 requirements completion date of 23 May 2011. No petition fee is required.

BACKGROUND

On 20 November 2009, applicant filed international application PCT/US2009/065349 which claimed priority to an earlier application filed 25 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 25 May 2011.

On 23 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) and the declarations discussed herein.

On 14 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 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 two separate declarations had been filed each listing two inventors. Applicant was given two months to respond.

On 23 June 2011, applicant filed the petition discussed herein arguing that the filed declarations properly identified the inventorship listed in the published international application.

DISCUSSION

As indicated on applicant's "Electronic Acknowledgement Receipt" from 23 May 2011 (copy of relevant page attached) applicant filed two separate two page declarations. One listed Scott K. Spear as "inventor one" and Robin D. Rogers as "inventor two" and indicated that additional inventors or a legal representative are being named on one additional form(s) attached hereto. The second declaration listed Rachel M. Frazier as "inventor one" and Daniel T. Daly as "inventor two" and indicated that additional inventors or a legal representative are being named on one additional form(s) attached hereto.

37 CFR 1.497(a)(3) requires that any filed declaration identify each inventor and the country of citizenship of each inventor. Applicant has not filed a single declaration which identifies all four inventors listed on the international application. Rather, applicant has provided the office with two, two page declarations listing two inventors. These declarations reference an additional sheet listing inventors. Neither declaration included the referenced additional sheet. As such, neither of the filed declarations are in compliance with 37 CFR 1.497.

CONCLUSION

For the reasons detailed above, applicant's petition under 37 CFR 1.181 is **DISMISSED**.

This application is being returned to the Office of PCT Operations, National stage processing for the issuance of a "Notification of Defective Response" (Form PCT/DO/EO/916).

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

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JUL 26 2011

PCT LEGAL ADMINISTRATION

ABEL LAW GROUP, LLP
7300 FM2222
Bldg 1, Ste 210
AUSTIN TX 78730

In re Application of	:	
TIAN et al.	:	
Application No.: 13/130,749	:	DECISION
PCT No.: PCT/US2009/065160	:	
International Filing Date: 19 November 2009	:	
Priority Date: 19 November 2008	:	
Attorney Docket No.: 1035-BG5822-US	:	
For: ABRASIVE ARTICLES AND METHODS OF FORMING THEREOF	:	

This decision is in response to applicants' submission filed in the United States Patent and Trademark Office (USPTO) on 23 May 2011.

BACKGROUND

On 19 November 2009, applicants filed international application PCT/US2009/065160 which designated the U.S. and claimed a priority date of 19 November 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 19 May 2011.

On 23 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 and a petition to revive under 37 CFR 1.137(b).

DISCUSSION

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

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

As to item (1), the U.S. Basic National Fee was paid on 23 May 2011.

As to item (2), the petition fee was paid on 23 May 2011.

As to item (3), the requisite 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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RENNER KENNER GREIVE BOBAK TAYLOR & WEBER
FIRST NATIONAL TOWER, SUITE 400
106 SOUTH MAIN STREET
AKRON OH 44308-1412

MAILED
JUL 20 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Nicholas Birdseye	:	
Application No.: 13/130,791	:	
PCT No.: PCT/AU2008/001206	:	
Int. Filing Date: 11 September 2009	:	PETITION UNDER
Priority Date: 12 September 2008	:	
Attorney's Docket No.: CCOP.24	:	
For: MONEY TRANSFER SYSTEM AND METHOD	:	37 CFR 1.137(b)

This decision is in response to applicants' "PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)," filed on 24 May 2011.

BACKGROUND

On 11 September 2009, this international application was filed, claiming an earliest priority date of 11 September 2008.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 11 March 2011. This international application became abandoned with respect to the United States at midnight on 11 March 2011 for failure to pay the required basic national fee.

On 24 May 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, the petition fee, and 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.

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

VERIFICATION OF TRANSLATION

I, Tadashige Itoh, a Patent Attorney of 32nd Floor, Yebisu Garden Place Tower, 20-3, Ebisu 4-chome, Shibuya-ku, Tokyo 150-6032, Japan, declare as follows:

1. That I am well acquainted with both the English and Japanese languages, and

2. That the attached document is a true and correct translation made by me to the best knowledge and belief of:

The English Translation of Claims of PCT International Application No. PCT/JP2009/069833.

August 19, 2011

Date

Tadashige Itoh

(No witness required)

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:	13/130,816	Filing date:	May 24, 2011
First Named Inventor:	Chunnan WU		
Title of the Invention:	METHOD OF CONTROLLING HYBRID WORKING MACHINE AND METHOD OF CONTROLLING PUMP OUTPUT OF HYBRID WORKING MACHINE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/069833

The international date of the corresponding PCT application(s) is/are: November 25, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

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.:	13/130,816
First Named Inventor	Chnnan WU

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 24, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 corresponds to PCT/JP2009/069833, claim 1
2	2	Claim 2 corresponds to PCT/JP2009/069833, claim 2
3	3	Claim 3 corresponds to PCT/JP2009/069833, claim 3
4	4	Claim 4 corresponds to PCT/JP2009/069833, claim 4
5	5	Claim 5 corresponds to PCT/JP2009/069833, claim 5
6	6	Claim 6 corresponds to PCT/JP2009/069833, claim 6 with multiple dependence written out
7	7	Claim 7 corresponds to PCT/JP2009/069833, claim 7 with multiple dependence written out
8	8	Claim 8 corresponds to PCT/JP2009/069833, claim 8 with multiple dependence written out
9	9	Claim 9 corresponds to PCT/JP2009/069833, claim 9
10	10	Claim 10 corresponds to PCT/JP2009/069833, claim 10
11	11	Claim 11 corresponds to PCT/JP2009/069833, claim 11
12	12	Claim 12 corresponds to PCT/JP2009/069833, claim 12
13	13	Claim 13 corresponds to PCT/JP2009/069833, claim 13
14	14	Claim 14 corresponds to PCT/JP2009/069833, claim 14
15		New
16		New

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

Signature Martin A. Weeks	Date 8/22/2011
Name (Print/Typed) Martin A. Weeks	Registration Number 37,753

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.
13/130,816	05/24/2011	Chunnan Wu	11SJ-001	1181

77464 7590 11/18/2011
IPUSA, P.L.L.C
1054 31ST STREET, N.W.
Suite 400
Washington, DC 20007

EXAMINER
CAMBY, RICHARD M

ART UNIT	PAPER NUMBER
3661	

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):

IPUSA@IPUSAPAT.COM
ips@itohpat.co.jp

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NOV 17 2011

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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IPUSA, P.L.L.C
1054 31ST STREET, N.W.
Suite 400
Washington DC 20007

In re application of Chunnan Wu Application No. 13/130,816 Filed: May 24, 2011 For: METHOD OF CONTROLLING HYBRID WORKING MACHINE AND METHOD OF CONTROLLING PUMP OUTPUT OF HYBRID WORKING MACHINE	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

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

The 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 the latest Office action from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO Office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition fail to include:
(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);

There are no corresponding claims in the JPO application for US claims 15 and 16.

Applicant is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn. All replies to a decision to dismiss must be submitted by EFS-Web using the document description "Petition to make special under Patent Prosecution Highway."

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

/ Mikado Buiz /

Mikado Buiz,
Quality Assurance Specialist
Technology Center 3600

MB/MB: 11/17/11

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
DEC 05 2011
OFFICE OF PETITIONS

IPUSA, P.L.L.C
1054 31ST STREET, N.W.
Suite 400
Washington DC 20007

In re Application of
Chunnan WU
Application No.: 13/130,816
Filed: May 24,2011
Attorney Docket No.: 11SJ-001

: 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 **corrected** 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 August 22, 2011, to make the above-identified application special. The decision mailed November 18, 2011 has been reconsidered and is vacated in favor of the decision herein.

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 Ramesh Krishnamurthy at 571-272-4914.

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.

Anthony Knight
Director,
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON, MA 02210-2206

MAILED

MAR 07 2012

OFFICE OF PETITIONS

In re Application of Irvine et al. :
Application No. 13/130,845 :
Int'l Filing Date: November 24, 2009 :
Attorney Docket No. M0656.70177US01 :
Pub. No. US 2011/0293705 A1 :
Pub. Date: December 1, 2011 :

Decision on Request

This is a decision on the request for a corrected patent application publication under 37 C.F.R. § 1.221(b) filed January 17, 2012.

The request is **granted**.

The corrected patent application publication will be published in due course, unless the patent issues before the application is republished.

Telephone inquiries regarding this communication may be directed to Senior Petitions Attorney Steven Brantley at (571) 272-3203.

Christopher Bottorff
Petitions Examiner
Office of Petitions

PTO/SB/20PCT-KR (06-10)
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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 KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/130,868	Filing date:	May 24, 2011
First Named Inventor:	Steven TODDES		
Title of the Invention:	IMMOBILIZATION APPARATUS FOR MEDICAL IMAGING		

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/US2009/065474

The international filing date of the corresponding PCT application(s) is/are: 23 November 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 KIPO AND THE USPTO

(continued)

Application No.:	13/130,868
First Named Inventor:	Steven TODDES

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 24, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-21	1-21	Identical

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

Signature /Edward W. Grolz/	Date 2011-07-15
Name (Print/Typed) Edward W. Grolz	Registration Number 33,705

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
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P.O BOX 1450
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

MAILED
OCT 19 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Naroi YASUOKA	:	
Application No.: 13/130,981	:	
PCT No.: PCT/JP2009/005825	:	PAPERS FILED
Int. Filing Date: 02 November 2009	:	
Priority Date: 25 November 2008	:	
Attorney's Docket No.: 1560-0613PUS1	:	UNDER 37 CFR 1.42
For: LIGTHING APPARATUS	:	

This is a decision on the declaration filed 10 August 2011, which has been treated as a request for status under 37 CFR 1.42.

BACKGROUND

On 24 May 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 June 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, applicant submitted on 10 August 2011 a declaration an added page indicating that Sachiko YASUOKA is the Administrator (legal representative) of the deceased inventor, Norio YASUOKA.

DISCUSSION

The declaration is accepted under 37 CFR 1.42 because it includes the citizenship and mailing addresses of Sachiko YASUOKA (administrator) and the required information for the deceased inventor, Norio YASUOKA.

Accordingly, the requirements under 37 CFR 1.42 are satisfied and the declaration is acceptable at this time.

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

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE IP AUSTRALIA (IPAU) AND THE USPTO

Application No:	US National Stage of PCT/AU2009/001536	Filing date:	24 May 2011
First Named Inventor:	Trent Davis		
Title of the Invention:	Distributed Virus Detection		

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/AU2009/001536

The international filing date of the corresponding PCT application(s) is/are: 24 November 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 IPAU AND THE USPTO

(continued)

Application No.:	US National Stage of PCT/AU2009/001536
First Named Inventor:	Trent Davis

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 to Original Claim filed in PCT/AU2009/0015636
2	2	Identical to Original Claim filed in PCT/AU2009/0015636
3	3	Identical to Original Claim filed in PCT/AU2009/0015636
4	4	Identical to Original Claim filed in PCT/AU2009/0015636
5	5	Identical to Original Claim filed in PCT/AU2009/0015636
6	6	Identical to Original Claim filed in PCT/AU2009/0015636
7	7	Identical to Original Claim filed in PCT/AU2009/0015636
8	8	Identical to Original Claim filed in PCT/AU2009/0015636
9	9	Identical to Original Claim filed in PCT/AU2009/0015636
10	10	Identical to Original Claim filed in PCT/AU2009/0015636
11	11	Identical to Original Claim filed in PCT/AU2009/0015636
12	12	Identical to Original Claim filed in PCT/AU2009/0015636
13	13	Identical to Original Claim filed in PCT/AU2009/0015636
14	14	Identical to Original Claim filed in PCT/AU2009/0015636
15	15	Identical to Original Claim filed in PCT/AU2009/0015636
16	16	Identical to Original Claim filed in PCT/AU2009/0015636

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

Signature Sandra Thompson	Date May 24, 2011
Name (Print/Typed) Sandra P. Thompson, PhD	Registration Number 46264

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.
13/131,006	05/24/2011	Trent Davis	K4988-0105	2408

62993 7590 09/14/2011
BUCHALTER NEMER
18400 VON KARMAN AVE.
SUITE 800
IRVINE, CA 92612

EXAMINER

ART UNIT	PAPER NUMBER
2431	

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):

STHOMPSON@BUCHALTER.COM
patent@buchalter.com
chouston@buchalter.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

Buchalter Nemer
18400 Von Karman Ave.
Suite 800
Irvine CA 92612

In re Application of: Davis
Application No. 13/131006
Filed: May 24, 2011
For: Distributed Virus Detection

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

This is a decision on the request to participate in the PCT- Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(d), filed May 24, 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

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

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-36128

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

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

/Tod Swann/
Tod Swann
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

AUG 08 2011

PCT LEGAL ADMINISTRATION

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
200 SOUTH SIXTH STREET, SUITE 4000
MINNEAPOLIS MN 55402

In re Application of MASTERS	:	
Application No.: 13/131,083	:	DECISION ON
PCT No.: PCT/US09/64777	:	
Int. Filing: 17 November 2009	:	PETITION TO REVIVE
Priority Date: 17 November 2008	:	
Attorney Docket No.: 45795.106.3	:	UNDER 37 CFR 1.137(b)
For: PROTEIN BIOMATERIAL AND BIOCOACERVATE	:	
VESSEL GRAFT SYSTEMS AND METHODS OF -	:	
MAKING AND USING THEREOF...	:	

The petition to revive under 37 CFR 1.137(b) filed 25 May 2011 in the above captioned application is hereby **GRANTED** as follows:

Applicants' statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

Applicant paid the petition fee ($1620). Applicant provided the basic national fee. The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing, including issuance of a Notification of Missing Requirements indicating that the oath or declaration in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the declaration after the thirty month period is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3286

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

ABELMAN, FRAYNE & SCHWAB
666 THIRD AVENUE, 10TH FLOOR
NEW YORK, NY 10017

MAILED
APR 17 2012
PCT LEGAL ADMINISTRATION

In re Application of GIAMMONA ET AL :
U.S. Application No.: 13/131,098 :
PCT Application No.: PCT/EP2009/066060 :
Int. Filing Date: 30 November 2009 :
Priority Date Claimed: 28 November 2008 : DECISION
Attorney Docket No.: 211,492 :
For: METHOD TO PRODUCE HYALURONIC :
ACID FUNCTIONALIZED DERIVATIVES :
AND FORMATION OF HYDROGELS :
THEREOF :

This is in response to applicant's petition under 37 CFR 1.182 filed 09 March 2012.

BACKGROUND

On 30 November 2009, applicant filed international application number PCT/EP2009/066060, which claimed priority to an Italian application filed 28 November 2008. The thirty month deadline for entry into the U.S. national stage expired on 31 May 2011.

On 25 May 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 indicated the international application number as "PCT/US09/66060".

On 01 March 2012, this Office mailed a communication which identified the discrepancy with respect to the international application number.

On 03 March 2012, applicant filed the instant petition under 37 CFR 1.182.

DISCUSSION

The petition states that applicant mistakenly entered the wrong international application number into the EFS-Web user interface and that the correct international application number is PCT/EP2009/066060. Because at least one document submitted on 25 May 2011 listed the proper international application number, correction of the application is permissible. Applicant's explanation for the error is accepted.

CONCLUSION

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

The application has an International Filing Date under 35 U.S.C. 363 of 30 November 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 25 May 2011.

This application is being forwarded to the DO/EO/US for processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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
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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:	5/25/2011
First Named Inventor:	Mark Meloni		
Title of the Invention:	Removing and Segregating Components from Printed Circuit Boards		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US10/44860

The international filing date of the corresponding PCT application(s) is/are: 8/9/2010

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).**

- [ ] 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.

Under the Paperwork Reduction Act of 1995, 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:	Mark Meloni

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	8	Claim 1 as amended corresponds to claim 8 in the PCT Application.
2-6		No direct correspondence. Claims 2-6 depend from amended claim 1.
9	9	Claim 9 as amended corresponds to claim 9 in the PCT Application.
10-12		No direct correspondence. Claims 10-12 depend from amended claim 1.

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

Signature /Blayne D. Green/	Date 5/25/2011
Name (Print/Typed) Blayne D. Green	Registration Number 56198

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.
13/131,111	05/25/2011	Mark Meloni	006.P042	3432

65638 7590 10/26/2011
OMIKRON IP LAW GROUP
16325 Boones Ferry Rd.
SUITE 204
LAKE OSWEGO, OR 97035

EXAMINER

ART UNIT	PAPER NUMBER
1745	

MAIL DATE	DELIVERY MODE
10/26/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
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10/26/2011

CT

In re application of Mark Meloni Serial No. 13/131,111 Filed: May 25, 2011 For: REMOVING AND SEGREGATING COMPONENTS FROM PRINTED CIRCUIT BOARDS	: : : : : : :	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 25, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

(4) Applicant must submit a claims correspondence table in English and all the independent claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

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

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

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

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

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

AUG 03 2011

PCT LEGAL ADMINISTRATION

INGRASSIA FISHER & LORENZ, P.C. (GME)
7010 E. COCHISE ROAD
SCOTTSDALE AZ 85253

In re Application of :
STÜBER, Thomas :
Application No.: 13/131,120 :
PCT No.: PCT/EP2008/010099 :
Int. Filing Date: 28 November 2008 :
Priority Date: 19 December 2007 :
Att. Docket No.: 060.0224US2 :
For: RECEIVING ELEMENT, IN PARTICULAR FOR ACCOMMODATING A CONTAINER :

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 25 May 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 fees for filing the search fee, examination fee or oath or declaration after thirty months and for filing the English translation after thirty months will be charged to deposit account no. 50-2091, 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

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:	13/131,190	Filing date:	August 4, 2011
First Named Inventor:	Klaus Feichtinger		
Title of the Invention:	Apparatus for granulating hot cut		

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

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

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

The corresponding PCT application number(s) is/are: PCT/AT2009/000445

The international filing date of the corresponding PCT application(s) is/are: November 18, 2009

I. List of Required Documents:

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

[x] Is attached

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

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

[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.:	13/131,190
First Named Inventor:	Klaus Feichtinger

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 August 4, 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	U.S. claim is singly dependent
4	4	U.S. claim is singly dependent
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

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

Signature Babak Kusha	Date 03/30/2012
Name (Print/Typed) Babak Kusha	Registration Number 51,095

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

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NOV 17 2011

PCT LEGAL ADMINISTRATION

McKeon Meunier Carlin & Curfman LLC
817 W. Peachtree Street, Suite 900
Atlanta GA 30308

In re Application of		
GELBARD et al.	:	
Application No.: 13/131,193	:	
PCT No.: PCT/US09/65878	:	
Int. Filing Date: 25 November 2009	:	DECISION ON
Priority Date: 25 November 2008	:	
Atty Docket No.: 10028-067US1	:	under 37 CFR 1.497(d)
For: MLK INHIBITORS AND METHODS OF USE	:	
	:	

This is a decision on applicant's "Petition To Correct of Inventive Entity Under 37 CFR 1.497(d)", filed on 13 September 2011 in the United States Patent and Trademark Office (USPTO). Applicant's request for a one month extension of time is granted.

BACKGROUND

On 25 May 2011, applicant filed a Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371 requesting entry into the U.S. national stage for the above referenced international application.

On 13 June 2011, a Notification of Missing Requirements was mailed to applicant indicating, *inter alia*, that the oath or declaration, in compliance with 37 CFR 1.497(a) and (b) and the surcharge for filing the oath or declaration after the thirty month period, was required.

On 13 September 2011, applicant filed a petition under 37 CFR 1.497(d) for correction of inventorship, to add Colin Loweth as a inventor. In addition to the $130 petition fee, Petitioner provided the statement of Colin Loweth as an inventor in support of the correction of inventorship under 37 CFR 1.497(d).

DISCUSSION

Where the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and 37 CFR 1.497(d) names an inventive entity different from the inventive entity set forth in the international application, the oath or declaration must be accompanied by: (1) a statement from each person

being added as an inventor that any error in inventorship occurred without deceptive intention on his or her part; (2) the fee set forth in § 1.17(i); and (3) if an assignment has been executed by any of the original named inventors, the written consent of the assignee(s) (See 37 CFR 3.73(b)).

Applicant has satisfied Items (1), (2) and Item (3) above. The petition to correct the inventorship under 37 CFR 1.497(d)(3) consenting to the addition of Colin Loweth as an inventor in this application. (See 37 CFR 3.73(b)). The declaration filed on 13 September 2011 is acceptable as it means the requirements of 37 CFR 1.497(a) and (b).

CONCLUSION

The petition under 37 CFR 1.497(d) in the above-captioned application is hereby **GRANTED**. The declaration filed on 13 September 2011 is acceptable as it means the requirements of 37 CFR 1.497(a) and (b).

The application will be forwarded to the United States Designated/Elected Office for further processing of the application. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is 13 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 (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:	13/131,195	Filing date:	May 25, 2011
First Named Inventor:	JÜRGEN MEURLE		
Title of the Invention:	MOTOR VEHICLE HAVING HYBRID DRIVE AND EXTERNAL DISPLAY DEVICE FOR DISPLAYING A CURRENT OPERATING MODE OF THE HYBRID DRIVE		

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/EP2009/008186

The international date of the corresponding PCT application(s) is/are: November 18, 2009

I. List of Required Documents:

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

☑ Is attached

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

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

☑ Is attached.

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

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

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

☐ Is attached

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

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.:	13/131,195
First Named Inventor:	JÜRGEN MEURLE

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
14	1	US claim 14 substantially corresponds in scope to PCT claim 1 except for the deletion of reference numbers
15	2	US claim 15 substantially corresponds in scope to PCT claim 2 except for the deletion of reference numbers
16	3	US claim 16 substantially corresponds in scope to PCT claim 3 except for the deletion of reference numbers
17	4	US claim 17 substantially corresponds in scope to PCT claim 4 except for the deletion of reference numbers
18, 19	5	SEE CONTINUATION SHEET
20	6	US claim 20 substantially corresponds in scope to PCT claim 6 except for the deletion of reference numbers
21	7	US claim 21 substantially corresponds in scope to PCT claim 7 except for the deletion of reference numbers
22	8	US claim 22 substantially corresponds in scope to PCT claim 8 except for the deletion of reference numbers

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 7-13-2011
Name (Print/Typed) Henry M. Feiereisen	Registration Number 31,084

CONTINUATION SHEET

US claim 18 substantially corresponds in scope to PCT claim 5 except for the deletion of reference numbers and recitation of a particular preferred example now set forth in claim 19.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,195	05/25/2011	Jürgen Meurle	MEURLE	3906

20151 7590 08/04/2011
HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER

ART UNIT	PAPER NUMBER
2612	

NOTIFICATION DATE	DELIVERY MODE
08/04/2011	ELECTRONIC

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

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

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

INFO@FEIEREISENLLC.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of
Jurgen MEURLE

Application No.: 13/131,195	**: DECISION ON REQUEST TO**
Filed: 25 May 2011	**: PARTICIPATE IN THE PATENT**
Attorney Docket No.: MEURLE	**: PROSECUTION HIGHWAY**
For: MOTOR VEHICLE HAVING	**: PROGRAM AND PETITION**
HYBRID DRIVE AND EXTERNAL	**: TO MAKE SPECIAL UNDER**
DISPLAY DEVICE ...	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 13 July 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 US application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. For example only, PCT claim 1 requires the display be "switched on only in the second low-emission mode" while US claim 1 requires the display be "switched to an on-state only when the current mode of operation involves an operation of the second low-emission drive unit." US claim 1 is broader than PCT claim 1 since US claim would allow the display to be switch on if both drive units are in operation. US claim 21 clearly does not correspond to PCT claim 7.

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

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

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

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

Lee W. Young
Quality Assurance Specialist TC-2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: MEURLE

In re PATENT Application of: **JÜRGEN MEURLE** **Appl. No.: 13/131,195** **Filing Date: May 25, 2011** **For: MOTOR VEHICLE HAVING HYBRID DRIVE AND EXTERNAL DISPLAY DEVICE FOR DISPLAYING A CURRENT OPERATING MODE OF THE HYBRID DRIVE**	**Group Art Unit: 2612** **Confirmation No.: 3906**

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

CERTIFICATION OF EFS-WEB TRANSMISSION

I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on **September 1, 2011**
Date

Henry M. Feiereisen
(Name of Registered Representative)

(Signature) 9-1-2011 (Date of Signature)

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

S I R:

This communication is in response to the 'DECISION ON REQUEST TO PARTICIPATE IN THE PCT PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)', mailed on August 4, 2011, dismissing the request and the petition and setting a period for response terminating September 6, 2011.

The Commissioner is hereby also authorized to charge any fees which may be required during the pendency of this application, including any patent application processing fees under 37 C.F.R. 1.17, and any filing fees under 37 C.F.R. 1.16, including presentation of extra claims, or credit any overpayment to Deposit Account No: 06-0502.

The noted deficiencies set forth in the above-mentioned Decision are as follows:

1) Applicant has failed to make sure 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.

With respect to 1), applicant has further amended claims 14 and 21 by preliminary amendment filed concurrently herewith, so as to sufficiently correspond to respective claims 1 and 7 that have been determined to have novelty, inventive step, and industrial applicability in the corresponding PCT application. It is applicant's belief that claims 14-22 now sufficiently correspond to claims 1-8 in the corresponding PCT application.

Grant of the request and petition under 37 CFR 1.102(a) are respectfully requested.

Respectfully submitted

By:_____

Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: September 1, 2011

708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212) 244-5500
HMF:af

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,195	05/25/2011	Jürgen Meurle	MEURLE	3906

20151 7590 09/14/2011
HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER

ART UNIT	PAPER NUMBER
2612	

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):

INFO@FEIEREISENLLC.COM

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HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of
Jurgen MEURLE
Application No.: 13/131,195
Filed: 25 May 2011
Attorney Docket No.: MEURLE
For: MOTOR VEHICLE HAVING HYBRID DRIVE AND EXTERNAL DISPLAY DEVICE ...

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 13 July 2011 and renewed on 01 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

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

Lee W. Young
TQAS Technology Center 2600

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

Attorney Docket No.: 1163-0904PUS1

Application No:	13/131,227	Filing date:	May 25, 2011
First Named Inventor:	Hideyuki HIROTA		
Title of the Invention:	STRUCTURE FOR FASTENING METALLIC PLATE PARTS TOGETHER		

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/JP2009/006804

The international date of the corresponding PCT application(s) is/are: December 11, 2009

I. List of Required Documents:

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

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

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

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

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

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

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

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

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

(continued)

Application No.:	
First Named Inventor:	

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on 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
Claim 1	Claim 1	US claim 1 sufficiently corresponds to JP claim 1
Claim 2	Claim 2	US claim 2 sufficiently corresponds to JP claim 2
Claim 3	Claim 3	US claim 3 sufficiently corresponds to JP claim 3

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

Signature	Date November 10, 2011
Name (Print/Typed) Michael K. Mutter	Registration Number 29680

S T A T E M E N T

International Patent Application No. PCT/JP2009/006804

I, Hideaki TAZAWA of c/o Sanno Patent Office, Akasaka Sanno Center Bldg. 5F, 12-4, Nagata-cho 2-chome, Chiyoda-ku, Tokyo, Japan, do hereby solemnly and sincerely declare as follows:

1. I am well acquainted with both the Japanese language and the English language.

2. I personally made the following translation.

3. The following is a true translation into the English language of the claim(s) from the International Patent Application No. PCT/JP2009/006804 which was filed on December 11, 2009.

And I make this solemn declaration conscientiously believing the same to be true.

This 31st day of October, 2011

Hideaki TAZAWA

CLAIMS

1. A structure for fastening sheet-metal parts together comprising: a first sheet-metal and a second sheet-metal parts to be assembled and fixed to each other,

wherein the first sheet-metal part has an L-shaped hooking section formed at the opening end of each side plate thereof, and an assembly guide section dimpling inwardly a portion of the opening end by the thickness of the second sheet-metal part;

wherein the second sheet-metal part has an L-shaped hooking claw for engaging with the L-shaped hooking section and a guide lug for engaging with the assembly guide section, with the hooking claw and the guide lug extending from each side edge thereof to the side to be assembled; and

wherein an engaging claw and an engaging hole, and a screw passing hole and a tapped hole are relatively provided on the abutment faces between the first sheet-metal part and the second sheet-metal part.

2. The structure for fastening sheet-metal parts together according to Claim 1, wherein the hooking section provided on a chassis and the hooking claw provided on a cover are brought into hooking engagement with each other, and each have a taper thereon such that the entrances thereof widen and the roots thereof narrow.

3. The structure for fastening sheet-metal parts together according to Claim 1, wherein the engaging claw that engages with the engaging hole that is relatively provided at a superposed portion of the chassis and the cover has a taper, and four corners of the engaging hole are formed with a circular arc portion.

請求の範囲

[請求項1]　互いに組付け固定する第１の板金部品と第２の板金部品とを備え、前記第１の板金部品は両側面板の開口端部に形成したＬ字状の引っ掛け部と、前記開口端部の一部を内方に前記第２の板金部品の厚み分だけ窪ませた組付けガイド部とを有し、前記第２の板金部品は両側縁から組付け側に延在して前記Ｌ字状の引っ掛け部に係合するＬ字状の引っ掛け爪と、組付けガイドに係合するガイド片とを有し、前記第１の板金部品と前記第２の板金部品の当接面には、係合爪と係合穴及びねじ通し穴とねじ穴とを相対的に設けたことを特徴とする板金部品同士の固定構造。

[請求項2]　互いに引っ掛け係合する筐体に設けた引っ掛け部及びカバーに設けた引っ掛け爪は、入口は大きく、根元は狭くなるようにテーパが形成されていることを特徴とする請求項１記載の板金部品同士の固定構造。

[請求項3]　筐体とカバーとの重ね合わせ部に相対的に設けた係合穴に係合する係合爪は、テーパを有し、係合穴の四隅は円弧部に形成されていることを特徴とする請求項１記載の板金部品同士の固定構造。

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)*	12.01.2010
Applicant's or agent's file reference 603137WO01	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/006804	11.12.2009	27.03.2009

International Patent Classification (IPC) or both national classification and IPC
H05K5/04(2006.01)i

Applicant
Mitsubishi Electric Corporation

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/JP2009/006804

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/JP2009/006804

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	1-3	YES
	Claims		NO
Inventive step (IS)	Claims	1-3	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-3	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2009-44041 A (Saxa, Inc.), 26 February 2009, paragraphs [0019]-[0025], all drawings (Family: none)

Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 59570/1986 (Laid-open No. 172180/1987) (Pioneer Corp.), 31 October 1987, page 5, line 9 to page 6, line 15, fig. 1 (Family: none)

Document 3: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 176760/1982 (Laid-open No. 81065/1984) (TDK Corp.), 31 May 1984, page 3, line 18 to page 4, line 16, all drawings (Family: none)

The invention as in claims 1-3 is novel and involves an inventive step in relation to documents 1-3 cited in the ISR.

Documents 1-3 do not describe the structure wherein both L-shaped hook sections and recessed mounting guide sections are disposed at the opening ends, and this feature could not

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**

be easily conceived of by a person skilled in the art.

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
田澤英昭
様

あて名
〒100-0014
日本国東京都千代田区永田町二丁目１２番４号　赤坂山王センタービル５階

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

発送日 （日.月.年）	１２．０１．２０１０
出願人又は代理人 の書類記号　603137W001	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／ＪＰ２００９／００６８０４	（日.月.年）　１１．１２．２００９	（日.月.年）　２７．０３．２００９

国際特許分類（ＩＰＣ）Int.Cl. H05K5/04(2006.01)i

出願人（氏名又は名称）
三菱電機株式会社

１．この見解書は次の内容を含む。

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

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

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

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
２４．１２．２００９

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 内田　博之 電話番号　０３－３５８１－１１０１　内線　３３９１	３Ｓ　８９１７

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／ＪＰ２００９／００６８０４

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／ＪＰ２００９／００６８０４

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	１－３	有
	請求項		無
進歩性（ＩＳ）	請求項	１－３	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	１－３	有
	請求項		無

２．　文献及び説明

文献１：JP 2009-44041 A（サクサ株式会社）2009.02.26，段落００１９－００２５，全図（ファミリーなし）
文献２：日本国実用新案登録出願 61-59570 号（日本国実用新案登録出願公開 62-172180 号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（パイオニア株式会社）1987.10.31，第５ページ第９行－第６ページ第１５行，第１図（ファミリーなし）
文献３：日本国実用新案登録出願 57-176760 号（日本国実用新案登録出願公開 59-81065 号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（ティーディーケイ株式会社）1984.05.31，第３ページ第１８行－第４ページ第１６行，全図（ファミリーなし）

請求項１－３に係る発明は、国際調査報告で引用された文献１－３に対して新規性・進歩性を有する。
文献１－３には、Ｌ字状の引っ掛け部と、窪ませた組み付けガイド部との両者を開口端部に配置した構造が記載されておらず、しかもその点は当業者といえども容易に想到し得ないものである。

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
JAN 18 2012
OFFICE OF PETITIONS

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

**In re Application of
Hideyuki Hirota
Application No.: 13/131,227
Filed: May 25, 2011
Attorney Docket No.: 1163-0904PUS1
For: STRUCTURE FOR FASTENING METALLIC PLATE PARTS TOGETHER**

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 10, 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 Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;

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

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

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

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

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

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

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

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

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

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

David Buoci
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS	:	Tomohiro HANGAI, et al.
SERIAL NO.	:	**13/131,241**
FILED	:	25 May 2011
FOR	:	BUR REMOVING PUNCH PIN, BUR REMOVING APPARATUS AND BUR REMOVING METHOD
GROUP ART UNIT	:	(Unassigned) Conf. No. **4282**
EXAMINER	:	(Unassigned)

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PROGRAM BETWEEN JPO AND US PTO

COMMISSIONER FOR PATENTS
PETITIONS BRANCH
P. O. Box 1450
Alexandria, VA 22313-1450

Attention: Magdalen Greenlief

Sir:

Applicants hereby request participation in the PCT-Patent Prosecution Highway (PCT-PPH) Program and ***petition to make this application special under the PCT-PPH Program***. To comply with the requirements, the following papers are transmitted:

1) Request For Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Program Between the JPO and the USPTO with claims correspondence table (Form PTO/SB/20PCT-JP);

2) Japanese language version of international work product (IPRP) in PCT/JP2008/071381;

3) English Translation of IPRP in PCT/JP2008/071381.

REMARKS

In view of the foregoing documents transmitted herewith to comply with the Requirements For Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PPH) Program between the JPO and the USPTO, Applicants respectfully request participation in the program as well as accelerated examination of this application.

The claims as amended in the preliminary amendment filed on 25 May 2011 correspond to the PCT claims as shown in the claims correspondence table attached to the PCT-PPH Request form. The multiple dependencies of claims 3 and 4 have been deleted in the preliminary amendment.

The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this request.

The Office is authorized to charge any fees related to this filing to Deposit Account No. 11-0600.

Respectfully submitted,

/Shawn W. O'Dowd/
Shawn W. O'Dowd
(Reg. No. 34,687)

KENYON & KENYON LLP
1500 K Street, N.W., #700
Washington, D.C. 20005

Telephone: (202) 220-4200
Facsimile: (202) 220-4201

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:	13/131,241	Filing date:	25 May 2011
First Named Inventor:	Tomohiro HANGAI		
Title of the Invention:	BUR REMOVING PUNCH PIN, BUR REMOVING APPARATUS AND BUR REMOVING 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/JP2008/071381

The international date of the corresponding PCT application(s) is/are: 26 November 2008

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

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

(continued)

Application No.:	13/131,241
First Named Inventor:	Tomohiro HANGAI

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on 25 May 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 25 May 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US amended claim 1 corresponds to PCT claim 1.
2	2	US amended claim 2 corresponds to PCT claim 2.
3	3	US amended claim 3 corresponds to PCT claim 3.
4	4	US amended claim 4 corresponds to PCT claim 4.

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

Signature /Daniel G. Shanley/	Date 06 July 2011
Name (Print/Typed) Daniel G. Shanley	Registration Number 54,863

特 許 協 力 条 約

ＰＣＴ

特許性に関する国際予備報告（特許協力条約第二章）

（法第12条、法施行規則第56条）
〔ＰＣＴ36条及びＰＣＴ規則70〕

出願人又は代理人の書類記号 PCT-322	今後の手続きについては、様式ＰＣＴ／ＩＰＥＡ／４１６を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００８／０７１３８１	国際出願日 (日.月.年) ２６．１１．２００８	優先日 (日.月.年)
国際特許分類（ＩＰＣ） Int.Cl. B21D28/00(2006.01)i, B21D28/30(2006.01)i, B21D28/34(2006.01)i, B22D31/00(2006.01)i		
出願人（氏名又は名称） トヨタ自動車株式会社		

１．この報告書は、ＰＣＴ35条に基づきこの国際予備審査機関で作成された国際予備審査報告である。
法施行規則第57条（ＰＣＴ36条）の規定に従い送付する。

２．この国際予備審査報告は、この表紙を含めて全部で ３ ページからなる。

３．この報告には次の附属物件も添付されている。

ａ．☑ 附属書類は全部で ２ ページである。

☑ 補正されて、この報告の基礎とされた及び／又はこの国際予備審査機関が認めた訂正を含む明細書、請求の範囲及び／又は図面の用紙（ＰＣＴ規則70.16及び実施細則第607号参照）

☐ 第Ｉ欄４．及び補充欄に示したように、出願時における国際出願の開示の範囲を超えた補正を含むものとこの国際予備審査機関が認定した差替え用紙

ｂ．☐ 配列表に関する補充欄に示され、電子形式のみで提出された、配列表を含む電子媒体は全部で
（電子媒体の種類、数を示す）。
（実施細則附属書Ｃ３の２第３段落参照）

４．この国際予備審査報告は、次の内容を含む。

☑ 第Ｉ欄 国際予備審査報告の基礎
☐ 第Ⅱ欄 優先権
☐ 第Ⅲ欄 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
☐ 第Ⅳ欄 発明の単一性の欠如
☑ 第Ⅴ欄 ＰＣＴ35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
☐ 第Ⅵ欄 ある種の引用文献
☐ 第Ⅶ欄 国際出願の不備
☐ 第Ⅷ欄 国際出願に対する意見

国際予備審査の請求書を受理した日 ２７．０５．２００９	国際予備審査報告を作成した日 １３．１０．２０１０		
名称及びあて先 日本国特許庁（ＩＰＥＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 宇田川 辰郎	３Ｐ	３７３０
	電話番号 ０３－３５８１－１１０１ 内線 ３３６４		

特許性に関する国際予備報告

国際出願番号 PCT／JP2008／071381

第Ⅰ欄 報告の基礎

1．言語に関し、この予備審査報告は以下のものを基礎とした。

☑ 出願時の言語による国際出願

☐ 出願時の言語から次の目的のための言語である ＿＿＿＿＿＿ 語に翻訳された、この国際出願の翻訳文

☐ 国際調査（ＰＣＴ規則12.3(a)及び23.1(b)）

☐ 国際公開（ＰＣＴ規則12.4(a)）

☐ 国際予備審査（ＰＣＴ規則55.2(a)又は55.3(a)）

2．この報告は下記の出願書類を基礎とした。（法第6条（ＰＣＴ14条）の規定に基づく命令に応答するために提出された差替え用紙は、この報告において「出願時」とし、この報告に添付していない。）

☐ 出願時の国際出願書類

☑ 明細書

第 1-9 ページ、出願時に提出されたもの

第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 請求の範囲

第 2-4 項、出願時に提出されたもの

第 ＿＿＿＿ 項*、ＰＣＴ１９条の規定に基づき補正されたもの

第 1 項*、27.05.2009 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ 項*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 図面

第 1-10 ページ／図、出願時に提出されたもの

第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☐ 配列表

配列表に関する補充欄を参照すること。

3．☐ 補正により、下記の書類が削除された。

☐ 明細書 第 ＿＿＿＿ ページ

☐ 請求の範囲 第 ＿＿＿＿ 項

☐ 図面 第 ＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること） ＿＿＿＿

4．☐ この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。（ＰＣＴ規則 70.2(c)）

☐ 明細書 第 ＿＿＿＿ ページ

☐ 請求の範囲 第 ＿＿＿＿ 項

☐ 図面 第 ＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること） ＿＿＿＿

5．☐ この報告は、ＰＣＴ規則 91 の規定により国際予備審査機関が認めた又は国際予備審査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 70.2(e)）。

6．☐ この報告を作成するにあたり、補充国際調査機関である ＿＿＿＿ から受領した補充国際調査報告を考慮した。（ＰＣＴ規則 45 の 2.8(b)及び(c)）

＊ 4．に該当する場合、その用紙に "superseded" と記入されることがある。

特許性に関する国際予備報告

国際出願番号 PCT／JP2008／071381

第V欄 新規性、進歩性又は産業上の利用可能性についての法第12条（PCT35条(2)）に定める見解、それを裏付ける文献及び説明

1. 見解

新規性（N）	請求項	1-4	有
	請求項		無
進歩性（IS）	請求項	1-4	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-4	有
	請求項		無

2. 文献及び説明（PCT規則70.7）

文献１：日本国実用新案登録出願 58-135709 号（日本国実用新案登録出願公開 60-42516 号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（マツダ株式会社）1985.03.26，文献全体

文献２：JP 2004-216405 A（トヨタ自動車株式会社）2004.08.05，段落【００２７】－【００２８】，図３－５

文献３：日本国実用新案登録出願 49-7706 号（日本国実用新案登録出願公開 50-100200 号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（株式会社　山科精工所）1975.08.19，第２図

文献４：JP 10-291067 A（トヨタ自動車株式会社）1998.11.04，全文

請求項１－４に係る発明は，国際調査報告で引用されたいずれの文献にも記載されておらず，当業者にとって自明なものでもない。

PCT JP2008/071381
日本国特許庁 27.5.2009

請求の範囲

[1] (補正後)

配設基部と、

前記配設基部に連結される、バリ除去加工部と、を備え、

フランジ部内周面に膜バリを有するワークに対して、軸心方向に近接離間可能に構成された、バリ除去用パンチピンであって、

前記バリ除去加工部の外周面側部の中途部には、前記ワークのフランジ部に当接する当接部が形成され、

前記バリ除去加工部の外周面側部の前記当接部よりワーク側には、軸心方向に複数の溝が形成され、

前記配設基部と前記バリ除去加工部との、何れか一方には円柱状の挿入部が形成され、他方には前記挿入部を挿入可能な円筒状の被挿入部が形成され、

前記配設基部と前記バリ除去加工部は、前記挿入部が前記被挿入部に対して摺動自在に挿入されるとともに、付勢部材によって互いに離間する方向に付勢されており、

前記バリ除去用パンチピンが前記ワークに近接し、前記当接部が前記フランジ部に当接し、前記配設基部と前記バリ除去加工部が前記付勢部材の付勢力に抗して押圧され、前記挿入部が前記被挿入部内へ摺動して挿入されるのに伴って、前記バリ除去加工部が前記配設基部に対して軸心を中心に回転し、前記当接部よりも前記ワーク側で発生した倒れバリを前記溝が除去するように構成された、回転機構を備える、

ことを特徴とする、バリ除去用パンチピン。

[2] 前記回転機構は、

前記挿入部の外周面と前記被挿入部の内周面との何れか一方に、軸心方向に対して傾斜したスプライン溝が複数個形成され、

他方には前記スプライン溝に対応する箇所に摺動部が形成され、

前記配設基部と前記バリ除去加工部は、前記摺動部が前記スプライン溝に沿って摺動可能に連結されることにより、相互に軸心方向に摺動するのに伴って、軸心を中心として相対的に回転するように構成される、

ことを特徴とする、請求項1に記載のバリ除去用パンチピン。

[3] 請求項1又は請求項2に記載のバリ除去用パンチピンを備える、

ことを特徴とする、バリ除去装置。

[4] 請求項1又は請求項2に記載のバリ除去用パンチピンを用いたバリ除去方法であって、

前記バリ除去用パンチピンを、膜バリを有するワークに対して近接させて、前記バリ除去加工部で前記膜バリを打ち抜く、膜バリ除去工程と、

前記バリ除去加工部を、前記配設基部に対して軸心を中心として回転させて、前記バリ除去加工部の表面に形成された溝で、前記膜バリ除去工程で発生した倒れバリを除去する、倒れバリ除去工程と、

前記バリ除去用パンチピンを、前記ワークから離間させる、離間工程と、を備える、

ことを特徴とする、バリ除去方法。

PCT/JP2008/071381

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
OF THE PATENT COOPERATION TREATY)

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

To:

YANO, Juichiro
YANO INTERNATIONAL PATENT OFFICE Twin 21 MID Tower
34th Floor, 1-61, Shiromi 2-chome, Chuo-ku, Osaka-shi, Osaka
5406134
JAPON

23.6.21

Date of mailing *(day/month/year)* 16 June 2011 (16.06.2011)	
Applicant's or agent's file reference PCT-322	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2008/071381	International filing date *(day/month/year)* 26 November 2008 (26.11.2008)
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA 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, KR, MY

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, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

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

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PCT-322	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2008/071381	International filing date *(day/month/year)* 26.11.2008	Priority date *(day/month/year)*
International Patent Classification (IPC) or national classification and IPC B21D28/00, B21D28/30, B21D28/34, B22D31/00		
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 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 2 sheets, as follows:
      - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s))

      _____, containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).
4. This report contains indications relating to the following items:

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

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2008/071381

Box No. I **Basis of the report**

1. With regard to the language, this report is based on:
   - [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))
     - [ ] publication of the international application (Rule 12.4(a))
     - [ ] international preliminary examination (Rule 55.2(a) and/or 55.3(a))
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
   - [ ] the international application as originally filed/furnished
   - [x] the description:
     - pages 1-9 as originally filed/furnished
     - pages* _____ received by this Authority on _____
     - pages* _____ received by this Authority on _____
   - [x] the claims:
     - nos. 2-4 as originally filed/furnished
     - nos.* _____ as amended (together with any statement) under Article 19
     - nos.* 1 received by this Authority on 27.05.2009
     - nos.* _____ received by this Authority on _____
   - [x] the drawings:
     - sheets figures 1-10 as originally filed/furnished
     - sheets* _____ received by this Authority on _____
     - sheets* _____ received by this Authority on _____
   - [ ] 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)*: _____
4. [ ] This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
   - [ ] the description, pages _____
   - [ ] the claims, nos. _____
   - [ ] the drawings, sheets/figs _____
   - [ ] the sequence listing *(specify)*: _____
5. [ ] This report has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).
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)).

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2008/071381

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

1. Statement

Novelty (N)	Claims	1-4	YES
	Claims		NO
Inventive step (IS)	Claims	1-4	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-4	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 135709/1983 (Laid-open No. 42516/1985) (Mazda Motor Corp.), 26 March 1985, entire document

Document 2: JP 2004-216405 A (Toyota Motor Corp.), 5 August 2004, paragraphs [0027]-[0028], fig. 3-5

Document 3: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 7706/1974 (Laid-open No. 100200/1975) (Kabushiki Kaisha Yamashina Seikosho), 19 August 1975, fig. 2

Document 4: JP 10-291067 A (Toyota Motor Corp.), 4 November 1998, entire text

The invention as set forth in claims 1-4 is not disclosed in any of the documents cited in the international search report, nor would said invention be obvious to a person skilled in the art.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,241	05/25/2011	Tomohiro Hangai	13193/20	4282

23838 7590 11/02/2011
KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005

EXAMINER

ART UNIT	PAPER NUMBER
1742	

MAIL DATE	DELIVERY MODE
11/02/2011	PAPER

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

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

UNITED STATES 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

BC

In re application of Tomohiro Hangai et al. Serial No. 13/131,241 Filed: May 25, 2011 For: BUR REMOVING PUNCH PIN, BUR REMOVING APPARATUS AND BUR REMOVING 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 request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed July 06, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

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

Conditions (1-2) and (4-7) 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 Petitioner has failed to provide a copy of the claims from the PCT application that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate.

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

Response must be filed via the Electronic Filing System (EFS) with the Document Code PPH.PCT.652. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON DC 20005

MAILED
FEB 10 2012
OFFICE OF PETITIONS

In re Application of
HANGAI, et al
Application No.: 13/131,241
Filed: May 25, 2011
Attorney Docket No.: 13193/20
For: BUR REMOVING PUNCH PIN, BUR REMOVING APPARATUS AND BUR REMOVING 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 PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on July 6, 2011, and renewed November 30, 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, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

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

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

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

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

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

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

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

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

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

This application is being forwarded to Technology Center AU 1742 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,265	05/25/2011	Noriyuki Akasaka	P000003-4	4556

12058 7590 10/27/2011
Noriyuki Akasaka
1204, Fujigaoka 2-chome
Kuwana, 511-0865
JAPAN

EXAMINER

ART UNIT	PAPER NUMBER
1742	

MAIL DATE	DELIVERY MODE
10/27/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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OCT 27 2011

In re application of Noriyuki Akasaka Serial No. 13/131,265 Filed: May 25, 2011 Attorney Docket No: P000003-4	: : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a) to make the above-identified application special filed May 26, 2011.

The request and petition are **GRANTED**.

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

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

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

(3) Applicant must:
   a. Ensure all the 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)
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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:	13/131,267	Filing date:	12/03/2008
First Named Inventor:	Soenke Kock		
Title of the Invention:	A robot safety system and a 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/EP2008/066726

The international date of the corresponding PCT application(s) is/are: 12/03/2008

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

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

(continued)

Application No.:	13/131,267
First Named Inventor:	Soenke Kock

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on 6/28/2011

(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 6/28/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	correspond directly with amendments conforming to US practice

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

Signature /Joshua P. Wert Reg. No. 65880/	Date 2011-10-20
Name (Print/Typed) Joshua P. Wert	Registration Number 65880

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
P.O. Box 1450
Alexandria, VA 22313-1450
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Seppo Laine Oy
Joshua P. Wert
Itamerenkatu 3B
Helsinki FI001-80 FI FINLAND

MAILED

FEB 24 2012

OFFICE OF PETITIONS

In re Application of
Soenki Kock
Application No.: 13/131,267
Filed: June 28, 2011
Attorney Docket No.: APPLICATION DISPATCHED FROM PREEXAM, NOT YET DOCKETED

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 20, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

Inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once the formalities review has been completed.

David Bucci
Petitions Examiner
Office of Petitions

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:	13/131,316	Filing date:	May 26, 2011
First Named Inventor:	Norbert Breiter		
Title of the Invention:	SOLUTIONS FOR VOLUME THERAPY		

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/EP2009/009123

The international filing date of the corresponding PCT application(s) is/are: December 18, 2009

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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

(continued)

Application No.:	13/131,316
First Named Inventor:	Norbert Breiter

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 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 May 26, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claims are identical
2	2	Claims are identical
3	3	US claim has been amended to remove multidependencies
4	4	Claims are identical
5	5	US claim has been amended to remove multidependencies
6	6	Claims are identical
7	7	US claim has been amended to remove multidependencies
8	8	US claim has been amended to remove multidependencies
9	9	US claim has been amended to remove multidependencies
10	10	US claim has been amended to remove multidependencies
11	11	US claim has been amended to remove multidependencies
12	12	US claim has been amended to remove multidependencies
13	13	US claim has been amended to remove multidependencies
15	14	US claim has been amended to remove multidependencies

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

Signature /Mandy Jubang/	Date May 26, 2011
Name (Print/Typed) Mandy Jubang	Registration Number 45,884

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.

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:	13/131,319	Filing date:	May 26, 2011
First Named Inventor:	Björn Elias		
Title of the Invention:	METHOD FOR CONTROLLING A LOCKING SYSTEM OF A MOTOR VEHICLE AND A MOTOR VEHICLE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/EP2009/008187

The international date of the corresponding PCT application(s) is/are: November 18, 2009

I. List of Required Documents:

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

☑ Is attached

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

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

☐ Is attached.

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

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

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

☐ Is attached

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

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

☐ Are attached.

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

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.:	13/131,319
First Named Inventor:	Björn Elias

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
17, 18	1	SEE CONTINUATION SHEET
19	2	US claim 19 substantially corresponds in scope to PCT claim 2
20	3	US claim 20 substantially corresponds in scope to PCT claim 3
21	4	US claim 21 substantially corresponds in scope to PCT claim 4
22	5	US claim 22 substantially corresponds in scope to PCT claim 5
23, 24	6	SEE CONTINUATION SHEET
25	7	US claim 25 substantially corresponds in scope to PCT claim 7
26	8	US claim 26 substantially corresponds in scope to PCT claim 8
27	9	US claim 27 substantially corresponds in scope to PCT claim 9
28	10	US claim 28 substantially corresponds in scope to PCT claim 10
29	11	US claim 29 substantially corresponds in scope to PCT claim 11
30	12	US claim 30 substantially corresponds in scope to PCT claim 12
31, 32	13	SEE CONTINUATION SHEET
33	14	US claim 33 substantially corresponds in scope to PCT claim 14
34, 35	15	SEE CONTINUATION SHEET
36	16	US claim 36 substantially corresponds in scope to PCT claim 16 except for the deletion of reference numbers

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 7-26-2011
Name (Print/Typed) Henry M. Feiereisen	Registration Number 31,084

CONTINUATION SHEET

US claim 17 substantially corresponds in scope to PCT claim 1 except for the recitation of a particular preferred example now set forth in claim 18.

US claim 23 substantially corresponds in scope to PCT claim 6 except for the recitation of a particular preferred example now set forth in claim 24.

US claim 31 substantially corresponds in scope to PCT claim 13 except for the recitation of a particular preferred example now set forth in claim 32.

US claim 34 substantially corresponds in scope to PCT claim 15 except for the recitation of a particular preferred example now set forth in claim 35.

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.
13/131,319	05/26/2011	Björn Elias	ELIAS	4947

20151 7590 08/26/2011
HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER

ART UNIT	PAPER NUMBER
2612	

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):

INFO@FEIEREISENLLC.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

HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of	
ELIAS et al.	**: DECISION ON REQUEST TO**
Application No.: 13/131,319	**: PARTICIPATE IN THE PATENT**
Filed: 26 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: ELIAS	**: PROGRAM AND PETITION**
For: METHOD FOR CONTROLLING A	**: TO MAKE SPECIAL UNDER**
LOCKING SYSTEM OF A MOTOR	**: 37 CFR 1.102(a)**
VEHICLE AND A MOTOR VEHICLE	

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 July 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

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

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

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

Requirements (1-2) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding the requirement of condition (3), applicant has failed to submit certificate of translation indicated that the translation filed 26 May 2011 was accurate.

Regarding the requirement of condition (4), applicant has failed to ensure that the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. Specifically, PCT claim 16 requires the first control element to be "located inside the motor vehicle" but this limitation is not present in US claim 36.

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

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

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: ELIAS

In re PATENT Application of: **BJÖRN ELIAS et al.** **U.S. Appl. No.: 13/131,319** **Filed: May 26, 2011** **For: METHOD FOR CONTROLLING A LOCKING SYSTEM OF A MOTOR VEHICLE AND A MOTOR VEHICLE**	**Confirmation No.: 4947**

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

CERTIFICATION OF EFS-WEB TRANSMISSION

I hereby certify that this paper is being EFS-Web transmitted to the U.S. Patent and Trademark Office, Alexandria VA 22313-1450, on **September 26, 2011.**
Date

Henry M. Feiereisen
(Name of Registered Representative)

(Signature)

9-26-2011
(Date of Signature)

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

S I R:

This communication is in response to the 'DECISION ON REQUEST TO PARTICIPATE IN THE PCT PATENT PROSECUTION HIGHWAY PILOT PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)', mailed on August 26, 2011, dismissing the request and the petition and setting a period for response terminating September 26, 2011.

The Commissioner is hereby also authorized to charge any fees which may be required during the pendency of this application, including any patent application processing fees under 37 C.F.R. 1.17, and any filing fees under 37 C.F.R. 1.16, including presentation of extra claims, or credit any overpayment to Deposit Account No: 06-0502.

The noted deficiencies set forth in the above-mentioned Decision are as follows:

Regarding Requirement 3), that Applicant has failed to submit certificate of translation indicated that the translation filed May 26, 2011 was accurate:

Applicant wishes to call to the Examiner's attention that the verification of translation, point 3), signed on July 25, 2011 and filed on July 26, 2011 together with our Request for Participation in the Patent Prosecution Highway Pilot Program was properly submitted. During a telephone conversation on September 1, 2011 with Examiner Lee W. Young, the examiner confirmed that the verification of translation as filed on July 26, 2011 has been accepted.

Regarding Requirement 4), that Applicant has failed to make sure 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:

Applicant has amended claim 36 by second preliminary amendment filed concurrently herewith by incorporating the limitation of PCT claim 16 that the first control element is "located inside the motor vehicle", so as to sufficiently correspond to respective claim 16 that has been determined to have novelty, inventive step, and industrial applicability in the corresponding PCT application. It is Applicant's belief that claims 17-36 now sufficiently correspond to claims 1-16 in the corresponding PCT application.

Grant of the request and petition under 37 CFR 1.102(a) are respectfully requested.

Docket No.: ELIAS
Appl. No.: 13/131,319

Respectfully submitted

By:_____
Henry M. Feiereisen
Agent for Applicant
Reg. No. 31,084

Date: September 26, 2011
708 Third Avenue
Suite 1501
New York, N.Y. 10017
(212) 244-5500
HMF/WS:af/be

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.
13/131,319	05/26/2011	Björn Elias	ELIAS	4947

20151 7590 10/19/2011
HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER

ART UNIT	PAPER NUMBER
2612	

NOTIFICATION DATE	DELIVERY MODE
10/19/2011	ELECTRONIC

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

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

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

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www.uspto.gov

HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of	
ELIAS et al.	**: DECISION ON REQUEST TO**
Application No.: 13/131,319	**: PARTICIPATE IN THE PATENT**
Filed: 26 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: ELIAS	**: PROGRAM AND PETITION**
For: METHOD FOR CONTROLLING A	**: TO MAKE SPECIAL UNDER**
LOCKING SYSTEM OF A MOTOR	**: 37 CFR 1.102(a)**
VEHICLE AND A MOTOR VEHICLE	

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 July 2011 and renewed 26 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

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:	13/131,326	Filing date:	05/26/2011
First Named Inventor:	INOSHITA		
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/JP2009/005932

The international 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)**

☑ 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 JPO AND THE USPTO

(continued)

Application No.:	13/131,326
First Named Inventor:	INOSHITA

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 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 May 26, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	8	corresponding to PCT claims 1 and 8
2	2	corresponding to PCT claim 2 and depending from US claim 1
3	3	corresponding to PCT claim 3 and depending from US claim 1
4	4	corresponding to PCT claim 4 and depending from US claim 1
5	5	corresponding to PCT claim 5 and depending from US claim 1
6	6	corresponding to PCT claim 6 and depending from US claim 1
7	7	corresponding to PCT claim 7 and depending from US claim 1

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

Signature /Kerry Culpepper Reg. #45672/	Date 07-15-2011
Name (Print/Typed) Kerry Culpepper	Registration Number 45672

Privacy Act Statement

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

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

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

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United States Patent and Trademark Office
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.
13/131,326	05/26/2011	Hiroyoshi Inoshita	P54328-02	5006

42212 7590 08/03/2011
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2614	

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):

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	**: DECISION ON REQUEST TO**
INOSHITA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/131,326	**: PROSECUTION HIGHWAY**
Filed: 26 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: P54328-02	**: TO MAKE SPECIAL UNDER**
For: HEARING AID	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 15 July 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

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

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

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

Requirements (1-5), and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (2) and (6).

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

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

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

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

Patent

Attorney Docket No. P54328-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	INOSHITA et al.	Customer No:	42212
Application No.	13/131,326	Art Unit:	2614
Filing Date:	May 26, 2011	Examiner:	(Not yet assigned)
Title:	HEARING AID		

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PPH PROGRAM

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

Sir:

In response to the Notice indicating that the request and petition to participate in the PCT Patent Prosecution Highway (PPH) program was dismissed, the applicants have attached a copy of Japanese language copy of the Written Opinion (PCT/ISA/237). The Notice indicated that the applicants had failed to meet the requirement (6) submitting a copy of the latest international work product from the PCT application. Accordingly, the attached copy of the language copy of the Written Opinion (PCT/ISA/237) meets this requirement.

The Notice indicated in one portion that requirement (2) was met, but also indicated in a different portion that requirement (2) was not met. However, at least one of the claims has been indicated as having novelty, inventive step and industrial applicability, and is free of any

observations in Box VIII. Accordingly, the applicants assume that the indication in one portion that requirement (2) was not met was a typographical error.

In view of the foregoing, the applicants kindly request that the request and petition to participate in the PCT PPH be granted.

Respectfully submitted,

/Kerry S. Culpepper, Reg. #45,672/
August 11, 2011
Kerry S. Culpepper
Reg. No. 45,672

Panasonic Patent Center
1130 Connecticut Ave., NW, Suite 1100
Washington, D.C. 20036
Phone: 202-912-3800
Fax: 202-912-0774
Customer No. 42212

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.
13/131,326	05/26/2011	Hiroyoshi Inoshita	P54328-02	5006

42212 7590 08/17/2011
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
08/17/2011	ELECTRONIC

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON DC 20036

In re Application of	**: DECISION ON REQUEST TO**
INOSHITA et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/131,326	**: PROSECUTION HIGHWAY**
Filed: 26 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: P54328-02	**: TO MAKE SPECIAL UNDER**
For: HEARING AID	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 15 July 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 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

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,327	06/08/2011	Satoshi Kinoshiro	JFE-11-1165	5009

35811 7590 10/11/2011
IP GROUP OF DLA PIPER LLP (US)
ONE LIBERTY PLACE
1650 MARKET ST, SUITE 4900
PHILADELPHIA, PA 19103

EXAMINER

ART UNIT	PAPER NUMBER
1724	

NOTIFICATION DATE	DELIVERY MODE
10/11/2011	ELECTRONIC

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

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

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

pto.phil@dlapiper.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

OCT 1 1 2011

CST

In re application of	:	DECISION ON REQUEST TO
Satoshi Kinoshiro et al	:	PARTICIPATE IN PATENT
Serial No. 13/131,327	:	PROSECUTION HIGHWAY
Filed: June 8, 2011	:	PROGRAM AND
For: METHOD FOR ANALYZING	:	PETITION TO MAKE SPECIAL
METAL MATERIAL	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed August 16, 2011.

The request and petition are **GRANTED**.

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

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

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

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

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

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

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

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

The application is 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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MAILED

AUG 01 2011

PCT LEGAL ADMINISTRATION

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR NY 10510

In re Application of PIERIK et al.
Application No.: 13/131,333
PCT No.: PCT/IB09/55119
Int. Filing Date: 17 November 2009
Priority Date: 21 November 2008
Attorney Docket No.: PH011745 US1
For: REAL TIME MULTIPLEX PCR DETECTION ON SOLID SURFACES USING DOUBLE STRANDED NUCLEIC ACID SPECIFIC DYES

DECISION ON

PETITION TO REVIVE

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 26 May 2011 in the above-captioned application is hereby **GRANTED** .

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 petition fee of $1620 has been paid. The basic national fee was 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. A declaration, in compliance with 37 CFR 1.497(a) and (b), was provided on 26 May 2011. The $130 surcharge for filing the declaration after the thirty month period will be charged to applicant's deposit account per his authorization. The 35 U.S.C. 371(c) (1), (c)(2) and (c)(4) date is 26 May 2011.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
PCT Legal Office
Office of PCT Legal Administration
Telephone: 571-272-3286

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/131,398	05/26/2011	Kozo Kato	10517/558	5522

23838 7590 06/22/2011
KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON, DC 20005

EXAMINER

ART UNIT	PAPER NUMBER
2816	

MAIL DATE	DELIVERY MODE
06/22/2011	PAPER

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

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

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Alexandria, VA 22313-1450
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KENYON & KENYON LLP
1500 K STREET N.W.
SUITE 700
WASHINGTON DC 20005

In re Application of	
Kozo KATO	**: DECISION ON REQUEST TO**
Application No.: 13/131,398	**: PARTICIPATE IN THE PATENT**
Filed: 26 May 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 10517/558	**: PROGRAM AND PETITION**
For: ELECTRICALLY INSULATED	**: TO MAKE SPECIAL UNDER**
SWITCHING ELEMENT DRIVER AND	**: 37 CFR 1.102(a)**
METHOD FOR CONTROLLING 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 31 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

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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OLIFF & BERRIDGE, PLC
PO BOX 320850
ALEXANDRIA VA 22320-4850

MAILED
MAR 26 2012
OFFICE OF PETITIONS

In re Application of Ikuta, et al. Application No. 13/131,411 Filed: May 26, 2011 Attorney Docket Number: 149669	: : : : :	DECISION ON PETITION

This is in response to the petition under 37 CFR 1.84(a)(2), filed May 26 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) to accept color drawings 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.

Here, the Office has not received the set of color drawings for Figures 7A – 7D. In addition, the petition does not meet requirement (3) above.

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 for examination.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

Jose Dees
Petitions Examiner
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
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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:	PCT/US2010/055150	Filing date:	November 2, 2010
First Named Inventor:	KUCHMAN		
Title of the Invention:	PROJECTILE FOR USE WITH A RIFLED BARREL		

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/US2010/055150

The international filing date of the corresponding PCT application(s) is/are: November 2, 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 IPAU AND THE USPTO

(continued)

Application No.:	PCT/US2010/055150
First Named Inventor:	KUCHMAN

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
1-18	1-18	Claims as amended in Australian patent application No. 2010257280

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

Signature /Matthew R. Ellsworth/	Date May 25, 2011
Name (Print/Typed) Matthew R. Ellsworth	Registration Number 56,345

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.
13/131,440	05/26/2011	Todd Kuchman	6436-1-PUS	5803

22442 7590 09/26/2011
SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

ART UNIT	PAPER NUMBER
3641	

MAIL DATE	DELIVERY MODE
09/26/2011	PAPER

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

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

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SEP 2 6 2011

SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER CO 80202

In re application of	:	**DECISION ON REQUEST TO**
Todd Kuchman	:	**PARTICIPATE IN PATENT**
Application No. 13/131,440	:	**PROSECUTION HIGHWAY**
Filed: May 26, 2011	:	**PROGRAM AND PETITION**
For: PROJECTILE FOR USE	:	**TO MAKE SPECIAL UNDER**
WITH A RIFLED BARREL	:	**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 validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s) 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 IPAU application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest Office action from each of the IPAU application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU Office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the preliminary amendment filed on May 26, 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: 09/26/11

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:	13/131,496	Filing date:	May 26, 2011 (confirmation # 6149)
First Named Inventor:	Tanaka, Koichi		
Title of the Invention:	Stereoscopic Image Processing Device, Method, Recording Medium and Stereoscopic Imaging Apparatus		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/070207

The international date of the corresponding PCT application(s) is/are: November 25, 2009

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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

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.:	13/131,496
First Named Inventor:	TANAKA, Koichi

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 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 May 26, 2011

II. Claims Correspondence Table:

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

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

Signature / Marina Zalevsky/	Date June 17, 2011
Name (Print/Typed) Marina Zalevsky	Registration Number 53,825

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.
13/131,496	05/26/2011	Koichi Tanaka	Q124753	6149

23373 7590 07/13/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
2624	

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

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

In re Application of
KOICHI TANAKA
Application No.: 13/131,496
Filed: 26 May 2010
Attorney Docket No.: Q124753
For: STEREOSCOPIC IMAGE PROCESSING DEVICE, METHOD, RECORDING MEDIUM AND STEREOSCOPIC IMAGING APPARATUS

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 17 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, 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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Bates & Bates, LLC
964 Dekalb Ave.
Suite 101
Atlatna, GA 30307

MAILED
AUG 12 2011
PCT LEGAL ADMINISTRATION

In re Application of
FANG et al.
Application No.: 13/131,592
PCT No.: PCT/US2009/006289
Int. Filing Date: 25 November 2009
Priority Date: 26 November 2008
Attorney Docket No.: SDSU-005
For: IDENTIFICATION OF PORCINE REPRODUCTIVE AND RESPIRATORY SYNDROME VIRUS

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 20 June 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 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
Fax: (571) 273-0459

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SEP 13 2011

PCT LEGAL ADMINISTRATION

RANKIN, HILL & CLARK LLP
23755 LORAIN ROAD, SUITE 200
NORTH OLMSTED OH 44070

In re Application of	:	DECISION
HAMPEL et al.	:	
Application No.: 13/131,669	:	
PCT No.: PCT/EP2009/008552	:	
Int. Filing Date: 27 November 2009	:	
Priority Date: 27 November 2008	:	
Attorney Docket No.: WDL-34746	:	
For: DEVICE FOR RECEIVING . . . AND	:	
CORRESPONDING METHOD	:	

This decision is in response to applicant's petition under 37 CFR 1.497(d) filed on 22 July 2011.

BACKGROUND

On 27 November 2009, applicant filed international application PCT/EP2009/008552, which designated the United States and claimed a priority date of 27 November 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 27 May 2011.

On 27 May 2011, applicant filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a copy of a declaration of inventors filed under PCT Rule 4.17(iv) in international application number PCT/EP2009/008552, and a one page declaration listing only one inventor–Christopher RECK.

On 07 July 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 the copy of the declaration of inventors filed 27 May 2011 was not in compliance with 37 CFR 1.497(a)-(b) because it identified a different inventive entity than that identified in the published international application.

On 22 July 2011, applicant filed the instant petition under 37 CFR 1.497(d).

DISCUSSION

Petition Under 37 CFR 1.497(d)

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.

Item (1) has been satisfied.

As to item (2), the processing fee of $130 has been charged to Deposit Account 180160.

Item (3) has not been satisfied. No mention is made in the petition regarding whether an assignment has been executed. If an assignment has been executed, the written consent of the assignee is required. A proper showing under 37 CFR 3.73(b) is also required if an assignment has been executed. See MPEP § 324.

Item (4) is not required.

Declaration of Inventors

The declaration of inventors filed under PCT Rule 4.17(iv) in the international phase and signed by three inventors is not in compliance with 37 CFR 1.497(a)-(b) because it does not identify the application to which it was directed. Attention is directed to the instructions in the Request (Form PCT/RO/101) for Box No. VIII(iv) which state that where "**the declaration** was not included in the request, but **is furnished later**, the PCT application number MUST be indicated within the text of Box No. VIII(iv)" (emphasis in original). The copy of the PCT Rule 4.17 declaration filed 27 May 2011 was not included in the request but was furnished later. (A NOTIFICATION RELATING TO DECLARATION MADE UNDER PCT RULE 4.17 mailed 08 April 2010 by the International Bureau indicates that the declaration was filed 01 April 2010 which is after the international filing date. This NOTIFICATION is available at the WIPO website using the PATENTSCOPE® database.)

Accordingly, a new declaration of inventors in compliance with 37 CFR 1.497(a)-(b) identifying each of the inventors and signed by each of the inventors is required.

CONCLUSION

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

If reconsideration on the merits of this petition is desired, a proper reply must be filed within TWO (2) MONTHS from the mail date of this decision. (A proper reply must include, *inter alia*, a new declaration of inventors in compliance with 37 CFR 1.497(a)-(b).) Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.497(d)." No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper reply will result in abandonment of the application.

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

/Daniel Stemmer/

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

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MAILED

DEC 20 2011

PCT LEGAL ADMINISTRATION

RANKIN, HILL & CLARK LLP
23755 LORAIN ROAD, SUITE 200
NORTH OLMSTED OH 44070

In re Application of	:	
HAMPEL et al.	:	
Application No.: 13/131,669	:	DECISION
PCT No.: PCT/EP2009/008552	:	
Int. Filing Date: 27 November 2009	:	
Priority Date: 27 November 2008	:	
Attorney Docket No.: WDL-34746	:	
For: DEVICE FOR RECEIVING . . . AND	:	
CORRESPONDING METHOD	:	

This is a decision on applicants' renewed petition under 37 CFR 1.497(d) filed in the United States Patent and Trademark Office (USPTO) on 16 November 2011.

BACKGROUND

On 27 November 2009, applicant filed international application PCT/EP2009/008552, which designated the United States and claimed a priority date of 27 November 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 27 May 2011.

On 27 May 2011, applicant filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a copy of a declaration of inventors filed under PCT Rule 4.17(iv) in international application number PCT/EP2009/008552, and a one page declaration listing only one inventor–Christopher RECK.

On 07 July 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 the copy of the declaration of inventors filed 27 May 2011 was not in compliance with 37 CFR 1.497(a)-(b) because it identified a different inventive entity than that identified in the published international application.

On 22 July 2011, applicant filed a petition under 37 CFR 1.497(d).

On 13 September 2011, a decision was issued dismissing without prejudice applicants' petition under 37 CFR 1.497(d). Specifically, it was noted that no mention was made regarding whether an assignment had been executed, and that if an assignment had been executed, the written consent of the assignee is required as well as a proper showing under 37 CFR 3.73(b). The decision also indicated that the declaration of inventors filed under PCT Rule 4.17(iv) in the international application was not sufficient.

On 16 November 2011, applicants filed the instant renewed petition under 37 CFR 1.497(d) which included, *inter alia*, a new declaration of 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.

As noted in the decision issued 13 September 2011, items (1) and (2) have been satisfied and item (4) is not required.

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

Declaration of Inventors

The declaration of inventors filed 16 November 2011 is in compliance with 37 CFR 1.497(a)-(d).

CONCLUSION

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

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application in accordance with this decision including processing the application in the name of Hermann HAMPEL, Ulrich BEROLD, Gerd BUMILLER, and Christoph RECK as inventors.

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/131,674	05/27/2011	Yoshimasa Imazaki	ION-104-A	7444

21828 7590 08/03/2011
CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI, MI 48375

EXAMINER

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):

cbalaw@gmail.com
cbalaw@ameritech.net
wblackman@ameritech.net

UNITED STATES PATENT AND TRADEMARK OFFICE

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

August 2, 2011 WG

In re application of Yoshimasa Imazaki et al. Serial No. 13/131,674 Filed: May 27, 2011 For: ELECTROLYTE FOR PHOTOELECTRIC CONVERSION ELEMENTS, AND PHOTOELECTRIC CONVERSION ELEMENT AND DYE-SENSITIZED SOLAR CELL USING THE ELECTROLYTE	:	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 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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:		Krizmanic, et al.
Group Art Unit	:	To be assigned
Application No.	:	13/131,698
Examiner	:	To be assigned
Filed	:	May 25, 2011
Docket No.	:	1662/A619US1
For	:	Process for the Preparation and Purification of Etravirine and Intermediates Thereof

COMMISSIONER FOR PATENTS
PETITIONS BRANCH
P. O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted via ESF-Web addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: May 31, 2011

Signature: /Eunice K. Chang/
Eunice K. Chang

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM

Sir:

Applicant hereby requests participation in the Patent Prosecution Highway (PPH) Program and ***petitions to make this application special under the PPH Program.*** To comply with the requirements, the following papers are transmitted:

1) Form PTO/SB/20PCT-EP (05-10) - Request for Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Pilot Program Between the European Patent Office (EPO) and the USPTO.

2) A copy of the latest international work product which indicated that certain of the claims have novelty, inventive step and industrial applicability: Written Opinion of the International Searching Authority (the EPO) for International Application PCT/US2010/043329, having an International Filing Date of July 27, 2010.

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

REMARKS

In view of the foregoing document(s) transmitted herewith to comply with the Requirements For Participation in the Patent Prosecution Highway (PPH) Program between the PCT and the USPTO, Applicants respectfully request participation in the program as well as accelerated examination of this application.

The Examiner is invited to contact the undersigned at 215-293-6519 to discuss any matter concerning this request.

As of May 25, 2010, the USPTO has eliminated the fee for the petition to make special under the PPH programs. Nonetheless, if any fees are due with this filing, the Office is authorized to charge such fees to Deposit Account No. 11-0600.

Respectfully submitted,

Date: May 31, 2011

/Timothy W. Davenport/

Timothy W. Davenport
Reg. No. 47,515
P. O. Box 1090
North Wales, PA 19454
USA
Phone: 215-293-6519
CUSTOMER NUMBER 26646

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:	13/131,698	Filing date:	05-27-2011
First Named Inventor:	Irena Krizmanic		
Title of the Invention:	PROCESS FOR THE PREPARATION AND PURIFICATION OF ETRAVIRINE AND INTERMEDIATES 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/US2010/043329

The international filing date of the corresponding PCT application(s) is/are: July 27, 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.:	13/131,698
First Named Inventor:	Irena Krizmanic

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 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 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1,2,8,9,13,18,19,20	1,2,8,9,13,18,19,20 respectively	Claims in the PCT and US are the same
3,4,10,11	3,4,10,11, respectively	Claims are substantially the same (multiple dependency was removed)
12,17	12,17	Claims are substantially the same (abbreviated names replaced with full chemical names)
22,23,24,29,30,31,33,34	22,23,24,29,30,31,33,34 respectively	Claims in the PCT and US are the same
21,32	21,32, respectively	Claims are substantially the same (multiple dependency was removed)
28	28	Claims are substantially the same (abbreviated names replaced with full chemical names)
25,26,27	25,26,27, respectively	Claims are substantially the same (abbreviated names replaced with full chemical names; multiple dependency removed)
35,42,43,45,46,47,50,51	35,42,43,45,46,47,50,51, respectively	Claims in the PCT and US are the same
41	41	Claims are substantially the same (multiple dependency was removed)
39,40,49	39,40,49, respectively	Claims are substantially the same (abbreviated names replaced with full chemical names)
36,37,38,44,48	36,37,38,44,48, respectively	Claims are substantially the same (abbreviated names replaced with full chemical names; multiple dependency removed)

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

Signature /Timothy W. Davenport/	Date May 27, 2011
Name (Print/Typed) Timothy W. Davenport	Registration Number 47,515

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

(PCT Rule 44.1)

To:
Birde, Patrick J.
KENYON & KENYON LLP
One Broadway
New York, New York 10004-1050
ETATS-UNIS D'AMERIQUE

Date of mailing *(day/month/year)*	22 October 2010 (22-10-2010)
Applicant's or agent's file reference 14789/A406WO1	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US2010/043329	International filing date *(day/month/year)* 27 July 2010 (27-07-2010)
Applicant TEVA PHARMACEUTICAL INDUSTRIES LTD.	

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	CHERQUI, Emmanuel Tel: +31 (0)70 340-2643

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.

BNSDOCID: <XS_____201005011P4_I_>

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.

BNSDOCID: <XS_____201008011P4_I_>

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 14789/A406WO1	**FOR FURTHER ACTION** see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2010/043329	International filing date *(day/month/year)* 27/07/2010	(Earliest) Priority Date *(day/month/year)* 27/07/2009
Applicant TEVA PHARMACEUTICAL INDUSTRIES LTD.		

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 6 sheets.

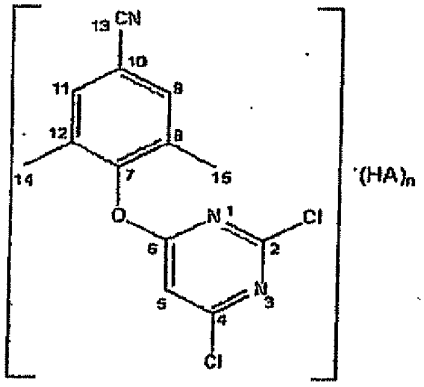
[X] It is also accompanied by a copy of each prior art document cited in this report.

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**,
   [ ] the text is approved as submitted by the applicant
   [X] the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority
6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. _____
      [ ] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [ ] as selected by this Authority, because this figure better characterizes the invention
   b. [X] none of the figures is to be published with the abstract

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

In one embodiment the present invention encompasses 4-(2,6-dichloropyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("ETHER"), 4-(4,6-dichloropyrimidin-2-yloxy)-3,5-dimethyl-benzonitrile ("ETHER C-2 isomer"), mixtures and salts thereof of. The present invention encompasses the use of ETHER and salts thereof to prepare Etravirine and Etravirine intermediates, and salts thereof. In another embodiment the present invention encompasses the use of ETHER and salts thereof to prepare debrometravirine ("DEBETV") and salts thereof. In yet another embodiment the present invention encompasses the use of ETHER and salts thereof to prepare 4-(6-chloro-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethyl-benzonitrile ("ARCPBN") and salts thereof.

The compound, 4-(2,6-dichloropyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("ETHER"), of the following formula:



wherein n is either 0 or 1 and HA is an acid.

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2010/043329

A. CLASSIFICATION OF SUBJECT MATTER
INV. C07D239/34 C07D239/42 C07D239/48 A61K31/505 A61P31/18
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)
C07D A61K

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, CHEM ABS Data, 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 00/27825 A1 (JANSSEN PHARMACEUTICA NV [BE]; CORTE BART DE [US]; JONGE MARC RENE DE) 18 May 2000 (2000-05-18) cited in the application page 30 - page 37; example b14; compound 46	1-51
A	WO 2006/094930 A1 (TIBOTEC PHARM LTD [IE]; DE KOCK HERMAN AUGUSTINUS [BE]; WIGERINCK PIET) 14 September 2006 (2006-09-14) cited in the application page 6 - page 8	1-51

-/--

[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
4 October 2010	22/10/2010
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 Megido, Benigno

1

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

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2010/043329

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 2008/071587 A2 (HOFFMANN LA ROCHE [CH]; BROTHERTON-PLEISS CHRISTINE E [US]; KERTESZ DE) 19 June 2008 (2008-06-19) cited in the application page 27; sequence B page 51 - page 52; example 11	1-51
X,P	JOSHI, SHASHIKANT; MAIKAP, GOLAK C.; TITIRMARE, SHYAM; CHAUDHARI, ASHOK; GURJAR, MUKUND K.: "An improved synthesis of etravirine" ORGANIC PROCESS RESEARCH & DEVELOPMENT, vol. 14, no. 2, 21 April 2010 (2010-04-21) , pages 657-660, XP002603305 ISSN: 1083-6160 the whole document	1-51

1

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2010/043329

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 0027825 A1	18-05-2000	AP 1683 A	31-12-2006
		AT 455107 T	15-01-2010
		AT 233740 T	15-03-2003
		AU 762523 B2	26-06-2003
		BG 65103 B1	28-02-2007
		BG 105418 A	30-11-2001
		BR 9915552 A	14-08-2001
		CA 2350801 A1	18-05-2000
		CN 1322198 A	14-11-2001
		CZ 20011533 A3	17-10-2001
		DE 69905683 D1	10-04-2003
		DE 69905683 T2	18-03-2004
		DE 122009000003 I1	20-05-2009
		DK 1002795 T3	30-06-2003
		EE 200100252 A	15-10-2002
		EP 1270560 A1	02-01-2003
		EP 1002795 A1	24-05-2000
		ES 2338760 T3	12-05-2010
		ES 2193664 T3	01-11-2003
		HK 1025330 A1	13-06-2003
		HK 1048817 A1	09-04-2010
		HR 20010161 A2	28-02-2002
		HR 20080359 A2	31-12-2008
		HU 0104177 A2	28-03-2002
		ID 28376 A	17-05-2001
		JP 3635238 B2	06-04-2005
		JP 2002529456 T	10-09-2002
		LU 91528 A9	20-04-2009
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		NO 20011696 A	04-04-2001
		NZ 511116 A	29-08-2003
		OA 11674 A	12-01-2005
		PL 347586 A1	08-04-2002
		PT 1002795 E	31-07-2003
		SI 1002795 T1	31-10-2003
		SK 6032001 A3	07-01-2002
		SK 287270 B6	07-05-2010
		TR 200101306 T2	22-10-2001
		TW 238161 B	21-08-2005
		US 2005288278 A1	29-12-2005
		US 2003114472 A1	19-06-2003
		US 2004039005 A1	26-02-2004
		US 2008176880 A1	24-07-2008
		ZA 200103769 A	12-08-2002
WO 2006094930 A1	14-09-2006	AT 473212 T	15-07-2010
		AU 2006222057 A1	14-09-2006
		BR PI0609291 A2	09-03-2010
		CN 101133038 A	27-02-2008
		JP 2008531658 T	14-08-2008
		US 2010121060 A1	13-05-2010
		US 2008214588 A1	04-09-2008
WO 2008071587 A2	19-06-2008	AR 064221 A1	18-03-2009
		AU 2007332654 A1	19-06-2008
		CA 2671478 A1	19-06-2008

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2010/043329

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		CL 35652007 A1	04-07-2008
		CN 101553483 A	07-10-2009
		EP 2089384 A2	19-08-2009
		JP 2010513240 T	30-04-2010
		KR 20090087512 A	17-08-2009
		US 2008146595 A1	19-06-2008

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/US2010/043329	27.07.2010	24.11.2009

International Patent Classification (IPC) or both national classification and IPC
INV. C07D239/34 C07D239/42 C07D239/48 A61K31/505 A61P31/18

Applicant
TEVA PHARMACEUTICAL INDUSTRIES LTD.

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

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

2. **FURTHER ACTION**

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

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

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

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

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016	see form PCT/ISA/210	Megido, Benigno Telephone No. +31 70 340-9523

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2010/043329

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. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

   see separate sheet

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	1-51
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-51
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-51
	No:	Claims	

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

1. Certain published documents (Rules 43*bis*.1 and 70.10)

and / or

2. Non-written disclosures (Rules 43*bis*.1 and 70.9)

see form 210

Box No. VIII Certain observations on the international application

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

see separate sheet

Re Item V.

1 **Prior art**

1.1 Reference is made to the following documents:

D1 WO 00/27825 A1 (JANSSEN PHARMACEUTICA NV [BE]; CORTE BART DE [US]; JONGE MARC RENE DE) 18 May 2000 (2000-05-18) cited in the application

D2 WO 2006/094930 A1 (TIBOTEC PHARM LTD [IE]; DE KOCK HERMAN AUGUSTINUS [BE]; WIGERINCK PIET) 14 September 2006 (2006-09-14)

D3 WO 2008/071587 A2 (HOFFMANN LA ROCHE [CH]; BROTHERTON-PLEISS CHRISTINE E [US]; KERTESZ DE) 19 June 2008 (2008-06-19)

2 **Novelty (Article 33(2) PCT)**

2.1 The subject-matter of the present application is new in the sense of Article 33 (2) PCT and meets the criteria of Article 33(1) PCT.

2.2 The subject-matter of the present application refers to the compound 4-(2,6-dichloropyrimidin-4-yloxy)-3,5-dimetliylbenzonitrile (designated as compound ETHER) as well as its C-2 isomer, processes for the preparation thereof and processes for the preparation of Etravirine and etravirine analogues (ARCPBN and debrometravirine, a.k.a. DEBETV).

2.3 The state of the art represent by the more relevant documents D1-D3 fails to disclose this particular compound, the C-2 isomer and any synthesis based thereof.

2.4 Therefore, the subject-matter of the present application is not new in the sense of Article 33(2) PCT and does not meet the criteria of Article 33(1) PCT.

3 **Inventive Step (Article 33(3) PCT)**

3.1 The subject-matter of the present application is considered to involve an inventive step in the sense of Article 33(3) PCT and meets the criteria of Article 33(1) PCT.

3.2 Document D1, which is considered to represent the most relevant state of the art, discloses the synthesis of etravirine by aminolysis of the 5-bromo-6-chloro-pyrimidine precursor (cf. example B14 on D1) with 40% yield for this last step.

3.3 From this, the subject-matter of the present application differ in the introduction of the amino group prior to the introduction of the deactivating bromo group which increases the yield of the procedure.

3.4 The technical effect associated to this difference is a more convergent synthesis with a increased total yield of the final product.

3.5 Therefore, the problem to be solved by the present invention may be regarded as the provision of an improved synthesis of etravirine and derivatives thereof.

3.6 The solution to this problem proposed in the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

3.6.1 D2 discloses the reaction between the dimethylhydroxybenzonitrile derivative (cf. page 8, compound VIII on D2) with the corresponding pyrimidine derivative (cf. page 8. compound XIII on D2) which could be seem as a similar process to the claimed by the present application, the fact is that the compound XIII of D2 already includes the amino group and the bromo group in the starting material in an attempt to avoid their ulterior inclusion.

3.6.2 Similar is disclosed by D3 on page 27, Scheme B and page 51,52, example 11, wherein the dimethylhydroxybenzonitrile derivative is reacted with the corresponding amino-pyrimidine derivative, which avoids the ulterior introduction of this group but not of the bromo group.

3.6.3 Starting from the closest prior art D1, it will not be obvious for the person skilled in the art to avoid the introduction of the bromo group by reacting the dimethylhydroxybenzonitrile derivative with a tri-substituted pyrimidine derivative as the hyxroxy group can, in principle, react in a non-selective way with any one of the leaving groups, but even if this reactivity could have been predicted, no indication of the prior art would prompt the person skilled in the art to introduce the amino group and the bromo group in that order at the end of the synthesis (namely after the reaction with the para-aminobenzonitrile) as the closest prior art D1 discloses the opposite sequence (first the bromo then the amino group) and D2 and D3 clearly suggest the introduction of those groups (or at least the amino group) already in the starting material of the synthesis.

3.6.4 Therefore, the inversion of the sequence combined with the use of a tri-substituted pyrimidine in a four steps reaction from the starting dimethylhydroxybenzonitrile derivative to the final etravirine is not obvious for the person skilled in the art from the closest prior art document D1 even in combination with any one of D2 and D3 and the common general knowledge of the field.

3.7 Therefore, the subject-matter of the present application meets the criteria of Article 33(1) PCT and it is considered to involve an inventive step in the sense of Article 33(3) PCT.

Re Item VI.

4 **Certain documents cited**

4.1 The following document:

D4 JOSHI, SHASHIKANT; MAIKAP, GOLAK C.; TITIRMARE, SHYAM; CHAUDHARI, ASHOK; GURJAR, MUKUND K.: "An improved synthesis of etravirine"ORGANIC PROCESS RESEARCH & DEVELOPMENT, vol. 14, no. 2, 21 April 2010 (2010-04-21) , pages 657-660, ISSN: 1083-6160

may be used to challenge the novelty of the subject-matter of the present application in the Regional Phase of the procedure.

Re Item VIII.

5 **Clarity and content of the claims (Article 6 PCT and Rule 6 PCT)**

5.1 Contrary to the requirements of Rule 6.2(a) PCT, the claims rely in respect of the technical features of the invention on references to the description or drawings, cf. for example claim 2.

5.2 Also, for example in claim 2, the claimed subject-matter which refers to a certain compound defined by its 1H-NMR pattern and its 13C-NMR pattern is claimed as a combination thereof. The meaning of this combination of technical features is not clear form the context as the combination of an 1H-NMR pattern with a 13C-pattern into one pattern appears to lack any scientific sense.

5.3 Independent claims 1 and 8 refer to a compound (namely the compound ETHER and the compound ETHER C-2 isomer).

5.3.1 Dependent claims 3 and 10 refer to the same compound as the corresponding independent claims, the fact that the compound is isolated or not does not constitutes a technical feature of the compound as the compound is perfectly defined by its chemical formula, as depicted in the independent claims, therefore claims 3 and 8 are empty of content when compared with their corresponding independent claims 1 and 8 and in this way, they contravene the requirement of conciseness as expressed on Article 6 PCT.

5.4 Claims 5 to 7 and 14 to 16 refer to a compound for use in the preparation of another compounds. This formulation does not limit the scope of the claim in any form as the "for use" is to be understood as suitable for it, not as a limiting feature. In this way, the claims refer just to the compound per se and in a similar way as discussed on the previous point concerning dependent claims 3 and 10, claims 5 to 7 and 14 to 16 have the same scope as the corresponding independent claims 1 and 8 and therefore they also contravene the requirements of Article 6 PCT due to a lack of conciseness.

6 Content of the description (Article 5 PCT and Rule 5 PCT)

6.1 On the description the prior art relevant to the background of the invention is discussed and "incorporated by reference", the attention of the applicant is called to PCT-GL-4.26 where the reference in international applications to other documents is discussed.

6.2 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in prior art document D4 is not mentioned in the description, nor is this document identified therein.

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

Docket No.: 1662/A619US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:		Krizmanic, et al.
Group Art Unit	:	To be assigned
Application No.	:	13/131,698
Examiner	:	To be assigned
Filed	:	May 27, 2011
Docket No.	:	1662/A619US1.
For	:	PROCESS FOR THE PREPARATION AND PURIFICATION OF ETRAVIRINE AND INTERMEDIATES THEREOF

COMMISSIONER FOR PATENTS
PETITIONS BRANCH
P. O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted via ESF-Web addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: May 31, 2011

Signature: /Eunice K. Chang/
Eunice K. Chang

Copy of all claims indicated by the ISA as having novelty, inventive step and industrial applicability in the International Application PCT/US2010/043329

Sir:

Attached here is a copy of all claims indicated as having novelty, inventive step and industrial applicability in the International Application PCT/US2009/003840, in accord with Part Ib of USPTO Form PTO/SB/20PCT-EP (05-10).

Respectfully submitted,

Date: May 31, 2011

/Timothy W. Davenport/

Timothy W. Davenport
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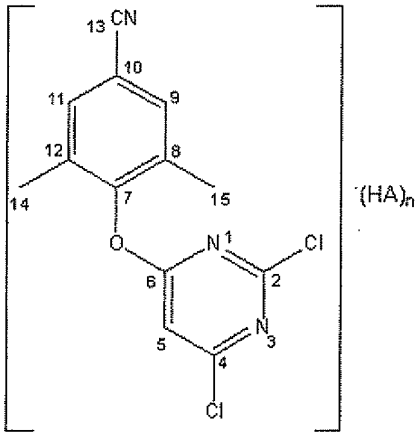
North Wales, PA 19454
USA
Phone: 215-293-6519
CUSTOMER NUMBER 26646

Claims in International Application PCT/US2010/043329 that were indicated by the International Search Report to have novelty, inventive step and industrial applicability

1. The compound, 4-(2,6-dichloropyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("ETHER"), or a salt thereof, of the following formula:



wherein n is either 0 or 1 and HA is an acid.

2. The compound according to claim 1, wherein said compound is characterized by data selected from: a ^{1}H NMR pattern (600.1 MHz, DMSO-d_6,), δ/ppm, having peaks at about 7.69 (2H, br), 7.52 (1H, s), and 2.12 (6H, s); a ^{1}H NMR pattern substantially as depicted in figure 1; a ^{13}C NMR pattern (150.9 MHz, DMSO-d_6,), δ/ppm, having peaks at about 169.9 (C, s), 162.7 (C, s), 159.1 (C, s), 152.6 (C, s), 133.3 (CH, d), 132.8 (C, s), 118.7 (C, s), 109.9 (C, s), 107.1 (CH, d), and 16.1 (CH_3, q); a ^{13}C NMR pattern substantially as depicted in figure 2; and combinations thereof.

3. The compound according to any one of claims 1-2, wherein said compound is isolated.

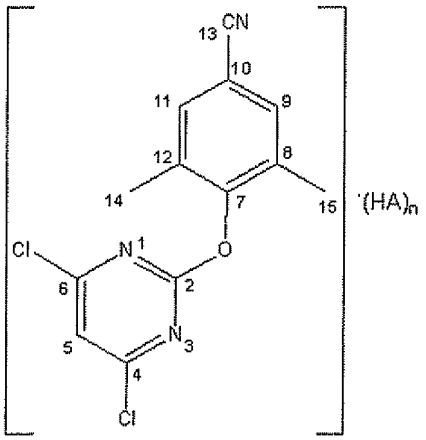
4. The compound according to any one of claims 1-3, wherein said compound is crystalline.

5. The compound according to any one of claims 1-4, for use in the preparation of Etravirine or intermediates of Etravirine.

6. The compound according to any one of claims 1-5, for use in the preparation of 4-(6-amino-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("DEBETV").

7. The compound according to any one of claims 1-6, for use in the preparation of 4-(6-chloro-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("ARCPBN").

8. The compound 4-(4,6-dichloropyrimidin-2-yloxy)-3,5-dimethylbenzonitrile ("ETHER C-2 isomer"), or a salt thereof, of the following formula:



wherein n is either 0 or 1 and HA is an acid.

9. The compound according to claim 8, wherein said compound is characterized by data selected from: a ^{1}H NMR pattern (600.1 MHz, DMSO-d_6,), δ/ppm, having peaks at about 7.75 (1H, s), 7.69 (2H, br), and 2.12 (6H, s); a ^{1}H NMR pattern substantially as depicted in figure 1; a ^{13}C NMR pattern (150.9 MHz, DMSO-d_6,), δ/ppm, having peaks at about 169.9 (C, s), 163.6 (2C, s), 152.6 (C, s), 133.2 (C, d), 132.7 (C, s), 118.7 (C, s), 117.3 (CH, d), 109.9 (C, s), and 16.1 (CH_3, q); a ^{13}C NMR pattern substantially as depicted in figure 2; and combinations thereof.

10. The compound according to any one of claims 8-9, wherein said compound is isolated.

11. The compound according to any one of claims 8-10, wherein said compound is crystalline.

12. A crystalline form of a mixture of the compounds, ETHER and C-2 ETHER, characterized by data selected from: a PXRD pattern having peaks at about 8.0, 11.2, 13.1, 13.8 and 24.2 ± 0.2 degrees two-theta; a PXRD pattern substantially as depicted in figure 3; and combinations thereof.

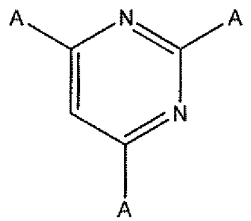
13. The crystalline form of claim 12, further characterized by a PXRD pattern having additional peaks at about 11.9, 17.4, 19.6, 26.7 and 30.4 ± 0.2 degrees two-theta.

14. The crystalline form according to any one of claims 12-13, for use in the preparation of Etravirine or intermediates of Etravirine.

15. The crystalline form according to any one of claims 12-14, for use in the preparation of 4-(6-amino-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("DEBETV").

16. The crystalline form according to any one of claims 12-14, for use in the preparation of 4-(6-chloro-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("ARCPBN").

17. A process for preparing the compound ETHER, its mixture with C-2 ETHER isomer, or salts thereof, said process comprising reacting 2,4,6-trihalopyrimidine (ThalP) of the following structure:



ThalP

and 4-hydroxy-3,5-dimethylbenzonitrile (DMHB);

wherein each A is independently a halogen.

18. The process of claim 17, wherein said process is carried out in the presence of a solvent.

19. The process of claim 18, wherein the solvent is a mixture of water and a water miscible organic solvent comprising a C_1-C_3 ketone.

20. The process of claim 18, wherein the water miscible organic solvent is acetone.

21. The process of any one of claims 17-20, wherein said process is carried out in the presence of a base.

22. The process of claim 21 wherein the base is an inorganic base.

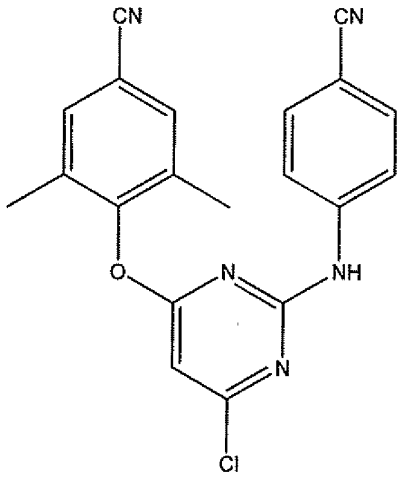
23. The process of claim 22, wherein the inorganic base is an alkali metal base.

24. The process of claim 24, wherein the alkali metal base is sodium hydroxide.

25. The process of any one of claims 17-24, further comprising recovering the compound ETHER or its mixture with C-2 ETHER isomer or salts thereof.

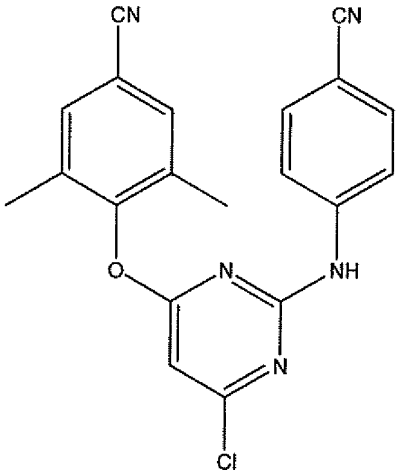
26. The process of any one of claims 17-25, further comprising converting the compound ETHER, or its mixture with C-2 ETHER isomer or salts thereof to Etravirine, or Etravirine intermediates or salts thereof.

27. The process of any one of claims 17-25, further comprising converting the compound ETHER or its mixture with C-2 ETHER isomer or salts thereof to 4-(6-chloro-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile ("ARCPBN") of the following formula:



ARCPBN

28. A process for preparing the compound ARCPBN:



comprising reacting the compound ETHER or its mixture with C-2 ETHER isomer or a salt thereof and 4-aminobenzonitrile (ABN).

29. The process of claim 28, wherein said process is carried out in the presence of a solvent.

30. The process of claim 29, wherein the solvent is a polar aprotic organic solvent.

31. The process of claim 30 wherein the polar aprotic solvent is dimethylacetamide.

32. The process of any one of claims 28-31, wherein said process is carried out in the presence of a base.

33. The process of claim 32, wherein the base is an inorganic base.

34. The process of claim 33, wherein the inorganic base is a metal hydride base.

35. The process of claim 34, wherein the metal hydride base is sodium hydride.

36. The process of any one of claims 28-35, further comprising recovering the compound ARCPBN.

37. The process of any one of claims 28-36, further comprising converting the compound ARCPBN to the compound of 4-(6-amino-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile (DEBETV) or a salt thereof.

38. The process of any one of claims 28-37, further comprising converting the compound ARCPBN to Etravirine or a salt thereof.

39. A process for preparing Etravirine and salts thereof by converting the compound ETHER or its mixture with C-2 ETHER isomer or their salt to 4-(6-chloro-2-(4-cyanophenylamino)pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile (ARCPBN) and subsequently converting the ARCPBN to 4-(6-amino-2-(4-cyanophenylamino)-pyrimidin-4-yloxy)-3,5-dimethylbenzonitrile (DEBETV) and then concerting the compound DEBETV to Etravirine or a salt thereof.

40. A process according to claim 39 wherein the conversion of the compound ETHER to the compound ARCPBN is done by reacting the compound ETHER or a salt thereof and 4-aminobenzonitrile (ABN).

41. A process according to any one of claims 39-40 wherein the reaction is carried out in the presence of a solvent.

42. A process according to claim 41 wherein the solvent is a polar aprotic organic solvent.

43. A process according to claim 42 wherein the solvent is dimethylacetamide.

44. A process according to any one of claims 39-43 wherein the compound ETHER and the base are suspended in the solvent to form a suspension, and the obtained suspension is combined with a solution of ABN in a polar aprotic organic solvent to obtain a reaction mixture comprising ARCPBN.

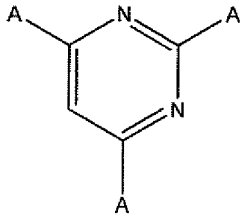
45. A process according to claim 44 wherein the base is an inorganic base.

46. A process according to claim 45 wherein the base is an alkali metal hydride.

47. A process according to claim 46 wherein the base is sodium hydride.

48. A process according to any one of claims 39-43 wherein the compound ETHER or its mixture with the compound C-2 ETHER isomer is prepared by a process according to any one of claims 17-25.

49. A process for preparing the compound ETHER, its mixture with C-2 ETHER isomer, or salts thereof, said process comprising reacting 2,4,6-trisubstituted-pyrimidine (TsubP) of the following structure:



TsubP

and 4-hydroxy-3,5-dimethylbenzonitrile (DMHB);

wherein each A is independently a leaving group.

50. The process of claim 49, wherein the leaving group is selected from halogens and sulfonyl esters.

51. The process of claim 50, wherein the leaving group is Br, Cl, I, mesylate, tosylate and triflate.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,698	07/19/2011	Irena Krizmanic	1662/A619US1	7624

26646 7590 09/20/2011
KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER
RODRIGUEZ-GARCIA, VALERIE

ART UNIT	PAPER NUMBER
1622	

MAIL DATE	DELIVERY MODE
09/20/2011	PAPER

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

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

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SEP 20 2011

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

In re Application of	:	DECISION ON REQUEST TO
KRIZMANIC ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/131,698	:	PROSECUTION HIGHWAY
Filed: July 19, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 1662/A619US1	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed May 31, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

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

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

The request to participate in the PCT-PPH program and petition fails to comply with the requirement because:

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. An observation is described in Box VIII of the WO/ISA 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 is given a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

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

Telephone inquiries concerning this decision should be directed to Cecilia Tsang at 571-272-0562.

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

Cecilia Tsang
Supervisory Patent Examiner
TC 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	:	13/131,698	Confirmation #	:	7624
Applicant	:	Krizmanic, et al.	Filed	:	May 25, 2011
Examiner	:	Rodriguez-Garcia, Valerie	Art Unit	:	1622
Docket No.	:	1662/A619US1	Cust. Number	:	26646
For	:	Process for the Preparation and Purification of Etravirine and Intermediates Thereof			

SUPPLEMENTAL SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM

COMMISSIONER FOR PATENTS
PETITIONS BRANCH
P. O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on
Date: October 20, 2011
Signature: /Eunice K. Chang/
Eunice K. Chang

Sir:

In reply to the Decision dated September 20, 2011 on the Request to Participate in the Patent Prosecution Highway (PPH) Program filed May 31, 2011, applicants request reconsideration of the Decision in light of the remarks presented below which serve to correct deficiencies identified by the Decision.

Applicants herein provide a discussion of the observations made in Box VIII of the WO/ISA for the corresponding PCT application, PCT/US2010/043329, mailed October 22, 2010, beginning at page 2 of this paper:

REMARKS

I. Discussion of Observations in Box VIII of the WO/ISA

Box VIII in the WO/ISA for PCT application, PCT/US2010/043329 stated:

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

see separate sheet

The separate sheet referred to in Box VIII in the WO/ISA contained 5 sections; Sections 5.1, 5.2, 5.3, 5.31 and 5.4 (reproduced below) relating to issues of "Clarity and content of the claims."

5 **Clarity and content of the claims (Article 6 PCT and Rule 6 PCT)**

5.1 Contrary to the requirements of Rule 6.2(a) PCT, the claims rely in respect of the technical features of the invention on references to the description or drawings, cf. for example claim 2.

5.2 Also, for example in claim 2, the claimed subject-matter which refers to a certain compound defined by its 1H-NMR pattern and its 13C-NMR pattern is claimed as a combination thereof. The meaning of this combination of technical features is not clear form the context as the combination of an 1H-NMR pattern with a 13C-pattern into one pattern appears to lack any scientific sense.

5.3 Independent claims 1 and 8 refer to a compound (namely the compound ETHER and the compound ETHER C-2 isomer).

5.3.1 Dependent claims 3 and 10 refer to the same compound as the corresponding independent claims, the fact that the compound is isolated or not does not constitutes a technical feature of the compound as the compound is perfectly defined by its chemical formula, as depicted in the independent claims, therefore claims 3 and 8 are empty of content when compared with their corresponding independent claims 1 and 8 and in this way, they contravene the requirement of conciseness as expressed on Article 6 PCT.

5.4 Claims 5 to 7 and 14 to 16 refer to a compound for use in the preparation of another compounds. This formulation does not limit the scope of the claim in any form as the "for use" is to be understood as suitable for it, not as a limiting feature. In this way, the claims refer just to the compound per se and in a similar way as discussed on the previous point concerning dependent claims 3 and 10, claims 5 to 7 and 14 to 16 have the same scope as the corresponding independent claims 1 and 8 and therefore they also contravene the requirements of Article 6 PCT due to a lack of conciseness.

The observations in the above Sections 5.1, 5.2, 5.3, 5.31 and 5.4 will be discussed individually below.

A. Section 5.1 of the Box VIII Observations

Regarding Section 5.1, the written opinion stated that the claims, for example claim 2 relied on the description or drawings. Applicants note that the observation applies to claims 2, 9, 12 and 13 similarly. Claims 2 and 9 refer to the proton NMR spectrum in Figure 1

and/or to the ^{13}C NMR spectrum in Figure 2. Claims 12 and 13 refer to the PXRD pattern in Figure 3. Applicants believe that these references to NMR spectra or PXRD patterns provided in the drawings will not raise an issue of clarity, or render the claims indefinite under 35 USC 112, paragraph 2. Unlike PCT Rule 6.2(a), the patent law in the United States does not prohibit a patent claim from referring to a drawing, especially when the relevant invention feature, *e.g.*, the NMR pattern, referred to is something that the applicant may want to recite in a level of detail greater than that achievable with words or numbers, so that the invention feature may be better presented in a drawing. If needed, this issue can be dealt with by the Examiner and the applicants once the examination on the merits begins.

B. Section 5.2 of the Box VIII Observations

Regarding Section 5.2, the written opinion stated that the claims recited characterization of a compound by the proton NMR pattern, by the ^{13}C NMR pattern, and by "combinations thereof." The opinion alleged that "[T]he meaning . . . is not clear form [sic] the context as the combination of an ^{1}H NMR pattern with a ^{13}C-pattern into one pattern appears to lack any scientific sense."

Applicants believe that the words "and combinations thereof," for example in claim 2, do not raise any issue of indefiniteness under 35 USC 112, paragraph 2. First, one of ordinary skill in the art would readily understand that characterization of a chemical compound using more than one analytical technique, *e.g.*, using both proton NMR and ^{13}C NMR, would not require actually combining the two graphical representations of data together into one graphical data representation. Rather, an analytical chemist can characterize a chemical compound either using a single type of data, or by using more than one type of data, *e.g.*, proton NMR and ^{13}C NMR. Second, one of ordinary skill in the art would understand that, particularly in the area of NMR analysis, known methods do combine proton NMR and ^{13}C NMR data; for example, using 2D NMR with proton NMR on one axis and ^{13}C NMR on the other axis. For at least these reasons, Applicants believe that the terminology "and combinations thereof" would not raise a clarity issue under 35 USC 112, P2.

C. Section 5.3 of the Box VIII Observations

Regarding Section 5.3, the written opinion stated that "[I]ndependent claims 1 and 8 refer to a compound (namely the compound ETHER and the compound ETHER C-2 isomer). Applicants do not believe that the terms, (*e.g.*, ETHER), used to abbreviate the corresponding chemical names (*e.g.*, 4-(2,6-dichloropyrimidin-4-yloxy)-3,5-dimethylbenzonitrile) raise an

issue of clarity under 35 USC 112, P2. In addition, the preliminary amendment filed in the instant US application, replaced all of the abbreviations in the claims with the corresponding full chemical names. This claim amendment is believed to directly render this WO/IPA comment moot with respect to the claims in the instant US application.

D. Section 5.31 of the Box VIII Observations

Regarding Section 5.31, the written opinion stated that dependent "claims 3 and 10 [sic] are empty of content when compared to their corresponding independent claims 1 and 8. . . ." In US practice, it is accepted that an applicant for a US patent has the right to claim her invention in a reasonable number of ways. See, for example, *In re Chandler*, 319 F.2d 211, 225; 138 USPQ 138, 148 (CCPA 1963):

> [A]pplicants should be allowed reasonable latitude in stating their claims in regard to number and phraseology employed. The right of applicants to freedom of choice in selecting phraseology which truly points out and defines their inventions should not be abridged.

Applicants should be allowed to claim the recited compound in claim 1 or 8, which does not require the compound to be isolated, and to claim the compound in claim 3 or 10, respectively, which requires the compound to be isolated. Contrary to the observation made in Section 5.31, claims 3 and 10 are not "empty of content when compared to their corresponding independent claims 1 and 8." Accordingly, Applicants believe that claims 3 and 8 constitute proper dependent claims.

E. Section 5.4 of the Box VIII Observations

Regarding Section 5.4, the written opinion referred to "use" claims 5-7 and 14-16. The preliminary amendment filed in the instant US patent application canceled claims 5-7 and 14-16. Accordingly, the observations in paragraph 5.4 are rendered moot with regard to the instant US application.

II. Conclusion

In view of the foregoing discussion, which addresses all the observations made in Box VIII of the WO/ISA for the corresponding PCT application, PCT/US2010/043329, Applicants respectfully request that the Office grant the request to participate in the PPH program as well as accelerated examination of this application. Applicants also note that, in order to qualify for the PPH program, Applicants are required to show only one pending claim that corresponds to a claim indicated by the ISA to have novelty, inventive step and

industrial applicability, and free of any observations in Box VIII. In the instant case, at least claim 1 meets all the requirements for participation in the PPH program. This represents an additional reason supporting Applicants' request that the Office grant the Request to participate in the PPH program.

The Examiner is invited to contact the undersigned at 215-293-6519 to discuss any matter concerning this request.

As of May 25, 2010, the USPTO has eliminated the fee for the petition to make special under the PPH programs. Nonetheless, if any fees are due with this filing, the Office is authorized to charge such fees to Deposit Account No. 11-0600.

Respectfully submitted,

Date: October 20, 2011

/Timothy W. Davenport/

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North Wales, PA 19454
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CUSTOMER NUMBER 26646

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,698	07/19/2011	Irena Krizmanic	1662/A619US1	7624

26646 7590 10/24/2011
KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER
RODRIGUEZ-GARCIA, VALERIE

ART UNIT	PAPER NUMBER
1622	

MAIL DATE	DELIVERY MODE
10/24/2011	PAPER

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

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OCT 24 2011

KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

In re Application of	:	DECISION ON REQUEST TO
KRIZMANIC ET AL.	:	PARTICIPATE IN PATENT
Application No. 13/131,698	:	PROSECUTION HIGHWAY
Filed: July 19, 2011	:	PROGRAM AND PETITION
Attorney Docket No. 1662/A619US1	:	TO MAKE SPECIAL UNDER
	:	37 CFR 1.102(a)

This is a decision on the reconsideration of request to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed Oct. 20, 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 requireements 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 decision should be directed to Cecilia Tsang at 571-272-0562.

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

/C J Tsang/
Cecilia J Tsang
Supervisory Patent Examiner
TC 1600

PTO/SB/20PCT-ES (10-10)
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE SPANISH PATENT AND TRADEMARK OFFICE (SPTO) AND THE USPTO

Application No:	13/131,728	Filing date:	May 27, 2011
First Named Inventor:	Jose Antonio LOPEZ VICENTE		
Title of the Invention:	NECK PROTECTOR		

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/ES2010/070455

The international filing date of the corresponding PCT application(s) is/are: July 2, 2010

I. List of Required Documents:

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

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

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

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

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

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

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

(continued)

Application No.:	13/131,728
First Named Inventor:	Jose Antonio LOPEZ VICENTE

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-19	1-19	English Translation of PCT Claims

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

Signature /Darrell G. Mottley/	Date May 27, 2011
Name (Print/Typed) Darrell G. Mottley	Registration Number 42912

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,728	05/27/2011	Jose Antonio Lopez Vicente	007643.00009	7828

22907 7590 10/04/2011
BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

EXAMINER

ART UNIT	PAPER NUMBER
3765	

MAIL DATE	DELIVERY MODE
10/04/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of:	DECISION ON A REQUEST TO
LOPEZ VICENTE, JOSE ANTONIO et al	PARTICIPATE IN PATENT
Serial No.: 13/131,728	PROSECUTION HIGHWAY
Filed: May 27, 2011	PROGRAM AND PETITION
Attorney Docket No. : 007643.00009	TO MAKE SPECIAL UNDER
Title: NECK PROTECTOR	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 validly claim priority under 35 U.S.C. 119(a) to one or more corresponding application(s) filed in the SPTO
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the SPTO 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 SPTO 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 SPTO 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 SPTO examiner in the HPO 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. 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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AUG 05 2011

PCT LEGAL ADMINISTRATION

ALBEMARLE CORPORATION
PATENT DEPARTMENT
451 FLORIDA STREET
BATON ROUGE LA 70801

In re Application of COPPOLA et al.	:	
Application No.: 13/131,773	:	DECISION ON
PCT No.: PCT/US09/62352	:	
Int. Filing: 28 October 2009	:	PETITION TO REVIVE
Priority Date: 25 November 2008	:	
Attorney Docket No.: H1-7849 US	:	UNDER 37 CFR 1.137(b)
For: PROCESSES FOR PREPARING	:	
TRIPHENYLENE	:	

The petition to revive under 37 CFR 1.137(b) filed 27 May 2011 in the above captioned application is hereby **GRANTED** as follows:

Applicants' statement that "the entire delay in filing the required reply from the due date for the reply until the filing of this petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

Applicant paid the petition fee ($1620). Applicant provided the basic national fee and an executed declaration. The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing, including issuance of a Notification of Missing Requirements indicating, among other things, that the surcharge for filing the declaration after the thirty month period is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3286

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:	13/131,784	Filing date:	05/27/2011
First Named Inventor:	VERYASKIN, Alexey		
Title of the Invention:	GRAVITATIONAL GRADIOMETER		

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/GB2009/002749

The international filing date of the corresponding PCT application(s) is/are: 11/25/2009

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.:	13/131,784
First Named Inventor:	VERYASKIN, Alexey

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 5/27/2011

(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 5/27/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-4	1-4	US claims 1-4 are identical to PCT claims 1-4 except for amendments to comply with US patent practice
5	5	US claim 5 is identical to PCT claim 5
6-11	6-11	US claims 6-11 are identical to PCT claims 6-11 except for amendments to comply with US patent practice
12	12	US claim 12 is identical to PCT claim 12
13-18	13-18	US claims 13-18 are identical to PCT claims 13-18 except for amendments to comply with US patent practice
19	19	US claim 19 is identical to PCT claim 19
20	20	US claim 20 is identical to PCT claim 20 except for amendments to comply with US patent practice
21	21	US claim 21 is identical to PCT claim 21
22-25	22-25	US claims 22-25 are identical to PCT claims 22-25 except for amendments to comply with US patent practice
26-28	1	US claims 26-28 describe embodiments that are alternatively claimed in PCT claim 1
29-31	25	US claims 29-31 describe embodiments that are alternatively claimed in PCT claim 25

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

Signature	Date 9/29/11
Name (Print/Typed) Leon Radomsky	Registration Number 43445

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

Application No.:	13/131,798	Filing Date:	May 27, 2011
Confirmation No.:	8398	Attorney Docket No.:	Q124668
First Named Inventor:	Kota IWAMOTO		
Title of the Invention:	IMAGE SIGNATURE MATCHING DEVICE		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PROGRAM.

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

The JPO/PCT application number(s) is/are: PCT/JP2010/001768

The filing date of the JPO/PCT application(s) is/are: March 12, 2010

I. List of Required Documents:

a. A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)

☑ Is attached.

☐ Is not attached because the JPO application was allowed in a first office action.

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

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

☑ Is attached.

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

c. English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language). An accuracy statement for the English translation of the documents in a. above is not required if the English translation is a machine translation provided by the JPO.

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

☐ Is attached.

☑ Has already been filed in the above-identified U.S. application on 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 27, 2011

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

(continued)

Application No.:	13/131,798
First Named Inventor:	Kota IWAMOTO

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1	1	They are same,
2	2	They are same,
3	3	They are the same except for multiple dependencies.
4	4	They are same,
5	5	They are same,
6	6	They are same,
7	7	They are the same except for multiple dependencies.
8	8	They are same,
9	9	They are same,
10	10	They are same,
11	11	They are the same except for multiple dependencies.
12	12	They are same,
13	13	They are same,
14	14	They are the same except for multiple dependencies.
15	15	They are same,
16	16	They are same,
17	17	They are same,
18	18	They are the same except for multiple dependencies.
19	19	They are same,
20	20	They are same,
21	21	They are same,
22	22	They are the same except for multiple dependencies.
23	23	They are same,

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

IV. Payment of Fees:

☑ **The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.**

☐ **Credit Card.**

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Signature	/ Carl J. Pellegrini / 40766	Date	June 8, 2011
Name (Print/Typed)	J. Warren Lytle, Jr.	Registration Number	39,283

STATEMENT

I, Motohiro BABA of BABA International Patent Office, 2nd Fl., Ishii Bldg., 25-1, Sugawara-machi, Kawagoe-shi, Saitama, 350-0046, JAPAN hereby state that I am conversant in both the Japanese and English languages and certify to the best of my knowledge and belief that the attached is a true and accurate translation of claims of PCT Application No. PCT/JP2010/001768 as of the date of the latest international work product, a WO/ISA of April 6, 2010.

Signature: Hiromi Sahai
for Motohiro BABA

Dated: 2011. 5. 17

CLAIMS

1. An image signature matching device, comprising:

a matching unit for matching an image signature of a first image and an image signature of a second image which are generated by a generation method including: extracting region features from respective sub-regions of a plurality of pairs of sub-regions in an image; for each of the pairs of sub-regions, quantizing a difference value between the region features of two sub-regions forming a pair, wherein when performing quantization, the difference value is quantized to a particular quantization value if an absolute value of the difference value is smaller than a predetermined value; and using a collection of elements which are quantization values calculated for the respective pairs of sub-regions as an image signature to be used for discriminating the image, wherein

the matching unit matches the image signature of the first image and the image signature of the second image in such a manner that a weight of an element having the particular quantization value is reduced.

2. The image signature matching device, according to Claim 1, wherein

the matching unit compares corresponding elements of the image signature of the first image and the image signature of the second image, and calculates an identity scale indicating a degree that the first image and the second image are identical.

3. The image signature matching device, according to Claim 1 or 2, wherein

as a method of calculating the identity scale, a calculation method, in which a weight of a comparison result between elements that both quantization values are the particular quantization value is reduced, is used.

4. The image signature matching device, according to Claim 3, wherein

the matching unit calculates the identity scale from a calculation result of B/A or C/A, where A represents the number of elements in which at least one of quantization values is not the particular quantization value, and among the elements in which at least one of the quantization values is not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which the quantization values do not coincide.

5. The image signature matching device, according to Claim 3, wherein

the matching unit calculates the identity scale from a value of B/f(D) or C/f(D), where D represents the number of elements in which both quantization values are the particular quantization value, and among elements in which at least one of quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which the quantization values do not coincide, and f(D) represents a monotone nonincreasing function with respect to arbitrary D.

6. The image signature matching device, according to Claim 3, wherein

the matching unit calculates the identity scale from a total value of D and B calculated

by weighting in which a weight of D is smaller than a weight of B, where D represents the number of elements in which both quantization values are the particular quantization value, and among elements in which at least one of quantization values is not the particular quantization value, B represents the number of elements in which the quantization values coincide.

7. The image signature matching device, according to Claim 1 or 2, wherein

as a method of calculating the identity scale, a calculation method, in which a weight of a comparison result between elements that at least one of quantization values is the particular quantization value is reduced, is used.

8. The image signature matching device, according to Claim 7, wherein

the matching unit calculates the identity scale from a calculation result of B/A or C/A, where A represents the number of elements in which both quantization values are not the particular quantization value, and among the elements in which both quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which the quantization values do not coincide.

9. The image signature matching device, according to Claim 7, wherein

the matching unit calculates the identity scale from a value of B/f(D) or C/f(D), where D represents the number of elements in which at least one of quantization values is the particular quantization value, and among elements in which both quantization values are not the particular

quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which quantization values do not coincide, and f(D) represents a monotone nonincreasing function with respect to arbitrary D.

10. The image signature matching device, according to Claim 7, wherein

the matching unit calculates the identity scale from a total value of D and B calculated by weighting in which a weight of D is smaller than a weight of B, where D represents the number of elements in which at least one of quantization values are the particular quantization value, and among elements in which both quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide.

11. The image signature matching device, according to Claims 1 to 10, wherein

the plurality of pairs of sub-regions include at least one pair of sub-regions in which both a combination of shapes of two sub-regions of the pair and a relative positional relation between the two sub-regions of the pair differ from those of at least one of other pairs of sub-regions.

12. An image signature matching method, comprising:

matching an image signature of a first image and an image signature of a second image which are generated by a generation method including: extracting region features from respective sub-regions of a plurality of pairs of sub-regions in an image; for each of the pairs of sub-regions, quantizing a difference value between the region features of two sub-regions

forming a pair, wherein when performing quantization, the difference value is quantized to a particular quantization value if an absolute value of the difference value is smaller than a predetermined value; and using a collection of elements which are quantization values calculated for the respective pairs of sub-regions as an image signature to be used for discriminating the image, wherein

the matching the image signature of the first image and the image signature of the second image is performed in such a manner that a weight of an element having the particular quantization value is reduced.

13. The image signature matching method, according to Claim 12, further comprising:

comparing corresponding elements of the image signature of the first image and the image signature of the second image, and calculating an identity scale indicating a degree that the first image and the second image are identical.

14. The image signature matching method, according to Claim 12 or 13, wherein

as a method of calculating the identity scale, a calculation method, in which a weight of a comparison result between elements that both quantization values are the particular quantization value is reduced, is used.

15. The image signature matching method, according to Claim 14, wherein

the identity scale is calculated from a calculation result of B/A or C/A, where A represents the number of elements in which at least one of quantization values is not the

particular quantization value, and among the elements in which at least one of the quantization values is not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which the quantization values do not coincide.

16. The image signature matching method, according to Claim 14, wherein

the identity scale is calculated from a value of B/f(D) or C/f(D), where D represents the number of elements in which both quantization values are the particular quantization value, and among elements in which at least one of quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which the quantization values do not coincide, and f(D) represents a monotone nonincreasing function with respect to arbitrary D.

17. The image signature matching method, according to Claim 14, wherein

the identity scale is calculated from a total value of D and B calculated by weighting in which a weight of D is smaller than a weight of B, where D represents the number of elements in which both quantization values are the particular quantization value, and among elements in which at least one of quantization values is not the particular quantization value, B represents the number of elements in which the quantization values coincide.

18. The image signature matching method, according to Claim 12 or 13, wherein

as a method of calculating the identity scale, a calculation method, in which a weight of

a comparison result between elements that at least one of quantization values is the particular quantization value is reduced, is used.

19. The image signature matching method, according to Claim 18, wherein

the identity scale is calculated from a calculation result of B/A or C/A, where A represents the number of elements in which both quantization values are not the particular quantization value, and among the elements in which both quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which the quantization values do not coincide.

20. The image signature matching method, according to Claim 18, wherein

the identity scale is calculated from a value of B/f(D) or C/f(D), where D represents the number of elements in which at least one of quantization values is the particular quantization value, and among elements in which both quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide, and C represents the number of elements in which quantization values do not coincide, and f(D) represents a monotone nonincreasing function with respect to arbitrary D.

21. The image signature matching method, according to Claim 18, wherein

the identity scale is calculated from a total value of D and B calculated by weighting in which a weight of D is smaller than a weight of B, where D represents the number of elements in

which at least one of quantization values are the particular quantization value, and among elements in which both quantization values are not the particular quantization value, B represents the number of elements in which the quantization values coincide.

22. The image signature matching method, according to Claims 12 to 21, wherein

the plurality of pairs of sub-regions include at least one pair of sub-regions in which both a combination of shapes of two sub-regions of the pair and a relative positional relation between the two sub-regions of the pair differ from those of at least one of other pairs of sub-regions.

23. A program for causing a computer to function as,

a matching unit for matching an image signature of a first image and an image signature of a second image which are generated by a generation method including: extracting region features from respective sub-regions of a plurality of pairs of sub-regions in an image; for each of the pairs of sub-regions, quantizing a difference value between the region features of two sub-regions forming a pair, wherein when performing quantization, the difference value is quantized to a particular quantization value if an absolute value of the difference value is smaller than a predetermined value; and using a collection of elements which are quantization values calculated for the respective pairs of sub-regions as an image signature to be used for discriminating the image, wherein

the matching unit matches the image signature of the first image and the image signature of the second image in such a manner that a weight of an element having the particular

quantization value is reduced.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/001768

A. CLASSIFICATION OF SUBJECT MATTER
G06T7/00(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)
G06T7/00

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

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2010
Kokai Jitsuyo Shinan Koho	1971-2010	Toroku Jitsuyo Shinan Koho	1994-2010

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

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2006-268825 A (Toshiba Corp.), 05 October 2006 (05.10.2006), paragraphs [0028], [0032] & US 2006/0204103 A1 & US 2006/0193520 A1 & CN 1828632 A	1-23
A	JP 2007-140684 A (Toshiba Corp.), 07 June 2007 (07.06.2007), paragraph [0100]; mathematic formula 7 & US 2007/0110319 A1	1-23

☐ 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 26 March, 2010 (26.03.10)	Date of mailing of the international search report 06 April, 2010 (06.04.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２０１０／００１７６８

Ａ．　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　G06T7/00(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.　G06T7/00

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１０年
日本国実用新案登録公報	１９９６－２０１０年
日本国登録実用新案公報	１９９４－２０１０年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

Ｃ．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2006-268825 A (株式会社東芝) 2006.10.05, 段落【００２８】、【００３２】 & US 2006/0204103 A1 & US 2006/0193520 A1 & CN 1828632 A	1-23
A	JP 2007-140684 A (株式会社東芝) 2007.06.07, 段落【０１００】、【数７】 & US 2007/0110319 A1	1-23

☐　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 ２６．０３．２０１０	国際調査報告の発送日 ０６．０４．２０１０
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）　５Ｈ　４２３７ 松永　稔 電話番号　０３－３５８１－１１０１　内線　３５３１

PATENT COOPERATION TREATY

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)*	06. 04. 2010
Applicant's or agent's file reference N00064WO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/001768	12. 03. 2010	13. 03. 2009

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. G06T7/00(2006.01)i

Applicant
NEC Corporation

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

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

2. **FURTHER ACTION**

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

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

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

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

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
Japanese Patent Office Facsimile No.	26. 03. 2010	Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

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. 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/JP2010/001768

Box No. II Priority

1. ☐ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43*bis*.1 and 64.1) is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☐ claims Nos. _____

because:

☐ the said international application, or the said claims Nos. _____ relate to the following subject matter which does not require an international search *(specify)*:

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos. _____ are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*:

☐ no international search report has been established for said claims Nos. _____

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13*ter*.1(a) or (b).

☐ See Supplemental Box for further details.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:

   ☐ paid additional fees.

   ☐ paid additional fees under protest and, where applicable, the protest fee.

   ☐ paid additional fees under protest but the applicable protest fee was not paid.

   ☐ not paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

   ☐ complied with.

   ☐ not complied with for the following reasons:

4. Consequently, this opinion has been established in respect of the following parts of the international application:

   ☐ all parts.

   ☐ the parts relating to claims Nos. _____

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

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	1-23	YES
	Claims		NO
Inventive step (IS)	Claims	1-23	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-23	YES
	Claims		NO

2. Citations and explanations:

D1: JP2006-268825A
D2: JP2007-140684A

The paragraphs [0028] and [0032] of the cited reference D1 discloses the art having features that "extracting region features from respective sub-regions of a plurality of pairs of sub-regions in an image; for each of the pairs of sub-regions, quantizing a difference value between the region features of two sub-regions forming a pair," and "using a collection of elements which are quantization values calculated for the respective pairs of sub-regions as an image signature to be used for discriminating the image".

In addition, the paragraph [0100] and [Formula 7] disclose the art having features that "when performing quantization, the difference value is quantized to a particular quantization value if an absolute value of the difference value is smaller than a predetermined value".

However, the present invention disclosed in independent claims 1, 12, 23 and dependent claims 2-11, 13-22 of this application includes the art having features that "matching the image signature of the first image and the image signature of the second image is performed in such a manner that a weight of an element having the particular quantization value is reduced."

None of the references cited in the International Search Report discloses or suggests the above-mentioned features described in independent claims 1, 12, 23 and dependent claims 2-11, 13-22 of this application.

Therefore, the present invention disclosed in independent claims 1, 12, 23 and dependent claims 2-11, 13-22 of this application has a novelty and inventive step.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

Box No. VI Certain documents cited

1. Certain published documents (Rules 43*bis*.1 and 70.10)

Application No. Patent No.	Publication date *(day/month/year)*	Filing date *(day/month/year)*	Priority date (valid claim) *(day/month/year)*

2. Non-written disclosures (Rules 43*bis*.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure *(day/month/year)*	Date of written disclosure referring to non-written disclosure *(day/month/year)*

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

Box No. VIII Certain observations on the international application

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

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/001768

Supplemental Box

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

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
馬場資博
様

あて名
〒350-0046
日本国埼玉県川越市菅原町２５番地１　石井ビル２階

BABA PATENT OFFICE
RECEIPT
'10.4.07
受付
馬場国際特許事務所

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

発送日（日.月.年）	０６．０４．２０１０
出願人又は代理人の書類記号　N00064WO	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日（日.月.年）	優先日（日.月.年）
ＰＣＴ／ＪＰ２０１０／００１７６８	１２．０３．２０１０	１３．０３．２００９

国際特許分類（ＩＰＣ）Int.Cl. G06T7/00(2006.01)i

出願人（氏名又は名称）
日本電気株式会社

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

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

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

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
２６．０３．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	5H	4237
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	松永　稔 電話番号　０３－３５８１－１１０１　内線　３５３１		

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／JP2010／001768

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／JP2010／001768

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	1-23	有
	請求項		無
進歩性（IS）	請求項	1-23	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-23	有
	請求項		無

2. 文献及び説明

D1: JP 2006-268825 A
D2: JP 2007-140684 A

上記文献D1の段落【００２８】、【００３２】には、「画像中の、複数の部分領域対の、各部分領域から領域特徴量を抽出し、部分領域対ごとに、対をなす２つの部分領域の前記領域特徴量の差分値を量子化し、」「部分領域対ごとに算出された量子化値を要素とした集合を前記画像の識別に用いる画像識別子とする」技術が開示されている。

また、上記文献D2の段落【０１００】、【数７】には、「該量子化の際には差分値の絶対値がある規定値より小さい場合は特定の量子化値に量子化」する技術が開示されている。

しかしながら、「第１の画像の画像識別子と第２の画像の画像識別子とを、前記特定の量子化値である要素の重みが小さくなる方法で照合する」技術については、いずれの文献にも開示・示唆がなく、当該技術を発明特定事項とする請求項１，１２、２３記載の発明、当該請求項を引用する請求項２－１１，１３－２２記載の発明は、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
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.
13/131,798	05/27/2011	Kota Iwamoto	Q124668	8398

23373 7590 08/17/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
08/17/2011	ELECTRONIC

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

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

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	**: DECISION ON REQUEST TO**
IWAMOTO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/131,798	**: PROSECUTION HIGHWAY**
Filed: 27 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: Q124668	**: TO MAKE SPECIAL UNDER**
For: IMAGE SIGNATURE MATCHING 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 08 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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.:	13/131,810	Filing Date:	May 31, 2011
Confirmation No.:	8551	Attorney Docket No.:	Q124588
First Named Inventor:	Hajime ZEMBUTSU		
Title of the Invention:	COMMUNICATION SYSTEM AND COMMUNICATION CONTROL 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 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/JP2010/066211

The international date of the corresponding PCT application(s) is/are: September 17, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

☐ Is attached.

☑ Has already been filed in the above-identified U.S. application on 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 27, 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.:	13/131,810
First Named Inventor:	Hajime ZEMBUTSU

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 is identical to patentable claim 1 of the PCT application
2		Canceled
3		Canceled
4	4	Claim 4 is identical to patentable claim 4 of the PCT application
5	5	Claim 5 is identical to patentable claim 5 of the PCT application; note that the patentable claim 5 was multiply dependent. This claim depends only from patentable claim 1.
6		Canceled
7		Canceled
8	8	Claim 8 is identical to patentable claim 8 of the PCT application
9		Canceled
10		Canceled
11	11	Claim 11 is identical to patentable claim 11 of the PCT application
12	12	Claim 12 is identical to patentable claim 12 of the PCT application; note that the patentable claim 12 was multiply dependent. This claim depends only from patentable claim 8.
13		Canceled
14		Canceled
15	15	Claim 15 is identical to patentable claim 15 of the PCT application
16		Canceled
17		Canceled
18	18	Claim 18 is identical to patentable claim 18 of the PCT application
19	19	Claim 19 is identical to patentable claim 19 of the PCT application; note that the patentable claim 19 was multiply dependent. This claim depends only from patentable claim 15.
20		Canceled
21		Canceled

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 /	Date	May 31, 2011
Name (Print/Typed)	Carl J. Pellegrini	Registration Number	40,766

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below;

That I am knowledgeable in the English language and in the Japanese language, and that I believe the English translation of the annexed document is a true and complete translation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: May 26, 2011

Full name of the translator: Aasamichi KATO

Signature of the translator: _____

Post Office Address: Shin-Yokohama Bosei Bldg. 7F, 3-20-12 Shin-Yokohama, Kohoku-ku, Yokohama, Kanagawa-ken 222-0033 Japan

CLAIMS:

1. A communication method in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the method comprises:

selecting a gateway apparatus physically or topologically close to a site, where a user equipment is attached, according to movement of the user equipment.

2. A communication method in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the method comprises:

a mobility management entity (MME) sending a first signal for setting re-attachment to a user equipment, when the MME decides that it is necessary to re-select a gateway apparatus;

the user equipment, on receipt of the first signal, transmitting a second signal for re-attachment to the MME; and

the MME re-selecting the gateway apparatus.

3. A communication method in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the method comprises:

a mobility management entity (MME) sending a deactivate bearer request (Deactivate Bearer request) for requesting re-selection, to a base station, when the MME decides that it is necessary to re-select a gateway apparatus;

the base station transmitting an RRC connection reconfiguration (RRC connection reconfiguration) to a user equipment;

the user equipment transmitting a notification of completion of an RRC connection reconfiguration (RRC connection reconfiguration) to the base station;

the base station transmitting a deactivate bearer response (Deactivate Bearer response) to the MME; and

the user equipment initiating a UE requested PDN connectivity (UE requested PDN connectivity) procedure, the gateway apparatus being re-selected.

4. The communication method according to claim 1, wherein the

site, where the user equipment is attached, is a node apparatus.

5. The communication method according to any one of claims 1 to 3, wherein the gateway apparatus includes a serving gateway apparatus (SGW) and a packet data network gateway apparatus (PGW).

6. The communication method according to claim 2, wherein the first signal is a TA update reject (TA Update Reject).

7. The communication method according to claim 2, wherein the first signal is an attach (ATTACH).

8. A communication system in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the system selects a gateway apparatus physically or topologically close to a site, where a user equipment is attached, according to movement of the user equipment.

9. A communication system in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the system comprises:

a mobility management entity (MME) that sends a first signal for setting re-attachment, when the MME decides that it is necessary to re-select a gateway apparatus; and

a user equipment that, on receipt of the first signal, sends a second signal for re-attachment to the MME, the MME re-selecting the gateway apparatus.

10. A communication system in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the system comprises:

a mobility management entity (MME);

a base station; and

a user equipment, wherein

the MME sends a deactivate bearer request (Deactivate Bearer request) for requesting re-selection to the base station, when the mobility management entity (MME) decides that it is necessary to re-select a gateway apparatus,

the base station transmits an RRC connection reconfiguration (RRC connection reconfiguration) to the user equipment,

the user equipment transmits a notification of completion of the RRC connection reconfiguration (RRC connection reconfiguration) to the base station, and

the base station transmits a deactivate bearer response (Deactivate Bearer response) to the MME, and

the user equipment initiates a UE requested PDN connectivity (UE requested PDN connectivity) procedure, the gateway apparatus being re-selected.

11. The communication system according to claim 8, wherein the site of attachment is a node apparatus.

12. The communication system according to any one of claims 8 to 10, wherein the gateway apparatus is a serving gateway apparatus (SGW) and a packet data network gateway apparatus (PGW).

13. The communication system according to claim 9, wherein the first signal is a TA update reject (TA Update Reject).

14. The communication system according to claim 9, wherein the second signal is an attach (Attach).

15. A user equipment in a communication system by Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the user equipment causes selection of a gateway apparatus physically or topologically close to a site, where the user equipment is attached, to be performed, according to movement of the user equipment.

16. A user equipment in a communication system by Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that the user equipment receives a first signal that sets re-attachment from a mobility management entity (MME) and sends a second signal for re-attachment to the MME to cause re-selection of a gateway apparatus to be performed.

17. A user equipment in a communication system by Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, characterized in that on receipt of an RRC connection reconfiguration (RRC connection reconfiguration) from a base station, a user equipment sends a notification of completion of RRC connection

reconfiguration (RRC connection reconfiguration) to the base station to initiate a UE requested PDN connectivity (UE requested PDN connectivity) procedure to cause re-selection of a gateway apparatus to be performed.

18. The user equipment according to claim 15, wherein the site of attachment is a node apparatus.

19. The user equipment according to any one of claims 15 to 17, wherein the gateway apparatus is a serving gateway apparatus (SGW) and a packet data network gateway apparatus (PGW).

20. The user equipment according to claim 16, wherein the first signal is a TA update reject (TA Update Reject).

21. The user equipment according to claim 16, wherein the second signal is an attach (Attach).

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/066211

A. CLASSIFICATION OF SUBJECT MATTER
H04W36/12(2009.01)i

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

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
H04W4/00-99/00

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

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2010
Kokai Jitsuyo Shinan Koho	1971-2010	Toroku Jitsuyo Shinan Koho	1994-2010

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

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	Huawei Technologies, China Mobile, Vodafone, Verizon Wireless, AT&T, Qualcomm Europe, Alcatel-Lucent, NEC, Samsung, Panasonic, BT, ZTE, Update to the SA2 WID for Local IP Access & Internet Offload, 3GPP TSG-SA WG1 Meeting #47, S1-093338, 3GPP, 2009.08, p.1-6	1-21
A	Vodafone, Verizon Wireless, BT, Huawei Technologies, Selected IP Traffic Offload, 3GPP TSG-SA WG1 Meeting #47, S1-093341, 3GPP, 2009.08, p.1-3	1-21
A	CATT, Indication of Local IP Access, 3GPP TSG RAN WG2 Meeting #66bis, R2-093764, 3GPP, 2009.07, p.1-2	1-21

☐ 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 13 December, 2010 (13.12.10)	Date of mailing of the international search report 21 December, 2010 (21.12.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

PATENT COOPERATION TREATY

From the Japan Patent Office
(INTERNATIONAL SEARCHING AUTHORITY)

To:
KATO, Asamichi

Address:
c/o A. Kato & Associates, 20-12
Shin-Yokohama 3-chome, Kohoku-ku,
Yokohama-shi, Kanagawa 222-0033 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 NEG-1460PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/066211	17.09.2010	18.09.2009

International Patent Classification (IPC) or both national classification and IPC
H04W36/12(2009.01)i

Applicant
NEC CORPORATION

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

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

2. **FURTHER ACTION**

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

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

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

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

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
Japan Patent Office Facsimile No.	13.12.2010	Kazuyuki Hisamatsu Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/066211

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. 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/JP2010/066211

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	1-21	YES
	Claims		NO
Inventive step (IS)	Claims	1-21	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-21	YES
	Claims		NO

2. Citations and explanations:

The present invention according to claim 1-20 is not disclosed in any documents cited in the International Search Report and each has a novelty and an inventive step. Especially, such features that in a communication system in Local IP Access (LIPA)/ Selected IP Traffic Offload (SIPTO) architecture, a gateway apparatus physically or topologically close to a site, where a user equipment is attached, is selected according to movement of the user equipment, and such features that the MME performs signaling for requesting re-selection to the base station, when the mobility management entity (MME) decides that it is necessary to re-select a gateway apparatus, are not disclosed in any documents and these features are said to be not obvious to those skilled in the art.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

MAILED
JAN 12 2012
OFFICE OF PETITIONS

In re Application of
Hajime ZEMBUTSU et al.
Application No.: 13/131,810
Filed: 8 August 2011
Attorney Docket No.: Q124588
For: COMMUNICATION SYSTEM AND COMMUNICATION CONTROLLING 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 PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 06 September 2011 and renewed on 31 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 April M. Wise at (571) 272-1642.

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

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

/dab/
David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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.
13/131,813	05/27/2011	Kota Iwamoto	Q124702	8594

23373 7590 08/12/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
08/12/2011	ELECTRONIC

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

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

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

sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM
USPTO@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of	**: DECISION ON REQUEST TO**
IWAMOTO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/131,813	**: PROSECUTION HIGHWAY**
Filed: 27 May 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: Q124702	**: TO MAKE SPECIAL UNDER**
For: IMAGE SIGNATURE MATCHING 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 08 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 (1-5) and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

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

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

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

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

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

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Kota IWAMOTO, et al.

Appln. No.: 13/131,813

Confirmation No.: 8594

Filed: May 27, 2011

Docket No: Q124702

Group Art Unit: 2624

Examiner: Not Yet Assigned

For: IMAGE SIGNATURE MATCHING DEVICE

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102 (a)

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

Sir:

In response to the Decision on Request to Participate in the Patent Prosecution Highway Program and Petition to Make Special Under 37 C.F.R. § 1.102(a) ("Decision") dated August 12, 2011, Applicant submits herewith a Japanese language version of the Written Opinion (PCT/ISA/237) that was filed on June 8, 2011, which should satisfy the remaining outstanding condition no. 6.

It is believed that all requirements for a Request for Participation in the PCT-PPH Pilot Program have now been satisfied. Accordingly, the Examiner is respectfully requested to grant the request.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/ Carl J. Pellegrini / 40766

J. Warren Lytle, Jr.
Registration No. 39, 283

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 9, 2011

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,813	05/27/2011	Kota Iwamoto	Q124702	8594

23373 7590 09/15/2011
SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

ART UNIT	PAPER NUMBER
2624	

NOTIFICATION DATE	DELIVERY MODE
09/15/2011	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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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of
IWAMOTO et al.
Application No.: 13/131,813
Filed: 27 May 2011
Attorney Docket No.: Q124702
For: IMAGE SIGNATURE MATCHING DEVICE

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 08 June 2011 and renewed on 09 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

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

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

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

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

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

Lee W. Young
TQAS Technology Center 2600

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:	13/131,831	Filing date:	05/27/2011
First Named Inventor:	Akira Miyashita		
Title of the Invention:	INFORMATION PROCESSING APPARATUS, INFORMATION PROCESSING METHOD, PROGRAM, AND INFORMATION PROCESSING 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/JP2010/069501

The international date of the corresponding PCT application(s) is/are: NOVEMBER 2, 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.:	13/131,831
First Named Inventor:	Akira Miyashita

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 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 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	2	The subject matter of PCT/JP2010/069501 Claim 2 having inventive
		step has been incorporated into U.S. Claim 1. Substantially the same.
3	3	Substantially the same
4	4	Substantially the same
6	6	Substantially the same
7	7	Substantially the same
12	12	Substantially the same

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

Signature Michael L. Gellner	Date 7-6-11
Name (Print/Typed) Bradley D. Lytle	Registration Number 40,073

Michael L. Gellner
Registration No. 27,256

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　S10P1925W000	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／ＪＰ２０１０／０６９５０１	国際出願日 (日.月.年)　０２．１１．２０１０	優先日 (日.月.年)　１６．１１．２００９
出願人（氏名又は名称） ソニー株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条（ＰＣＴ18条）の規定に従い出願人に送付する。
この写しは国際事務局にも送付される。

この国際調査報告は、全部で　2　ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

１．国際調査報告の基礎
ａ．言語に関し、この国際調査は以下のものに基づき行った。
☑ 出願時の言語による国際出願
☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

ｂ．☐ この国際調査報告は、ＰＣＴ規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則43.6の2(a)）。

ｃ．☐ この国際出願は、ヌクレオチド又はアミノ酸配列を含んでいる（第Ｉ欄参照）。

２．☐ 請求の範囲の一部の調査ができない（第Ⅱ欄参照）。

３．☐ 発明の単一性が欠如している（第Ⅲ欄参照）。

４．発明の名称は　☑ 出願人が提出したものを承認する。
☐ 次に示すように国際調査機関が作成した。

＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿

５．要約は　☑ 出願人が提出したものを承認する。
☐ 第Ⅳ欄に示されているように、法施行規則第47条第１項（ＰＣＴ規則38.2）の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から１月以内にこの国際調査機関に意見を提出することができる。

６．図面に関して
ａ．要約書とともに公表される図は、
第　4　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／ＪＰ２０１０／０６９５０１

Ａ．　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　G06T17/40(2006.01)i, H04N5/225(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.　G06T17/40, H04N5/222-5/257, G06F3/048

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
Y A	JP 2000-353248 A (株式会社エム・アール・システム研究所) 2000.12.19, 段落【0060】-【0061】, 【0072】 & US 6972734 B1 & EP 1060772 A2	1,5,8-11 2-4,6,7,12
Y A	JP 2005-49996 A (キヤノン株式会社) 2005.02.24, 段落【0036】-【0038】 & US 2005/0024388 A1 & EP 1503348 A2	1,5,8-11 2-4,6,7,12

☐　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 １９．１１．２０１０	国際調査報告の発送日 ３０．１１．２０１０
国際調査機関の名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員）　5H　9854 村松　貴士 電話番号　０３－３５８１－１１０１　内線　３５３１

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
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　　様

あて名
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はづき国際特許事務所　四谷オフィス

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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）　３０．１１．２０１０	
出願人又は代理人 の書類記号　S10P1925W000	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／ＪＰ２０１０／０６９５０１	（日.月.年）　０２．１１．２０１０	（日.月.年）　１６．１１．２００９

国際特許分類（ＩＰＣ）Int.Cl. G06T17/40(2006.01)i, H04N5/225(2006.01)i

出願人（氏名又は名称）
ソニー株式会社

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

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

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

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
１９．１１．２０１０

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 村松　貴士 電話番号　０３－３５８１－１１０１　内線　３５３１	５Ｈ　９８５４

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／ＪＰ２０１０／０６９５０１

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／JP2010／069501

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

1. 見解

新規性（N）	請求項	1-12	有
	請求項		無
進歩性（IS）	請求項	2-4, 6, 7, 12	有
	請求項	1, 5, 8-11	無
産業上の利用可能性（IA）	請求項	1-12	有
	請求項		無

2. 文献及び説明

文献1：JP 2000-353248 A（株式会社エム・アール・システム研究所）2000.12.19, 段落【0060】-【0061】,【0072】 & US 6972734 B1 & EP 1060772 A2

文献2：JP 2005-49996 A（キヤノン株式会社）2005.02.24, 段落【0036】 【0038】 & US 2005/0024388 A1 & EP 1503348 A2

請求項1,5,8-11に係る発明は、国際調査報告で引用された文献1および文献2より進歩性を有しない。請求項1に記載された［他の装置の画像を含む実空間画像］は、文献1の段落【0072】に開示されている。請求項1に記載された［空間座標系］は、文献2に記載された［視野領域］に相当している。請求項5に記載された［仮想情報］は、文献1に記載された［仮想のパーツ］に相当している。文献1記載の［複合現実感装置］と、文献2に記載の［複合現実感システム］とは、互いに密接に関連した技術分野に属するものであるので、文献2に記載の［視野領域］を、文献1に記載の［複合現実感装置］に適用することは、当業者であれば容易に想到し得たものである。

請求項2-4,6,7,12に係る発明は、国際調査報告で引用された文献1に対して新規性、進歩性を有する。文献1には［他の装置の空間座標と、自装置の空間座標と、ベクトルの角度を空間情報として他の装置に送信する］ことが記載されておらず、一方、本願発明はそれにより［複数の装置間で空間情報を共有して、各装置の位置や姿勢に適した仮想情報を表示することができる］という有利な効果を発揮する。

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)*	30. 11. 2010
Applicant's or agent's file reference S10P1925WO00	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/069501	02. 11. 2010	16. 11. 2009

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

G06T17/40(2006.01)i, H04N5/225(2006.01)i

Applicant

SONY CORPORATION

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.	19. 11. 2010	Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/069501

Box No. 1 Basis of this opinion

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

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

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

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*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/JP2010/069501

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	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	2-4, 6, 7, 12	YES
	Claims	1, 5, 8-11	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2000-353248A (Mixed Reality System laboratory Inc.) December 19, 2000, Paragraphs [0060] – [0061] and [0072], US 6972734B1, and EP 1060772A2
Document 2: JP 2005-49996A (Canon Inc.) February 24, 2005, Paragraphs [0036] – [0038], US 2005/0024388A1, and EP 1503348A2

The invention according to claims 1, 5, 8 to 11 does not involve an inventive step comparing to Documents 1 and 2 referred in the international search report. "A real space image including an image of another apparatus" described in claim 1 has been disclosed in Paragraph [0072] of Document 1. "A spatial coordinate system" described in claim 1 corresponds to "a visual-field area" described in Document 2. "Virtual information" described in claim 5 corresponds to "virtual parts" in Document 1. "A mixed reality apparatus" described in Document 1 and "a mixed reality exhibiting system" in Document 2 belong to technical fields mutually related closely, therefore, a person skilled in the art could have easily applied "the visual-field area" described in Document 2 to "the mixed reality apparatus" described in Document 1.

The invention according to claims 2 to 4, 6, 7, 12 involve a novelty and an inventive step to Document 1 referred in the international search report. Document 1 does not describe [to transmit the other spatial coordinate, the spatial coordinate of its own apparatus, and the angle of the vector to the other apparatus as the spatial information], and that makes the invention of the present application have an advantageous effect that [spatial information is shared among a plurality of apparatuses so that it is possible to display virtual information suitable for the position and posture of each apparatus].

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.
13/131,831	05/27/2011	Akira Miyashita	365103US8PCT	8819

22850 7590 07/26/2011
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2482	

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):

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA VA 22314

In re Application of: Miyashita et al.
Application No. 13/131831
Filed: 05/27/11
For: INFORMATION PROCESSING APPARATUS, INFORMATION PROCESSING METHOD, PROGRAM, AND INFORMATION PROCESSING 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 July 6, 2011 to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The relationship between the corresponding U.S. application for which participation in the PCT-PPH pilot program is requested and the PCT application satisfies one of the following:

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

(b)The U.S. application is a national application which forms the basis for the priority claim in the corresponding PCT application.

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

(d) The U.S. application is a national application claiming foreign/domestic priority to the corresponding PCT application.

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

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

(3) All the claims in each U.S. application for which a request for participation in the PCT-PPH pilot program is made must sufficiently correspond to or be mended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.

(4) Substantive examination of the U.S. application for which participation in the PCT-PPH pilot program is requested has not begun.

(5) Applicant must submit a copy of the latest international work product which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language.

(6) Applicant must submit a copy of the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product of the PCT application along with an English translation thereof and a statement that the English translation is accurate if the claims are not in the English language. Applicant is required to submit a claims correspondence table in English. The claims correspondence table must indicate how all the claims in the U.S. application sufficiently correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

(7) Applicant must submit an information disclosure statement (IDS) listing the documents cited in the international work products (ISR, WOIISA, WOIIPEA, PER) of the PCT.

(8) Applicant must submit a petition fee under 37 CFR 1.17(h) for the petition to make special under 37 CFR 1.102(d) if filed before May 2010.

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(9) The request for participation in the PCT-PPH pilot program and all the supporting documents must be submitted to the USPTO via EFS-Web and indexed with the following document description: "Petition to make special under PCT-Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PCT-PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

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

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-36128

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

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

/Tod Swann/
Tod Swann
Quality Assurance Specialist
Technology Center 2400

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JUL 05 2011

PCT LEGAL ADMINISTRATION

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of: TASLER, Martin	:	
U.S. Application No.: 13/131,834	:	DECISION ON PETITION UNDER
PCT No.: PCT/GB2009/051511	:	37 CFR 1.137(b)
International Filing Date: 11 November 2009	:	
Priority Date: 11 November 2008	:	
Attorney's Docket No.: 2206367.00120US1	:	
For: APPARATUS AND METHOD FOR	:	
SETTING A PARAMETER VALUE	:	

The petition for revival under 37 CFR 1.137(b) filed 27 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/GB2009/051511 became abandoned with respect to the United States at midnight on 11 May 2011 based on applicant's 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 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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650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

MAILED
JUN 28 2011
PCT LEGAL ADMINISTRATION

In re Application of :
ZAKNOEN et al. :
Application No.: 13/131,852 :
PCT No.: PCT/US2008/084588 :
Int. Filing Date: 24 November 2008 :
Priority Date: 28 November 2007 :
Attorney Docket No.: 35293-709.832 :
For: THERAPIES FOR TREATING CANCER USING COMBINATIONS OF COX-2 INHIBITORS AND ANTIMETABOLITES :

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 27 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-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:	13/131,854	Filing date:	May 27, 2011
First Named inventor:	Toru Fukano		
Title of the Invention:	Acoustic Wave Device and Method for Manufacturing Same		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/069802

The international date of the corresponding PCT application(s) is/are: November 24, 2009 (International filing date); November 28, 2008 (Priority date)

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 JPO AND THE USPTO

(continued)

Application No.:	13/131,854
First Named Inventor:	Toru Fukano

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 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 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1 of Preliminary Amend.	1	Both claims sufficiently correspond to each other.
2 of Preliminary Amend.	2	Both claims sufficiently correspond to each other.
3 of Preliminary Amend.	3	Both claims sufficiently correspond to each other.
4 of Preliminary Amend.	4	Both claims sufficiently correspond to each other.
5 of Preliminary Amend.	5	Both claims sufficiently correspond to each other.
6 of Preliminary Amend.	6	Both claims sufficiently correspond to each other.
7 of Preliminary Amend.	7	Both claims sufficiently correspond to each other.
8 of Preliminary Amend.	8	Both claims sufficiently correspond to each other.
9 of Preliminary Amend.	9	Both claims sufficiently correspond to each other.
10 of Preliminary Amend.	10	Both claims sufficiently correspond to each other.

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

Signature	Lawrence J. McClure	Date	9-13-11
Name (Print/Typed)	Lawrence J. McClure	Registration Number	44,228

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AUG 01 2011
PCT LEGAL ADMINISTRATION

In re Application of Estok et al. Application No.: 13/131,856 PCT No.: PCT/US2008/077410 Int. Filing Date: 23 September 2008 Priority Date:24 September 2007 Attorney Docket No.: 35293-709.831 For: Therapies For Treating Cancer Using Combinations Of COX-2 Inhibitors And Anti-HER2(ERBB2) Antibodies Or...	:	DECISION ON PETITION

The petition to revive under 37 CFR 1.137(b) filed on 27 May 2011 in the above-captioned application is hereby **GRANTED** as follows:

Petitioner states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has paid the petition fee. The required reply has been filed. No terminal disclaimer is required. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

This application is being returned to the Office of Patent Application Processing for further processing, including the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring the submission of an oath or declaration compliant with 37 CFR 1.497(a) and (b).

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

PTO/SB/20PCT-JP (05-10)
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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/131,895	Filing date:	May 31, 2011
First Named Inventor:	Shoko ONO		
Title of the Invention:	COMPOSITION FOR SEALING SEMICONDUCTOR, SEMICONDUCTOR DEVICE, AND PROCESS FOR PRODUCING SEMICONDUCTOR DEVICE		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH 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/JP2010/059151

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

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

Under the Paperwork Reduction Act of 1995, 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.:	13/131,895
First Named Inventor:	Shoko ONO

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 31, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on May 31, 2011

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 except for single dependency
4	4	Same claim except for single dependency
5	5	Same claim except for single dependency
6	6	Same claim
7	7	Same claim except for single dependency
8	8	Same claim
9	9	Same claim

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

Signature Robert G. Mukai	Date February 8, 2012
Name (Print/Typed) Robert G. Mukai	Registration Number 28,531

Patent
Attorney Docket No. 1003510-000213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	**MAIL STOP**
Ono, Shoko et al.	Group Art Unit: 2811
Application No.: 13/131,895	Examiner: Lynne Ann Gurley
Filed: May 31, 2011	Confirmation No.: 1042
For: Composition for Sealing Semiconductor, Semiconductor Device, and Process for Producing Semiconductor Device	

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY PROGRAM BETWEEN THE USPTO AND THE JPO BASED ON PCT WORK PRODUCTS

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

Sir:

In accordance with the provisions of the Notice setting forth the Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products signed by Commissioner Kappos on January 23, 2010, and published in the Official Gazette on February 23, 2010 (hereinafter "Notice"), submitted with this paper is a Request for Participation in the PCT-PPH Pilot Program between the JPO and the USPTO (hereinafter "Request"). It is noted that Director Kappos signed a two year extension to the Program on January 24, 2012.

The present application is the U.S. national stage application of International Application No. PCT/JP2010/059151 (hereinafter "corresponding International Application") filed on May 28, 2010, that claims the benefit of Japanese Patent Application No. 2009-130251 filed on May 29, 2009. Accordingly, the present situation corresponds to the relationship set forth in Section B(1)(a)(A') of the Notice. Applicants have therefore fully complied with the requirement of identifying the relationship between the respective applications.

The latest work product of the JPO in the corresponding International Application, i.e., the Written Opinion (hereinafter "Opinion") and the International

Preliminary Report on Patentability (hereinafter "Report"), indicate that all of the claims in the corresponding International Application meet the requirements of novelty, inventive step, and industrial applicability. It is respectfully pointed out that an inadvertent error exists in the last sentence of the English translation of the Written Opinion which should read: "Therefore, a person skilled in the art could not easily conceive of the above features." The Request includes a claims correspondence table indicating how the present application's claims correspond to the claims in the corresponding International Application.

The English translations of the Opinion and the Report are provided in the Second Information Disclosure Statement. The claims from the International Application indicated as meeting the requirements of novelty, inventive step, and industrial applicability, an English translation thereof, and a statement that the English translation thereof is accurate are attached.

All of the documents cited in the Opinion and the Report were previously submitted to the U.S. Patent and Trademark Office on May 31, 2011 in a First Information Disclosure Statement. A Second Information Disclosure Statement citing the Opinion and the Report is filed concurrently herewith.

Although it is understood that no fee is required for the submission of the instant Request, the Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Should any questions arise concerning the present submission, the undersigned attorney can be contacted at the number provided below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 8, 2012

By: Robert G. Mukai

Robert G. Mukai
Registration No. 28,531

Customer No. 21839
703 836 6620

DECLARATION

I, Chiai MORI, a staff member of TAIYO, NAKAJIMA & KATO, 3-17, Shinjuku 4-chome, Shinjuku-ku, Tokyo 160-0022, Japan, do hereby declare that I am well acquainted with the English and Japanese languages and I hereby certify that, to the best of my knowledge and belief, the following is a true and correct translation made by me into the English language of the claims of PCT/JP2010/059151, filed May 28, 2010, in the name of MITSUI CHEMICALS, INC.

Dated this 6th day of February, 2012

Chiai Mori

Chiai MORI

CLAIMS

1. A composition for sealing a semiconductor, the composition comprising:

a resin having two or more cationic functional groups and a weight-average molecular weight of from 2,000 to 100,000; and

sodium and potassium each in an amount based on element content of not more than 10 ppb by weight, and

the composition having a volume average particle diameter, measured by a dynamic light scattering method, of not more than 10 nm.

2. The composition for sealing a semiconductor according to claim 1, wherein the resin has a cationic functional group equivalent weight of 43 to 430.

3. The composition for sealing a semiconductor according to claim 1 or 2, wherein the cationic functional groups are at least one of a primary amino group or a secondary amino group.

4. The composition for sealing a semiconductor according to any one of claim 1 to claim 3, wherein the resin is polyethyleneimine or a derivative of polyethyleneimine.

5. A process for producing a semiconductor device, the process comprising a step for applying a sealing composition in which the composition for sealing a semiconductor according to any one of claim 1 to claim 4 is applied to an interlayer dielectric layer formed on a substrate.

6. The process for producing a semiconductor device according to claim 5, wherein the interlayer dielectric layer comprises porous silica and has, on a surface of the interlayer dielectric layer, residual silanol derived from the porous silica.

7. The process for producing a semiconductor device according to claim 5 or 6, further comprising a step for forming a recessed groove, having a width of from 10 nm to 32 nm, in the interlayer dielectric layer, and, in the step for applying a sealing composition, the composition for sealing a semiconductor being made to contact at least the interlayer dielectric layer at side surfaces of the recessed groove.

8. A semiconductor device having a structure comprising a porous interlayer dielectric layer, a resin layer and a layer comprising copper, in this order,

the resin layer having a thickness of from 0.3 nm to 5 nm and comprising a resin having two or more cationic functional groups and a weight-average molecular weight of from 2,000 to 100,000.

9. The semiconductor device according to claim 8, further comprising a copper barrier layer disposed between the resin layer and the layer comprising copper.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

MAILED
MAR 27 2012
OFFICE OF PETITIONS

In re Application of	:
Shoko Ono, et. al.	: DECISION ON REQUEST TO
Application No.: 13/131,895	: PARTICIPATE IN THE PATENT
Filed: May 31, 2011	: PROSECUTION HIGHWAY
Attorney Docket No.: 1003510-000213	: PROGRAM AND PETITION
For: COMPOSITION FOR SEALING	: TO MAKE SPECIAL UNDER
SEMICONDUCTOR, SEMICONDUCTOR	: 37 CFR 1.102(a)
DEVICE, AND PROCES FOR	:
PRODUCING SEMICONDUCTOR	:
DEVICE	:

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 8, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

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

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

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

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

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

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

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

(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 to meet requirement (7).

Regarding the requirement of condition (7), applicant has failed to provide a copy of the complete references cited by the examiner. In this regard, the international work product cites EP 1502898 and EP 1615260; however, petitioner failed to mention these references in the Information Disclosure Statement (IDS) filed on May 31, 2011 or February 8, 2012. Therefore, the present request and petition cannot be granted at this time.

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 the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	**MAIL STOP PETITIONS**
Ono, Shoko et al.	)	Group Art Unit: 2811
Application No.: 13/131,895	)	Examiner: Lynne Ann Gurley
Filed: May 31, 2011	)	Confirmation No.: 1042
For: Composition for Sealing Semiconductor, Semiconductor Device, and Process for Producing Semiconductor Device	)	

REQUEST FOR RECONSIDERATION OF THE DECISION DENYING THE REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY PROGRAM BETWEEN THE USPTO AND THE JPO BASED ON PCT WORK PRODUCTS

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

Sir:

Pursuant to the telephonic discussion with Petitions Examiner, Ms. Andrea Smith, on April 11, 2012, applicants respectfully request reconsideration of the Decision dated March 27, 2012, which dismissed applicants' request and petition to make special. The Decision sets forth the requirements for granting the request and petition and notes that applicants had fulfilled seven of the eight requirements. The decision further states that as for the eighth requirement, applicants did not provide two published European patent documents, namely EP 1502898 and EP 1615260 which were cited in international work product (i.e., the Written Opinion of the International Searching Authority).

It was explained during the telephonic discussion that the noted EP documents were in the same family as cited JP 2005-089240 and JP 2006-093657, respectively. It was further pointed out that in the First Information Disclosure Statement filed on May 31, 2011, applicants had submitted copies of the cited JP documents and listed the U.S. patent documents that were also identified as being in the same family, namely U.S. Patent Application Publication No. 2005/0025690 and U.S. Patent Application Publication No. 2006/0006541, respectively. To illustrate the

relationship between the documents and what applicants have previously submitted, attached hereto is a copy of the relevant page from the Written Opinion and the citation form accompanying the First Information Disclosure Statement. Accordingly, it was believed that was not necessary to also submit the noted EP documents as they were believed to be substantively cumulative.

Ms. Smith agreed with this understanding and requested that applicants submit the instant document for reconsideration of the request and petition for participation in the PPH program. While the undersigned attorney stated his willingness to provide the noted EP documents, Ms. Smith stated that it was not necessary to do so.

Accordingly, applicants respectfully submit that all the requirements have been fully met and request reconsideration and granting of the request and petition.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

By: Robert G. Mukai

Robert G. Mukai
Registration No. 28,531

Customer No. 21839
703 836 6620

Date: April 11, 2012

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/059151

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	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	1-9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2005-089240 A (Tokuyama Corp.), 07 April 2005, paragraphs [0058] to [0089] & EP 1502898 A1 & US 2005/0025690 A1

Document 2: JP 2008-094993 A (Toray Industries, Inc.), 24 April 2008, paragraphs [0012] to [0059] (Family: none)

Document 3: JP 2006-093657 A (JSR Corp.), 06 April 2006, paragraphs [0115] to [0119] & EP 1615260 A2 & US 2006/0006541 A1

Document 4: JP 2009-088247 A (Fujifilm Corp.), 23 April 2009, paragraphs [0015] to [0068] (Family: none)

Document 5: JP 2009-096863 A (Hitachi Chemical Co., Ltd.), 07 May 2009, paragraphs [0010] to [0034] (Family: none)

Document 6: JP 2007-092019 A (Fujifilm Corp.), 12 April 2007, paragraphs [0014] to [0033] & US 2007/0054135 A1

Document 7: WO 2009/034596 A1 (Fujitsu Ltd.), 19 March 2009, paragraphs [0026] to [0084] (Family: none)

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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BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

MAILED
APR 12 2012
OFFICE OF PETITIONS

In re Application of Shoko Ono, et. al. Application No.: 13/131,895 Filed: May 31, 2011 Attorney Docket No.: 1003510-000213 For: COMPOSITION FOR SEALING SEMICONDUCTOR, SEMICONDUCTOR DEVICE, AND PROCES FOR PRODUCING SEMICONDUCTOR DEVICE	DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 8, 2012 and renewed on April 11, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

(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.

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

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/131,974	05/31/2011	Tsutomu Kawashima	2011_0795A	1832

52349 7590 09/15/2011
WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

EXAMINER
HARRIS, GARY D

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.

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

ddalecki@wenderoth.com
eoa@wenderoth.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

September 14, 2011 BC

In re application of Tsutomu Kawashima et al. Serial No. 13/131,974 Filed: May 31, 2011 For: FUEL CELL AND METHOD FOR MANUFACTURING 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 02, 2011.

The request and petition are **DENIED**.

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;

(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); and

The request to participate in the PPH program and petition fail because:
(4) Action on this US application has begun. Specifically, a non-final Office action was mailed on August 25, 2011.

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

MAR 09 2012

OFFICE OF PETITIONS

WINSTEAD PC
P.O. BOX 50784
DALLAS TX 75201

Applicant: Ifor David William Samuel et al
Appl. No.: 13/131,992
International Filing Date: December 1, 2009
Title: APPARATUS AND METHOD FOR OBTAINING AN IMAGE OF A FLUORESCENT PATTERN UNDER AMBIENT LIGHT
Attorney Docket: 51026-P102WOUS
Pub. No.: US 20110279679 A1
Pub. Date: November 17, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on December 20, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains material errors wherein the preliminary amendment filed with the application on May 31, 2011 (Article 34) was not included in the publication.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The error noted by requestor with respect to the preliminary amendment is <u>not</u> an Office error. The patent application publication does not include a mistake regarding the failure to include the preliminary amendment to the specification because patent application publications are not required to include preliminary amendments. See 37 CFR 1.215(a). The "failure to include an amendment is not an Office error." See MPEP 1130(b). The publication accurately reflected the claims as filed.

[1] <u>Changes to Implement Eighteen-Month Publication of Patent Applications</u>, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, <u>Off. Gaz. Pat. Office Notices</u> 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 § 1.121(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under §1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. (emphasis added) 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments, including a substitute specification, must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under title 35, United States Code, whichever is later.

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
OR
http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

PTO/SB/20JP (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) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	Not yet assigned	Filing Date:	May 31, 2011
First Named Inventor:	Minoru Genta		
Attorney Docket No.:	110664		
Title of the Invention:	BIOMASS HYDROTHERMAL DECOMPOSITION APPARATUS, TEMPERATURE CONTROL METHOD (		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PROGRAM.

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

The JPO/PCT application number(s) is/are: PCT/JP2010/054022
2010-536272 (National Stage Application of PCT/JP2010/054022)

The filing date of the JPO/ PCT application(s) is/are: March 10, 2010
September 14, 2010

I. List of Required Documents:

a. **A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)**

☑ Is attached.

☐ Is not attached because the JPO application was allowed in a first office action.

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

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

☑ Is attached.

c. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language). An accuracy statement for the English translation of the documents in a. above is not required if the English translation is a machine translation provided by the JPO.**

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

☑ Is attached.

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

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

☑ Are attached.

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

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

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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	Not yet assigned
First Named Inventor:	Minoru Genta

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1	1	same
2	2	same
3	3	same
4	4	same
5	5	same
6	6	same
7	7	same
8	8	same
9	9	same
10	10	same

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

Signature /Stephen G. Adrian/	Date May 31, 2011
Name (Print/Typed) Stephen G. Adrian	Registration Number 32,878

Privacy Act Statement

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

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

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

PTO/SB/20JP (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 PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	Not yet assigned	Filing Date:	May 31, 2011
First Named Inventor:	Minoru Genta		
Attorney Docket No.:	110665		
Title of the Invention:	BIOMASS HYDROTHERMAL DECOMPOSITION APPARATUS, TEMPERATURE CONTROL METHOD (		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PROGRAM.

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

The JPO/PCT application number(s) is/are: PCT/JP2010/054023
2010-536274 (National Stage Application of PCT/JP2010/054023)

The filing date of the JPO/ PCT application(s) is/are: March 10, 2010
September 14, 2010

I. List of Required Documents:

a. **A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)**

☑ Is attached.

☐ Is not attached because the JPO application was allowed in a first office action.

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

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

☑ Is attached.

c. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language). An accuracy statement for the English translation of the documents in a. above is not required if the English translation is a machine translation provided by the JPO.**

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

☑ Is attached.

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

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

☑ Are attached.

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

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

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REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	Not yet assigned
First Named Inventor:	Minoru Genta

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1	1	same
2	2	same
3	3	same
4	4	same
5	5	same
6	6	same
7	7	same
8	8	same
9	9	same
10	10	same
11	11	same
12	12	same

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

Signature /Stephen G. Adrian/	Date May 31, 2011
Name (Print/Typed) Stephen G. Adrian	Registration Number 32,878

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

STEPHEN TODD
DANISCO US INC.
925 PAGE MILL ROAD
PALO ALTO, CA 94304-1013

MAILED

JUL 08 2011

PCT LEGAL ADMINISTRATION

In re Application of
NATHANIEL R. BECKER ET AL
U.S. Application No.: 13/132069
PCT No.: PCT/US2009/063085
Int. Filing Date: 03 November 2009
Priority Date: 03 November 2008
For: DELIVERY SYSTEM FOR CO-FORMULATED ENZYME AND SUBSTRATE

DECISION ON PETITION

The petition to revive under 37 CFR 1.137(b) filed 31 May 2011, in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "abandonment of the application and the entire delay was unintentional" is hereby construed as a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. If this is an incorrect interpretation in view of the rules, petitioner is required to provide a statement to that effect.

A review of the application file reveals that the basic national fee has been provided. The required petition fee of $1620 has been 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 (US/DO/EO) 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.

Wanda Banks

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Bryan Lin

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

PTO/SB/20PCT-JP (05-10)
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U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/132112	Filing date:	June 1, 2011
First Named Inventor:	Masanori Yoshimura		
Title of the Invention:	Oil-In-Water Cosmetics		

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/JP2009/070298

The international date of the corresponding PCT application(s) is/are: December 3, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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.:	13/132112
First Named Inventor:	Masanori Yoshimura

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 and 3	See accompanying letter.
2	2	US and PCT claims sufficiently correspond.
3	N/A	US claim 3 canceled and added to claim 1.
4	4	See accompanying letter.
5	5	US and PCT claims sufficiently correspond.
6	6	US and PCT claims sufficiently correspond.
7	7	US and PCT claims sufficiently correspond.
8	8 and 3	See accompanying letter.
9	4	US and PCT claims sufficiently correspond.
10	5	US and PCT claims sufficiently correspond.
11	7	US and PCT claims sufficiently correspond.

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

Signature	Date 8/3/11
Name (Print/Typed) Kenneth A. Clark	Registration Number 32119

What is claimed is:

1. An oil-in-water cosmetic comprising:

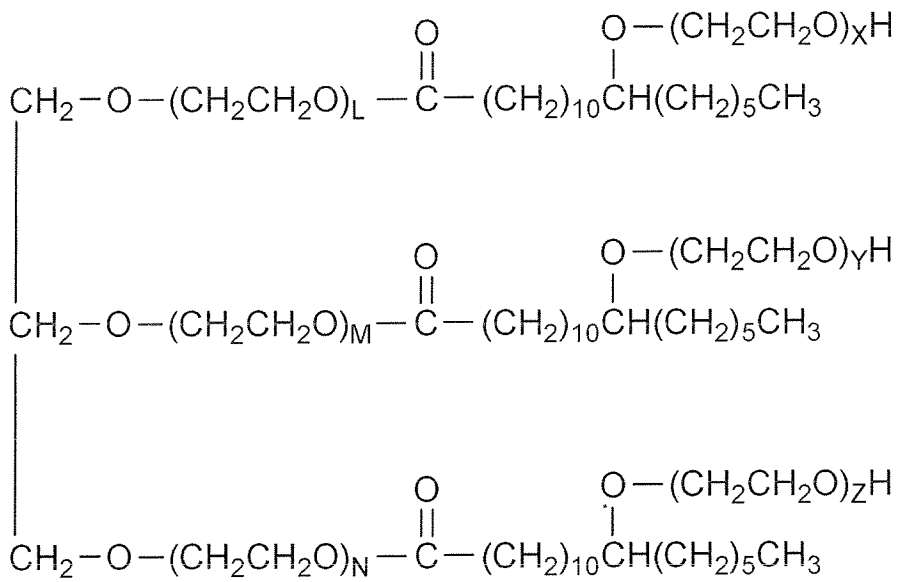
(a) oil-droplet particles consisting of an oil component to be emulsified;

(b) vesicle particles for stabilizing the oil-droplet particles; and

(c) an aqueous phase containing water and a monohydric aliphatic alcohol having 1 to 4 carbon atoms.

2. The oil-in-water cosmetic according to claim 1, wherein the vesicle particles are formed of an amphiphilic substance which spontaneously forms vesicle particles, and the vesicle particles are localized on surfaces of the oil-droplet particles.

3. The oil-in-water cosmetic according to claim 2, wherein the amphiphilic substance is a polyoxyethylene hydrogenated castor oil derivative represented by formula (1):



(1)

wherein E=L+M+N+X+Y+Z, and said E which represents the average addition mole number of ethylene oxide is 10 to 20.

4. The oil-in-water cosmetic according to any of claims 1 to 3, wherein the lower alcohol contained therein is 5 to 50% by mass with respect to total amount of cosmetic.

5. The oil-in-water cosmetic according to any of claims 1 to 4, comprising an UV absorber.

6. The oil-in-water cosmetic according to claim 5, wherein the UV absorber is one or more selected from octocrylene, octyl methoxycinnamate, 4-tert-butyl-4'-methoxybenzoylmethane, methylene bis-benzotriazolyl tetramethylbutylphenol, bis-ethylhexyloxyphenol methoxyphenyl triazine, diethylamino hydroxybenzoyl hexyl benzoate, ethylhexyl triazone, phenylbenzimidazole sulfonic acid, dimethicone diethylbenzalmalonate, diethylhexyl butamido triazone, and 2-(4-(2-ethylhexyloxy)-2-hydroxyphenyl)-2H-benzotriazol.

7. The oil-in-water cosmetic according to any of claims 1 to 6, further comprising one or more selected from carboxyvinyl polymer, succinoglycan, agar, hydroxyethyl cellulose, hydroxypropyl cellulose, and xanthan gum.

8. A production method of an oil-in-water cosmetic, comprising:

mixing an aqueous phase comprising water and a lower alcohol with an amphiphilic substance which spontaneously forms vesicles to prepare a vesicle dispersion in which vesicle particles are formed in the aqueous phase; and

mixing an oil component to be emulsified with the vesicle dispersion to obtain the oil-in-water cosmetic.

請求の範囲

[請求項1] （ａ）被乳化油性成分からなる油滴粒子と、

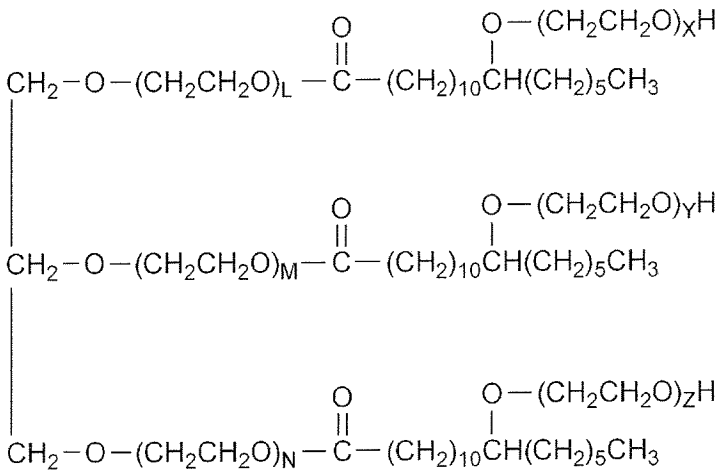
（ｂ）該油滴粒子を安定化させるためのベシクル粒子と、

（ｃ）水と炭素数１～４の１価脂肪族アルコールとを含む水相と、

を含むことを特徴とする水中油型化粧料。

[請求項2] 請求項１記載の水中油型化粧料において、前記ベシクル粒子は自発的にベシクル粒子を形成する両親媒性物質により形成され、前記油滴粒子表面に局在していることを特徴とする水中油型化粧料。

[請求項3] 請求項２記載の水中油型化粧料において、前記両親媒性物質は、下記の一般式（１）で表されるポリオキシエチレン硬化ヒマシ油誘導体であり、エチレンオキシドの平均付加モル数（Ｅ）が１０～２０であることを特徴とする水中油型化粧料。



(1)

（一般式（１）中、Ｅ＝Ｌ＋Ｍ＋Ｎ＋Ｘ＋Ｙ＋Ｚである。）

[請求項4] 請求項１～３のいずれかに記載の水中油型化粧料において、前記低級アルコールの含有量が化粧料全量に対して５～５０質量%であることを特徴とする水中油型化粧料。

[請求項5] 請求項１～４のいずれかに記載の水中油型化粧料において、紫外線吸収剤を含むことを特徴とする水中油型化粧料。

[請求項6] 請求項５記載の水中油型化粧料において、前記紫外線吸収剤がオク

トクリレン、オクチルメトキシシンナメート、４－ｔｅｒｔ－ブチル－４’－メトキシベンゾイルメタン、メチレンビスベンゾトリアゾリルテトラメチルブチルフェノール、ビスエチルヘキシルオキシフェノールメトキシフェニルトリアジン、ジエチルアミノヒドロキシベンゾイル安息香酸ヘキシル、エチルヘキシルトリアゾン、フェニルベンズイミダゾールスルホン酸、ジメチコンジエチルベンザルマネート、ジエチルヘキシルブタミドトリアゾン、２－[４－（２－エチルヘキシルオキシ）－２－ヒドロキシフェニル]－２Ｈ－ベンゾトリアゾールから選択される１種又は２種以上であることを特徴とする水中油型化粧料。

[請求項7] 請求項１～６のいずれかに記載の水中油型化粧料において、さらにカルボキシビニルポリマー、サクシノグリカン、寒天、ヒドロキシエチルセルロース、ヒドロキシプロピルセルロース、キサンタンガムから選択される１種又は２種以上を含むことを特徴とする水中油型化粧料。

[請求項8] 水と低級アルコールを含む水相と、自発的にベシクルを形成する両親媒性物質とを混合し、該水相内にベシクル粒子が形成されたベシクル分散液を得、

前記ベシクル分散液に被乳化油性成分を混和させて水中油型化粧料を得ることを特徴とする水中油型化粧料の製造方法。

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

IWAHASHI, Yuji
2-18-16, Kanagawa, Kanagawa-ku
Yokohama-shi, Kanagawa 2210045
JAPAN

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	09.03.2010
Applicant's or agent's file reference SS2767	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/070298	03.12.2009	03.12.2008

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

Applicant
SHISEIDO COMPANY 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 and industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [x] 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 3-4-3 Kasumigaseki, Chiyoda-ku Tokyo 100-8915, JAPAN	02.03.2010	Miho FUKUI Telephone No. +81-3-3581-1101, extension 3421

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/070298

Box No. I Basis of this opinion

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

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

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

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

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

   a. (means)

   ☐ on paper

   ☐ in electronic form

   b. (time)

   ☐ in the international application as filed

   ☐ together with the international application in electronic form

   ☐ subsequently to this Authority for the purposes of search

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

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/070298

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	1-8	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:

Document 1: JP 3855203 B2 (Kanagawa University), 22.09.2006, entire text
Document 2: JP 2008-55250 A (Kanagawa University), 13.03.2008, claims; examples
Document 3: JP 2007-77178 A (Kanagawa University), 29.03.2007, claims; examples
Document 4: JP 4178397 B2 (Kanagawa University), 05.09.2008, claims; examples

The invention as in claims 1-8 is novel and involves an inventive step because Documents 1-4 do not disclose and suggest the invention.

Document 1 discloses an O/W emulsion using, as an emulsifying and dispersing agent, polyoxyethylene hydrogenated castor oil or phospholipid. It also discloses that nanoparticles of the emulsifying agent adhere the surface between the oil and water to form an emulsifying and dispersing agent phase.

Documents 2-4 disclose a method for preparing an emulsion using mixed vesicles of polyoxyethylene hydrogenated castor oil and another surfactant (a silicone surfactant, a cationic surfactant).

However, because these documents do not disclose that ethanol improves emulsion stability, they do not deny the novelty and inventive step of the invention as in claims 1-8 of the present application.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/070298

Box No. VIII Certain observations on the international application

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

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

The term "vesicle particles for stabilizing the oil-droplet particles" or "vesicle particles for stabilizing the oil-droplet particles formed of an amphiphilic substance" recited in claims 1-2, 4-7 and 8 includes all of vesicle particles or amphiphilic vesicle particles having a desired property "stabilizing the oil-droplet particles". However, only a polyoxyethylene hydrogenated castor oil derivative represented by general formula (1) in the description and having the ethylene oxide addition mole number (E) of 10 to 20 is disclosed in the meaning within PCT Article 5, and therefore, the term is not supported in the meaning within PCT Article 6.

Further, with regard to "a monohydric aliphatic alcohol having 1 to 4 carbon atoms" to be used as the component (c), the degree of hydrophobicity of the monohydric aliphatic alcohol varies depending on the increase in the number of carbon atoms contained in the alcohol. However, only ethanol is disclosed in the meaning within PCT Articles 5. Therefore, the term is not supported in the meaning within PCT Article 6.

Such being the case, this written opinion was made based on the international search report that was prepared on a part which supported by the description and disclosed specifically in the description, i.e., a technique in which the vesicle particles to be used as the component (b) comprise a polyoxyethylene hydrogenated castor oil derivative represented by general formula (1) in the description and having the ethylene oxide addition mole number (E) of 10 to 20 and ethanol is used as the component (c).

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/070298

Supplemental Box

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

A61K8/34(2006.01)i, A61K8/19(2006.01)i, A61K8/37(2006.01)i
A61K8/44(2006.01)i, A61K8/49(2006.01)i, A61K8/73(2006.01)i
A61K8/81(2006.01)i, A61K8/84(2006.01)i, A61Q1/02(2006.01)i
A61Q17/04(2006.01)i, A61Q19/00(2006.01)i

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
岩橋　祐司
様

あて名
〒221-0045
日本国神奈川県横浜市神奈川区神奈川２－１８－１６

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

発送日 （日.月.年）	０９．０３．２０１０
出願人又は代理人 の書類記号　SS2767	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／ＪＰ２００９／０７０２９８	（日.月.年）　０３．１２．２００９	（日.月.年）　０３．１２．２００８

国際特許分類（１ＰＣ）Int.Cl. 補充欄参照

出願人（氏名又は名称）
株式会社　資生堂

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
０２．０３．２０１０

名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 福井　美穂 電話番号　０３－３５８１－１１０１　内線　３４２１	４Ｄ　９１６６

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０７０２９８

第１欄　見解の基礎

１．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である ＿＿＿＿＿＿ 語に翻訳された、この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

２．☐ この見解書は、ＰＣＴ規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 43 の 2.1(b)）。

３．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段　☐ 紙形式

☐ 電子形式

b．提出時期　☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

４．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

５．補足意見：

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０７０２９８

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

1.　見解

新規性（N）	請求項	1-8	有
	請求項		無
進歩性（ＩＳ）	請求項	1-8	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1-8	有
	請求項		無

2.　文献及び説明

1．JP 3855203 B2（学校法人神奈川大学）2006.09.22，全文
2．JP 2008-55250 A（学校法人神奈川大学）2008.03.13，特許請求の範囲，実施例
3．JP 2007-77178 A（学校法人神奈川大学）2007.03.29，特許請求の範囲，実施例
4．JP 4178397 B2（学校法人神奈川大学）2008.09.05，特許請求の範囲，実施例

請求項１－８に係る発明は、文献１－４に係る発明には記載ないし示唆されておらず、新規性、進歩性を有する。

文献１には、ポリオキシエチレン硬化ヒマシ油あるいはリン脂質を乳化分散剤として用いたＯ／Ｗ乳化物が記載され、この乳化剤のナノ粒子がオイルと水との界面に付着して乳化分散剤相を形成することが記載されている。

文献２－４には、ポリオキシエチレン硬化ヒマシ油と他の界面活性剤（シリコーン系界面活性剤、カチオン系界面活性剤）との混合ベシクルを用いたしてエマルジョンの調整方法が記載されている。

しかしながら、これらの文献はエタノールにより乳化安定性が図られることは記載されておらず、本願の請求項１－８に係る発明の新規性、進歩性を否定するものではない。

第Ⅷ欄　国際出願に対する意見

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

請求項１－２，４－７，８の「油滴粒子を安定させるためのベシクル粒子」あるいは「油滴粒子を安定化させるための両親媒性物質により形成されるベシクル粒子」には、油滴粒子を安定化させるという所望の特性を有するあらゆるベシクル粒子あるいは両親媒性のベシクル粒子を包含するものであるが、PCT 第５条の意味において開示されているのは、明細書に一般式（１）で示される、エチレンオキサイドの付加モル数(E)が１０～２０のポリオキシエチレン硬化ヒマシ油誘導体のみであり、PCT 第６条の意味での裏付けを欠いている。

また、(c)成分の「炭素数１～４の１価の脂肪族アルコール」については、炭素数の増加により疎水性の程度が異なるものであるが、PCT 第５条の意味において開示されているのは、エタノールのみであり、PCT 第６条の意味での裏付けを欠いている。

よって、この見解書は、明細書に裏付けられ、具体的に開示されている範囲、つまり、(b)成分については一般式（１）で示される、エチレンオキサイドの付加モル数(E)が１０～２０のポリオキシエチレン硬化ヒマシ油誘導体をベシクル粒子とし、(c)成分についてはエタノールを用いた技術について行った国際調査報告に基づいて行った。

国際調査機関の見解書

国際出願番号 ＰＣＴ／ＪＰ２００９／０７０２９８

補充欄

いずれかの欄の大きさが足りない場合

第　　欄の続き

A61K8/34(2006.01)i, A61K8/19(2006.01)i, A61K8/37(2006.01)i,
A61K8/44(2006.01)i, A61K8/49(2006.01)i, A61K8/73(2006.01)i,
A61K8/81(2006.01)i, A61K8/84(2006.01)i, A61Q1/02(2006.01)i,
A61Q17/04(2006.01)i, A61Q19/00(2006.01)i

Statement

I, Michiyo ARII, a technical translator to Iwahashi & Associates, do solemnly and sincerely declare:

1. that I am fully conversant with the Japanese and English languages;

2. that the attached document is a copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the PCT/JP2009/070298;

3. that the attached document is accurate English language translation made by me of all claims which were indicated as having novelty, inventive step and industrial applicability in the PCT/JP2009/070298; and

4. that I make this solemn declaration conscientiously believing the same to be true and correct.

Declared in Kanagawa, Japan

This 1 day of July, 2011

Michiyo ARII

UNITED STATES 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 21 2011

PCT LEGAL ADMINISTRATION

YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria VA 22314

In re Application of:
JOKITALO, Joonas, et al.
U.S. Application No.: 13/132,114
PCT No.: PCT/EP2009/066163
International Filing Date: 01 December 2009
Priority Date: 01 December 2008
Attorney's Docket No.: 1517-1185
For: DISPENSER

DECISION ON SUBMISSION UNDER 37 CFR 1.42

This decision is issued in response to applicants' 17 August 2011 filing of a declaration executed on behalf of deceased co-inventor Joonas JOKITALO by his legal representative, considered herein as a submission under 37 CFR 1.42.

BACKGROUND

On 01 December 2009, applicants filed international application PCT/EP2009/066163. The international application claimed a priority date of 01 December 2008, and it designated the United States. On 10 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., 01 June 2011.

On 01 June 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee.

On 17 June 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 17 August 2011, applicants filed a response to the Notification Of Missing Requirements that included a declaration executed by the two surviving inventors of record and

on behalf of deceased inventor co-inventor Joonas JOKITALO by his legal representative, Pentti JOKITALO. The declaration is considered herein under 37 CFR 1.42 and 1.497.[1]

DISCUSSION

37 CFR 1.42 states in part:

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

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

37 CFR 1.497(b)(2) states the following:

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

Pursuant to 37 CFR 1.497(b)(2), the citizenship for both the deceased inventor and the legal representative must be identified on the declaration, as well as the mailing address and residence information of the legal representative and all other information required under 37 CFR 1.497. Here, the declaration filed 17 August 2011 includes the required citizenship, residence, and mailing address information for the person signing the declaration on behalf of the deceased inventor, Pentti JOKITALO, as well as the required citizenship of the deceased inventor, Joonas JOKITALO. The declaration also states the relationship of the person signing to the deceased inventor (i.e., "legal representative"). The declaration therefore includes all information required under 37 CFR 1.497(b)(2).

It is noted that the first name of the deceased inventor listed on the declaration ("Joonas") differs from the first name of record for this inventor ("Jonas"). Applicants' 17 August 2011 submission confirms that the inventor's correct first name is "Joonas" and that the incorrect spelling in the international application resulted from a typographical error. Pursuant to applicants' statements, the correct spelling of the inventor's first name may be accepted as "Joonas" without the requirement of a petition under 37 CFR 1.182 (see MPEP section 1893.01(e)).

---

[1] The response also included the authorization to charge Deposit Account No. 25-0120 for required fees, pursuant to which the Deposit Account will be charged the required $130 surcharge. While applicants' submission indicates that this surcharge was paid upon filing, the application file contains no record of such prior payment.

CONCLUSION

Applicants' request for status under 37 CFR 1.42 with respect to deceased inventor Joonas JOKITALO is **GRANTED**.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 17 August 2011.

/RichardMRoss/

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

UNITED STATES PATENT and TRADEMARK OFFICE

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

EGBERT LAW OFFICES
412 MAIN STREET, 7TH FLOOR
HOUSTON TX 77002

MAILED
SEP 14 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Roger PELLENC	:	
Application No.: 13/132,131	:	
PCT No.: PCT/FR2009/001337	:	
Int. Filing Date: 23 November 2009	:	PETITION UNDER
Priority Date: 01 December 2008	:	
Attorney's Docket No.: 1811-345	:	
For: SELF-UNJAMMING MOTORIZED...	:	
TRIMMER	:	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) Statements Of Facts," filed on 20 July 2011.

BACKGROUND

On 23 November 2009, this international application was filed, claiming an earliest priority date of 01 December 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 01 June 2011.

On 01 June 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 23 June 2011, the United States Patent and Trademark Office mailed the Notification of Abandonment (PCT/DO/EO/909) since the applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

On 20 July 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

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.
13/132,171	06/01/2011	Shuhei Nakatani	P56420-02	3395

42212 7590 11/08/2011
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2811	

NOTIFICATION DATE	DELIVERY MODE
11/08/2011	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):

ppc@us.panasonic.com
ppc.docket@ml.jp.panasonic.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

NOV 8 2011

In re Application of
NAKATANI et al.
Application No.: 13/132,171
Filed: June 1, 2011
Attorney Docket No.: P56420-02

: 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 9, 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
TQAS, TC 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/132,240		Kazuyoshi TAKADA	149695	3806

25944 7590 11/07/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER

ART UNIT	PAPER NUMBER
2836	

NOTIFICATION DATE	DELIVERY MODE
11/07/2011	ELECTRONIC

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

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

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

OfficeAction25944@oliff.com
jarmstrong@oliff.com

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

NOV 7 2011

In re Application of
TAKADA, *et al.*
Application No. 13/132240
Filed: 1 June 2011
Attorney Docket No. 149695

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed 25 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

Response must be filed via the Electronic Filing System (EFS) with the Document Code PPH.PET.

Telephone inquiries concerning this decision should be directed to Michael Day at 571-272-1568.

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

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

/Michael Day/

Michael Day
TQAS
Technology Center 2800 – Semiconductors
Electrical & Optical Systems & Components

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

OCT 04 2011

PCT LEGAL ADMINISTRATION

TRASKBRITT, P.C.
P.O. BOX 2550
SALT LAKE CITY UT 84110

In re Application of ANDERSON et al. Application No.: 13/132,289 PCT No.: PCT/AU2009/001583 Int. Filing Date: 04 December 2009 Priority Date: 05 December 2008 Attorney's Docket No.: 3485-10523.1US For: AN IRRIGATION CATHETER AND A METHOD OF FABRICATING	:	DECISION

This decision is in response to applicants' submission filed 19 July 2011, which has properly been treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 04 December 2009, applicants filed international application PCT/AU2009/001583 which designated the U.S. and claimed a priority date of 05 December 2008. The thirty-month period for paying the basic national fee in the United States expired at midnight on 06 June 2011 (05 June 2011 being a Sunday).

On 01 June 2011, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*, the Basic National Fee and a declaration of inventors.

On 15 June 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 the declaration of inventors filed 01 June 2011 was not in compliance with 37 CFR 1.497(a)-(b) because there was a difference names the second inventor between the published international application and the declaration of inventors and that a new declaration of inventors was required.

On 19 July 2011, applicants filed the instant petition under 37 CFR 1.181.

DISCUSSION

The petition filed 19 July 2011 concerns the name of the second named inventor. This inventor's name appears as Evan Chong on the published international application and as Evan Ka-Loke Chong on the declaration of inventors filed 01 June 2011. The petition indicates that the declaration of inventors merely includes Mr. Chong's middle name and that Mr. Chong's name has not changed. This explanation of the difference is accepted and noted for the record.

Accordingly, the declaration of inventors filed 01 June 2011 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

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

/Daniel Stemmer/

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

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:	13/132,309	Filing date:	June 1, 2011
First Named Inventor:	ITOGA, Yasuo		
Title of the Invention:	Collision Determination System, Occupant Restraint System, And Vehicle		

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

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

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2009/068334

The international date of the corresponding PCT application(s) is/are: October 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)**

- [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 JPO AND THE USPTO

(continued)

Application No.:	13/132,309
First Named Inventor:	ITOGA, Yasuo

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 June 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 June 2, 2011

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	US claim amended to remove multiple dependency
4	4	"
5	5	"
6	6	"
7	3	US claim is same without multiple dependency
8	4	"
9	6	"

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 22 AUGUST 2011
Name (Print/Typed) Howard N. Shipley	Registration Number 39,370

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/068334

A. CLASSIFICATION OF SUBJECT MATTER
B60R21/0136(2006.01)i, *B60R21/00*(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)
B60R21/00-21/34

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2010
Kokai Jitsuyo Shinan Koho	1971-2010	Toroku Jitsuyo Shinan Koho	1994-2010

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2008-037181 A (Takata Corp.), 21 February 2008 (21.02.2008), paragraphs [0023] to [0059]; fig. 1 to 15 & US 2008/0029329 A1 & EP 1884417 A1	1-6
A	JP 2008-247277 A (Takata Corp.), 16 October 2008 (16.10.2008), paragraphs [0023] to [0108]; fig. 1 to 16 & US 2008/0243343 A1	1-6
A	JP 2004-212281 A (Nissan Motor Co., Ltd.), 29 July 2004 (29.07.2004), paragraphs [0011] to [0171]; fig. 1 to 22 & US 2004/0129479 A1	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 05 January, 2010 (05.01.10)	Date of mailing of the international search report 19 January, 2010 (19.01.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2009/068334

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 2003-261003 A (Toyota Motor Corp.), 16 September 2003 (16.09.2003), paragraphs [0031] to [0099]; fig. 1 to 34 & US 6327527 B1 & EP 1028039 A2	1-6
A	JP 11-310095 A (Toyota Central Research and Development Laboratories, Inc.), 09 November 1999 (09.11.1999), paragraphs [0045] to [0208]; fig. 1 to 29 & US 6561301 B1 & EP 937612 A2	1-6

PATENT COOPERATION TREATY

PCT/JP2009/068334

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:

MASUDA Hirofumi
Higashiueno Kamimura Bldg., 2nd Floor, 1-7-13,
Higashiueno, Taito-ku, Tokyo
1100015
JAPON

Date of mailing *(day/month/year)* 14 July 2011 (14.07.2011)	
Applicant's or agent's file reference TD2008-001	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/068334	International filing date *(day/month/year)* 26 October 2009 (26.10.2009)
Applicant TAKATA CORPORATION 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 TD2008-001	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/068334	International filing date *(day/month/year)* 26 October 2009 (26.10.2009)	Priority date *(day/month/year)* 09 December 2008 (09.12.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant TAKATA CORPORATION		

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 TD2008-001	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/068334	26.10.2009	09.12.2008

International Patent Classification (IPC) or both national classification and IPC

Applicant
TAKATA CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I — Basis of the opinion
- ☐ Box No. II — Priority
- ☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV — Lack of unity of invention
- ☒ Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI — Certain documents cited
- ☐ Box No. VII — Certain defects in the international application
- ☐ Box No. VIII — Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/068334

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/JP2009/068334

Box No. V **Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations:

The invention as in claims 1-6 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art.

In particular, none of the documents discloses the feature of having a plurality of control modes such that when a side collision with a vehicle is detected by a side collision sensor, if the colliding object is determined to be something other than a pole-like colliding object on the basis of the determination result by a determination processing unit, there is a first control mode in which the condition for outputting a drive control signal to a passenger restraint device for restraining a vehicle passenger is the acting amount detected at an acting amount detection unit exceeding a first threshold set by a threshold setting unit, and if the aforementioned colliding object is determined to be a pole-like colliding object, there is a second control mode in which the condition for outputting a drive control signal to the aforementioned passenger restraint device is the acting amount detected at the aforementioned acting amount detection unit exceeding a second threshold set by the aforementioned threshold setting unit.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

MAILED
JAN 30 2012
OFFICE OF PETITIONS

In re Application of	
Yasuo ITOGA	**: DECISION ON REQUEST TO**
Application No.: 13/132,309	**: PARTICIPATE IN THE PATENT**
Filed: 01 June 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 086142-1043	**: PROGRAM AND PETITION**
For: COLLISION DETERMINATION SYSTEM, OCCUPANT RESTRAINT SYSTEM, AND VEHICLE	**: 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 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to 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

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:	13/132,310	Filing date:	June 1, 2011
First Named Inventor:	Alberto TEMPIA BONDA		
Title of the Invention:	METHOD AND SYSTEM FOR MULTICAST PATH, CORRESPONDING NETWORK AND COMPUTER PROGRAM 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/EP2008/010195

The international filing date of the corresponding PCT application(s) is/are: December 2, 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.

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.:	13/132,310
First Named Inventor:	Alberto TEMPIA BONDA

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 June 1, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on June 1, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
15	1	Both claims are substantially the same.
16	2	Both claims are substantially the same.
*17	3	Except for multiple dependency, both claims are substantially the same.
*18	4	Except for multiple dependency, both claims are substantially the same.
*19	5	Except for multiple dependency, both claims are substantially the same.
*20	6	Except for multiple dependency, both claims are substantially the same.
21	7	Both claims are substantially the same.
22	8	Both claims are substantially the same.
*23	9	Except for multiple dependency, both claims are substantially the same.
*24	10	Except for multiple dependency, both claims are substantially the same.
*25	11	Except for multiple dependency, both claims are substantially the same.
*26	12	Except for multiple dependency, both claims are substantially the same.
*27	13	Except for multiple dependency, both claims are substantially the same.
*28	14	Except for multiple dependency, both claims are substantially the same.
		* U.S. claims preceded by an asterisk [*] indicates elimination of multiple claim dependency.
		All U.S. claims amended to conform to U.S. practice.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date June 1, 2011
Name (Print/Typed) Ernest F. Chapman	Registration Number 25,961

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:	13/132,315	Filing date:	December 3, 2009
First Named Inventor:	Adrian Fawcett		
Title of the Invention:	OPTICAL SYSTEM FOR MULTIPLE REACTIONS		

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/US2009/066645

The international filing date of the corresponding PCT application(s) is/are: December 3, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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.:	13/132,315
First Named Inventor:	Adrian Fawcett

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 June 1, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on June 1, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	8	Claim 1 recites features from PCT Claim 1 and PCT Claim 8.
9	12	Claim 9 recites features from PCT Claim 9 and PCT Claim 12.
13	13	Claim 13 recites features from PCT Claim 13.
16	7	Claim 16 recites features from PCT Claim 1 and PCT Claim 7.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date July 20, 2011
Name (Print/Typed) Aaron M. Davis	Registration Number 62,027

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT and TRADEMARK OFFICE

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MOORE & VAN ALLEN PLLC
P.O. BOX 13706
Research Triangle Park NC 27709

MAILED
AUG 23 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Jonas ENGDEGARD	:	
Application No.: 13/132,321	:	
PCT No.: PCT/EP2009/067350	:	
Int. Filing Date: 16 December 2009	:	PETITION UNDER
Priority Date: 19 December 2008	:	
Attorney Docket No.: D08046US01	:	
For: METHOD AND APPARATUS FOR..	:	
CUE PARAMETERS	:	37 CFR 1.181

This decision is in response to the "RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS AND RESUBMITT PRELIMINARY AMENDMENT," filed on 19 July 2011, which is being treated as a petition under 37 CFR 1.181 indicating that the declaration was filed on 02 June 2011 as evidenced by the "Electronic Acknowledgement Receipt."

BACKGROUND

On 02 June 2011, applicants filed a via EFS-WEB 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 Declaration as set forth by 35 U.S.C. 371(c)(4).

On 12 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 applicant, inter alia, that an "Oath or Declaration of the inventors, in compliance with 37 CFR 1.47(a) and (b), identifying the application by the International application number and international filing date." The notice indicated that the items above must be submitted within two (2) months from the date of this notice or by 32 months from the priority date, whichever is later, in order to avoid abandonment of the national stage application.

On 19 July 2011, applicants filed "RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS... AMENDMENT," which is being treated as a petition under 37 CFR 1.181 indicating that the declaration was filed on 02 June 2011 as evidenced by the "Electronic Acknowledgement Receipt" and re-submitted a copy of the declaration that had been filed already on June 2, 2011.

On 22 January 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" which informed applicants that the 371(c)(1), (c)(2) and (c)(4) date is 7/19/2011 and that the date of completion of all 35 U.S.C. 371 is 7/19/2011.

DISCUSSION

The electronic Acknowledgement Receipt indicates that on 02 June 2011, the following items, *inter alia,* were received at the USPTO:

(1)	Declaration	(1 page)
(2)	ADS	(4 pages)
(3)	Preliminary Amendment	(1 page)
(4)	Claims	(5 pages)

The USPTO electronic Acknowledgement Receipt lists the above items as received on 02 June 2011, is accepted as *prima facie* that the executed Declaration was electronically filed with the U.S. Patent and Trademark Office on 02 June 2011.

Accordingly, the date of receipt for the above declaration is 02 June 2011.

CONCLUSION

The petition under 37 CFR 1.181 is **GRANTED** and the date of receipt of the above declaration at the USPTO is **02 June 2011**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 22 July 2011 is **VACATED** with the mailing of this decision.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **02 June 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
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Birch Stewart Kolasch & Birch
PO Box 747
Falls Church, VA 22040-0747

MAILED
MAR 13 2012
PCT LEGAL ADMINISTRATION

In re Application of:
YAMASHITA et al.
Application No.: 13/132,362
PCT No.: PCT/JP2009/067332
Int. Filing Date: 05 October 2009
Priority Date: 19 December 2008
Atty. Docket No.: 0283-0323PUS1
For: GENE ENCODING A PROTEIN HAVING AN ABILITY TO ENHANCE A SELENATE REDUCTION ACTIVITY

DECISION

This decision is issued in response to applicant's "REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE" filed 16 December 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 02 June 2011. No petition fee is required.

On 15 November 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 02 June 2011 and the date of completion of all 35 U.S.C. 371 requirements as 19 June 2011. Applicant seeks correction of the form to list a date of completion of all 35 U.S.C. 371 requirements of 02 June 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 02 June 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 15 November 2011 is hereby VACATED.

It is noted that the new Notification of Acceptance will indicate a receipt date of 22 August 2011 for the Biochemical Sequence Diskette and Biochemical Sequence Listing.

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 02 June 2011.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel.: 571-272-3298
Facsimile: 571-273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

MAILED
MAR 29 2012
OFFICE OF PETITIONS

Applicant(s): MORIYA, et al.
Appl. No.: 13/132,418
International Filing Date: December 8, 2009
Title: ENCODING METHOD AND DECODING METHOD, AND DEVICES, PROGRAM AND RECORDING MEDIUM FOR THE SAME
Attorney Docket No.: 374670US28PCT
Pub. No.: US 2011/0254713 A1
Pub. Date: October 20, 2011

This is a decision on the request for correction of patent application publication under 37 CFR 1.221(b), received on December 19, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error on the front page of the publication wherein Fig. 1, was improperly displayed instead of Fig. 7.

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 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 Fig. 1 being published on the front page of the application instead of Fig. 7, is not an Office, the Office may select which drawing is to be published. While 37 CFR 1.84(j) permits an Applicant to suggest a Figure for the front page of the publication, the Office is not bound by Applicant's suggestion. [2]

[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).
[2] Id. At 57032.

Further, the publication of Fig. 1 is not a material error under 37 CFR 1.221(b), since the publication of Figure 1 does not 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 determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

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 Quick Start Guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp
OR
http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication."

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

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:	13/132,448	Filing date:	June 2, 2011
First Named Inventor:	Andreas Groos		
Title of the Invention:	METHOD FOR CHECKING THE DRIFTABILITY OF METALLIC TUBES		

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/DE2009/001708

The international date of the corresponding PCT application(s) is/are: November 27, 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 June 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 June 2, 2011

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/132,448
First Named Inventor:	Andreas Groos

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
3	1	US claim 3 substantially corresponds in scope to PCT claim 1
4	2	US claim 4 substantially corresponds in scope to PCT claim 2

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 7-12-2011
Name (Print/Typed) Henry M. Feiereisen	Registration Number 31,084

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/132,448	06/02/2011	Andreas Groos	GROOS-3	5494

20151 7590 10/21/2011
HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK, NY 10017

EXAMINER

ART UNIT	PAPER NUMBER
2857	

NOTIFICATION DATE	DELIVERY MODE
10/21/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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INFO@FEIEREISENLLC.COM

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HENRY M FEIEREISEN, LLC
HENRY M FEIEREISEN
708 THIRD AVENUE
SUITE 1501
NEW YORK NY 10017

In re Application of
GROOS et al.
Application No.: 13/132,448
Filed: 02 June 2011
Attorney Docket No.: GROOS-3
For: METHOD FOR CHECKING THE DRIFTABILITY OF METALLIC TUBES

: 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 12 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(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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OCT 07 2011

PCT LEGAL ADMINISTRATION

SMART & BIGGAR
P.O. BOX 2999, STATION D
900-55 METCALFE STREET
OTTAWA, ON K1P 5Y6
CANADA

In re Application of: Nicholls, Charles, et al.
U.S. Application No.: 13/132,464
PCT No.: PCT/CA2009/001797
International Filing Date: 03 December 2009
Priority Date: 03 December 2008
Attorney's Docket No.: 77682-734
For: MULTIPLE REDUNDANT GNSS SYNCHRONIZATION SYSTEM

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to the "Petition Under 37 C.F.R. 1.181" filed 25 August 2011, treated herein as a petition under 37 CFR 1.182.[1] Applicants have paid the required petition fee.

BACKGROUND

On 02 June 2011, applicants filed materials to initiate the present U.S. national stage application using the EFS-Web electronic filing system. This submission included, among other materials, an application data sheet (ADS), a preliminary amendment, a copy of international application PCT/CA2009/001797, and payment of the basic national fee. The ADS identified the application as the national stage of PCT/CA2009/001797. However, the preliminary amendment identified the application as the national stage of PCT/CA2009/001791 and, as evidenced by the Electronic Acknowledgement Receipt, the information provided by applicants during the electronic filing process also identified the application as the U.S. national stage of PCT/CA2009/001791. Thus, applicants' original national stage submission of 02 June 2011 identified two different international application numbers to which the submission was directed.

On 27 June 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "Notification Of Insufficient Fees" (Form PCT/DO/EO/923) requiring submission of $220 in additional claims fees and a filing receipt that identified the application as the national stage of PCT/CA2009/001791 and contained a foreign priority claim directed to U.S. application 12/329,938 (the priority application in PCT/CA2009/001791).

On 25 August 2011, applicants filed the petition considered herein under 37 CFR 1.182.

[1] Where, as here, the petition seeks to correct an error in the international application number provided by applicants, the petition is appropriately considered under 37 CFR 1.182.

DISCUSSION

The present petition seeks to correct the error in the international application number set forth in the original preliminary amendment (and provided during the electronic filing process) and to confirm that the present application is the national stage of PCT/CA2009/001797. The petition indicates that the entry of the incorrect international application number was the result of a typographical error. The petition was accompanied by the required petition fee and a revised preliminary amendment containing the correct international application number. In addition, the petition notes that the original application materials filed on 02 June 2011 included the correct international application number (e.g., on the ADS and the declaration).

The present petition satisfies the requirements for a grantable petition to correct the inconsistency in the international application numbers provided by applicants at the time of filing. Accordingly, the materials filed herein on 02 June 2011 will be treated as having been directed to international application PCT/CA2009/001797.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

The present application will be treated as the national stage of PCT/CA2009/001797.

The materials filed 02 June 2011 to initiate the present national stage application, including the payment of the basic national fee, 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, including issuance of a corrected filing receipt identifying the international application number as PCT/CA2009/001797 and containing the correct domestic priority claim (as listed on the international application and set forth in the ADS filed herein on 02 June 2011).

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-329

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/132,464	06/02/2011	Charles Nicholls	77682-734	5562

7380 7590 12/08/2011
SMART & BIGGAR
P.O. BOX 2999, STATION D
900-55 METCALFE STREET
OTTAWA, ON K1P 5Y6
CANADA

EXAMINER	
ART UNIT	PAPER NUMBER
2611	

NOTIFICATION DATE	DELIVERY MODE
12/08/2011	ELECTRONIC

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us.mail@smart-biggar.ca

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SMART & BIGGAR
P.O. BOX 2999, STATION D
900-55 METCALFE STREET
OTTAWA ON K1P 5Y6 CA CANADA

Applicant: Nicholls et al.
Appl. No.: 13/132,464
Filing Date: June 2, 2011
Title: MULTIPLE REDUNDANT GNSS SYNCHRONIZATION SYSTEM
Attorney Docket No.: 77682-734
Pub. No.: US 2011/0243196 A1
Pub. Date: October 6, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on October 27, 2011, for the above-identified application.

The request under 37 CFR 1.221(a) is DISMISSED.

37 CFR 1.221(a) requires "a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)". If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

The applicant did not supply a copy of the application in compliance with the Office electronic filing system, as required by 37 CFR 1.221(a) because **the applicant submitted the papers as a "Document for an existing application", which are entered into the application file, and not as a "Pre-Grant Publication" submission**. The request for republication does not comply with the electronic filing system requirements, thus republication will not take place.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a Pre-Grant publication submission and must include a copy of the application in compliance with the Office electronic filing system requirements. The applicant is directed to the following website for additional instructions on how to submit a Pre-Grant Publication submission via the electronic filing system:

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any questions or requests for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Telephone inquiries regarding this correspondence should be directed to The Office of Data Management at 571-272-4200.

Tammy J. Koontz
Office of Data Management
United States Patent & Trademark Office

Adjustment date: 12/09/2011 KKING1
10/28/2011 INTEFSW 00001718 192550 13132464
01 FC:1504 300.00 CR

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MAILED
JUL 27 2011
PCT LEGAL ADMINISTRATION

INGURAN LLC
22575 STATE HIGHWAY 6 SOUTH
NAVASOTA, TX 77868

In re Application of VÁZQUEZ ROJAS et al	:	
U.S. Application No.: 13/132,518	:	
PCT Application No.: PCT/ES2009/070402	:	
Int. Filing Date: 24 September 2009	:	
Priority Date Claimed: 26 September 2008	:	
Attorney Docket No.: LC-UM1, Oviduct	:	DECISION
For: DEVICE AND METHOD FOR INSERTING	:	
OR OBTAINING A FLUID WITH GAMETES,	:	
EMBRYOS OR ANY OTHER TYPE OF	:	
SOLUTION IN THE OVIDUCT OF A SOW	:	

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 02 June 2011.

BACKGROUND

On 24 Sepember 2009, applicant filed international application PCT/ES2009/070402, which claimed priority of an earlier Spain application filed 26 September 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 01 April 2010. The thirty-month period for paying the basic national fee in the United States expired on 28 March 2011.

On 29 March 2011, international application PCT/ES2009/070402 became abandoned as to the United States for failure to timely pay the basic national fee.

On 02 June 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire

delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration signed by the first listed inventor must be filed.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

MAILED
AUG 02 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
Maeda et al.	:	
Application No.: 13/132,526	:	DECISION
PCT No.: PCT/JP2009/069949	:	
Int. Filing Date: 26 November 2009	:	ON
Priority Date: 28 November 2008	:	
Attorney Docket No.: 149742	:	PETITION
For: Composition For Forming Gate Insulating Film For Thin-Film Transistor	:	

The petition to revive under 37 CFR 1.137(b) filed on 02 June 2011 in the above-captioned application is hereby **GRANTED** as follows:

Petitioner states that "the entire delay in filing this U.S. National Stage Application from its due date until the filing of this grantable petition was unintentional." This is interpreted as 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 C.F.R. 1.137(b) was unintentional." Said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3). If said interpretation is incorrect, applicants are required to promptly notify this Office.

A review of the application file reveals that applicant has paid the petition fee. The required reply has been filed. No terminal disclaimer is required. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

This application is being returned to the Office of Patent Application Processing for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **02 June 2011**.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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SUTHERLAND ASBILL & BRENNAN LLP
999 PEACHTREE STREET, N.E.
ATLANTA GA 30309

MAILED
JUL 15 2011
PCT LEGAL ADMINISTRATION

In re Application of :
BELANGER, et al. :
Application No.: 13/132,587 :
PCT No.: PCT/CA2009/001739 : DECISION ON PETITION
Int. Filing Date: 27 November 2009 :
Priority Date: 28 November 2008 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: 23576-0220 :
For: WAVED WOOD ASSEMBLY AND METHOD :
OF MAKING SAME :

The petition to revive under 37 CFR 1.137(b) filed 02 June 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
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Cantor Colburn LLP
20 Church Street
22nd Floor
Hartford CT 06103

MAILED

JUL 26 2011

PCT LEGAL ADMINISTRATION

In re Application of :
HEHL, Karl :
Application No.: 13/132,696 : DECISION
PCT No.: PCT/EP2009/008732 : REGARDING
Int. Filing Date: 08 December 2009 : SUBMISSION UNDER 37 CFR 1.42
Priority Date: 10 December 2008 :
Attorney Docket No.: REP0079US :
For: DEVICE AND METHOD FOR PRODUCING MOLDED PARTS FROM PLASTICIZABLE MATERIAL AND FROM FIBROUS INSERTS :

This decision is issued in response to the declaration filed 19 July 2011 which is being treated as a Submission under 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 08 December 2009, applicant filed international application PCT/EP2009/008732 which claimed a priority date of 10 December 2008. On 08 July 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 10 July 2011 (thirty months from the priority date).

On 03 June 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, an executed declaration, and an application data.

On 19 July 2011, applicant filed a (second) declaration executed by Renate Keinath on behalf of deceased inventor, Karl Hehl.

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.

A. Declaration Filed 03 June 2011

The declaration filed on 03 June 2011 is executed by Renate Keinath as the "legal representative" of the deceased inventor, Karl Hehl. 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 03 June 2011 provides this information with respect to the legal representative, 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.

B. Declaration Filed 19 July 2011

The declaration filed 19 July 2011 was executed by Renate Keinath as "legal representative" to the deceased inventor, Karl Hehl. The declaration provides the residence, post office address, and country of citizenship for the legal representative and the citizenship for the deceased. Therefore, the declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b).

CONCLUSION

The papers filed under 37 CFR 1.42 are **ACCEPTED**.

This application is being forwarded to the National Stage Processing Branch of the International Division for continued national stage processing.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

MAILED

AUG 04 2011

PCT LEGAL ADMINISTRATION

In re Application of :
REDDING, John :
Application No.: 13/132,740 :
PCT No.: PCT/GB2008/051191 :
Int. Filing Date: 16 December 2008 :
Priority Date: 18 December 2007 :
Att. Docket No.: BKYZ 200157US01 :
For: IMPROVEMENTS IN OR RELATING :
TO FLUID JETS :

DECISION

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 03 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.

The fee for filing the search fee, examination fee or oath or declaration after thirty months will be charged to deposit account no. 06-0308, 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

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SEP 22 2011

PCT LEGAL ADMINISTRATION

McKeon Meunier Carlin & Curfman LLC
817 W. Peachtree Street, Suite 900
Atlanta GA 30308

In re Application of: MACK, Matthias
U.S. Application No.: 13/132,754
PCT No.: PCT/EP2009/008703
International Filing Date: 04 December 2009
Priority Date: 04 December 2008
Attorney's Docket No.: 10168-002US1
For: IL-3 INHIBITORS IN USE FOR TREATMENT OF RHEUMATOID ARTHRITIS IN AN EARLY STAGE

DECISION ON REQUEST UNDER 37 CFR 1.497(d)

This decision is issued in response to the "Petition To Correct Inventive Entity Under 37 C.F.R. § 1.497(d) And M.P.E.P. 1893.02(e)" filed on 24 August 2011. Applicants have paid the required $130 processing fee.

BACKGROUND

On 04 December 2009, applicant filed international application PCT/EP2009/008703. The application claimed a priority date of 04 December 2008, and it designated the United States. On 10 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., 04 June 2011. The international application identified a single applicant/inventor for the United States: Matthias MACK.

On 03 June 2011, applicants filed a Transmittal Letter requesting entry into the national stage in the United States accompanied by, among other materials, payment of the required basic national fee.

On 24 June 2011, the United States Designated/Elected Office (DO/EO/US) issued a "Notification Of Missing Requirements" (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge for filing the oath or declaration later than thirty months after the priority date.

On 24 August 2011, applicants filed a response to the Notification Of Missing Requirements that included payment of the required surcharge, a declaration executed by the inventor of record and an additional inventor, Hilke BRUHL, and the "Petition To Correct Inventive Entity Under 37 C.F.R. § 1.497(d) And M.P.E.P. 1893.02(e)" considered herein. The petition seeks to add Hilke BRUHL as an additional inventor of record.

DISCUSSION

Section 1893.01(e) of the MPEP states the following regarding changes in the inventorship of an international application entering the national stage (emphasis added):

> The inventorship of an international application entering the national stage under 35 U.S.C. 371 is that inventorship set forth in the international application, which includes any changes effected under PCT Rule 92*bis*. See 37 CFR 1.41(a)(4). Accordingly, an oath or declaration that names an inventive entity different than that set forth in the international application will not be accepted for purposes of entering the U.S. national phase unless the requirements under 37 CFR 1.497(d) are satisfied. These requirements include: (A) a statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part; (B) the processing fee set forth in 37 CFR 1.17(i); and **(C) the written consent of the assignee if an assignment has been executed by any of the original named inventors (see 37 CFR 3.73(b)).**

As noted above, applicant has filed a declaration that names an inventive entity different than that set forth in the international application. Specifically, Hilke BRUHL has been added as an additional inventor. Accordingly, applicants must satisfy the requirements of 37 CFR 1.497(d) before such declaration can be accepted.

Applicant has provided the required statement of non-deceptive intent from the person to be added as an inventor, as well as payment of the required processing fee. Requirements (A) and (B) are therefore satisfied. Applicant has not, however, submitted a statement executed by an authorized representative of the assignee consenting to the requested change in inventorship. Requirement (C) of a grantable request to correct inventorship under 37 CFR 1.497(d) is therefore not satisfied.[1]

Based on the above, applicant has not satisfied all the requirements for a grantable request to correct inventorship under 37 CFR 1.497(d).

CONCLUSION

Applicants' request to correct inventorship under 37 CFR 1.497(d) is **DISMISSED** without prejudice.

The sole inventor of record remains that set forth in the international application, that is, Matthias MACK.

The declaration filed 24 August 2011, which includes additional inventor Hilke BRUHL, is unacceptable on the present record for failure to properly identify the inventors of record.

---

[1] It is noted that the consent of the assignee must be submitted in compliance with 37 CFR 3.73(b). Accordingly, any subsequently submitted statement of consent must be accompanied by an acceptable statement in compliance with 37 CFR 3.73(b) (see Form PTO/SB/96).

If reconsideration on the merits of the petition is desired, a proper response must be filed within **TWO (2) MONTHS** of the mail date of the present decision. Any request for reconsideration should be entitled "Renewed Request Under 37 CFR 1.497(d)" and must include the materials required to satisfy item (C) of a grantable request, as discussed above and in the MPEP, that is, a properly executed statement of consent to the requested change in inventorship from the assignee and an acceptable statement under 37 CFR 3.73(b).

Failure to file a proper response will result in abandonment of the application. Extensions of time are available under 37 CFR 1.136(a)

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/RichardMRoss/

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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PCT LEGAL ADMINISTRATION

McKeon Meunier Carlin & Curfman LLC
817 W. Peachtree Street, Suite 900
Atlanta GA 30308

In re Application of: MACK, Matthias, et al.
U.S. Application No.: 13/132,754
PCT No.: PCT/EP2009/008703
International Filing Date: 04 December 2009
Priority Date: 04 December 2008
Attorney's Docket No.: 10168-002US1
For: IL-3 INHIBITORS IN USE FOR TREATMENT OF RHEUMATOID ARTHRITIS IN AN EARLY STAGE

DECISION ON RENEWED REQUEST UNDER 37 CFR 1.497(d)

This decision is issued in response to applicants' "Renewed Request To Correct Inventive Entity Under 37 C.F.R. § 1.497(d) And M.P.E.P. 1893.02(e)" filed on 13 October 2011. Applicants have previously paid the required processing fee.

BACKGROUND

The procedural background for the present application was set forth in the decision mailed 22 September 2011. The decision dismissed without prejudice applicants' request to correct inventorship under 37 CFR 1.497(d), finding that applicants had failed to satisfy all the requirements of a grantable request. Specifically, applicants had failed to provide the consent of the assignee in the form required under 37 CFR 3.73(b).

On 13 October 2011, applicants filed the "Renewed Request To Correct Inventive Entity Under 37 C.F.R. § 1.497(d) And M.P.E.P. 1893.02(e)" considered herein.

DISCUSSION

The renewed petition again includes a statement executed by a Director of the assignee consenting to the requested change of inventorship. The submission included a copy of the relevant assignment, which has also been recorded in the USPTO. This submission provides the consent of the assignee in compliance with 37 CFR 3.73(b), as required by 37 CFR 1.497(d).

Applicants have now satisfied the final outstanding requirement for a grantable request to correct inventorship under 37 CFR 1.497(d). The requested addition of Hilke BRUHL as an additional inventor of record in the present application is therefore appropriately granted.

Based on the above correction, the declaration filed 24 August 2011 is now acceptable in compliance with 37 CFR 1.497(d).

CONCLUSION

Applicants' renewed request to correct inventorship under 37 CFR 1.497(d) is **GRANTED**.

The inventorship of record herein is corrected to add Hilke BRUHL as an additional inventor of record.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 24 August 2011.

/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:	13/132,761	Filing date:	3 June 2011
First Named Inventor:	Takuya Nakashima		
Title of the Invention:	BATTERY PACK		

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/JP2010/005847

The international date of the corresponding PCT application(s) is/are: 29 September 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.:	13/132,761
First Named Inventor:	Takuya Nakashima

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on 3 June 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 3 June 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, except US claim not multiple dependent
4	4	same
5	5	same
6	6	same, except US claim not multiple dependent
7	7	same
8	8	same, except US claim not multiple dependent
9	9	same, except US claim not multiple dependent
10	10	same, except US claim not multiple dependent
11	11	same, except US claim not multiple dependent

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature Aamer Syed Ahmed 58,958	Date 8 August, 2011
for- Name (Print/Typed) Michael E. Fogarty	Registration Number 36,139

VERIFICATION OF TRANSLATION

I, the below named translator, hereby declare:

1. That my name and address are as stated below;

2. That I am a competent with the English and Japanese languages, and to the best of my knowledge and belief the translation of the Claims of PCT Application and the Written Opinion of the International Search Report (WOISA), in which the Claims of PCT Application were indicated as having novelty, inventive step and industrial applicability in the below-identified corresponding PCT Application: PCT/JP2010/005847, in a true and complete translation.

Full name of the translator: Kazuo ISHII

Signature of the translator: K. Ishii

Address: c/o ISHII PATENT OFFICE, KITAHAMA-YAMAMOTO BUILDING, 3-6, KITAHAMA 2-CHOME, CHUO-KU, OSAKA 541-0041 JAPAN

Date: July 22, 2011

Written Opinion of International Searching Authority	International Application No. PCT/JP2010/005847

Box No. V: Opinion established under PCT Rule 43bis.1(a)(i) with regard to the criteria of novelty (N), inventive step (IS), and industrial applicability (IA), and documents and description supporting the above

1. Opinion

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. Documents and Description

Document 1: JP 2005-285652 A (SANYO Electric Co., Ltd.) 2005, October 13, Paragraphs 0003, 0008-0010, 0019-0021, & FIG. 3

Document 2: JP 2007-280679 A (SANYO Electric Co., Ltd.) 2007, October 25, Paragraph 0019 & FIG. 4

Document 3: Specification and Drawings enclosed with Request for Japanese Utility Model Registration Application No. 47-125535 (Japanese Utility Model Registration Application Publication No. 49-80313), on microfilm (Panasonic Corporation) 1974, July 11, FIGs. 1 and 4

Document 4: Specification and Drawings enclosed with Request for Japanese Utility Model Registration Application No. 58-152106 (Japanese Utility Model Registration Application Publication No. 60-60868), on microfilm (FDK Corporation) 1985, April 27, FIG. 2

Claims 1-11: The inventions according to claims 1-11 are not disclosed in any of the documents cited in the International Search Report, and would not have been obvious even to a skilled person. Accordingly, they have novelty and inventive step.

(A)

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
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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)	２８．１２．２０１０
出願人又は代理人 の書類記号　P597219P0	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／ＪＰ２０１０／００５８４７	(日.月.年)　２９．０９．２０１０	(日.月.年)　２６．１０．２００９

国際特許分類（ＩＰＣ）Int.Cl. H01M2/20(2006.01)i, H01M2/10(2006.01)i, H01M2/22(2006.01)i

出願人（氏名又は名称）
パナソニック株式会社

１．この見解書は次の内容を含む。
- ☑ 第Ｉ欄　見解の基礎
- ☐ 第II欄　優先権
- ☐ 第III欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第IV欄　発明の単一性の欠如
- ☑ 第Ｖ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第VI欄　ある種の引用文献
- ☐ 第VII欄　国際出願の不備
- ☐ 第VIII欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
２０．１２．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	4X	9347
日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	守安　太郎 電話番号　０３－３５８１－１１０１　内線　３４７７		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００９年７月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／００５８４７

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／JP2010／005847

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 2005-285652 A（三洋電機株式会社）2005.10.13,
【0003】,【0008】-【0010】,【0019】-【0021】,【図3】

文献2：JP 2007-280679 A（三洋電機株式会社）2007.10.25,【0019】,【図4】

文献3：日本国実用新案登録出願47-125535号(日本国実用新案登録出願公開49-80313号)の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（松下電器産業株式会社）1974.07.11, 第1図, 第4図

文献4：日本国実用新案登録出願58-152106号(日本国実用新案登録出願公開60-60868号)の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（富士電気化学株式会社）1985.04.27, 第2図

請求項1-11
請求項1-11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。

[CLAIMS]

[Claim 1] A battery pack comprising:

at least one unit comprising a plurality of batteries and a first connector for connecting the batteries in parallel; and

a second connector interconnected to the first connector for connecting the unit to an external terminal or another battery or unit in series,

wherein the first connector has a current collection region to which positive terminals or negative terminals of the batteries are connected and a connection portion connected to the second connector,

the current collection region is divided in two regions:

(i) a distant region which is distant from the connection portion for a predetermined value or more in a direction parallel to a current collection direction; and

(ii) a close region which is distant from the connection portion for less than the predetermined value in the direction parallel to the current collection direction, the close region having the same area as the distant region, and

the electrical resistance R1 of the distant region per unit length in the current collection direction is larger than the electrical resistance R2 of the close region per unit

length in the current collection direction.

[Claim 2] The battery pack in accordance with claim 1, wherein the ratio R1/R2 of the electrical resistance R1 to the electrical resistance R2 is in the range of 1.2 to 10.

[Claim 3] The battery pack in accordance with claim 1 or 2, wherein the cross-sectional area S1 of the distant region perpendicular to the current collection direction is smaller than the cross-sectional area S2 of the close region perpendicular to the current collection direction.

[Claim 4] The battery pack in accordance with claim 3,

wherein the distant region has a predetermined width perpendicular to the current collection direction and a predetermined thickness, and

the close region has the same width as the predetermined width and a thickness greater than the predetermined thickness.

[Claim 5] The battery pack in accordance with claim 3,

wherein the first connector has a plurality of through-holes,

the distant region has a predetermined width perpendicular to the current collection direction, a predetermined thickness, and a predetermined open area ratio B,

and

the close region has the same width as the predetermined width, the same thickness as the predetermined thickness, and an open area ratio A smaller than the predetermined open area ratio B.

[Claim 6] The battery pack in accordance with claim 1 or 2,

wherein the distant region comprises a predetermined material having a predetermined cross-sectional area perpendicular to the current collection direction, and

the close region comprises a material which has the same cross-sectional area as the predetermined cross-sectional area and a smaller resistivity than that of the predetermined material.

[Claim 7] The battery pack in accordance with claim 6,

wherein the distant region comprises a first material including at least one selected from the group consisting of copper, aluminum, nickel, iron, silver, and gold, and

the close region comprises a second material which has a smaller resistivity than the first material and includes at least one selected from said group.

[Claim 8] The battery pack in accordance with any one of claims 1 to 7,

wherein the first connector is a rectangular plate with a pair of long-side ends and a pair of short-side ends,

the connection portion is disposed along one of the long-side ends, and

the current collection region is divided in two so that a border between the close region and the distant region is a straight line parallel to the long-side ends.

[Claim 9] The battery pack in accordance with any one of claims 1 to 7,

wherein the first connector is a rectangular plate with a pair of long-side ends and a pair of short-side ends,

the connection portion is disposed along one of the short-side ends, and

the current collection region is divided in two so that a border between the close region and the distant region is a straight line parallel to the short-side ends.

[Claim 10] The battery pack in accordance with any one of claims 1 to 7,

wherein the first connector is a rectangular grid with a pair of long-side ends and a pair of short-side ends,

the connection portion is disposed along one of the long-side ends, and

the current collection region is divided in two so that a border between the close region and the distant region

is a straight line parallel to the long-side ends.

[Claim 11] The battery pack in accordance with any one of claims 1 to 10, wherein the cross-sectional area of the current collection region perpendicular to the current collection direction is inversely proportional to a distance from the connection portion.

請求の範囲

[請求項1]　複数の電池と、前記複数の電池を並列に接続するための第１接続部材とを備えた、少なくとも１つのユニットと、

前記ユニットを、外部端子、または他の電池もしくはユニットと直列に接続するための、前記第１接続部材と互いに接続された第２接続部材とを含み、

前記第１接続部材は、前記電池の正極端子または負極端子が接続される集電領域と、前記第２接続部材との接続箇所とを有し、

前記集電領域を、

（ｉ）前記接続箇所からの集電方向に平行な距離が所定値以上の遠距離領域、並びに

（ｉｉ）前記遠距離領域と面積の等しい、前記接続箇所からの前記集電方向に平行な距離が前記所定値未満の近距離領域、の２つの領域に区分したときに、

前記遠距離領域の前記集電方向の単位長さあたりの電気抵抗Ｒ1が、前記近距離領域の前記集電方向の単位長さあたりの電気抵抗Ｒ2よりも大きくなっている、組電池。

[請求項2]　前記電気抵抗Ｒ1と、前記電気抵抗Ｒ2との比：Ｒ1／Ｒ2が、１．２～１０の範囲である、請求項１記載の組電池。

[請求項3]　前記遠距離領域の前記集電方向に垂直な断面積Ｓ1が、前記近距離領域の前記集電方向に垂直な断面積Ｓ2よりも小さくなっている、請求項１または２記載の組電池。

[請求項4]　前記遠距離領域が、前記集電方向に垂直な所定幅、及び所定厚みを有し、前記近距離領域が、前記所定幅と同じ幅及び前記所定厚みより大きい厚みを有する、請求項３記載の組電池。

[請求項5]　前記第１接続部材が複数の貫通孔を有しており、前記遠距離領域が、前記集電方向に垂直な所定幅及び所定厚みを有し、かつ所定開口率Ｂを有し、前記近距離領域が、前記所定幅及び前記所定厚みと同じ幅

及び厚みを有し、かつ前記所定開口率Ｂより小さい開口率Ａを有する、請求項３記載の組電池。

［請求項6］　前記遠距離領域が、前記集電方向に垂直な所定断面積を有する所定の材質からなり、前記近距離領域が、前記所定断面積と同じ断面積を有する、前記所定の材質より抵抗率の小さい材質からなる、請求項１または２記載の組電池。

［請求項7］　前記遠距離領域が、銅、アルミニウム、ニッケル、鉄、銀、及び金よりなる群から選択される少なくとも１種を含む第１材料から構成され、前記近距離領域が、前記第１材料よりも抵抗率の小さい、前記群から選択される少なくとも１種を含む第２材料から構成される請求項６記載の組電池。

［請求項8］　前記第１接続部材は、一対の長手端部と、一対の短手端部と、を有する長方形の板状であり、

前記接続箇所は、前記長手端部の一方に沿って設けられており、

前記近距離領域と前記遠距離領域との境界が、前記長手端部と平行な直線になるように、前記集電領域を２つに区分する、請求項１～７のいずれか１項に記載の組電池。

［請求項9］　前記第１接続部材は、一対の長手端部と、一対の短手端部と、を有する長方形の板状であり、

前記接続箇所は、前記短手端部の一方に沿って設けられており、

前記近距離領域と前記遠距離領域との境界が、前記短手端部と平行な直線になるように、前記集電領域を２つに区分する、請求項１～７のいずれか１項に記載の組電池。

［請求項10］　前記第１接続部材は、一対の長手端部と、一対の短手端部と、を有する長方形の格子状体であり、

前記接続箇所は、前記長手端部の一方に沿って設けられており、

前記近距離領域と前記遠距離領域との境界が、前記長手端部と平行な直線になるように、前記集電領域を２つに区分する、請求項１～７

のいずれか１項に記載の組電池。

[請求項11]　前記集電領域の前記集電方向に垂直な断面積が、前記接続箇所からの距離に反比例している、請求項１～１０のいずれか１項に記載の組電池。

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/132,761	06/03/2011	Takuya Nakashima	043888-0888	7668

53080 7590 11/07/2011
MCDERMOTT WILL & EMERY LLP
600 13TH STREET, NW
WASHINGTON, DC 20005-3096

EXAMINER
MAPLES, JOHN S

ART UNIT	PAPER NUMBER
1728	

NOTIFICATION DATE	DELIVERY MODE
11/07/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mweipdocket@mwe.com

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11/7/11

BC

In re application of Takuya Nakashima et al. Serial No. 13/132,761 Filed: June 03, 2011 Attorney Docket No: 043888-0888	: : : : : :	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 August 08, 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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/132,842	06/03/2011	Yuelei Xiao	15157-000065/US/NP	8205

7590 11/25/2011
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

ART UNIT	PAPER NUMBER
2431	

MAIL DATE	DELIVERY MODE
11/25/2011	PAPER

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Mimi Harmes

Patent Publication Branch
Office of Data Management

FORM PET651D (Rev. 08/07)

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AUG 09 2011

PCT LEGAL ADMINISTRATION

FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

In re Application of	:	
BERNABEI	:	
Application No.: 13/132,853	:	DECISION on
PCT No.: PCT/IB09/06166	:	
Int. Filing Date: 06 July 2009	:	PETITION
Priority Date: 07 July 2008	:	
Attorney Docket No.: 080004-0255	:	UNDER 37 CFR 1.137(b)
For: METHOD AND APPARATUS FOR PLASMA	:	
SKIN RESURFACING	:	

The petition to revive under 37 CFR 1.137(b) filed 03 June 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 this petition 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 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

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AUG 01 2011

PCT LEGAL ADMINISTRATION

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

In re Application of	:	
ESTOK et al.	:	
Application No.: 13/132,893	:	DECISION on
PCT No.: PCT/US08/077401	:	
Int. Filing Date: 23 September 2009	:	PETITION
Priority Date: 24 September 2008	:	
Attorney Docket No.: 35293-710.831	:	UNDER 37 CFR 1.137(b)
For: THERAPIES FOR TREATING CANCER USING	:	
COMBINATIONS OF COX-2 INHIBITORS....	:	

The petition to revive under 37 CFR 1.137(b) filed 03 June 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 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

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FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON DC 20007

MAILED
JAN 3 1 2012
OFFICE OF PETITIONS

In re Application of:
MASRI, et al.
Application No.: 13/132,899
35 U.S.C 371 Date: September 20, 2011
Int. Application No.: PT/IB2009/007731
Int. Filing Date: October 19, 2009
Attorney Docket No.: 090496-0128

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition renewed under 37 CFR 1.102(c)(1), filed December 30, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **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, Giora Carni, 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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WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

MAILED
JUL 05 2011
PCT LEGAL ADMINISTRATION

In re Application of :
ZAKNOEN, et al. :
Application No.: 13/132,901 :
PCT No.: PCT/US2008/084586 : DECISION ON PETITION
Int. Filing Date: 24 November 2008 :
Priority Date: 28 November 2007 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: 35293-707.832 :
For: METHODS AND COMPOSITIONS FOR THE :
TREATMENT OF CANCER, TUMORS, AND :
TUMOR-RELATED DISORDERS :

The petition to revive under 37 CFR 1.137(b) filed 03 June 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

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P.O. Box 1450
Alexandria, VA 22313-1450
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MACMILLAN SOBANSKI & TODD, LLC
ONE MARITIME PLAZA FIFTH FLOOR
720 WATER STREET
TOLEDO, OH 43604-1619

MAILED
19 SEP 2011
PCT LEGAL ADMINISTRATION

In re Application of HUNNICUTT et al	:	
U.S. Application No.: 13/132,908	:	
PCT Application No.: PCT/US2009/066675	:	DECISION
Int. Filing Date: 04 December 2009	:	
Priority Date Claimed: 06 December 2008	:	
Attorney Docket No.: 1-50378	:	
For: FLUID FLOW CONTROL ASSEMBLY	:	

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 14 July 2011.

BACKGROUND

On 04 December 2009, applicant filed international application PCT/US2009/066675, which claimed priority of an earlier United States application filed 06 December 2008. The thirty-month period for paying the basic national fee in the United States expired on 06 June 2011.

On 03 June 2011, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was not accompanied by the basic national fee required by 35 U.S.C. 371(c)(1).

On 07 June 2011, international application PCT/US2009/066675 became abandoned as to the United States for failure to timely pay the basic national fee.

On 14 July 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 04 December 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 14 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

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 46864US02	Application Number (if known):	Filing date: June 5, 2011
First Named Inventor: Jan Larsen		
Title: METHODS OF PROCESSING ENSILED BIOMASS.		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement of basis for special status.

Signature /Robert C. Casad, Jr./	Date June 5, 2011
Name (Print/Typed) Robert C. Casad, Jr.	Registration Number 51535

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

☒ *Total of 2 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/132,926	07/07/2011	Jan Larsen	46864US03	9034

95469 7590 09/16/2011
Plougmann & Vingtoft A/S
Sundkrogsgade 9
PO Box 831
Copenhagen, 2100
DENMARK

EXAMINER

ART UNIT	PAPER NUMBER
1652	

MAIL DATE	DELIVERY MODE
09/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 1 6 2011

Plougmann & Vingtoft A/S
Sundkrogsgade 9
PO Box 831
Copenhagen 2100 DK DENMARK

In re Application of	:	
LARSEN, Jan *et al.*	:	DECISION ON PETITION
Application No. 13/132926	:	TO MAKE SPECIAL UNDER
Filed: June 5, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 46864US03	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed June 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 1652 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Attorney Docket No.: 1163-0911PUS1

Application No:	13/132,944	Filing date:	June 06, 2011
First Named Inventor:	Hideyuki HIROTA		
Title of the Invention:	STRUCTURE FOR FASTENING RESIN PART		

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/JP2009/006976

The international 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)**

- [✔] 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.:	13/132,944
First Named Inventor:	Hideyuki HIROTA

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 June 6, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on June 6, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	US Claim 1 sufficiently corresponds to JP Claim 1
Claim 2	Claim 2	US Claim 2 sufficiently corresponds to JP Claim 2
Claim 3	Claim 3	US Claim 3 sufficiently corresponds to JP Claim 3
Claim 4	Claim 4	US Claim 4 sufficiently corresponds to JP Claim 4

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date November 21, 2011
Name (Print/Typed) Michael K. Mutter	Registration Number 29680

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 603135WO01	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2009/006976	International filing date *(day/month/year)* 17 December 2009 (17.12.2009)	Priority date *(day/month/year)* 18 March 2009 (18.03.2009)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant Mitsubishi Electric Corporation		

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 18 October 2011 (18.10.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Masashi Honda e-mail: pt08.pct@wipo.int

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)*	09.02.2010
Applicant's or agent's file reference 603135WO01	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/006976	17.12.2009	18.03.2009

International Patent Classification (IPC) or both national classification and IPC
F16B5/10, F16B5/07

Applicant
Mitsubishi Electric Corporation

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/JP2009/006976

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/JP2009/006976

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	1-4	YES
	Claims		NO
Inventive step (IS)	Claims	1-4	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-4	YES
	Claims		NO

2. Citations and explanations:

Document 1: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 10582/1989 (Laid-open No. 102553/1990) (Brother Industries, Ltd.), 15 August 1990, page 9, line 15 to page 11, line 8, fig. 1 and 2

Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 5748/1975 (Laid-open No. 87171/1976) (Matsushita Electric Industrial Co., Ltd.), 13 July 1976, fig. 1 and 2

The invention as in claims 1-4 is novel and involves an inventive step in relation to the documents cited in the ISR. Documents 1 and 2 do not describe a resin component having a substantially U-shaped elastic engaging claw formed at one side of an opening end edge and an elastic engaging claw extended and formed downward on the other side of the opening end edge, and it is not considered that a person skilled in the art could easily derive the feature from the disclosures of documents 1 and 2.

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
田澤英昭
様

あて名
〒100-0014
日本国東京都千代田区永田町二丁目１２番４号　赤坂山王センタービル５階

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

発送日 （日.月.年）	０９．０２．２０１０
出願人又は代理人の書類記号　603135W001	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／ＪＰ２００９／００６９７６	１７．１２．２００９	１８．０３．２００９

国際特許分類（ＩＰＣ）Int.Cl. F16B5/10(2006.01)i, F16B5/07(2006.01)i

出願人（氏名又は名称）
三菱電機株式会社

１．この見解書は次の内容を含む。
- ☑ 第Ｉ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ｖ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
２９．０１．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	３Ｗ	４０２４
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	小野田　達志 電話番号　０３－３５８１－１１０１　内線　３３６８		

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／００６９７６

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／ＪＰ２００９／００６９７６

第Ｖ欄　新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

１．　見解

新規性（N）	請求項	１－４	有
	請求項		無
進歩性（ＩＳ）	請求項	１－４	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	１－４	有
	請求項		無

２．　文献及び説明

文献１：日本国実用新案登録出願1-10582号(日本国実用新案登録出願公開2-102553号)の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（ブラザー工業株式会社）1990.08.15，第９ページ第１５行－第１１ページ第８行，第１－２図

文献２：日本国実用新案登録出願50-5748号(日本国実用新案登録出願公開51-87171号)の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（松下電器産業株式会社）1976.07.13，第１－２図

請求項１－４に係る発明は、国際調査報告で引用された文献に対して新規性、進歩性を有する。開口端縁の一方に形成された略コ字状の弾性係合爪と、開口端縁の他方に下方に延長形成された弾性係合爪とを有する樹脂部品について、文献１、２には記載されておらず、また当業者が文献１、２の記載から容易に導き出せるともいえない。

S T A T E M E N T

International Patent Application No. PCT/JP2009/006976

I, Hideaki TAZAWA of c/o Sanno Patent Office, Akasaka Sanno Center Bldg. 5F, 12-4, Nagata-cho 2-chome, Chiyoda-ku, Tokyo, Japan, do hereby solemnly and sincerely declare as follows:

1. I am well acquainted with both the Japanese language and the English language.

2. I personally made the following translation.

3. The following is a true translation into the English language of the claim(s) from the International Patent Application No. PCT/JP2009/006976 which was filed on December 17, 2009.

And I make this solemn declaration conscientiously believing the same to be true.

This 10th day of November, 2011

Hideaki TAZAWA

CLAIMS

1. A resin part fastening structure comprising a sheet-metal part, and a resin part to be assembled to the sheet-metal part,

wherein the sheet-metal part has engaging holes formed in two or more sets, each of which is formed of two holes, through right and left on one side thereof, and resiliently engaging lugs each formed by extending downwardly one side of a hole edge of each of cut-raised holes formed at a specific interval on the other side thereof, and

wherein the resin part has substantially U-shaped resiliently engaging claws each formed so as to engage with the engaging hole at one of the opposing opening end edges thereof, and resiliently engaging claws each formed so as to be passed through the cut-raised hole and engage with the lower end of the resiliently engaging lug, extending downwardly from the other of the opposing opening end edges thereof.

2. The resin part fastening structure according to Claim 1, wherein the substantially U-shaped resiliently engaging claw has the inner portion of a bend section thereof that is formed in the shape of a circular arc.

3. The resin part fastening structure according to Claim 1, wherein an even number of the resiliently engaging claws are provided, and the adjacent resiliently engaging claws are arranged so as to face in opposite directions.

4. The resin part fastening structure according to Claim 1, wherein the resin part has the longitudinally intermediate portion

thereof recessed to a predetermined width, has the resiliently engaging claws each formed by extending downwardly from each of the opposing sides of the recess, and arranges the resiliently engaging claws to face in opposite directions.

請求の範囲

［請求項1］　板金部品と該板金部品に組付ける樹脂部品とを備え、前記板金部品は片側に２つの穴を１組として左右に２組以上を形成された係合穴と、他側に一定間隔に形成された切起こし穴の穴縁の１辺を下方に延長形成した弾性係合片とを有し、前記樹脂部品は前記係合穴に係合するように対向する開口端縁の一方に形成された略コ字状の弾性係合爪と、前記切起こし穴に通し前記弾性係合片の下端に係合するように対向する開口端縁の他方に下方に延長形成された弾性係合爪とを有することを特徴とする樹脂部品固定構造。

［請求項2］　略コ字状の弾性係合爪は、折曲がり内側を円弧状としたことを特徴とする請求項１記載の樹脂部品固定構造。

［請求項3］　弾性係合爪を偶数設け、この隣り合う弾性係合爪の向きを互いに逆向きとしたことを特徴とする請求項１記載の樹脂部品固定構造。

［請求項4］　樹脂部品の長手方向中間部を所定幅窪ませ、前記窪みの対向辺に下方に延長して弾性係合爪を形成し、前記弾性係合爪の向きを互いに逆向きとしたことを特徴とする請求項１記載の樹脂部品固定構造。

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED
FEB 02 2012
OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Hirota, Hideyuki	: PARTICIPATE IN THE PATENT
Application No.: 13/132,944	: PROSECUTION HIGHWAY
Filed: June 6, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 1163-0911PUS1	: TO MAKE SPECIAL UNDER
For: STRUCTURE FOR FASTENING RESIN PART	: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 21, 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.

Inquiries concerning this decision should be directed to Petitions Examiner Liana Walsh at (571) 272-3206.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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50446
HOXIE & ASSOCIATES LLC
75 Main Street, Suite 301
Millburn, NJ 07041

MAILED
DEC 13 2011
PCT LEGAL ADMINISTRATION

In re Application of :
LI *et al* :
U.S. Application No.: 13/132,955 :
PCT No.: PCT/US2009/006444 :
Int. Filing Date: 07 December 2009 :
Priority Date: 06 December 2008 :
Attorney Docket No.: IT-36-US :
For: ORGANIC COMPOUNDS :

DECISION ON PETITION UNDER 37 CFR 1.497(d)

This is a decision on the response filed 02 November 2011 which is treated as a petition under 37 CFR 1.497(d).

BACKGROUND

On 06 June 2011, applicants filed papers to enter the national stage of PCT/US2009/006444 which was accompanied by, *inter alia*, an executed declaration listing four inventors.

On 21 June 2011, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed stating that the current declaration did not comply with 37 CFR 1.497(a) & (b). The number of inventors recorded on the declaration was different from the number of inventors listed in the international application. Applicants were given two months to respond with extensions of time available under 37 CFR 1.136(a).

On 02 November 2011, applicants filed the subject request which was accompanied by, *inter* alia, a three-month extension and fee, a statement from two inventors being added, a $130.00 processing fee, and a written consent of assignee.

DISCUSSION

Applicants request to add Hailin ZHENG and Jun ZHAO as inventors in the above-captioned national stage application.

37 CFR 1.497(d) applies when the inventorship in a national stage application filed under 35 U.S.C. 371 differs from that set forth in the international application. 37 CFR 1.497(d) states, in part:

(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, the oath or declaration must be accompanied by:

(1) A statement from each person being added 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(l); and

(3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee.

Applicants provided a statement of the inventors being added. The $130.00 processing fee has been paid. A consent of assignee signed by the Vice President, Drug Discovery of Intra-Cellular Therapies, Inc. was submitted. The position of Vice President is presumed to have the authority to sign for a corporation. *See* MPEP § 324. The reel and frame number of the assignment required by 37 CFR 3.73(b) was provided in the consent. A review of the application shows that an assignment to Intra-Cellular Therapies, Inc. was recorded in the subject application on 15 July 2011.

All items of 37 CFR 1.497(d) are complete.

CONCLUSION

Applicants' request to add Hailin ZHENG and Jun ZHAO as inventors in the above-captioned application pursuant to 37 CFR 1.497(d) is **GRANTED**.

The declaration filed 06 June 2011 is in compliance with 37 CFR 1.497(a)-(b).

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 07 December 2009 under 35 U.S.C. 363 and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 06 June 2011.

This application is being forwarded to the DO/EO/US for further processing.

James Thomson

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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SEP 16 2011

PCT LEGAL ADMINISTRATION

CURATOLO SIDOTI CO., LPA
24500 CENTER RIDGE ROAD, SUITE 280
CLEVELAND OH 44145

In re Application of: ALBRECHT, Gerhard
U.S. Application No.: 13/133,004
PCT Application No.: PCT/EP2009/065788
International Filing Date: 25 November 2009
Priority Date: 08 December 2008
Attorney's Docket No.: COC.P61507
For: SEMI CONTINUOUSLY OPERATED METHOD FOR PRODUCING COPOLYMERS

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to the "Petition To Correct PTO-1390 Transmittal Under 37 C.F.R. §1.182" filed on 09 August 2011. Applicants have paid the required petition fee.

BACKGROUND

On 22 July 2011, this Office mailed a notification indicating that a petition under 37 CFR 1.182 was required to clarify the record as to the correct international application number for the present national stage application. The notification indicated that the original application submission on 06 June 2011 referenced two different international applications, specifically, PCT/EP2009/050290 and PCT/EP2009/065788.[1]

On 09 August 2011, applicants filed the petition under 37 CFR 1.182 considered herein.

DISCUSSION

The petition filed on 09 August 2011 confirms that the correct international application number for the present national stage application is PCT/EP2009/065788 and that the reference to PCT/EP2009/050290 in the original Form PTO-1390 Transmittal Letter was inadvertent. The petition notes that the correct international application number was present in the initial application materials filed on 06 June 2011 (for example, in the ADS and the declaration). In addition, the petition was accompanied by the required petition fee and a corrected Form PTO-1390 Transmittal Letter.

Applicants' 09 August 2011 submission satisfies the requirements for a grantable petition under 37 CFR 1.182 to correct the inconsistency in the international application numbers

[1] The 22 July 2011 communication incorrectly listed these application numbers as PCT/**JP**2009/050290 and PCT/**JP**2009/065788."

referenced in applicants' 06 June 2011 filing. Accordingly, the application materials filed on 06 June 2011 will be treated as directed to international application of PCT/EP2009/065788. Such materials, including payment of the U.S. basic national fee, were filed prior to the expiration of thirty months from the priority date of PCT/EP2009/065788, thereby avoiding abandonment of the international application with respect to the United States.

CONCLUSION

The petition under 37 CFR 1.182 is **GRANTED**.

The present application will be treated as the U.S. national stage under 35 U.S.C. 371 of PCT/EP2009/065788.

The application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296

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JUL 27 2011

PCT LEGAL ADMINISTRATION

THE WEBB LAW FIRM, P.C.
ONE GATEWAY CENTER
420 FT. DUQUESNE BLVD, SUITE 1200
PITTSBURGH, PA 15222

In re Application of ROY et al
U.S. Application No.: 13/133,038
PCT Application No.: PCT/IN2009/000095
Int. Filing Date: 10 February 2009
Priority Date Claimed: 07 November 2008
Attorney Docket No.: 4544-112065
For: A READY AUTOMATED SCREENING, DIAGNOSIS & CLASSIFICATION TECHNIQUE FOR ALZHEIMER'S DISEASE USING MAGNETIC RESONANCE IMAGING SIGNAL FROM VENTRICULAR ZONE CONTOUR OF BRAIN

DECISION

This is in response to applicant's "Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 06 June 2011.

BACKGROUND

On 10 February 2009, applicant filed international application PCT/IN2009/000095, which claimed priority of an earlier India application filed 07 November 2008. 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 10 May 2011, international application PCT/IN2009/000095 became abandoned as to the United States for failure to timely pay the basic national fee.

On 06 June 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire

delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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JUL 26 2011

PCT LEGAL ADMINISTRATION

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of	:	
HARRISON, et al.	:	DECISION ON PETITION
Application No.: 13/133,077	:	
PCT No.: PCT/GB2009/050763	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 01 July 2009	:	
Priority Date: 01 July 2008	:	
Atty. Docket No.: 2206471.120US1	:	
For: SURFACE ANALYSIS APPARATUS AND	:	
METHOD	:	

The petition to revive under 37 CFR 1.137(b) filed 06 June 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply form the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has provided the proper reply in the form of payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	Unassigned	Filing date:	June 6, 2011
First Named Inventor:	Takayuki SAWA		
Title of the Invention:	AIR SPRING FOR VEHICLE AND RAILWAY TRUCK FOR VEHICLE		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/061105

The international date of the corresponding PCT application(s) is/are: June 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)**

☑ 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.:	Unassigned
First Named Inventor:	Takayuki SAWA

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☑ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Substantially the same
2	2	Substantially the same
3	3	Substantially the same
4	4	Substantially the same, JP claim dependent on claims 1 to 3
5	5	Substantially the same, JP claim dependent on claims 1 to 4
6	6	Substantially the same, JP claim dependent on claims 1 to 5
7	7	Substantially the same, JP claim dependent on claims 1 to 6
8	4	Substantially the same, JP claim dependent on claims 1 to 3, US claim 8 dependent on claim 2 only
9	6	Substantially the same, JP claim dependent on claims 1 to 5, US claim 9 dependent on claim 2 only
10	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 10 dependent on claim 2 only
11	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 11 dependent on claim 3 only
12	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 12 dependent on claim 4 only, which is dependent on claim 1
13	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 13 dependent on claim 4 only, which is dependent on claim 2
14	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 14 dependent on claim 5 only
15	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 15 dependent on claim 6 only, which is dependent on claim 1
16	7	Substantially the same, JP claim dependent on claims 1 to 6, US claim 16 dependent on claim 6 only, which is dependent on claim 2

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date June 6, 2011
Name (Print/Typed) Peter J. Sistare	Registration Number 48,183

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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.
13/133,079	06/06/2011	Takayuki Sawa	048404-0065 (470890)	1157

55694 7590 09/28/2011
DRINKER BIDDLE & REATH (DC)
1500 K STREET, N.W.
SUITE 1100
WASHINGTON, DC 20005-1209

EXAMINER

ART UNIT	PAPER NUMBER
3657	

NOTIFICATION DATE	DELIVERY MODE
09/28/2011	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):

DBRIPDocket@dbr.com
penelope.mongelluzzo@dbr.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 2 8 2011

DRINKER BIDDLE & REATH (DC)
1500 K STREET, N.W.
SUITE 1100
WASHINGTON DC 20005-1209

In re application of	:	**DECISION ON REQUEST TO**
Sawa et al.	:	**PARTICIPATE IN PATENT**
Application No. 13/133,079	:	**PROSECUTION HIGHWAY**
Filed: June 06, 2011	:	**PROGRAM AND PETITION**
For: AIR SPRING FOR VEHICLE	:	**TO MAKE SPECIAL UNDER**
AND RAIL WAY TRUCK	:	**37 CFR 1.102(a)**
FOR VEHICLE		

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 06, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest Office action from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO Office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the preliminary amendment filed on June 06, 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: 09/26/11

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NOV 28 2011
PCT LEGAL ADMINISTRATION

Hoxie & Associates, LLC
75 Main Street, Suite 301
Millburn, NJ 07041

In re Application of
LI et al.
Application No.: 13/133,082
PCT No.: PCT/US2009/006442
Int. Filing Date: 07 December 2009
Priority Date: 06 December 2008
Attorney Docket No.: IT-40-US
For: ORGANIC COMPOUNDS

DECISION ON REQUEST

This decision is issued in response to applicant's "Response to Notification of Missing Requirements under 35 U.S.C. 371" filed 02 November 2011, treated herein as a Petition under 37 CFR 1.497(d). The $130 petition fee will be charged to counsel's deposit account.

BACKGROUND

On 07 December 2009, applicant filed international application PCT/US2009/006442 which claimed a priority date of 06 December 2008. The published international application identified two applicants/inventors for the United States: Peng LI and Lawrence P. Wennogle. The deadline for submission of the basic national fee was thirty months from the priority date, i.e.,06 June 2011.

On 06 June 2011, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee; a copy of the international application; a preliminary amendment, and a declaration identifying four inventors.

On 22 June 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 1.492(a) and (b). (The declaration identified two additional inventors not listed on the international application.) The notification set a two-month time limit in which to respond.

On 02 November 2011, applicant filed a request under 37 CFR 1.497(d).

DISCUSSION

Applicant requests to add Hailin Zheng and Jun Zhao as an inventors to the present application. In order to correct an error in naming the inventor(s) made during the international stage in the national stage, a submission under 37 CFR 1.497(d) is required.

A submission under 37 CFR 1.497(d) to correct an error in naming inventorship requires: (1) 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 1.497(a); (3) the fee set forth in 37 CFR 1.17(i); 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 has submitted a statement from the persons being added (Hailin Zheng and Jun Zhao) as an inventor in compliance with 37 CFR 1.497(d)(1). Applicant has submitted a declaration executed by the named inventors. Further, the $130 processing fee required under 37 CFR 1.497(d)(3) has been submitted. Lastly, the submission included the consent of the assignee to the requested correction of inventorship, in the form required under 37 CFR 1.497(d)(4) and 3.73(b). Therefore, applicant's request to correct inventorship under 37 CFR 1.497(d) is granted.

CONCLUSION

The request under 37 CFR 1.497(d) is GRANTED.

Hailin Zheng and Jun Zhao will be added as inventors herein.

The application is being returned to the United States Designated/Elected Office for further processing in accordance with this decision. The 35 U.S.C. 371(c) date is 06 June 2011.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298

UNITED STATES PATENT AND TRADEMARK OFFICE

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700 W. 47TH STREET
SUITE 1000
KANSAS CITY, MO 64112-1802

MAILED
AUG 10 2011
PCT LEGAL ADMINISTRATION

In re Application of HEYDUK et al :
U.S. Application No.: 13/133,198 :
PCT Application No.: PCT/US2009/065142 :
Int. Filing Date: 19 November 2009 : DECISION
Priority Date Claimed: 21 November 2008 :
Attorney Docket No.: 048483 :
For: BIOSENSOR FOR DETECTING MULTIPLE :
EPITOPES ON A TARGET :

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 07 June 2011.

BACKGROUND

On 19 November 2009, applicant filed international application PCT/US2009/065142, which claimed priority of an earlier United States application filed 21 November 2008. The thirty-month period for paying the basic national fee in the United States expired on 23 May 2011.

On 24 May 2011, international application PCT/US2009/065142 became abandoned as to the United States for failure to timely pay the basic national fee.

On 07 June 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

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P.O. Box 1450
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CHALKER FLORES, LLP
14951 NORTH DALLAS PARKWAY, SUITE 400
DALLAS TX 75254

MAILED
FEB 16 2012
OFFICE OF PETITIONS

Applicant: Bruce Clements
Appl. No.: 13/133,209
International Filing Date: December 10, 2009
Title: HIGH PRESSURE DIRECT CONTACT OXY-FIRED STEAM GENERATOR
Attorney Docket: SHAP:1012US
Pub. No.: US 20110232545 A1
Pub. Date: September 29, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on October 26, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains material errors wherein the preliminary amendment (Article 19 amended claims) filed with the application on June 7, 2011 was not included in the publication.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The error noted by requestor with respect to the preliminary amendment is <u>not</u> an Office error. The patent application publication does not include a mistake regarding the failure to include the preliminary amendment to the claims 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 claims as filed.

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.121(b),

[1] <u>Changes to Implement Eighteen-Month Publication of Patent Applications</u>, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, <u>Off. Gaz. Pat. Office Notices</u> 63, 75 (Oct. 10, 2000) (final rule).

amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under §1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. (emphasis added) 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments, including a substitute specification, must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under title 35, United States Code, whichever is later.

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
OR
http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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PCT LEGAL ADMINISTRATION

LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD FL 33022-2480

In re Application of
Hartmann
Application No.: 13/133,256
PCT No.: PCT/EP2008/010819
Int. Filing Date: 10 December 2008
Priority Date: N/A
Attorney Docket No.: 2008P23831
For: Method And Safety Device For Monitoring A Bus Bar Of An Electrical Energy Supply Grid

DECISION

This is in response to the petition under 37 CFR 1.182 filed on 20 July 2011.

BACKGROUND

International application PCT/EP2008/010819 was filed on 10 December 2008, claimed no earlier priority date, and designated the United States. The International Bureau transmitted a copy of the published international application to the USPTO on 17 June 2010. The period for payment of the basic national fee in the United States expired as of midnight on 10 June 2011. Applicant filed *inter alia* a basic national fee in 13/133,256 on 07 June 2011.

On 12 July 2011, a Filing Receipt and a Notice of Acceptance (Form PCT/DO/EO/903) referring to "PCT/EP2009/010819" were mailed.

DISCUSSION

Review of the instant application file reveals that the Transmittal Letter, English translation of the specification, preliminary amendment, declaration, and application data sheet (ADS) filed on 07 June 2011 all referred to "PCT/EP2008/010819," whereas the Electronic Acknowledgment Receipt generated during the EFS-Web filing on even date shows that applicants indicated that "PCT/EP09/10819" was to enter the national stage. Inspection of published international application PCT/EP2008/010819 reveals that its bibliographic data is similar to that indicated for this application. In view of the discrepancy, it is not sufficiently clear which international application was intended to enter the national stage. Resolution of this matter would require a formal petition (and fee) under 37 CFR 1.182, clarifying which international application was to enter the national stage under 35 U.S.C. 371.

Applicants have filed a petition under 37 CFR 1.182. Petitioner states (in part) that

> The above-identified application is a § 371 national stage application of PCT/EP2008/010819. However, when prompted by the electronic filing system to enter the PCT patent application number, PCT/EP2009/010810 was erroneously entered instead of the correct PCT number listed above.

In view of 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 intended to enter the national stage under 35 U.S.C. 371.

The Filing Receipt and Notice of Acceptance mailed on 12 July 2011 were issued in error, and both are hereby **VACATED**.

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/EP2008/010819**. This processing will include the correction of PALM records to reflect the correct international application number, and the re-processing of the national stage application using this corrected international application number.

/George Dombroske/
George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283

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Washington, D.C. 20231
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AUG 18 2011

PCT LEGAL ADMINISTRATION

ANDRUS, SCEALES, STARKE
& SAWALL, LLP
100 EAST WISCONSIN AVE., STE. 1100
MILWAUKEE, WI 53202

In re Application of
STEPHEN JOHN HILL
U.S. Application No.: 13/133,366
PCT No.: PCT/GB2008/003294
Int. Filing Date: 29 SEPTEMBER 2008
Priority Date: 28 SEPTEMBER 2007
For: A METHOD FOR GENERATING A RECOMBINANT CLONAL CELL LINE AND NOVEL REAGENTS FOR USE IN THE METHOD

DECISION ON PETITION

The petition to revive under 37 CFR 1.137(b) filed 07 June 2011 in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminer 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.

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.

The application has an International filing date under 35 U.S.C. 363 of 29 September 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 07 June 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO) for further processing in accordance with this decision.

Wanda Banks

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Bryan Lin

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

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OCT 14 2011

PCT LEGAL ADMINISTRATION

DAVID AND RAYMOND PATENT FIRM
108 N. YNEZ AVE., SUITE 128
MONTEREY PARK CA 91754

In re Application of: WANG, Xiaolong, et al.
U.S. Application No.: 13/133,384
PCT No.: PCT/CN2009/000362
International Filing Date: 03 April 2009
Priority Date: 05 January 2009
Atty Docket No.: USP4849C/SZ687-WXL
For: METHOD FOR AMPLIFYING OLIGONUCLEOTIDE AND SMALL RNA BY USING POLYMERASE-ENDONUCLEASE CHAIN REACTION

DECISION ON PETITION UNDER 37 CFR 1.137(b)

The petition for revival under 37 CFR 1.137(b) filed 02 September 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/CN2009/000362 became abandoned with respect to the United States at midnight on 05 July 2011 based on applicants' failure to pay the U.S. basic national fee prior to the expiration of thirty months from the priority date.[1] The abandonment of the present application was confirmed in a "Notification Of Abandonment" (Form PCT/DO/EO/909) mailed 21 July 2011.

The present petition for revival was accompanied by the petition fee and the "required reply" in the form of payment of the basic national fee. In addition, the petition includes statements 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" executed by the inventors of record and the agent filing the petition, 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

[1] Applicants filed materials to initiate the present national stage application on 07 June 2011; however, the 07 June 2011 submission did not include the required fee payment.

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:	13/133,398	Filing date:	June 8, 2011
First Named Inventor:	Keisuke YAMAMOTO		
Title of the Invention:	Wireless Communication System and Wireless Communication 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/JP2008/072320

The international date of the corresponding PCT application(s) is/are: December 9, 2008

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [✔] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [ ] Is attached.
- [✔] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/133,398
First Named Inventor:	Keisuke YAMAMOTO

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 June 8, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on June 8, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-14	1-14	same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael H. Jacobs/	Date July 13, 2011
Name (Print/Typed) Michael H. Jacobs	Registration Number 41,870

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.
13/133,398	06/08/2011	Keisuke Yamamoto	106462.63625US	3038

23911 7590 08/03/2011
CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON, DC 20044-4300

EXAMINER

ART UNIT	PAPER NUMBER
2611	

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
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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

In re Application of	**: DECISION ON REQUEST TO**
YAMAMOTO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/133,398	**: PROSECUTION HIGHWAY**
Filed: 08 June 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 106462.63625US	**: TO MAKE SPECIAL UNDER**
For: WIRELESS COMMUNICATION SYSTEM AND WIRELESS COMMUNICATION METHOD	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 13 July 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-2) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding the requirement of condition (3), applicant has failed to submit a translation of the claims from the PCT applications that have novelty, inventive step, and industrial applicability. The certificate of translation indicated that "the following is and accurate translation" but nothing followed. If applicant intended that the originally filed US claims are an accurate translation of the PCT claims then a certificate specifically stating such is warranted.

Regarding the requirement of condition (4), it cannot be determined if requirement (4) has been met since requirement (3) has not been met.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS,** whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 13/133,398	Confirmation No.	: 3038
First Named Inventor	: Keisuke YAMAMOTO		
Filed	: June 8, 2011		
TC/A.U.	:		
Examiner	:		
Docket No.	: 106462.63625US		
Title	: Wireless Communication System and Wireless Communication Method		

RENEWED PETITION AND REPLY TO DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 C.F.R. §1.102(a)

Petition to Make Special Under PCT –
Patent Prosecution Highway
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This renewed petition is in response to the Decision mailed August 3, 2011, wherein the request and petition were dismissed because the request to participate in the PPH pilot program and petition failed to meet requirement (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". Applicants submit herewith a copy of the Translator's Statement of Accuracy together with the translated claims that were inadvertently omitted at the time of filing the Request to Participate in the PPH Pilot Program.

Granting of this renewed petition and acceptance of this application in the PPH Pilot Program is respectfully requested.

Please credit any overpayment or charge any additional fees to the Deposit Account of Crowell & Moring LLP, Account Number 05-1323 (Docket No. 106462.63625US).

Respectfully submitted,

August 12, 2011

/Michael H. Jacobs/
Michael H. Jacobs
Registration No. 41,870

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
MHJ/cee

TRANSLATOR'S STATEMENT OF ACCURACY

Patent Application Number
13/133,398

I, Ryota TSUJIHASHI

of c/o TSUTSUI & ASSOCIATES of
3F Shinjuku Gyoen Bldg.,
3-10, Shinjuku 2-chome, Shinjuku-ku,
Tokyo 160-0022 JAPAN

hereby state that I am a translator of the documents, and that the following is an accurate translation to the best of my knowledge and belief of the claims of International Application Number PCT/JP2008/072320.

DATED this 12th day of July, 2011

Signature of the Translator Ryota Tsujihashi

CLAIMS

1. A wireless communication system in which at least one sending-side wireless transceiver and at least one receiving-side wireless transceiver form a feedback loop and carry out communication with each other,

wherein the sending-side wireless transceiver has a function of deriving transmit weight vectors including optimum power allocation for a channel based on feedback of channel state information from the receiving-side wireless transceiver, carrying out the communication by using the weight vectors, and estimating difference between the channel at the time when the transmit weight vectors are derived and an actual channel, and

as the difference between the channel at the time when the transmit weight vectors are derived and the actual channel increases, the power allocation is caused to approach asymptotically to equal allocation from a value at the time when the transmit weight vectors are derived.

2. The wireless communication system according to claim 1,

wherein the transmit weight vectors are a matrix using right singular vectors obtained by using singular value decomposition.

3. The wireless communication system according to claim 1,

wherein the power allocation is carried out based on any one of a plurality of criteria including water-filling theorem and least BER algorithm.

4. The wireless communication system according to claim 1,

wherein the difference between the channel at the time when the transmit weight vectors are derived and the actual channel is a time variation of the channel, and a method of estimating a degree

of the difference between the channel at the time when the transmit weight vectors are derived and the actual channel is a method of estimating the difference based on a time correlation property expressed by using a maximum Doppler frequency.

5. The wireless communication system according to claim 1, wherein a method of causing the power allocation to approach asymptotically to equal allocation from the value at the time when the transmit weight vectors are derived is determined based on an arbitrary function having time as a variable and a maximum Doppler frequency.

6. The wireless communication system according to claim 1, wherein a method of causing the power allocation to approach asymptotically to equal allocation from the value at the time when the transmit weight vectors are derived is rectangularly changed by an integral multiple of a cycle of a pilot signal transmitted in order for the receiving side to follow a variation in a propagation path.

7. The wireless communication system according to claim 1, wherein a method of causing the power allocation to approach asymptotically to equal allocation from the value at the time when the transmit weight vectors are derived is rectangularly changed by an integral multiple of an OFDM symbol length.

8. A wireless communication method using a wireless communication system in which at least one sending-side wireless transceiver and at least one receiving-side wireless transceiver form a feedback loop and carry out communication with each other, the method comprising:

a step of deriving transmit weight vectors including optimum

power allocation for a channel by the sending-side wireless transceiver based on feedback of channel state information from the receiving-side wireless transceiver;

a step of carrying out the communication mutually between the sending-side wireless transceiver and the receiving-side wireless transceiver by using the transmit weight vectors;

a step of estimating difference between the channel at the time when the transmit weight vectors are derived and an actual channel; and

a step of causing the power allocation to approach asymptotically to equal allocation from a value at the time when the transmit weight vectors are derived as the difference between the channel at the time when the transmit weight vectors are derived and the actual channel increases.

9. The wireless communication method according to claim 8,

wherein the transmit weight vectors are a matrix using right singular vectors obtained by using singular value decomposition.

10. The wireless communication method according to claim 8,

wherein the power allocation is carried out based on any one of a plurality of criteria including water-filling theorem and least BER algorithm.

11. The wireless communication method according to claim 8,

wherein the difference between the channel at the time when the transmit weight vectors are derived and the actual channel is a time variation of the channel, and a method of estimating a degree of the difference between the channel at the time when the transmit weight vectors are derived and the actual channel is a method of estimating the difference based on a time correlation property expressed by using a maximum Doppler frequency.

12. The wireless communication method according to claim 8, wherein a method of causing the power allocation to approach asymptotically to equal allocation from the value at the time when the transmit weight vectors are derived is determined based on an arbitrary function having time as a variable and a maximum Doppler frequency.

13. The wireless communication method according to claim 8, wherein a method of causing the power allocation to approach asymptotically to equal allocation from the value at the time when the transmit weight vectors are derived is rectangularly changed by an integral multiple of a cycle of a pilot signal transmitted in order for the receiving side to follow a variation in a propagation path.

14. The wireless communication method according to claim 8, wherein a method of causing the power allocation to approach asymptotically to equal allocation from the value at the time when the transmit weight vectors are derived is rectangularly changed by an integral multiple of an OFDM symbol length.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,398	06/08/2011	Keisuke Yamamoto	106462.63625US	3038

23911 7590 08/16/2011
CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON, DC 20044-4300

EXAMINER

ART UNIT	PAPER NUMBER
2611	

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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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

In re Application of	**: DECISION ON REQUEST TO**
YAMAMOTO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/133,398	**: PROSECUTION HIGHWAY**
Filed: 08 June 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 106462.63625US	**: TO MAKE SPECIAL UNDER**
For: WIRELESS COMMUNICATION SYSTEM AND WIRELESS COMMUNICATION METHOD	**: 37 CFR 1.102(a)**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 13 July 2011 and renewed 12 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS Technology Center 2600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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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
Seung Woo Lee et al
Application No.: 13/133,447
Filed: June 8, 2011
Attorney Docket No.: P10388US
For: SYSTEM AND METHOD FOR HYBRID RETE REASONING BASED ON IN-MEMORY AND DBMS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 2, 2012 to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

    or

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
        iii. contains no priority claim,

    or

    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application

i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KR application(s);
   b. An English translation of the allowable/patentable claim(s), and
   c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
   a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
   b. An English language translation of the KIPO office action; and
   c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
   a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
   b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to 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-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:	13/133,493	Filing date:	June 8, 2011
First Named Inventor:	Juergen Meusel		
Title of the Invention:	ADJUSTABLE CAMSHAFT ARRANGEMENT		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2009/008102

The international filing date of the corresponding PCT application(s) is/are: November 13, 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.:	13/133,493
First Named Inventor:	Juergen Meusel

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on August 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 August 2, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Amended to put into U.S. format & recite the first and second connecting elements
2	2	Amended to put into U.S. format
3	3	Amended into U.S. format, remove multiple dependencies, refer to 1st & 2nd connecting elements
4	4	Amended to put into U.S. format
5	5	Amended to put into U.S. format
6	6	Amended to put into U.S. format and remove multiple dependencies
7	7	Amended to put into U.S. format and remove multiple dependencies
8	8	Amended to put into U.S. format and remove multiple dependencies
9	9	Amended to put into U.S. format and remove multiple dependencies
10	10	Amended to put into U.S. format and remove multiple dependencies
11	11	Amended to put into U.S. format and remove multiple dependencies
12	12	Amended to put into U.S. format
13	13	Canceled
14	14	Amended to put into U.S. format and remove multiple dependencies
15	15	Amended to put into U.S. format and remove multiple dependencies
16	16	Amended to put into U.S. format and remove multiple dependencies
17	17	Amended to put into U.S. format and remove multiple dependencies
18	18	Amended to put into U.S. format and remove multiple dependencies
19	19	Amended to put into U.S. format and remove multiple dependencies

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /John E. Nemazi/	Date August 24, 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.
13/133,493	08/04/2011	Juergen Meusel	THKR0101PUSA	3623

22045 7590 09/26/2011
BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER

ART UNIT	PAPER NUMBER
3748	

MAIL DATE	DELIVERY MODE
09/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD MI 48075

In re Application of	
MEUSEL, JUERGEN , et al.	: DECISION ON REQUEST TO
Application No. 13/133,493	: PARTICIPATE IN PATENT
Filed: August 04, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No. THKR0101PUSA	: PROGRAM AND PETITION
For: ADJUSTABLE CAMSHAFT ARRANGEMENT	: 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 24, 2011 to make the above-identified application special.

The request and petition are granted.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.
In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. Upon completion of pre-examination processing, this application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Thomas Denion, SPE of Art Unit 3748, and 571-272-4859 for Class 123 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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MAILED
MAR 19 2012
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LRK PATENT LAW FIRM
1952 GALLOWS RD
SUITE 200
VIENNA VA 22182

In re Application of
Jae Han Kim et al
Application No.: 13/133,523
Filed: June 8, 2011
Attorney Docket No.: P10389US
For: SYSTEM AND METHOD FOR SPARQL-QUERY PROCESSING USING THE PARAMETRIZED-SPARQL-QUERY IN BASED DBMS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 2, 2012 to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

    or

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
        iii. contains no priority claim,

    or

c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
    i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the KR application(s);
    b. An English translation of the allowable/patentable claim(s), and
    c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
    a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
    b. An English language translation of the KIPO office action; and
    c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
    a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
    b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to 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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LRK PATENT LAW FIRM
1952 GALLOWS RD
SUITE 200
VIENNA VA 22182

MAILED
FEB 10 2012
OFFICE OF PETITIONS

In re Application of
LEE, et al
Application No.: 13/133,573
Filed: June 8, 2011
Attorney Docket No.: P10390US
For: SYSTEM AND METHOD FOR EFFICIENT REASONING USING VIEW IN DBMS-BASED RDF TRIPLE STORE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 7, 2012, to make the above-identified application special.

The request and petition are **GRANTED.**

Discussion

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

    or

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
        iii. contains no priority claim,

or

c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
    i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    iii. contains no priority claim;

2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the KR application(s);
    b. An English translation of the allowable/patentable claim(s), and
    c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
    a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
    b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
    a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
    b. An English language translation of the KIPO office action; and
    c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
    a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
    b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://uspto.gov/ebc/index.html.

This application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/133,585	Filing date:	June 8, 2011
First Named Inventor:	Kyoko Nomura		
Title of the Invention:	Vacuum Heat Insulating Material, Heat Insulating Box Using Vacuum Heat Insulating Material, Refrigerator, Refrigerating/Air-conditioning Apparatus, Water Heater, Equipments, and Manufacturing ...		

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/JP2009/62102

The international date of the corresponding PCT application(s) is/are: July 2, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [x] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [ ] Is attached.
- [x] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/133,585
First Named Inventor:	Kyoko Nomura

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 June 8, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on June 8, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-27		Cancelled
28	5	a new independent claim added by combining the original claim 2 and the original claim 5
29	6	a new independent claim added by combining the original claim 2 and the original claim 6
30	5, 6	the original claim 3; dependent from claim 28
31	5, 6	the original claim 4, dependent from claim 28
32	5, 6	the original claim 7, dependent from claim 28
33	5, 6	the original claim 8, dependent from claim 28
34	5, 6	the original claim 10, dependent from claim 28
35	5, 6	the original claim 11, dependent from claim 28
36	5, 6	the original claim 12, dependent from claim 28
37	5, 6	the original claim 13, dependent from claim 28
38	5, 6	the original claim 14, dependent from claim 28
39	5, 6	the original claim 15, dependent from claim 28
40	5, 6	the original claim 16, dependent from claim 28
41	5, 6	the original claim 17, dependent from claim 28
42	5, 6	the original claim 18, dependent from claim 28
43	5, 6	the original claim 19, dependent from claim 28
44	5, 6	the original claim 20, dependent from claim 28
45	5, 6	the original claim 21, dependent from claim 28

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date October 18, 2011
Name (Print/Typed) Michael Britton	Registration Number 47,260

(continued from page 2)

II. Claims Correspondence Table

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
46	5, 6	the original claim 22; dependent from claim 28
47	5, 6	the original claim 3; dependent from claim 29
48	5, 6	the original claim 4; dependent from claim 29
49	5, 6	the original claim 7; dependent from claim 29
50	5, 6	the original claim 8; dependent from claim 29
51	5, 6	the original claim 10; dependent from claim 29
52	5, 6	the original claim 11; dependent from claim 29
53	5, 6	the original claim 12; dependent from claim 29
54	5, 6	the original claim 13; dependent from claim 29
55	5, 6	the original claim 14; dependent from claim 29
56	5, 6	the original claim 15; dependent from claim 29
57	5, 6	the original claim 16; dependent from claim 29
58	5, 6	the original claim 17; dependent from claim 29
59	5, 6	the original claim 18; dependent from claim 29
60	5, 6	the original claim 19; dependent from claim 29
61	5, 6	the original claim 20; dependent from claim 29
62	5, 6	the original claim 21; dependent from claim 29
63	5, 6	the original claim 22; dependent from claim 29

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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FEB 27 2012

OFFICE OF PETITIONS

BUCHANAN, INGERSOLL & ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA VA 22313-1404

In re Application of
Kyoko Nomura, et al.
Application No.: 13/133,585
Filed: June 8, 2011
Attorney Docket No.: VACUUM HEAT INSULATING MATERIAL, HEAT INSULATING BOX USING.....

: REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 18, 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 Terri Johnson at 571-272-2991.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once the formalities review has been completed.

David Buccel
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
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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:	13/133,664	Filing date:	June 09, 2011
First Named Inventor:	Henning POULSEN		
Title of the Invention:	System and Method for Handling a Nacelle of a Wind Turbine		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2009/054419

The international date of the corresponding PCT application(s) is/are:

April 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.

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.:	13/133,664
First Named Inventor:	Henning POULSEN

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 June 09, 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 June 09, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	1	US claim as per Preliminary Amendment filed 06/09/2011
14	2	US claim as per Preliminary Amendment filed 06/09/2011
15	3	US claim as per Preliminary Amendment filed 06/09/2011
16	4	US claim as per Preliminary Amendment filed 06/09/2011
17	5	US claim as per Preliminary Amendment filed 06/09/2011
18	6	US claim as per Preliminary Amendment filed 06/09/2011
19	7	US claim as per Preliminary Amendment filed 06/09/2011
20	8	US claim as per Preliminary Amendment filed 06/09/2011
21	9	US claim as per Preliminary Amendment filed 06/09/2011
22	10	US claim as per Preliminary Amendment filed 06/09/2011
23	11	US claim as per Preliminary Amendment filed 06/09/2011
24	11	US claim as per Preliminary Amendment filed 06/09/2011
25	11	US claim as per Preliminary Amendment filed 06/09/2011
26	12	US claim as per Preliminary Amendment filed 06/09/2011
27	12, 1	US claim as per Preliminary Amendment filed 06/09/2011

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Tina Gonka/	Date June 09, 2011
Name (Print/Typed) Tina Gonka	Registration Number L0623

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,664	08/19/2011	Henning Poulsen	2008P24673WOUS	4966

22116 7590 10/13/2011
SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER

ART UNIT	PAPER NUMBER
3652	

MAIL DATE	DELIVERY MODE
10/13/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 13 2011

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
170 WOOD AVENUE SOUTH
ISELIN NJ 08830

In re application of Poulsen et al. Application No. 13/133,664 Filed: August 19, 2011 For: SYSTEM AND METHOD FOR FOR HANDLING A NACELLE OF A WIND TURBINE	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed June 9, 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: 10/12/11

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
Under the Paperwork Reduction Act of 1995, 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:	13/133,674	Filing date:	June 9, 2011
First Named Inventor:	Torsten Brandenburger		
Title of the Invention:	CLOSURE CAP FOR RECEPTACLES FOR RECEIVING MEDICAL LIQUIDS AND RECEPTACLE FOR RECEIVING MEDICAL LIQUIDS		

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/EP2009/008622

The international filing date of the corresponding PCT application(s) is/are: December 3, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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.:	13/133,674
First Named Inventor:	Torsten Brandenburger

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 June 9, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on June 9, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US claim amended to remove reference (ref) numerals and two-part form.
2	2	US claim amended to remove ref numerals and two-part form.
3	3	US claim amended to remove ref numerals and two-part form.
4	4	US claim amended to remove ref numerals and two-part form.
5	5	US claim amended to remove multidependencies, ref numerals and two-part form.
6	6	US claim amended to remove multidependencies, ref numerals and two-part form.
7	7	US claim amended to remove ref numerals and two-part form.
8	8	US claim amended to remove multidependencies, ref numerals and two-part form.
9	9	US claim amended to remove ref numerals and two-part form.
10	10	US claim amended to remove multidependencies, ref numerals and two-part form.
11	11	US claim amended to remove multidependencies, ref numerals and two-part form.
12	12	US claim amended to remove multidependencies, ref numerals and two-part form.
13	13	US claim amended to remove multidependencies, ref numerals and two-part form.
14	14	US claim amended to remove multidependencies, ref numerals and two-part form.
15	15	US claim amended to remove multidependencies, ref numerals and two-part form.
16	16	US claim amended to remove ref numerals and two-part form.
17	17	US claim amended to remove multidependencies.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Mandy Jubang/	Date June 14, 2011
Name (Print/Typed) Mandy Jubang	Registration Number 45,884

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

23628
WOLF GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210-2206

MAILED

NOV 28 2011

PCT LEGAL ADMINISTRATION

In re Application of
GONZALEZ PAJUELO *et al*
U.S. Application No.: 13/133,685
PCT No.: PCT/EP2009/066822
Int. Filing Date: 10 December 2009
Priority Date: 10 December 2008
Docket No.: A0848.70096US01
For: AMINO ACID SEQUENCES DIRECTED AGAINST THE ANGIOPOIETIN/TIE SYSTEM . . .

DECISION

This is a decision on the "Response to Notification of Defective Response" filed 28 September 2011.

BACKGROUND

On 27 June 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 a declaration in compliance with 37 CFR 1.497(a) and (b) and a surcharge fee was required. Applicants were given two months to respond with extensions of time available under 37 CFR 1.136(a).

On 23 August 2011, applicants filed a response which was accompanied by, *inter alia*, an executed declaration and $130.00 surcharge fee. The declaration listed the first-named inventor as Marie GONZALES PAJEULO. The inventor was recorded as Marie GONZALES in the international application, PCT/EP2009/066822.

On 29 August 2011, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916) indicating that the declaration submitted 23 August 2011 was not in compliance with 37 CFR 1.497(a) and (b) because the first inventor's name did not match the name recorded on the international publication. Applicants were given one month to respond, or any time remaining in the Form PCT/DO/EO/905, whichever was longer.

On 28 September 2011, applicants filed the subject response.

DISCUSSION

In the subject response, applicants claim that there is no change in the inventor's

name. The person identified in the international application as Marie GONZALES is the same person as identified on the declaration (Marie GONZALES PAJEULO).

Applicants' state that the inventor's full formal name is Marie GONZALES PAJEULO. Applicants explain that in accordance with Spanish naming customs, two surnames are used. The first surname used is of the person's father and the second surname is the first surname of the person's mother.

Applicants claim that "[i]n certain situations, a person may use only his or her first surname, but for legal matters such as a Declaration filed in this application, it is preferred that the full name is used, including both surnames. Accordingly, the Declaration was prepared using the first inventor's full name including given name and both surnames."

This is an acceptable explanation.

However, the inventor should also have used her full name in the international application (Marie GONZALES PAJEULO). Therefore, this response is treated as a petition to correct the inventor's name in the international application pursuant to 37 CFR 1.182. The $400.00 petition fee has been charged to Deposit Account No. 23/2825 as authorized.

The explanation provided with the subject response is acceptable for a grantable petition.

CONCLUSION

Applicants' petition under 37 CFR 1.182 is **GRANTED**.

The declaration submitted 23 August 2011 is in compliance with 37 CFR 1.497(a) and (b).

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 10 December 2009, under 35 U.S.C. 363 and a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 23 August 2011.

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

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.
13/133,723	07/06/2011	Takayuki Arai	24_097_TN	5265

EXAMINER

7590 09/12/2011
POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

ART UNIT	PAPER NUMBER
1788	

NOTIFICATION DATE	DELIVERY MODE
09/12/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

FORM PET651D (Rev. 08/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,731	07/06/2011	Takayuki Arai	24_098_TN	5328

7590 09/12/2011
POSZ LAW GROUP, PLC
12040 SOUTH LAKES DRIVE
SUITE 101
RESTON, VA 20191

EXAMINER

ART UNIT	PAPER NUMBER
1788	

NOTIFICATION DATE	DELIVERY MODE
09/12/2011	ELECTRONIC

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☑ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
4. ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

FORM PET651D (Rev. 08/07)

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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:	13/133,757	Filing date:	June 9, 2011
First Named Inventor:	NILSSON		
Title of the Invention:	MULTIPLEXED VIDEO STREAMING		

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/GB2009/002827

The international filing date of the corresponding PCT application(s) is/are: December 7, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [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.**

(a. and b. are in the English language)

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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.:	13/133,757
First Named Inventor:	NILSSON

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 June 9, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on June 9, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	identical wording between U.S. and EP claims
2	2	identical wording between U.S. and EP claims
3	3	identical wording between U.S. and EP claims
4	4	identical wording between U.S. and EP claims
5	5	identical wording between U.S. and EP claims
6	6	Essentially identical wording between U.S. and EP claims*
		*Only difference is deletion of multiple dependency wording from EP claims

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Raymond Y. Mah/	Date December 7, 2011
Name (Print/Typed) Raymond Y. Mah	Registration Number 41,426

U.S. APPLICATION NO. 13/133,757
ATTORNEY DOCKET NO. RYM-36-2368

COPY OF THE LATEST INTERNATIONAL WORK PRODUCT (WO/ISA)

(ATTACHMENT 1.a.
of form PTO/SB/20PCT-EP (05-10))

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 A31750 WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/GB2009/002827	International filing date *(day/month/year)* 07 December 2009 (07.12.2009)	Priority date *(day/month/year)* 10 December 2008 (10.12.2008)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 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 14 June 2011 (14.06.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Dorothée Mülhausen e-mail: pt01.pct@wipo.int

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/GB2009/002827	07.12.2009	10.12.2008

International Patent Classification (IPC) or both national classification and IPC
INV. H04N7/26 H04N7/24 H04N7/58

Applicant
BRITISH TELECOMMUNICATIONS PUBLIC LIMITED COMPANY

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	see form PCT/ISA/210	Luckett, Paul Telephone No. +49 89 2399-8965

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/GB2009/002827

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

   ☐ on paper

   ☐ in electronic form

   b. (time)

   ☐ in the international application as filed

   ☐ together with the international application in electronic form

   ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-6
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-6
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-6
	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 document(s) all of which concern background art posing no specific obstacle to patentability of the claims:

D1 WO 2008/119954 A (BRITISH TELECOMM [GB]; APPLEBY STEPHEN CLIFFORD [GB]; MULROY PATRICK J) 9 October 2008 (2008-10-09)

D2 EP 1 296 479 A (BRITISH TELECOMM [GB]) 26 March 2003 (2003-03-26)

D3 US 6 259 733 B1 (KAYE JAMES E [US] ET AL) 10 July 2001 (2001-07-10)

D4 EP 1 919 220 A (GEN INSTRUMENT CORP [US]) 7 May 2008 (2008-05-07)

D5 US 2006/224762 A1 (TIAN TAO [US] ET AL) 5 October 2006 (2006-10-05)

D6 US 2006/067362 A1 (RAMAKRISHNAN SANGEETA [US]) 30 March 2006 (2006-03-30)

The reference D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses that the bitrate for any practical video streaming system will vary considerably as a function of the difficulty of encoding the sequence in question. This variation is even more apparent when comparing different video clips of different genres for example where sports clips might require a higher average bitrate and fluctuate more due to the high activity of typical scenes, whereas a news report clip might require a much lower bitrate and be relatively static. As such, to deliver video streams at a constant quality to users sharing a contended network, a constant bandwidth method is not efficient to use across all the streams. The bandwidth allocated to each stream must be allowed to dynamically vary in time in accordance with the precise demands of the video being streamed at that time and also be within any network bandwidth constraints.

The subject - matter of claim 1 therefore differs from this known principle in that it: determines for each video stream at each of a plurality of encoder settings, having regard to the amount of data buffered at a receiver for that stream, a bit rate sufficient to transmit the remainder of that stream at that encoder setting such as to avoid buffer underflow at the receiver, and a critical point equal to the earliest time at which that bit

rate can be reduced while still avoiding buffer underflow at the receiver; chooses for each video stream an encoder setting such that the sum of said bit rates required for transmission of the streams does not exceed the capacity of the transmission link; and

allocates any surplus capacity of the transmission link to the stream that has the earliest critical point - Therefore the subject matter of claim 1 is new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as how to optimise the usage of bandwidth when transmitting multiple streams under quality of service restraints ?

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons: the solution of reducing the individual stream bit rates as soon as possible while still avoiding receiver side underflow coupled with the allocation of any surplus capacity of the transmission link to that stream having the earliest critical point results in an improved bandwidth usage not suggested in the available prior art.

Claims 2-6 are dependent on claim 1 and as such also meet(s) the requirements of the PCT with respect to novelty and inventive step.

U.S. APPLICATION NO. 13/133,757
ATTORNEY DOCKET NO. RYM-36-2368

COPY OF ALL PCT CLAIMS INDICATED AS HAVING NOVELTY, INVENTIVE STEP AND INDUSTRIAL APPLICABILITY IN THE CORRESPONDING PCT APPLICATION

(ATTACHMENT 1.b.
of form PTO/SB/20PCT-EP (05-10))

CLAIMS

1. A method of transmitting a plurality of video streams, over a transmission link, comprising, at intervals:

determining for each video stream at each of a plurality of encoder settings, having regard to the amount of data buffered at a receiver for that stream, a bit rate sufficient to transmit the remainder of that stream at that encoder setting such as to avoid buffer underflow at the receiver, and a critical point equal to the earliest time at which that bit rate can be reduced while still avoiding buffer underflow at the receiver;

choosing for each video stream an encoder setting such that the sum of said bit rates required for transmission of the streams does not exceed the capacity of the transmission link; and

allocating any surplus capacity of the transmission link to the stream that has the earliest critical point.

2. A method according to claim 1 in which the bit rates chosen for each stream are in each case, having regard to the amount of data buffered at a receiver for that stream, the minimum bit rate needed to transmit the remainder of that stream at the chosen encoder setting.

3. A method according to claim 1 further comprising analysing each stream, at each of a plurality of encoder settings and for each of a plurality of temporal positions of the stream, to generate data relating to a discrete plurality of minimum buffer preload and data rate combinations that are capable of transmitting the stream, or as the case may be the remainder of the stream, at the chosen encoder setting, and to store these data;

in which the bit rates chosen for each stream are in each case, having regard to the amount of data buffered at a receiver for that stream, an estimated bit rate greater than or equal to the minimum bit rate needed to transmit the remainder of that stream at the chosen encoder setting, determined by interpolation from the stored data.

4. A method according to claim 3 in which the critical points are precalculated.

5. A method according to claim 4 in which, when the step of choosing encoder settings results in settings that are the same as the previous such choice, the precalculated critical points are used, and when the step of choosing encoder settings results, for at least one stream, in a setting different from the previous such choice for that stream, the critical points for that stream or streams are calculated afresh.

6. A method according to any one of the preceding claims in which the choice of encoder settings is such that the picture quality of each stream shall be substantially the same.

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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON VA 22203

MAILED
MAR 13 2012
OFFICE OF PETITIONS

In re Application of
Michael E. Nilsson et al
Application No.: 13/133,757
Filed: June 9, 2011
Attorney Docket No.: RYM-36-2368
For: MULTIPLEXED VIDEO STREAMING

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 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 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 Buccci
Petition 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

SENNIGER POWERS LLP
100 NORTH BROADWAY
17TH FLOOR
ST LOUIS MO 63102

MAILED
MAR 14 2012
OFFICE OF PETITIONS

IN RE APPLICATION OF
SULING ZHAI ET AL.
APPLICATION NO.: 13/133,776
FILED: JULY 20, 2011
ATTORNEY DOCKET NO.: BOUL 3550
FOR: PROCESS FOR GAS SWEETENING

: 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 filed November 17, 2011.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

    or

    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
        ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
        iii. contains no priority claim,

    or

c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
   i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
   ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
   iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KR application(s);
   b. An English translation of the allowable/patentable claim(s), and
   c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
   a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
   b. An English language translation of the KIPO office action; and
   c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
   a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
   b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

The request to participate in the PPH program fails to meet the condition of requirements (1).

Regarding the requirement of condition (1), the petition makes reference to GB2466047, as the application number upon which the PPH petition relates. It is not clear as to how that application is related to U.S. application no. 13/133,776.

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 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://uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

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SENNIGER POWERS LLP
100 NORTH BROADWAY
17TH FLOOR
ST LOUIS MO 63102

MAILED
MAR 27 2012
OFFICE OF PETITIONS

IN RE APPLICATION OF	**: DECISION ON REQUEST TO**
SULING ZHAI ET AL.	**: PARTICIPATE IN THE PATENT**
APPLICATION NO.: 13/133,776	**: PROSECUTION HIGHWAY**
FILED: JULY 20, 2011	**: PROGRAM AND PETITION**
ATTORNEY DOCKET NO.: BOUL 3550	**: TO MAKE SPECIAL UNDER**
FOR: PROCESS FOR GAS SWEETENING	**: 37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program filed March 21, 2012.

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 UK IPO, note where the UK IPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the UK IPO application with similar claims and the UK IPO priority application;

(2) Applicant must submit a copy of:
The allowable/patentable claim(s) from the UK IPO application(s);

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UK IPO application(s); and
b. Submit a claims correspondence table;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

A copy of all of the office actions from each of the UK IPO application(s) containing the allowable/patentable claims that are the basis for the request or request that the USPTO obtain a copy from the UK IPO. If the USPTO is not able to obtain a copy of all of the office actions from the UK IPO, the applicant will be notified and requested to provide the necessary documents.

(6) Applicant must submit:

a. An IDS listing the documents cited by the UK IPO examiner in the UK IPO office action (unless already submitted in this application); and
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application)

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Kimberly Inabinet, at (571) 272-1618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Thurman K. Page

Thurman Page
Petitions Examiner
Office of Petitions

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:	13/133,780	Filing date:	June 9, 2011
First Named Inventor:	Helmut Gehrke et al.		
Title of the Invention:	REMOVAL OF AMMONIA NITROGEN, AMMONIUM NITROGEN AND UREA NITROGEN BY OXIDATION WITH HYPOCHLORITE-CONTAINING SOLUTIONS FROM EXHAUST AIR IN PLANTS FOR PRODUCING AMMONIA AND UREA		

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/EP2009/008452

The international filing date of the corresponding PCT application(s) is/are: November 27, 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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Under the Paperwork Reduction Act of 1995, 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.:	13/133,780
First Named Inventor:	Helmut Gehrke 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 August 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 August 12, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	rewritten in U.S. format
2	2	rewritten in U.S. format
3	3	rewritten in U.S. format
4	4	rewritten in U.S. format and to eliminate multiple dependencies
5	5	rewritten in U.S. format and to eliminate multiple dependencies
6	6	rewritten in U.S. format
7	7	rewritten in U.S. format and to eliminate multiple dependencies
8	8	rewritten in U.S. format
9	9	rewritten in U.S. format
10	10	rewritten in U.S. format
11	11	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 2011-08-15
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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,780	08/02/2011	Helmut Gehrke	UHDE0105PUSA	5621

22045 7590 10/14/2011
BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

EXAMINER	
ART UNIT	PAPER NUMBER
1736	
MAIL DATE	DELIVERY MODE
10/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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WG OCT 14 2011

In re application of	:	DECISION ON REQUEST TO
Helmut Gehrke et al.	:	PARTICIPATE IN PATENT
Serial No. 13/133,780	:	PROSECUTION HIGHWAY
Filed: August 2, 2011	:	PROGRAM AND
For: REMOVAL OF AMMONIA NITROGEN,	:	PETITION TO MAKE SPECIAL
AMMONIUM NITROGEN AND UREA	:	UNDER 37 CFR 1.102(a)
NITROGEN BY OXIDATION WITH	:	
HYPOCHLORITE-CONTAINING	:	
SOLUTIONS FROM EXHAUST AIR	:	
IN PLANTS FOR PRODUCING	:	
AMMONIA AND UREA	:	

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 16, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

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Alexandria, VA 22313-1450
www.uspto.gov

HOFFMANN & BARON, LLP
6900 JERICHO TURNPIKE
SYOSSET NY 11791

MAILED
DEC 19 2011
OFFICE OF PETITIONS

Applicant: Van Grieken, et al.
Appl. No.: 13/133,787
International Filing Date: December 15, 2009
Title: VESSEL AND METHOD FOR LAYING A PIPELINE
Attorney Docket: 903-417 PCT/US
Pub. No.: US 20110250019 A1
Pub. Date: October 13, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on October 28, 2011, for the above-identified application.

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains an error wherein the Abstract page of the Clean Version of the Substitute Specification is included as the sixteenth (16th) sheet of the drawings.

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 may be an Office mistake, but it is not a material Office error under 37 CFR 1.221(b). The mistake is a minor error and it does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. See MPEP 1130B.

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

[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 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 Prè-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,789	06/09/2011	Ralf Müller	P73956US0	5674

136 7590 02/03/2012
JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

EXAMINER

ART UNIT	PAPER NUMBER
2856	

MAIL DATE	DELIVERY MODE
02/03/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON DC 20004

Applicant: Muller et al.
Appl. No.: 13/133,789
Filing Date: June 9, 2011
Title: APPARATUS FOR TREATING A MEDICAL LIQUID, AND METHOD FOR CHECKING THE LEAKTIGHTNESS OF THE APPARATUS
Attorney Docket No.: P73956US0
Pub. No.: US 2011/0239742 A1
Pub. Date: October 6, 2011

This is a decision on the request for republication of patent application publication under 37 CFR 1.221(a), filed on January 13, 2012, for the above-identified application.

The request under 37 CFR 1.221(a) is DISMISSED.

37 CFR 1.221(a) requires "a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)". If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

The applicant did not supply a copy of the application in compliance with the Office electronic filing system, as required by 37 CFR 1.221(a) because **the applicant submitted the papers as a "Document for an existing application", which are entered into the application file, and not as a "Pre-Grant Publication" submission**. The request for republication does not comply with the electronic filing system requirements, thus republication will not take place.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a Pre-Grant publication submission and must include a copy of the application in compliance with the Office electronic filing system requirements. The applicant is directed to the following website for additional instructions on how to submit a Pre-Grant Publication submission via the electronic filing system:

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any questions or requests for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
Commissioner for Patents
P.O. Box 1450
Alexandria, Va. 22313-1450

By facsimile: 571-273-8300

Telephone inquiries regarding this correspondence should be directed to The Office of Data Management at 571-272-4200.

Tammy J. Koontz
Office of Data Management
United States Patent & Trademark Office

Adjustment date: 02/03/2012 KKING1
01/13/2012 INTEFSW 00008067 13133789
01 FC:1504 -300.00 OP

Refund Ref:
02/03/2012 0030107190

Credit Card Refund Total: $300.00

Am Exp..: XXXXXXXXXXX1000

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:	13/133,847	Filing date:	June 28, 2011
First Named Inventor:	Jens Demtroder		
Title of the Invention:	Composite Gear Part for a Gear Arrangement and a Method of Forming a Composite Gear Part		

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/EP2009/066616

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).**

- [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.:	13/133,847
First Named Inventor:	Jens Demtroder

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 June 9, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on June 9, 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	-	Cancelled; subject matter added to claim 1
6	5	Combination of claims 1 and 5; multiple dependency deleted
7	6	Combination of claims 1 and 6; multiple dependency deleted
8	7	Combination of claims 1 and 7; multiple dependency deleted
9	8	Similar in scope; no substantive changes
10	9	Combination of claims 7 and 9, multiple dependency deleted
11	10	Similar in scope; no substantive changes
12	11	Similar in scope; no substantive changes
13	12	Similar in scope; no substantive changes
14	13	Combination of claims 10 and 13; multiple dependency deleted
15	14	Combination of claims 10 and 14; multiple dependency deleted
16	15	Combination of claims 10 and 15; 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 August 10, 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.

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United States Patent and Trademark Office
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,847	06/28/2011	Jens Demtröder	VWS-446US	6009

83583 7590 09/26/2011
Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
09/26/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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 45202

In re Application of	
DEMTRODER, JENS	: DECISION ON REQUEST TO
Application No. 13/133,847	: PARTICIPATE IN PATENT
Filed: June 28, 2011	: PCT/PROSECUTION HIGHWAY
Attorney Docket No. VWS-446US	: PROGRAM AND PETITION
For: COMPOSITE GEAR PART FOR A GEAR ARRANGEMENT AND A METHOD OF FORMING A COMPOSITE GEAR PART	: 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 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 applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO/PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO/PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.
In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application. Upon completion of pre-examination processing, this application will be forwarded to an examiner for examination.

Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4485. All other inquiries concerning the examination or status of the application should be directed to Edward Look, SPE of Art Unit 3745, and 571-272-4820 for Class 416 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen, Special Programs Examiner
Technology Center 3700 – Mechanical Engineering,
Manufacturing and Products
571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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FAY SHARPE LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland OH 44115

MAILED
AUG 10 2011
PCT LEGAL ADMINISTRATION

In re Application of :
GORDON, Michael John :
Application No.: 13/133,860 :
PCT No.: PCT/GB2009/051323 : DECISION
Int. Filing Date: 06 October 2009 :
Priority Date: 08 October 2008 :
Att. Docket No.: MGHE 200002US01 :
For: RECEPTACLE AND WASTE BAG :

Applicant's petition under 37 CFR 1.137(b), filed in the United States Patent and Trademark Office on 09 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.

The fee for filing the search fee, examination fee or oath or declaration after thirty months will be charged to deposit account no. 06-0308, as authorized.

This application is being referred to the National Stage Processing Branch of the Office of Patent Application Processing for continued processing in accordance with this decision.

/Erin P. Thomson/

Erin P. Thomson
Attorney Advisor
PCT Legal Administration

Telephone: 571-272-3292

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,885	08/11/2011	Wuri Andarmawanti Hapsari	17470/141001	6311

22511 7590 10/13/2011
OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON, TX 77010

EXAMINER
MAUNG, NAY AUNG

ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
10/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com
hathaway@oshaliang.com
kennedy@oshaliang.com

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OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON TX 77010

In re Application of	**: DECISION ON REQUEST TO**
HAPSARI et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/133,885	**: PROSECUTION HIGHWAY**
Filed: 11 August 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 17470/141001	**: TO MAKE SPECIAL UNDER**
For: MOBILE COMMUNICATION METHOD AND RADIO BASE STATION	**: 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 09 June 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or

iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to 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

MAILED

JAN 1 1 2012

PCT LEGAL ADMINISTRATION

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Miles & Stockbridge PC
1751 Pinnacle Drive
Suite 500
Mclean VA 22102-3833

In re Application of
JEBARA et al.
Application No.: 13/133,932
PCT No.: PCT/US2009/067630
Int. Filing Date: 11 December 2009
Priority Date: 12 December 2008
Attorney Docket No.: T4356-15662US02
For: MACHINE OPTIMIZATION DEVICES, METHODS, AND SYSTEMS

DECISION ON PETITION UNDER 37 CFR 1.59

This decision is issued in response to applicant's "Petition to Remove Certain Documents from Application" dated 15 September 2011, treated herein as a petition under 37 CFR 1.59 to expunge information from the above- identified application. The petition fee has been charged to counsel's deposit account (no. 50-1165) listed in the present petition.

The petition under 37 CFR 1.59 is GRANTED.

Petitioner states in the present petition that "[i]t is respectfully requested the Request for Continued Examination and accompanying Amendment filed on September 14, 2011, be removed from the image file wrapper of this application as they were not intended to be filed in this application." Petitioner's request is being treated as a petition to expunge under 37 CFR 1.59.

Upon a showing satisfactory to the Director, information, other than that forming part of the original disclosure, may be expunged from an application. Since the Office can determine the correct application file for which the erroneously filed papers were intended from the other identifying information on the papers, the papers will be removed as requested.

In a paper file, the unintentionally submitted papers could, but necessarily would, have been physically removed from the file wrapper and returned to applicant; in the IFW realm the corresponding action(s) is to close the document and also remove such from the listing of "Public[ly available] Documents." It is agreed that it would be appropriate in this instance to close the September 14, 2011 Request for Continued Examination and accompanying Amendment in the above identified application, and also remove such from the listing publicly available documents for this Image File Wrapper (IFW).

As a condition of this favorable treatment, petitioner is required to maintain the material in question during the enforceable life of any patent arising from this application, or any patent claiming benefit of this application.

Additionally, on 15 September 2011, petitioner requests a refund in the amount of $940.00. Pursuant to 37 CFR 1.26, any fee paid by actual mistake or in excess of that required will be refunded. As stated in the present refund request, the $940.00 was submitted in this application by virtue of an inadvertent error. Therefore, deposit Account No. 50-1165 has been credited with a refund of $940.00, as requested.

This application is being returned to the United States/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3298
Fax: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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MAILED

AUG 12 2011

PCT LEGAL ADMINISTRATION

CHRISTOPHER PAUL MITCHELL
888 16TH ST., NW
SUITE 800
WASHINGTON DC 20006

In re Application of AHN Application No.: 13/133,943 PCT No.: PCT/KR08/03365 Int'l Filing Date: 16 June 2008 Priority Date: 18 June 2007 Attorney Docket No.: 0714.0248 For: AN EXERCISING DEVICE FOR LOWER BODY	:	DECISION ON PETITION UNDER 37 CFR1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 09 June 2011 in the above-captioned application is hereby **GRANTED**:

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 petition fee of $810 and the basic national fee of $165 were paid. Therefore, all of the requirements of 37 CFR 1.137(b) are satisfied. 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 at this time.

The declaration in compliance with 37 CFR 1.497(a) and (b) was submitted and is acceptable. Applicant's deposit account did not have sufficient funds to charge the surcharge for filing the declaration after the thirty month period.

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 the surcharge for filing the declaration after the thirty month period is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571)272-3286

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:	TBD	Filing date:	Herewith
First Named Inventor:	Marilene Hickmann TOBIN		
Title of the Invention:	HYDRATION 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/US2009/067840

The international filing date of the corresponding PCT application(s) is/are: 14 December 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
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	TBD
First Named Inventor:	Marilene Hickmann TOBIN

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- [✔] Is attached
- [ ] Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- [✔] Are attached.
- [ ] Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1 - 20	1 - 20	U. S. claims 1 - 20 and patentable PCT claims 1 - 20 are identical.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /s/Stephanie D. Jones	Date June 10, 2011
Name (Print/Typed) Stephanie D. Jones	Registration Number 62,038

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.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	Not yet assigned	Filing date:	June 10, 2011
First Named Inventor:	Raymond M. GATT		
Title of the Invention:	MELTABLE FUEL GAS GENERATION APPARATUS AND METHODS		

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/US2010/045188

The international filing date of the corresponding PCT application(s) is/are: AUGUST 11, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [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 KIPO AND THE USPTO

(continued)

Application No.:	Not yet assigned
First Named Inventor:	Raymond M. GATT

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- [✔] Is attached
- [ ] Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- [✔] Are attached.
- [ ] Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	All current US claims are identical to those presented in the PCT application

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Kurt L. Ehresman/	Date June 10, 2011
Name (Print/Typed) Kurt L. Ehresman	Registration Number 50,758

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/133,995	06/10/2011	Raymond M. Gatt	138127.00111	7256

21269 7590 09/06/2011
PEPPER HAMILTON LLP
ONE MELLON CENTER, 50TH FLOOR
500 GRANT STREET
PITTSBURGH, PA 15219

EXAMINER

ART UNIT	PAPER NUMBER
1723	

MAIL DATE	DELIVERY MODE
09/06/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BC

September 6, 2011

In re application of	:	DECISION ON REQUEST TO
Raymond M. Gatt	:	PARTICIPATE IN PATENT
Serial No. 13/133,995	:	PROSECUTION HIGHWAY
Filed: June 10, 2011	:	PROGRAM AND
Attorney Docket No: 138127.00111	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request for reconsideration to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed June 10, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the APO, IPA, JPO, KIPO, NBPR, NPI, EPO, Rospatent, IPOS, SPTO, PRV, UK IPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof if the latest international work

product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Blaine Copenheaver, Quality Assurance Specialist, at (571) 272-1156.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
379 LYTTON AVENUE
PALO ALTO, CA 94301

MAILED

FEB 22 2012

OFFICE OF PETITIONS

In re Application of
Gregory G. Raleigh
Application No. 13/134,005
Filed: May 25, 2011
Attorney Docket No.: 26WV-161684
[RALEP049]

DECISION ON PETITION
UNDER 37 CFR 1.78(a)(3)

This is a decision on the petition, filed January 11, 2012, which is being treated as a petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) to accept an unintentionally delayed claim under 35 U.S.C. §§120 and 119(e) for the benefit of the prior-filed applications set forth in the concurrently filed amendment.

The petition is **DISMISSED**.

A petition for acceptance of a claim for late priority under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after the expiration of the period specified in 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii). In addition, the petition under 37 CFR §§ 1.78(a)(3) and 1.78(a)(6) must be accompanied by:

(1) the reference required by 35 U.S.C. §§ 120 and 119(e) and 37 CFR §§ 1.78(a)(2)(i) and 1.78(a)(5)(i) of the prior-filed application, unless previously submitted;

(2) the surcharge set forth in § 1.17(t); and

(3) a statement that the entire delay between the date the claim was due under 37 CFR §§ 1.78(a)(2)(ii) and 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

The petition does not satisfy items (1) above.

In this regard, the reference to add the above-noted, prior-filed applications on page one following the first sentence of the specification is not acceptable as drafted since it improperly incorporates by reference the prior-filed applications. An incorporation by reference statement added after an

application's filing date is not effective because no new matter can be added to an application after its filing date (*see* 35 U.S.C. § 132(a)). If an incorporation by reference statement is included in an amendment to the specification to add a benefit claim under 35 U.S.C. § 120 after the filing date of the application, the amendment would not be proper. When a benefit claim under 35 U.S.C. § 120 is submitted after the filing of an application, the reference to the prior application cannot include an incorporation by reference statement of the prior application. *See* Dart Industries v. Banner, 636 F.2d 684, 207 USPQ 273 (C.A.D.C. 1980). *Note* MPEP §§ 201.06(c) and 608.04(b).

Before the petition under 37 CFR § 1.78(a)(3) and 1.78(a)(6) can be granted, a renewed petition, including an amendment in compliance with the provisions of 37 CFR 1.121 to correct the above matter is required.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

By Internet: EFS-Web[1]

Telephone inquiries concerning this decision should be directed to Sherry Brinkley at (571) 272-3204.

/SDB/
Sherry D. Brinkley
Petitions Examiner
Office of Petitions

[1] www.uspto.gov/ebc/efs_help.html (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

UNITED STATES PATENT AND TRADEMARK OFFICE

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ALEXANDRIA, VA 22313-1450
WWW.USPTO.GOV

Paper No.

MAILED

AUG 29 2011

OFFICE OF PETITIONS

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
390 Lytton Avenue
Palo Alto CA 94301

In re Application of	:	
Raleigh et al.	:	DECISION ON PETITION
Application No. 13/134,028	:	PURSUANT TO
Filed: May 25, 2011	:	37 C.F.R. § 1.182
Attorney Docket No.: 26WV-	:	
160509 [RALEP032]	:	
Title: DEVICE-ASSISTED SERVICES	:	
FOR PROTECTING NETWORK CAPACITY	:	

This is a decision on the petition filed August 17, 2011, requesting that the above-identified application, including Figure 27, be accorded a filing date of May 25, 2011 as part of the original disclosure.

Receipt of the concurrently submitted 29 sheets of replacement drawings is acknowledged.

The application was deposited on May 25, 2011. However, on June 17, 2011, the Office of Data Management (ODM) mailed a "Notice to File Corrected Application Papers" (notice), stating, *inter alia*, that the application had been accorded a filing date, and advising Applicants that Figure 27 appeared to have been omitted on filing. The notice set a two-month period for reply.

In response, on August 17, 2011, Applicants filed this petition. The petition is further accompanied by, *inter alia*, the petition fee, a copy of Figure 27, and a copy of Applicants' postcard receipt acknowledging receipt of "Drawings: 29 Sheets" in the United States Patent and Trademark Office (Office) on May 25, 2011. Applicants request that Figure 27 be accorded a filing date of May 25, 2011.

Upon review of the electronic file, 28 sheets of drawings have been located, containing Figures 1-26. Figure 27 has not been located among the application papers. However, the evidence is convincing that the application papers deposited on May 25, 2011 included 29 drawing sheets containing Figures 1-27, and the twenty-ninth sheet (containing Figure 27) was subsequently misplaced in the Office.

Therefore, the application, including Figure 27, was complete on filing and entitled to a filing date of May 25, 2011 as part of the original disclosure.

Accordingly, the petition pursuant to 37 C.F.R. § 1.182 is **GRANTED.**

The portion of the notice mailed June 17, 2011 which refers to the omitted drawing was sent in error, and that portion is hereby **VACATED.** Therefore, no petition fee is necessary, and the petition fee will be credited to Deposit Account No. 50-4561 in due course.

Pursuant to this decision, the application will be referred to the Office of Patent Application Processing (OPAP) for:

- Processing the application with a filing date of May 25, 2011, using the original application papers filed on that date, as well as Figure 27 submitted on August 17, 2011, and;
- noting in Office records that Figure 27 was present on filing.

The general phone number for OPAP is 571-272-4000. Telephone inquiries **regarding this decision** should be directed to the undersigned at (571) 272-3225.[1]

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

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1 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for any further action(s) of Petitioner.

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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DAN DELAROSA, ESQ.
SUITE 24C
300 EAST 77TH STREET
NEW YORK NY 10075

MAILED
AUG 15 2011
OFFICE OF PETITIONS

In re Application of	:	
Jerry RAYBORN, SR. et al.	:	
Application No. 13/134,048	:	DECISION ON PETITION
Filed: May 27, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **P-0381US**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 02, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by Jerry Rayborn, Sr. attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 1765 for action on the merits commensurate with this decision.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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ALBERT O COTA
5460 WHITE OAK AVE
SUITE A-331
ENCINO CA 91316

MAILED
JUL 18 2011
OFFICE OF PETITIONS

In re Application of	:	
Daniel S. Redford	:	
Application No. 13/134,158	:	DECISION ON PETITION
Filed: May 31, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 10PLI1669	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 15, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from the applicant declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3652 for action on the merits commensurate with this decision.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/134,245	06/02/2011	Imran Chaudhri	101-P447D1/P4027USD1	7749

67521 7590 07/14/2011
TI Law Group
2055 Junction Avenue, #205
San Jose, CA 95131-2116

EXAMINER
DO, CHAT C

ART UNIT	PAPER NUMBER
2171	

MAIL DATE	DELIVERY MODE
07/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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TI Law Group
2055 Junction Avenue, #205
San Jose CA 95131-2116

In re Application of:
CHAUDHRI, Imran et al.
Application No. 13/134,245
Filed: June 2, 2011
For: **MULTIMEDIA CONTROL CENTER**

DECISION ON PETITION UNDER 37 C.F.R. § 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed on June 2, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 27A-37B be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings will be provided by the U.S. Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee and was filed with three (3) sets of color drawing Figures 27A-37B. Paragraph [0015] of the specification contains the required notification described above.

Accordingly, the petition is **GRANTED**.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist, TC 2100

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COMMISSIONER FOR PATENTS
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ALIX YALE & RISTAS LLP
750 MAIN STREET
SUITE 1400
HARTFORD, CT 06103

MAILED
JUN 27 2011
OFFICE OF PETITIONS

In re Application of
Howard A. Fromson et al
Application No. 13/134,286
Filed: June 3, 2011
Attorney Docket No. FRO/235/US

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 3, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement from inventor Howard A. Fromson stating that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 1722 for action on the merits commensurate with this decision.

Irvin Dingle
Petitions Examiner
Office of Petitions

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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JUL 27 2011
OFFICE OF PETITIONS

ALIX YALE & RISTAS LLP
750 MAIN STREET
SUITE 1400
HARTFORD CT 06103

In re Application of	:	
Howard A. Fromson et al.	:	
Application No. 13/134,309	:	DECISION ON PETITION
Filed: June 03, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. FRO/233/US	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 03, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes the declaration of inventor Howard Fromson, attesting to his age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at 571-272-2783.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 1722 for action on the merits commensurate with this decision.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MICHAEL BEST & FRIEDRICH LLP
100 E WISCONSIN AVENUE
Suite 3300
MILWAUKEE WI 53202

MAILED

JUN 22 2011

OFFICE OF PETITIONS

In re Application of	:	
Frank E. Delmonico et al.	:	
Application No. 13/134,342	:	DECISION ON PETITION
Filed: June 6, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **025330-9001-US03**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 6, 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/
JoAnne Burke
Petitions Examiner
Office of Petitions

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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Donald E. Scruggs
4464 Walnut ave
Chino CA 91710

MAILED

JUN 16 2011

OFFICE OF PETITIONS

In re Application of	:	
Donald E. Scruggs	:	
Application No. 13/134,360	:	DECISION ON PETITION
Filed: June 6, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No.	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 6, 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 the inventor. 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/
JoAnne Burke
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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DIW Jul-11

COLLARD & ROE, P.C.
1077 NORTHERN BOULEVARD
ROSLYN NY 11576

MAILED

JUL 21 2011

OFFICE OF PETITIONS

In re Application of	:	
Zhao et al.	:	
Application No. 13/134,394	:	
Filed: 06/07/2011	:	DECISION ON PETITION
Attorney Docket Number: ZHAO ET	:	
AL - 1 PCT CONT-2	:	

This is a decision on the "PETITION TO ACCORD A FILING DATE UNDER 37 C.F.R. 1.53(e) OR 37 C.F.R. 1.57(a) OR ALTERNATIVELY FOR RELIEF PURSUANT TO 37 C.F.R. 1.182 or 1.183," and the "PETITION UNDER 37 C.F.R. 1.182 TO EXPEDITE DECISION,", both filed on June 29, 2011, requesting that the above-identified application be accorded a filing date of June 7, 2011, which is treated as a petition under 37 CFR 1.182 requesting expedited consideration thereof.

The petition for expedited consideration is **granted**.

The petition to accord a filing date is **granted**.

On June 7, 2011, the application was deposited. The application papers consisted of, *inter alia*, one (1) page of transmittal letter, 2 pages of oath or declaration under 37 CFR 1.63, 23 pages of preliminary amendment, including one (1) sheet labeled "APPENDIX" and 12 sheets of drawings, five (5) pages of Application Data Sheet (ADS), including a claim for benefit, inter alia, to prior-filed Application No. 12/807,144, as well as a copy of WIPO Document WO 03/098540 A1, which is the publication of Application No. PCT/US03/15168.

In response, on June 23, 2011, a Notice of Incomplete Nonprovisional Application was mailed, stating that the application had not been accorded a filing date because the specification was missing. A new oath or declaration was also required.

In response, on June 29, 2011, the subject petitions were filed.

Petitioners assert that a complete specification was filed on June 7, 2011. Specifically, petitioners assert that the copy of the publication of the prior-filed PCT application was intended as the specification, including claims, and drawings of the subject application. Petitioners further note that the PCT application publication is the specification as filed of prior-filed Application No. 12/807,144, of which the subject application is a continuation.

Upon review, petitioners' argument is well-taken. A review of Application No. 12/807,144, of which the subject application is a continuation, reveals that the specification, including the claims, and drawings, consisted of the above-referenced PCT application publication.

As such, the showing of record is that a specification, including at least one claim, and a drawing, were present in the subject application on June 7, 2011, albeit in the form of the publication of Application No. PCT/US03/15168. Nevertheless, as all elements required to obtain a filing date were present on that date, the application is entitled to a filing of June 7, 2011.

The application is therefore entitled to a filing date of June 7, 2011, the date that a complete specification, including at least one claim, was filed.

Receipt of the fee for expedited consideration under § 1.17(f) is acknowledged.

As the application was not incomplete, no fee is due for the petition under 37 CFR 1.53(e).

The application will be referred to the Office of Patent Application Processing for further processing with a filing date of **June 7, 2011**, using the 40 pages of specification, including three (3) pages containing 20 claims, and 11 sheets of drawings filed on that date as the original disclosure.

Telephone inquiries specific to this decision should be directed to the undersigned at 571.272.3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

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1077 NORTHERN BOULEVARD
ROSLYN NY 11576

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SEP 01 2011
OFFICE OF PETITIONS

In re Application of
Jian Zhao et al
Application No. 13/134,394
Filed: June 7, 2011
Attorney Docket No. ZHAO ET AL. 1 PCT CONT-2

DECISION ON REQUEST FOR REFUND

This is a decision on the Request For Refund filed August 25, 2011.

The request is **GRANTED**.

Applicant files the above request for refund and states that the decision mailed July 21, 2011, stated that "the application was not incomplete and that no fee is due for the petition under 37 CFR 1.53(e)."

In view of the above, the request for refund of the petition fee ($400.00) paid on June 29, 2011, is being refunded by check as it is the method in which the fee was paid.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

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Alexandria, VA 22313-1450
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Elizabeth Reilly
P.O. Box 6888
Tacoma WA 98417

MAILED

JUN 29 2011

OFFICE OF PETITIONS

In re Application of	:	
Tracy Lee Shaw et al.	:	
Application No. 13/134,526	:	DECISION ON PETITION
Filed: June 8, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. IN/Shaw/Alande	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 8, 2011, to make the above-identified application special based on applicant's age as set forth in 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 the inventor. 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/
JoAnne Burke
Petitions Examiner
Office of Petitions

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Alexandria, VA 22313-1450
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HOLLSTEIN KEATING CATTELL JOHNSON & GOLDSTEIN P.C.
WILLOW RIDGE EXECUTIVE OFFICE PARK
SUITE 301
750 RTE 73S.
MARLTON, NJ 08053

MAILED
AUG 05 2011
OFFICE OF PETITIONS

In re Application of	:	
Lester Byerley Jr.	:	
Application No. 13/134,558	:	ON PETITION
Filed: June 11, 2011	:	
Attorney Docket No. 2395.00001	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 21, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by the applicant's attorney that the applicant is over 65 years of age and a Declaration from applicant that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This application file is being referred to the Technology Center Art Unit 3643 for further processing.

A. Kelley

Alicia Kelley
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/134,581	06/10/2011	Bryan C. Norman	Norman-001:CIP	2989

7590 12/13/2011
THE MATTHEWS FIRM
2000 BERING DRIVE
SUITE 700
HOUSTON, TX 77057

EXAMINER
DESAI, RESHA

ART UNIT	PAPER NUMBER
3625	

MAIL DATE	DELIVERY MODE
12/13/2011	PAPER

DECISION DISMISSING PETITION UNDER 37 CFR 1.138(c)

The declaration of express abandonment will not be recognized

This is in response to the petition under 37 CFR 1.138(c), for express abandonment to avoid publication of the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

1. ☑ The petition under 37 CFR 1.138(c) was not filed in sufficient time to permit the appropriate officials to recognize the abandonment and remove the application from the publication process.
2. ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
3. ☐ The Application was published in compliance with 35 U.S.C. 122(b), and it is available on the USPTO web site at http://www.uspto.gov/patft/index.html.
4. ☐ Petition fee was not paid.

The application **has/will be published** as scheduled.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Kaletus Buchanan

Patent Publication Branch
Office of Data Management

FORM PET650D (Rev. 08/07)

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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.
13/134,597	06/10/2011	Michael J. Kirby	2730-135-1	2130

22442 7590 07/14/2011
SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

ART UNIT	PAPER NUMBER
2123	

MAIL DATE	DELIVERY MODE
07/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER CO 80202

In re Application of:
KIRBY, Michael et al.
Application No. 13/134,597
Filed: June 10, 2011
For: **NONLINEAR FUNCTION APPROXIMATION OVER HIGH-DIMENSIONAL DOMAINS**

DECISION ON PETITION UNDER 37 C.F.R. § 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the petition under 37 C.F.R. § 1.84(a)(2), filed on June 10, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 5A-5D, 13A and 13B be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. § 1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. § 1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawings will be provided by the U.S. Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed with the required fee and was filed with three (3) copies of color drawings of Figures 5A-5D, 13A and 13B. Page 17, lines 9-11 of the specification contains the required notification described above.

Accordingly, the petition is **GRANTED**.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist, TC 2100

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Jenski Patent Law LLC
2880 NW Rolling Green Dr.
Corvallis, OR 97330

MAILED

AUG 04 2011

OFFICE OF PETITIONS

In re Application of
Leonard FORBES
Application No. 13/134,749
Filed: June 16, 2011
Attorney Docket No. **P10155S02**

DECISION ON PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 19, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes the certification of inventor Leonard Forbes, attesting to his age. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning either the examination or status of the application should be directed to the Technology Center at 571-272-2800.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

The application is being forwarded to the Technology Center Art Unit 2823 for action on the merits commensurate with this decision.

/Monica A. Graves/
Petitions Examiner, Office of Petitions

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RUTH EURE
4795 EDISON AVENUE
BOULDER CO 80301

MAILED
JAN 26 2012
OFFICE OF PETITIONS

In re Application of	:	
Sullivan et al.	:	DECISION ON PETITION
Application No. 13/134,882	:	TO WITHDRAW
Filed: June 20, 2011	:	FROM RECORD
Attorney Docket No. Sullivan util	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 17, 2012.

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 for Withdrawal as Attorney or Agent and Change of Correspondence Address submitted on January 17, 2012 is hereby not accepted. Petitioner has not complied with current USPTO requirements, as set forth in 37 CFR 10.40 concerning Request for Withdrawal as Attorney and Change of Correspondence Address (form PTO/SB/83). Specifically, pursuant to 37 CFR 10.40, the Office will require the practitioner(s) to certify that he, she or they have:

(1) given reasonable notice to the client, prior to the expiration of the reply period, that the practitioner(s) intends to withdraw from employment;

(2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and

(3) notified the client of any replies that may be due and the time frame within which the client must respond.

Petitioner has not complied with items (1) and (3) of the above certifications.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Doc Code: PET.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: AGE-101/US	Application Number (if known): 13/134,967	Filing date: 06-22-2011

First Named Inventor: Terry S. Robinson

Title: Advanced biologic water treatment using algae

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Thomas J. McFarlane/	Date 7/11/2011
Name (Print/Typed) Thomas J. McFarlane	Registration Number 39, 299

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.

Appl. No.:	13/134967
Conf. No.:	8577
First inventor:	Robinson, Terry S.
Filing date:	6/22/2011
Title:	Advanced Biologic Water Treatment Using Algae
TC/A.U.:	1778
Examiner:	
Docket No.:	AGE-101/US
Customer No.:	30869

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Green Technology Pilot Program

STATEMENT PROVIDING BASIS FOR THE SPECIAL STATUS

Sir:

The claims of the present application are directed to a single invention that materially enhances the quality of the environment because it provides an improved method for treating water using phototrophic algae, so that for example the wastewater discharged from industrial or municipal plants into the natural environment has very low levels of contaminants. The claimed invention thus contributes to the restoration or maintenance of one of the most basic life-sustaining natural elements, i.e., water.

Respectfully submitted,

/ Thomas J. McFarlane / Reg.No. 39,299

Thomas J. McFarlane, Reg. No. 39,299

LUMEN PATENT FIRM
350 Cambridge Ave., Suite 100
Palo Alto, CA 94306
(650) 424-0100

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/134,967	06/22/2011	Terry S. Robinson	AGE-101/US	8577

30869 7590 08/26/2011
LUMEN PATENT FIRM
350 Cambridge Avenue
Suite 100
PALO ALTO, CA 94306

EXAMINER
PRINCE, FRED G

ART UNIT	PAPER NUMBER
1778	

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):

ptomail@lumen.com

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8/26/11

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350 Cambridge Avenue
Suite 100
PALO ALTO CA 94306

In re Application of	:	
Terry S. Robinson et al.	:	DECISION ON PETITION
Application No. 13/134,967	:	TO MAKE SPECIAL UNDER
Filed: June 22, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. AGE-101/US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 11, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED
OCT 27 2011
OFFICE OF PETITIONS

KINNEY & LANGE PA
THE KINNEY & LANGE BUILDING
312 SOUTH THIRD STREET
MINNEAPOLIS MN 55415-1002

In re Application of :
Timothy S. Roman :
Application No. 13/135,027 : ON PETITION
Filed: June 23, 2011 :
Attorney Docket No. G372.12-0039 :

This is a decision on the "REQUEST FOR CORRECTED FILING RECEIPT", filed October 3, 2011, which is being treated as a petition under 37 CFR 1.10(d), to accord the above application a filing date of June 23, 2011.

The petition is **GRANTED.**

Petitioner argues that the above-identified application was filed via Express Mail mailing label No. EM 280110847 US on June 23, 2011, not June 24, 2011, the date accorded to the application by the PTO. Petitioner has supplied a copy of an Express Mail mailing label, which bears a date-in entry of June 23, 2011, and an illegible USPS date stamp.

37 CFR 1.10(d) states that any person filing correspondence under this section that was received by the Office and delivered by the "Express Mail Post Office to Addressee" service of the USPS, who can show that the "date-in" on the "Express Mail" mailing label or other official notation entered by the USPS was incorrectly entered or omitted by the USPS, may petition the Director to accord the correspondence a filing date as of the date the correspondence is shown to have been deposited with the USPS, provided that:

(1) The petition is filed promptly after the person becomes aware that the Office has accorded, or will accord, a filing date based upon an incorrect entry by the USPS;

(2) The number of the "Express Mail" mailing label was placed on the paper(s) or fee(s) that constitute the correspondence prior to the original mailing by "Express Mail"; and

(3) The petition includes a showing which establishes, to the satisfaction of the Director, that the requested filing date was the date the correspondence was deposited in the "Express Mail Post Office to Addressee" service prior to the last scheduled pickup for that day. Any showing pursuant to this paragraph must be corroborated by evidence from the USPS or that came into being after deposit and within one business day of the deposit of the correspondence in the "Express Mail Post Office to Addressee" service of the USPS. Emphasis added.

Here, the USPS date stamp appearing on the Express Mail mailing label was illegible. However, a review by the undersigned on the USPS website "Track and Confirm" function reveals that Express Mail mailing label No. EM 380110847 US was accepted by the USPS on June 23, 2011

Accordingly, it is concluded that the application was filed (i.e. deposited with the USPS as Express Mail) on June 23, 2011.

Given the basis for granting this petition, no fee was required, and none has been charged.

The application file is being forwarded to the Office of Patent Application Processing for further processing with a filing date of **June 23, 2011, not June 24, 2011.**

Telephone inquiries concerning this decision may be directed to the undersigned at (571)272-3207.

Cliff Congo
Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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CROCKETT & CROCKETT, P.C.
26020 ACERO
SUITE 200
MISSION VIEJO CA 92691

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MAR 09 2012
OFFICE OF PETITIONS

In re Application of :
Zhang et al. :
Application No. 13/135,064 : ON PETITION
Filed: 06/24/2011 :
Attorney Docket No. :
213/365US :

This is in response to the Petition to Accept Color Drawings, filed in the United States Patent and Trademark Office (USPTO) on June 24, 2011, which is treated as a petition under 37 CFR §1.84(a)(2),

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

The petition is not accompanied by an amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings: The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners state that line art drawings cannot accurately depict the inventions with the same degree of clarity to those in the art.

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2874.

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.

Jose' G. Dees
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
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PETER MARTINEZ
P.O. BOX 131313
CARLSBAD CA 92013

MAILED

SEP 30 2011

OFFICE OF PETITIONS

In re Application of	:	
Walter Franklin Guion	:	
Application No. 13/135,153	:	DECISION ON PETITION
Filed: June 27, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. VG001	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed September 16, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by an attorney on behalf of inventor Walter Franklin Guion attesting to his age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3753 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

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WOOTEN & SHADDOCK, PLC
1435 CROSSWAYS BOULEVARD
SUITE 303
CHESAPEAKE, VA 23320

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DEC 14 2011
OFFICE OF PETITIONS

In re Application of :
Frederick L. POLLI :
Application No. 13/135,183 :
Filed : June 28, 2011 :
Attorney Docket No. : 857-001 :

DECISION ON PETITION

This is in response to the petition under 37 CFR 1.102(c)(1) filed November 22, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED.**

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. 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, Frederick L. Polli, who indicates that he is more than 65 years of age. Mr. Polli has provided a copy of his Virginia Driver's License.

Telephone inquiries concerning this decision should be directed to Joanne Hama at 571-272-2911 or in her absence, the undersigned at 571-272-7099.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 12 2011

OFFICE OF PETITIONS

Lempia Summerfield Katz LLC/Navteq
One North LaSalle Street
Chicago IL 60602

In re Application of	:
Wei-Yeh Lee	: DECISION ACCORDING STATUS
Application No. 13/135,216	: UNDER 37 CFR 1.47(b)
Filed: 06/29/2011	:
Attorney Docket Number: N0397US	:

This is in response to the petition under 37 CFR 1.47(b) filed on November 18, 2011.

The petition is **GRANTED**.

Petitioner, Rule 1.47(b) applicant NAVTEQ North America, LLC ("NAVTEQ") has shown, via the statement of Vice President and Chief Intellectual Property Counsel, Frank J. Kozak ("Kozak"), that a copy of the application was sent to the non-signing inventor's last known address on two occasions. Furthermore, Kozak discussed the inventor's signing the application papers during a phone call with the non-signing inventor's attorney after the application papers had been sent. Furthermore, Kozak stated that he called the non-signing inventor prior to mailing the application papers, and the inventor orally refused to sign. The inventor has not executed and returned the declaration.

Additionally, an oath or declaration in compliance with 37 CFR 1.63, signed on behalf of the non-signing inventor by Kozak, has been provided. Petitioners have shown that the Rule 1.47 applicant has a proprietary interest by way of the PROPRIETARY INFORMATION AND INVENTIONS AGREEMENT filed with the subject petition. Lastly, a statement has been provided that the filing of the subject petition is necessary to prevent irreparable damage.

Accordingly, the showing is that the inventor has refused by conduct to sign the declaration after having been presented with a copy of the application papers.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the *Official Gazette*.

The application is being referred to the Office of Patent Application Processing for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3231.

DWood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
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DEC 12 2011

OFFICE OF PETITIONS

Wei-Yeh Lee
200 E. 87th Av #19D
New York NY 10128

In re Application of
Wei-Yeh Lee
Application No. 13/135,216
Filed: Jun. 29, 2011
For: FACILITATION OF USER MANAGEMENT OF UNSOLICITED SERVER OPERATIONS VIA MODIFICATION THEREOF

Dear Mr. Lee:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As the named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Lempia Summerfield Katz LLC/Navteq
One North LaSalle Street
Chicago IL 60602

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NAVTEQ NORTH AMERICA, LLC
425 West RANDOLPH STREET
SUITE 1200, PATENT DEPT
CHICAGO, IL 60606

MAILED

DEC 14 2011

OFFICE OF PETITIONS

In re Application of	:	
Wei-Yeh Lee	:	DECISION GRANTING STATUS
Application No. 13/135,240	:	UNDER 37 CFR 1.47(b)
Filed: June 29, 2011	:	
Attorney Docket No. N0395US	:	

This is in response to the petition under 37 CFR 1.47(b), filed November 18, 2011.

The petition is **GRANTED**.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application file is being referred to the Office of Patent Application Processing for processing in accordance with this decision.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
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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DEC 14 2011

OFFICE OF PETITIONS

Wei-Yeh Lee
200 E. 87th Ave., #19D
New York, NY 10128

In re Application of
Wei-Yeh Lee
Application No. 13/135,240
Filed: June 29, 2011
For: FACILITATION OF USER MANAGEMENT OF UNSOLICITED SERVER OPERATIONS

Dear Mr. Lee:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3226. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Andrea Smith
Petitions Examiner
Office of Petitions

cc: NAVTEQ NORTH AMERICA, LLC
425 West RANDOLPH STREET
SUITE 1200, PATENT DEPT
CHICAGO, IL 60606

UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 12 2011

OFFICE OF PETITIONS

Lempia Summerfield Katz LLC/Navteq
One North LaSalle Street
Chicago IL 60602

In re Application of	:
Wei-Yeh Lee	: DECISION ACCORDING STATUS
Application No. 13/135,243	: UNDER 37 CFR 1.47(b)
Filed: 06/29/2011	:
Attorney Docket Number: N0398US	:

This is in response to the petition under 37 CFR 1.47(b) filed on November 18, 2011.

The petition is **GRANTED**.

Petitioner, Rule 1.47(b) applicant NAVTEQ North America, LLC ("NAVTEQ") has shown, via the statement of Vice President and Chief Intellectual Property Counsel, Frank J. Kozak ("Kozak"), that a copy of the application was sent to the non-signing inventor's last known address on two occasions. Furthermore, Kozak discussed the inventor's signing the application papers during a phone call with the non-signing inventor's attorney after the application papers had been sent. Furthermore, Kozak stated that he called the non-signing inventor prior to mailing the application papers, and the inventor orally refused to sign. The inventor has not executed and returned the declaration.

Additionally, an oath or declaration in compliance with 37 CFR 1.63, signed on behalf of the non-signing inventor by Kozak, has been provided. Petitioners have shown that the Rule 1.47 applicant has a proprietary interest by way of the PROPRIETARY INFORMATION AND INVENTIONS AGREEMENT filed with the subject petition. Lastly, a statement has been provided that the filing of the subject petition is necessary to prevent irreparable damage.

Accordingly, the showing is that the inventor has refused by conduct to sign the declaration after having been presented with a copy of the application papers.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the *Official Gazette*.

The application is being referred to the Office of Patent Application Processing for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3231.

DWood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 12 2011

OFFICE OF PETITIONS

Wei-Yeh Lee
200 E. 87th Av #19D
New York NY 10128

In re Application of
Wei-Yeh Lee
Application No. 13/135,243
Filed: Jun. 29, 2011
For: FACIILITATION OF USER MANAGEMENT OF UNSOLICITED SERVER OPERATIONS AND EXTENSIONS THERETO

Dear Mr. Lee:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As the named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

DWood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Lempia Summerfield Katz LLC/Navteq
One North LaSalle Street
Chicago IL 60602

UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 12 2011

OFFICE OF PETITIONS

Lempia Summerfield Katz LLC/Navteq
One North LaSalle Street
Chicago IL 60602

In re Application of	:
Wei-Yeh Lee	: DECISION ACCORDING STATUS
Application No. 13/135,249	: UNDER 37 CFR 1.47(b)
Filed: 06/29/2011	:
Attorney Docket Number: N0396US	:

This is in response to the petition under 37 CFR 1.47(b) filed on November 18, 2011.

The petition is **GRANTED**.

Petitioner, Rule 1.47(b) applicant NAVTEQ North America, LLC ("NAVTEQ") has shown, via the statement of Vice President and Chief Intellectual Property Counsel, Frank J. Kozak ("Kozak"), that a copy of the application was sent to the non-signing inventor's last known address on two occasions. Furthermore, Kozak discussed the inventor's signing the application papers during a phone call with the non-signing inventor's attorney after the application papers had been sent. Furthermore, Kozak stated that he called the non-signing inventor prior to mailing the application papers, and the inventor orally refused to sign. The inventor has not executed and returned the declaration.

Additionally, an oath or declaration in compliance with 37 CFR 1.63, signed on behalf of the non-signing inventor by Kozak, has been provided. Petitioners have shown that the Rule 1.47 applicant has a proprietary interest by way of the PROPRIETARY INFORMATION AND INVENTIONS AGREEMENT filed with the subject petition. Lastly, a statement has been provided that the filing of the subject petition is necessary to prevent irreparable damage.

Accordingly, the showing is that the inventor has refused by conduct to sign the declaration after having been presented with a copy of the application papers.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the *Official Gazette*.

The application is being referred to the Office of Patent Application Processing for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3231.

DWood

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

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DEC 12 2011

OFFICE OF PETITIONS

Wei-Yeh Lee
200 E. 87th Av #19D
New York NY 10128

In re Application of
Wei-Yeh Lee
Application No. 13/135,249
Filed: Jun. 29, 2011
For: USER INTERFACE FOR USER MANAGEMENT AND CONTROL OF UNSOLICITED SERVER OPERATIONS

Dear Mr. Lee:

You are named as the sole inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as the sole inventor.

As the named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at 571/272-3231. Requests for information regarding your application should be directed to the File Information Unit at 571-272-3150. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 571-272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Lempia Summerfield Katz LLC/Navteq
One North LaSalle Street
Chicago IL 60602

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KENYON & KENYON LLP
ONE BROADWAY
NEW YORK NY 10004

MAILED
FEB 10 2012
OFFICE OF PETITIONS

In re Application of
Tsutomu UZAWA
Application No.: 13/135,259
Filed: June 29, 2011
Attorney Docket No.: 13940/10
For: OBJECTIVE LENS AND ENDOSCOPE APPARATUS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed September 27 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim;
2. Applicant must submit a copy of:
    a. The allowable/patentable claim(s) from the JPO application(s);

   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to 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

PTO/SB/20JP (07-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/135,259	Filing Date:	June 29, 2011
First Named Inventor:	Tsutomu Uzawa		
Attorney Docket No.:	13940/10		
Title of the Invention:	Objective Lens and Endoscope Apparatus		

THIS REQUEST FOR PARTICIPATION IN THE PPH PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PPH PROGRAM.

The above-identified application and the corresponding JPO application(s) have the same priority/filing date. If JPO is not the office of first filing (OFF), identify the OFF and the OFF application no.

The JPO application number(s) is/are: 2011-526738 (JPO application 2011-526738 that contains the allowable/patentable claims, claims internal priority to JPO applications 2009-277845 and JPO 2010-205897, which is the priority applications claimed in the U.S. application)

The filing date of the JPO application(s) is/are: November 17, 2010

I. List of Required Documents:

a. **A copy of the latest JPO office actions (other than "Decision to Grant a Patent"*) in the above-identified JPO application(s)**

☐ Is attached.

☑ Is not attached because the JPO application was allowed in a first office action.

*It is not necessary to submit a copy of the "Decision to Grant a Patent" and an English translation thereof.

b. **A copy of all claims which were determined to be patentable by the JPO in the above-identified JPO application(s)**

☑ Is attached.

c. **English translations of the documents in a. and b. above along with a statement that the English translations are accurate are attached (if the documents are not in the English language). An accuracy statement for the English translation of the documents in a. above is not required if the English translation is a machine translation provided by the JPO.**

d. **(1) An information disclosure statement listing the documents cited in the JPO office actions**

☐ Is attached.

☑ Has already been filed in the above-identified U.S. application on June 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 June 29, 2011

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT PROSECUTION HIGHWAY (PPH) BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

(continued)

Application No.:	13/135,259
First Named Inventor:	Tsutomu Uzawa

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in JPO Application	Explanation regarding the correspondence
1	1	the claims are the same
2	2	the claims are the same
3	3	the claims are the same
4	4	the claims are the same
5	5	the claims are the same

III. All the claims in the US application sufficiently correspond to the patentable/allowable claims in the JPO application.

Signature /Richard M. Rosati/	Date September 27, 2011
Name (Print/Typed) Richard M. Rosati	Registration Number 31,792

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	Application Number (if known):	Filing date:

First Named Inventor: LEIF LEVON

Title: LIGHT CAPTURING GENERATOR AND DISTRIBUTOR

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 06/27/2011
Name (Print/Typed) Leif Levon	Registration Number

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☑ *Total of 8 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/135,284	07/01/2011	Leif Eric Tobias Levon		3908

7590 09/30/2011

Mr. Leif Levon
Almvagen 7, 5TR
Alta, Stockholm, 13830
SWEDEN

EXAMINER

ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
09/30/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Mr. Leif Levon
Almvagen 7, 5TR
Alta, Stockholm 13830 SE SWEDEN

In re Application of	:	
Leif LEVON	:	DECISION ON PETITION
Application No. 13/135284	:	TO MAKE SPECIAL UNDER
Filed: July 1, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. N/A	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 1, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks items 2-4 and 6.

In regard to item 2, the application contains many multiple dependent claims.

In regard to item 3, applicant has failed to provide a statement of the basis for seeking special status.

In regard to item 4, it is not readily apparent how the claimed method would meet any of the materiality standards.

In regard to item 6, the petition to make special was not filed electronically.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action in its regular turn.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13135292	Confirmation Number	2491	Filing Date	2011-06-30
Attorney Docket Number (optional)	110309 Abrams Conver	Art Unit	3771	Examiner	To be assigned
First Named Inventor	Robert Abrams				
Title of Invention	ENHANCED SEMI-AUTOMATIC EMERGENCY MEDICATION DOSE NEBULIZER				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Robert		Abrams	

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	/Alfred M. Walker/	Date (YYYY-MM-DD)	2011-07-18
Name	Alfred M. Walker	Registration Number	29983

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Robert Abrams

Application No. 13135292

Filed: June 30,2011

Attorney Docket No. 110309 Abrams Convergent

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 18-JUL-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Dr. Seymour C. Yuter
407 Cedar Dr. W.
Briarcliff Manor NY 10510

MAILED

JUL 22 2011

OFFICE OF PETITIONS

In re Application of	:	
Seymour C. Yuter	:	
Application No. 13/135,307	:	DECISION ON PETITION
Filed: June 30, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **SY-120C**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed June 30, 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 the inventor. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at
571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center AU 3634 for action on the merits commensurate with this decision.

/JoAnne Burke/
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

Hector M. Reyes Rivera
Hato Rey Station
PO Box 190086
San Juan PR 00919

MAILED
FEB 21 2012
OFFICE OF PETITIONS

In re Application of	:	
DEL PINO GARCIA et al.	:	
Application No. 13/135,485	:	DECISION ON PETITION
Filed: 07/07/2011	:	
Attorney Docket No. HMRR-04-2011	:	

This is a decision on the petition under 37 CFR 1.182, filed November 30, 2011, requesting correction of inventor's name.

Applicants request the correction of the name of the second named inventor from "Pedro Quiles Rodriguez" to - - Pedro Quiles Pérez - -.

The petition is **GRANTED**.

The Office records have been updated to reflect the correction of the inventor's name as noted above. A corrected filing receipt accompanies this decision.

This matter is being referred to Technology Center Art Unit for 3635.

Inquiries regarding this decision may be directed to the undersigned at (571) 272-3211.

/Christina Tartera Donnell/

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Enclosure: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/135,485	07/07/2011	3635	655	HMRR-04-2011	20	4

CONFIRMATION NO. 6386

CORRECTED FILING RECEIPT

Hector M. Reyes Rivera
Hato Rey Station
PO Box 190086
San Juan, PR 00919

OC000000052693167

Date Mailed: 02/21/2012

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)

Pedro Del Pino Garcia, Caguas, PR;
Pedro Quiles Pérez, Carolina, PR;

Power of Attorney:
Hector Reyes-Rivera--54846

Domestic Priority data as claimed by applicant

This application is a CIP of 12/633,416 12/08/2009

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.)

If Required, Foreign Filing License Granted: 07/25/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/135,485**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****

Title

Holding units for stay in place molds

Preliminary Class

052

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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YEN TUAN
11643 NE 102 PL
KIRKLAND WA 98033

MAILED
DEC 15 2011
OFFICE OF PETITIONS

In re Application of	:	
TUAN, Yen	:	
Application No. 13/135,518	:	DECISION ON PETITION
Filed: July 08, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 000	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 10, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by Yen Tuan attesting that he is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-4231.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3741 for action on the merits commensurate with this decision.

/Michelle R. Eason/
Michelle R. Eason
Paralegal Specialist
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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In re Application of
Steven S. Schuver

Application No. 13135715

Filed: July 13,2011

Attorney Docket No. 24035-020

: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-AUG-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/135,715	Confirmation Number	5113	Filing Date	2011-07-13
Attorney Docket Number (optional)	24035-020	Art Unit	3693	Examiner	
First Named Inventor	Steven S. Schuver				
Title of Invention	SYSTEM AND METHOD FOR DETERMINING A PREMIUM FOR INSURANCE FOR A SECURITY				

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
Thomas	L.	Bakos	

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 h. chervitz/	Date (YYYY-MM-DD)	2011-08-17
Name	David H. Chervitz	Registration Number	32,82

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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OFFICE OF PETITIONS

BRACEWELL & GIULIANI LLP
P.O. BOX 61389
HOUSTON TX 77208-1389

In re Application of	:	
Stephen T.C. Wong et al	:	
Application No. 13/135,737	:	DECISION ON PETITION
Filed: July 14, 2011	:	TO WITHDRAW
Attorney Docket No. 058001.105029	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed March 15, 2012.

The request is **APPROVED**.

The request was signed by Constance G. Rhebergen on behalf of the practitioners of record associated with Customer Number 35979.

Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to inventor Stephen T.C. Wong at the address indicated below.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Stephen T.C. Wong
6565 Fannin Street, MS D200
Houston TX 77030

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United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/135,737	07/14/2011	Stephen T.C. Wong	058001.105029

CONFIRMATION NO. 3389

POWER OF ATTORNEY NOTICE

35979
Bracewell & Giuliani LLP
P.O. Box 61389
Houston, TX 77208-1389

OC000000053475134

Date Mailed: 04/02/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/15/2012.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

/idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101 .

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/135,737	07/14/2011	Stephen T.C. Wong	058001.105029

CONFIRMATION NO. 3389

POA ACCEPTANCE LETTER

Stephen T.C. Wong
6565 Fannin Street, MS D200
Houston, TX 77030

OC000000053475135

Date Mailed: 04/02/2012

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/15/2012.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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Yen Tuan
11643 NE 102 PL
Kirkland WA 98033

MAILED
DEC 05 2011
OFFICE OF PETITIONS

In re Application of
Yen Tuan
Application No. 13/135,875
Filed: October 7, 2011
Attorney Docket No. 24584US01

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 10, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by inventor Yen Tuan, attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

The application is being forwarded to Technology Center 2832 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

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Michael Shariff
Inventa Capital PLC
1010 Parkway Trail
Bloomfield Hills MI 48302

MAILED

MAR 06 2012

OFFICE OF PETITIONS

In re Application of:
HANINI, et al.
Application No.: 13/136,233
Filing Date: July 27, 2011
Attorney Docket No.: 060250.0001

DECISION ON PETITION
TO MAKE SPECIAL UNDER
37 CFR 1.102(c)(1)

This is a decision on the petition to make special under 37 CFR 1.102(c)(1), filed February 10, 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, Jamal Hanini, 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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Alexandria, VA 22313-1450
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John R. Mullinix
P.O. Box 855
Harrisburg, IL 62946

MAILED

NOV 04 2011

OFFICE OF PETITIONS

In re Application of	:
John R. Mullinix	:
Application No. 13/136,270	:DECISION ON PETITION
Filed: July 28, 2011	:TO MAKE SPECIAL UNDER
Attorney Docket No. N/A	: 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 18, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the sole inventor that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

This application file is being referred to Technology Center Art Unit 3748 for examination in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the processing of the application should be addressed to the Office of Patent Application Processing at (571) 272-4000.

Andrea Smith
Petitions Examiner
Office of Petitions

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MAILED
AUG 11 2011
OFFICE OF PETITIONS

DR. SEYMOUR C. YUTER
407 CEDAR DRIVE W.
BRIARCLIFF MANOR, NEW YORK 10570

In re Application of Seymour C. Yuter Application No. 13/136,286 Effective Date: July 28, 2011 Attorney Docket No. None	: : : : :	ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 28, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement by the applicant that he is more than 65 years of age and is also accompanied by a copy of applicant's passport. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059.

This application file is being referred to the Office of Patent Application Processing (OPAP) for further pre-examination processing.

/A. Kelley-Collier/
Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
NOV 07 2011
OFFICE OF PETITIONS

TED M. ANTHONY
BABINEAUX, POCHE, ANTHONY & SLAVICH, L.L.C
P.O. DRAWER 52169
LAFAYETTE LA 70505-2169

In re Application of :
David J. RUTTLEY et al. : ON PETITION
Application No. 13/136,339 :
Filed: July 29, 2011 :
Atty. Docket No.: 5153.2151

This is a decision on the petition filed October 17, 2011, which is being treated under 37 CFR 1.47(a).

The petition is **GRANTED.**

A grantable petition under 37 CFR 1.47(a) requires:

(1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims, and drawings);
(2) an acceptable oath or declaration in compliance with 35 U.S.C. §§115 and 116;
(3) the petition fee; and
(4) a statement of the last known address of the non-signing inventor.

Petitioner has shown that the non-signing inventor Charles Larue Bryant, Jr. refuses to sing the oath or declaration after having been presented with the application papers (specification, claims, and drawings). The application and papers have been received and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 47 status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in that petition. Notice of the filing of this application will be published in the Official Gazette.

Telephone inquiries relating to this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427).

The application will be referred to Office of Patent Application Processing for further processing.

Ramesh Krishnamurthy

for Anthony Knight
Director
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

NOV 07 2011

OFFICE OF PETITIONS

Charles Larue Bryant, Jr.
1131 Peters Road
Harvey, Louisiana 70058

In re Application of
David Jr. Ruttley and Charles Larue Bryant, Jr.
Application No. 13/136,339
Filed: July 29, 2011
For: METHOD AND APPARATUS FOR CUTTING AND REMOVING PIPE FROM A WELL

Dear Mr. Bryant:

You are named as joint inventor in the above-identified United States patent application, filed under the provisions of 35 USC 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application, you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Robert DeWitty at (571) 272-8427. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

for Rajesh Krishnamurthy
Anthony Knight
Director
Office of Petitions

cc: TED M. ANTHONY
BABINEAUX, POCHE, ANTHONY & SLAVICH, L.L.C
P.O. DRAWER 52169
LAFAYETTE LA 70505-2169

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CHEMIMAGE CORPORATION
7301 PENN AVENUE
PITTSBURGH PA 15208

MAILED
FEB 15 2012
OFFICE OF PETITIONS

In re Application of	:	
Stewart et al.	:	
Application No. 13/136,366	:	ON PETITION
Filed: 07/29/2011	:	
Attorney Docket Number:	:	
CIM 071 US CON CIP 1	:	

This is in response to the PETITION UNDER 37 C.F.R. §1.84 TO ACCEPT COLOR DRAWINGS IN A UTILITY PATENT APPLICATION, filed in the United States Patent and Trademark Office (USPTO) on July 29, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

> The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

The petition is not accompanied by 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.

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 images are necessary in the instant application to clearly identify and distinguish between various features of the tissue and to clearly point out regions of interest of the sample.

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As color drawings or photographs are not necessary for an understanding of the invention sought to be patented, the petition is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 1631.

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

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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ABRAM FAINBERG
7 ROGER WILLIAMS GREEN
PROVIDENCE, RI 02904

MAILED
AUG 15 2011
OFFICE OF PETITIONS

In re Application of	:	
Abram FAINBERG	:	
Application No. 13/136,399	:	DECISION ON PETITION
Filed: August 1, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No.	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 1, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes the certificate of naturalization of inventor Abram FAINBERG, attesting to his age. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning either the examination or status of the application should be directed to the Technology Center at 571-272-3700.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

The application is being forwarded to the Technology Center Art Unit 3751 for action on the merits commensurate with this decision.

/Monica A. Graves/
Petitions Examiner, Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 15807.0081FPU1	Application Number (if known): Unknown	Filing date: 2011-08-01

First Named Inventor: Fernando FISCHMANN T.

Title: SUSTAINABLE METHOD AND SYSTEM FOR TREATING WATER BODIES AFFECTED BY BACTERIA AND MICROALGAE AT LOW COST

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 2011-08-01
Name (Print/Typed) Eric E. DeMaster	Registration Number 55,107

***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).

S/N Unknown PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fernando Benjamin FISCHMANN T.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket No.:	15807.0081FPU1
Title:	SUSTAINABLE METHOD AND SYSTEM FOR TREATING WATER BODIES AFFECTED BY BACTERIA AND MICROALGAE AT LOW COST		

CERTIFICATE UNDER 37 CFR 1.10:
"Express Mail" mailing label number: EV 622374213 US
Date of Deposit: 1 August 2011

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: Amy C Matz
Name: Angie Matz

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBIILTY REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is filed pursuant to the requirements listed in PTO/SB/420, filed herewith, and pursuant to the requirements of 74 Fed. Reg. 64,666 (December 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010) and 75 Fed. Reg. 69049 (November 10, 2010), and MPEP § 708.02(V).

One basis for special status of the application filed herewith is that the invention materially contributes to energy conservation. The invention also materially enhances the quality of the environment by contributing to the restoration or maintenance of basic life-sustaining natural elements, such as water. Swimming pools depend on large amounts of chemicals to maintain a chlorine buffer in order to neutralize the contamination entering the water body and a centralized filtration system that filters the whole volume of water, usually from 1 to 6 times per

day. Thus, traditional swimming pool technology has high operational and maintenance costs due to the high disinfectant concentrations that have to be continuously maintained and the required centralized filtration system.

The present invention provides a sustainable method and system for treating and maintaining large bodies of water for recreational use without the need to maintain a permanent chlorine buffer as in a conventional swimming pool. The method and system of the invention uses significantly less chemicals and energy compared to conventional swimming pool filtration systems and provides low cost, high quality water suitable for contact with bathers. The method and system of the invention utilizes an artificial container or lagoon configured with a mobile suction means, chemical application means, filtrations means, and coordination means that timely activates the necessary processes (e.g. mobile suction means, chemical application means, and/or filtration means) to adjust the parameters of the water within specific limits to remove suspended solids, metals, algae, bacteria, and other items from the water using reduced amounts of chemicals and without the need of filtering the totality of the water volume. Only a small fraction of the total volume of the water is filtered, up to 200 times less than the flow filtered by conventional swimming pool filtration systems. Since a traditional centralized filtration unit is not employed, energy consumption and equipment costs may be up to 50 times less in the present invention than in traditionally configured swimming pool filtration systems.

The method and system of the invention also eliminates the chlorine buffer used in conventional swimming pool filtration systems. The system is capable of adjusting the amount and dosing of chemicals in response to environmental factors, such as water temperature, reducing the amount of chemicals by up to 100 times compared to traditional treatments of swimming pools. Advantages associated with decreasing the amount of chemicals include reduced operation costs and a reduction on the production of toxic disinfection by products (DBPs) that may be harmful to the environment and bathers. Elimination of the need to maintain a permanent chlorine buffer and the elimination of the need to filter the totality of the water volume breaks the size barrier of conventional swimming pools, providing for ecologic pools of very large dimensions, similar to high clarity lakes, that have high water quality associated with conventional swimming pools. The ecologic pools of the invention are not economically feasible using conventional swimming pool filtration technologies.

Applicant respectfully requests the granting of a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program and the application be accorded special status under the Green Technology Pilot Program.

23552
PATENT TRADEMARK OFFICE

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: 1 August 2011

By _____
Eric E. DeMaster
Reg. No. 55,107

EED/cjm

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.
13/136,458	08/01/2011	Fernando Banjamin Fischmann T.	15807.0081FPU1	7142

23552 7590 11/03/2011
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

ART UNIT	PAPER NUMBER
1778	

MAIL DATE	DELIVERY MODE
11/03/2011	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

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

11/3/11

In re Application of	:	
Fischmann	:	DECISION ON PETITION
Application No. 13/136,458	:	TO MAKE SPECIAL UNDER
Filed: 8/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **15807.0081FPU1**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/1/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

As set forth at numeral 8 above, the petition to make special must be accompanied by a request for early publication and the publication fee set forth in 37 CFR 1.18(d). Petitioner's deposit account has been charged the $300 early publication fee in accordance with this notice.

The petition lacks item(s) 6.

In regard to item 6, petitioner should note that the instant petition to make special was not filed electronically. Thus it is dismissed for not complying with the Notice.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

S/N 13/136,458 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FISCHMANN T.	Examiner:	Not Yet Assigned
Serial No.:	13/136,458	Group Art Unit:	1778
Filed:	1 August 2011	Docket No.:	15807.0081FPU1
Due Date:	3 December 2011	Confirmation No:	7142
Title:	SUSTAINABLE METHOD AND SYSTEM FOR TREATING WATER BODIES AFFECTED BY BACTERIA AND MICROALGAE AT LOW COST		

This paper is being filed electronically with the U.S. Patent Office

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Notice mailed 3 November 2011, Applicants are herewith electronically resubmitting the Petition to Make Special Under the Green Technology Program originally filed on 1 August 2011. According to the Notice, the only defect in the petition is the failure to file electronically. Applicants were unable to file the petition electronically because the Electronic Filing System (EFS) was experiencing technical difficulties and intermittent outages on 1 August 2011. Due to the EFS outage, Applicants had to submit the petition by mail.

Per the telephone conversation on 10 November 2011 with Quality Assurance Specialist Tom Dunn of the Patent Office and Applicants' representative Eric DeMaster (Reg. No. 55,107), Applicants are resubmitting their original petition electronically with the present Request for Reconsideration. Enclosed please find a copy of the petition as originally filed. Applicants respectfully request that the Petition to Make Special Under the Green Technology Program filed on 1 August 2011 be accepted.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney of record, Eric E. DeMaster (Reg. No. 55,107), at (612) 336-4621.

Respectfully submitted,

23552
PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: 11 November 2011

By _____
Eric E. DeMaster
Reg. No. 55,107

EED/cjm

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: 15807.0081FPU1	Application Number (if known): Unknown	Filing date: 2011-08-01

First Named Inventor: Fernando FISCHMANN T.

Title: SUSTAINABLE METHOD AND SYSTEM FOR TREATING WATER BODIES AFFECTED BY BACTERIA AND MICROALGAE AT LOW COST

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 E. DeMaster	Date 2011-08-01
Name (Print/Typed) Eric E. DeMaster	Registration Number 55,107

***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).

S/N Unknown

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fernando Benjamin FISCHMANN T.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket No.:	15807.0081FPU1
Title:	SUSTAINABLE METHOD AND SYSTEM FOR TREATING WATER BODIES AFFECTED BY BACTERIA AND MICROALGAE AT LOW COST		

This paper is being filed electronically with the U.S. Patent Office

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBIILTY REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is filed pursuant to the requirements listed in PTO/SB/420, filed herewith, and pursuant to the requirements of 74 Fed. Reg. 64,666 (December 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010) and 75 Fed. Reg. 69049 (November 10, 2010), and MPEP § 708.02(V).

One basis for special status of the application filed herewith is that the invention materially contributes to energy conservation. The invention also materially enhances the quality of the environment by contributing to the restoration or maintenance of basic life-sustaining natural elements, such as water. Swimming pools depend on large amounts of chemicals to maintain a chlorine buffer in order to neutralize the contamination entering the water body and a centralized filtration system that filters the whole volume of water, usually from 1 to 6 times per day. Thus, traditional swimming pool technology has high operational and maintenance costs due to the high disinfectant concentrations that have to be continuously maintained and the required centralized filtration system.

The present invention provides a sustainable method and system for treating and maintaining large bodies of water for recreational use without the need to maintain a permanent chlorine buffer as in a conventional swimming pool. The method and system of the invention uses significantly less chemicals and energy compared to conventional swimming pool filtration systems and provides low cost, high quality water suitable for contact with bathers. The method and system of the invention utilizes an artificial container or lagoon configured with a mobile

suction means, chemical application means, filtrations means, and coordination means that timely activates the necessary processes (e.g. mobile suction means, chemical application means, and/or filtration means) to adjust the parameters of the water within specific limits to remove suspended solids, metals, algae, bacteria, and other items from the water using reduced amounts of chemicals and without the need of filtering the totality of the water volume. Only a small fraction of the total volume of the water is filtered, up to 200 times less than the flow filtered by conventional swimming pool filtration systems. Since a traditional centralized filtration unit is not employed, energy consumption and equipment costs may be up to 50 times less in the present invention than in traditionally configured swimming pool filtration systems.

The method and system of the invention also eliminates the chlorine buffer used in conventional swimming pool filtration systems. The system is capable of adjusting the amount and dosing of chemicals in response to environmental factors, such as water temperature, reducing the amount of chemicals by up to 100 times compared to traditional treatments of swimming pools. Advantages associated with decreasing the amount of chemicals include reduced operation costs and a reduction on the production of toxic disinfection by products (DBPs) that may be harmful to the environment and bathers. Elimination of the need to maintain a permanent chlorine buffer and the elimination of the need to filter the totality of the water volume breaks the size barrier of conventional swimming pools, providing for ecologic pools of very large dimensions, similar to high clarity lakes, that have high water quality associated with conventional swimming pools. The ecologic pools of the invention are not economically feasible using conventional swimming pool filtration technologies.

Applicant respectfully requests the granting of a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program and the application be accorded special status under the Green Technology Pilot Program.

Respectfully submitted,

23552
PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: 1 August 2011

By _____
Eric E. DeMaster
Reg. No. 55,107

EED/cjm

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.
13/136,458	08/01/2011	Fernando Banjamin Fischmann T.	15807.0081FPU1	7142

23552 7590 12/05/2011
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

ART UNIT	PAPER NUMBER
1778	

MAIL DATE	DELIVERY MODE
12/05/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

12/5/2011

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

In re Application of	:	
Fischmann	:	DECISION ON PETITION
Application No. 13/136,458	:	TO MAKE SPECIAL UNDER
Filed: 8/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **15807.0081FPU1**	:	PILOT PROGRAM

This is a decision on the request for reconsideration under 37 CFR 1.102, filed 11/11/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 15807.0080FPU1	Application Number (if known): Unknown	Filing date: 2011-08-01

First Named Inventor: Fernando FISCHMANN T.

Title: METHOD AND SYSTEM FOR TREATING WATER USED FOR INDUSTRIAL PURPOSES

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 E. DeMaster	Date 2011-08-01
Name (Print/Typed) Eric E. DeMaster	Registration Number 55,107

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).

S/N Unknown PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fernando Benjamin FISCHMANN T.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket No.:	15807.0080FPU1
Title:	METHOD AND SYSTEM FOR TREATING WATER USED FOR INDUSTRIAL PURPOSES		

CERTIFICATE UNDER 37 CFR 1.10:
"Express Mail" mailing label number: EV 622374200 US
Date of Deposit: 1 August 2011

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By: _____
Name: Angie Matz

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBIILTY REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is filed pursuant to the requirements listed in PTO/SB/420, filed herewith, and pursuant to the requirements of 74 Fed. Reg. 64,666 (December 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010) and 75 Fed. Reg. 69049 (November 10, 2010), and MPEP § 708.02(V).

One basis for special status of the application filed herewith is that the invention materially contributes to energy conservation. The invention relates to a method and system for treating water that reduces the costs and energy requirements for producing potable water. Increasingly scarce freshwater resources have created a worldwide supply problem. Reverse osmosis desalination is a promising technology for addressing the increasing scarcity of freshwater resources that utilizes a water pretreatment stage and desalination stage. However, it is estimated that 51% of membranes utilized in reverse osmosis desalination fail due to poor

pretreatment of the water resulting in the membranes become clogged with organic matter, colloids, algae, and microorganisms from the feed water. Current pretreatment steps include filtration of the feed water with sand filters or more sophisticated filtration steps, such as microfiltration, ultrafiltration, or nanofiltration, resulting in increased energy requirements and costs of the desalination process.

The method and system of the invention utilizes an artificial container or lagoon configured with a mobile suction means, chemical application means, filtrations means, and coordination means that timely activates the necessary processes (e.g. mobiles suction means, chemical application means, and/or filtration means) to adjust the parameters of the water within specific limits to remove suspended solids, metals, algae, bacteria, and other items from the water using reduced amounts of chemicals and without the need of filtering the totality of the water volume. Only a small fraction of the total volume of the water is filtered, up to 200 times less than the flow filtered by conventional water treatment filtration systems. The invention therefore provides a low cost method and system that uses significantly less chemicals and energy compared to conventional water filtration systems and provides low cost, high quality water (comparable to swimming pool water) that contains significantly reduced amounts of organic matter making the treated water highly suitable, for example, as feed water in reverse osmosis desalination processes.

Another basis for special status of the application filed herewith is that the invention materially enhances the quality of the environment by contributing to the restoration or maintenance of basic life-sustaining natural elements, such as water. The drinking water industry often relies on reservoirs to store water for future use. The quality of water stored in these reservoirs for extended periods of time deteriorates as microorganisms and algae proliferate in the water, making the water unsuitable for human consumption. The water must therefore be processed in a potable water treatment plant prior to human consumption. In the water treatment plant, chlorine and other chemicals are added to purify the water. Reaction of chlorine with organic compounds in the water can produce several toxic by products or disinfection by products (DBPs), such as trihalomethanes which have been found to be carcinogenic.

As discussed above, the method and system of the invention provides high quality water (comparable to swimming pool water) at low costs using reduced amounts of chemicals and without the need of filtering the totality of the water volume. Water treated according to the method and system of the invention is suitable for consumption without further treatment in a potable water treatment plant, thereby reducing the energy usage and operating costs associated with further treatment of the water. The method and system of the invention minimizes the generation of toxic DBPs produced by potable water treatment plants, has reduced energy requirements, operating costs, and capital costs compared to a potable water treatment plant, and a reduced environmental impact and footprint compared to a potable water treatment plant.

Applicant respectfully requests the granting of a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program and the application be accorded special status under the Green Technology Pilot Program.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

23552
PATENT TRADEMARK OFFICE

Dated: 1 August 2011

By _____
Eric E. DeMaster
Reg. No. 55,107

EED/cjm

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.
13/136,474	08/01/2011	Fernando Fischmann T.	15807.0080FPU1	7151

23552 7590 11/03/2011
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

ART UNIT	PAPER NUMBER
1778	

MAIL DATE	DELIVERY MODE
11/03/2011	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

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

11/3/11

In re Application of	:	
Fischmann	:	DECISION ON PETITION
Application No. 13/136,474	:	TO MAKE SPECIAL UNDER
Filed: 8/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **15807.0080FPU1**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/1/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

As set forth at numeral 8 above, the petition to make special must be accompanied by a request for early publication and the publication fee set forth in 37 CFR 1.18(d). Petitioner's deposit account has been charged the $300 early publication fee in accordance with this notice.

The petition lacks item(s) 6.

In regard to item 6, petitioner should note that the instant petition to make special was not filed electronically. Thus it is dismissed for not complying with the Notice.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 15807.0080FPU1	Application Number (if known): Unknown	Filing date: 2011-08-01

First Named Inventor: Fernando FISCHMANN T.

Title: METHOD AND SYSTEM FOR TREATING WATER USED FOR INDUSTRIAL PURPOSES

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 E. DeMaster	Date 2011-08-01
Name (Print/Typed) Eric E. DeMaster	Registration Number 55,107

***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.

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(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

S/N Unknown PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Fernando Benjamin FISCHMANN T.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	Herewith	Docket No.:	15807.0080FPU1
Title:	METHOD AND SYSTEM FOR TREATING WATER USED FOR INDUSTRIAL PURPOSES		

This paper is being filed electronically with the U.S. Patent Office

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBIILTY REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is filed pursuant to the requirements listed in PTO/SB/420, filed herewith, and pursuant to the requirements of 74 Fed. Reg. 64,666 (December 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010) and 75 Fed. Reg. 69049 (November 10, 2010), and MPEP § 708.02(V).

One basis for special status of the application filed herewith is that the invention materially contributes to energy conservation. The invention relates to a method and system for treating water that reduces the costs and energy requirements for producing potable water. Increasingly scarce freshwater resources have created a worldwide supply problem. Reverse osmosis desalination is a promising technology for addressing the increasing scarcity of freshwater resources that utilizes a water pretreatment stage and desalination stage. However, it is estimated that 51% of membranes utilized in reverse osmosis desalination fail due to poor pretreatment of the water resulting in the membranes become clogged with organic matter, colloids, algae, and microorganisms from the feed water. Current pretreatment steps include filtration of the feed water with sand filters or more sophisticated filtration steps, such as

microfiltration, ultrafiltration, or nanofiltration, resulting in increased energy requirements and costs of the desalination process.

The method and system of the invention utilizes an artificial container or lagoon configured with a mobile suction means, chemical application means, filtrations means, and coordination means that timely activates the necessary processes (e.g. mobiles suction means, chemical application means, and/or filtration means) to adjust the parameters of the water within specific limits to remove suspended solids, metals, algae, bacteria, and other items from the water using reduced amounts of chemicals and without the need of filtering the totality of the water volume. Only a small fraction of the total volume of the water is filtered, up to 200 times less than the flow filtered by conventional water treatment filtration systems. The invention therefore provides a low cost method and system that uses significantly less chemicals and energy compared to conventional water filtration systems and provides low cost, high quality water (comparable to swimming pool water) that contains significantly reduced amounts of organic matter making the treated water highly suitable, for example, as feed water in reverse osmosis desalination processes.

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As discussed above, the method and system of the invention provides high quality water (comparable to swimming pool water) at low costs using reduced amounts of chemicals and without the need of filtering the totality of the water volume. Water treated according to the method and system of the invention is suitable for consumption without further treatment in a

potable water treatment plant, thereby reducing the energy usage and operating costs associated with further treatment of the water. The method and system of the invention minimizes the generation of toxic DBPs produced by potable water treatment plants, has reduced energy requirements, operating costs, and capital costs compared to a potable water treatment plant, and a reduced environmental impact and footprint compared to a potable water treatment plant.

Applicant respectfully requests the granting of a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program and the application be accorded special status under the Green Technology Pilot Program.

Respectfully submitted,

23552
PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: 1 August 2011

By _____
Eric E. DeMaster
Reg. No. 55,107

EED/cjm

S/N 13/136,474 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FISCHMANN T.	Examiner:	Not Yet Assigned
Serial No.:	13/136,474	Group Art Unit:	1778
Filed:	1 August 2011	Docket No.:	15807.0080FPU1
Due Date:	3 December 2011	Confirmation No:	7151
Title:	METHOD AND SYSTEM FOR TREATING WATER USED FOR INDUSTRIAL PURPOSES		

This paper is being filed electronically with the U.S. Patent Office

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Notice mailed 3 November 2011, Applicants are herewith electronically resubmitting the Petition to Make Special Under the Green Technology Program originally filed on 1 August 2011. According to the Notice, the only defect in the petition is the failure to file electronically. Applicants were unable to file the petition electronically because the Electronic Filing System (EFS) was experiencing technical difficulties and intermittent outages on 1 August 2011. Due to the EFS outage, Applicants had to submit the petition by mail.

Per the telephone conversation on 10 November 2011 with Quality Assurance Specialist Tom Dunn of the Patent Office and Applicants' representative Eric DeMaster (Reg. No. 55,107), Applicants are resubmitting their original petition electronically with the present Request for Reconsideration. Enclosed please find a copy of the petition as originally filed. Applicants respectfully request that the Petition to Make Special Under the Green Technology Program filed on 1 August 2011 be accepted.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney of record, Eric E. DeMaster (Reg. No. 55,107), at (612) 336-4621.

Respectfully submitted,

23552
PATENT TRADEMARK OFFICE

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: 11 November 2011

By _____
Eric E. DeMaster
Reg. No. 55,107

EED/cjm

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.
13/136,474	08/01/2011	Fernando Fischmann T.	15807.0080FPU1	7151

23552 7590 12/05/2011
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

ART UNIT	PAPER NUMBER
1778	

MAIL DATE	DELIVERY MODE
12/05/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

12/5/2011

In re Application of	:	
Fischmann	:	DECISION ON PETITION
Application No. 13/136,474	:	TO MAKE SPECIAL UNDER
Filed: 8/1/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **15807.0080FPU1**	:	PILOT PROGRAM

This is a decision on the request for reconsideration under 37 CFR 1.102, filed 11/11/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Svendsen Legal, LLC
P.O. Box 10627
Yakima WA 98909

MAILED

MAR 12 2012

OFFICE OF PETITIONS

In re Application of
Eakins
Application No. 13/136,475
Filed: August 1, 2011
Attorney Docket No. EA12.P02

DECISION ON PETITION
UNDER 37 CFR 1.78(a)(6)

This is a decision on the "Petition FOR CLAIMS OF DOMESTIC PRIORITY IN PATENT APPLICATION AFTER ALLOWANCE UNDER 37 CFR 1.182" filed January 17, 2012, which is properly treated under 37 CFR 1.78(a)(6), to accept an unintentionally delayed claim under 35 U.S.C. § 119(e) for the benefit of priority to a prior-filed provisional application.

The petition is **DISMISSED.**

A petition under 37 CFR 1.78(a)(6) is only applicable to those applications filed on or after November 29, 2000. Further, the petition is appropriate only after expiration of the period specified in 37 CFR 1.78(a)(5)(ii) and must be filed during the pendency of the nonprovisional application. In addition, the petition must be accompanied by:

(1) the reference required by 35 U.S.C. § 119(e) and 37 CFR 1.78(a)(5)(i) to the prior-filed application, unless previously submitted;
(2) the surcharge set forth in § 1.17(t); and
(3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(5)(ii) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional.

The issue fee in this application was paid on November 28, 2011. Effective May 29, 2000, the Office changed the practice by clarifying that an amendment under 37 CFR 1.312 (after allowance) must be filed prior to or with payment of the issue fee, and eliminated 37 CFR 1.312(b). Since amendments are not permitted after payment of the issue fee, a petition under 37 CFR 1.182 to claim priority to the provisional application cannot be granted. As such, petitioner may wish to consider a withdrawal from issue and the submission of a request for continued examination.

It should be noted that contrary to petitioner's argument, a proper claim to a provisional application was not presented on filing or during the pendency of the instant application. The nonprovisional application claiming the benefit of the prior-filed provisional application must have been filed within twelve months of the filing date of the prior-filed provisional application.

Further, in order for an application to claim the benefit of a prior-filed copending nonprovisional application or international application designating the United States of America, each prior-filed application must name as an inventor at least one inventor named in the later-filed application and disclose the named inventor's invention claimed in at least one claim of the later-filed application in the manner provided by the first paragraph of 35 U.S.C. 112.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: Customer Service Window
Mail Stop Petitions
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By fax: (571) 273-8300
ATTN: Office of Petitions

Any questions concerning this matter may be directed to Charlema Grant at (571) 272-3215.

Christopher Bottorff
Petition Examiner
Office of Petitions

Doc Code: PET.AUTO Document Description: Petition automatically granted by EFS-Web	PTO/SB/140 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)**
Application Number	13136475
Filing Date	01-Aug-2011
First Named Inventor	John Eakin
Art Unit	3643
Examiner Name	KRISTEN HAYES
Attorney Docket Number	EA12.P02
Title	METHOD OF A CATTLE FOOT-BATH SYSTEM

An application may be withdrawn from issue for further action upon petition by the applicant. To request that the Office withdraw an application from issue, applicant must file a petition under this section including the fee set forth in § 1.17(h) and a showing of good and sufficient reasons why withdrawal of the application from issue is necessary.

APPLICANT HEREBY PETITIONS TO WITHDRAW THIS APPLICATION FROM ISSUE UNDER 37 CFR 1.313(c).

A grantable petition requires the following items:
(1) Petition fee; and
(2) One of the following reasons:
(a) Unpatentability of one or more claims, which must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;
(b) Consideration of a request for continued examination in compliance with § 1.114 (for a utility or plant application only); or
(c) Express abandonment of the application. Such express abandonment may be in favor of a continuing application, but not a CPA under 37 CFR 1.53(d).

Petition Fee

☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

☒ Applicant(s) status remains as SMALL ENTITY.

☐ Applicant(s) status remains as other than SMALL ENTITY

Reason for withdrawal from issue

○ One or more claims are unpatentable ◉ Consideration of a request for continued examination (RCE) (List of Required Documents and Fees) ○ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).
RCE request,submission, and fee. ☐ I certify, in accordance with 37 CFR 1.4(d)(4) that : The RCE request ,submission, and fee have already been filed in the above-identified application on ☒ Are attached.
THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES I certify, in accordance with 37 CFR 1.4(d)(4) that I am: ◉ An attorney or agent registered to practice before the Patent and Trademark Office who has been given power of attorney in this application. ○ An attorney or agent registered to practice before the Patent and Trademark Office, acting in a representative capacity. ○ A sole inventor ○ A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors ○ A joint inventor; all of whom are signing this e-petition ○ The assignee of record of the entire interest that has properly made itself of record pursuant to 37 CFR 3.71

Signature	/Chris E. Svendsen/
Name	Chris E. Svendsen
Registration Number	40193

UNITED STATES 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 : April 10, 2012

In re Application of :

John Eakin

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 13136475

Filed : 01-Aug-2011

Attorney Docket No : EA12.P02

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed April 10, 2012 , to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED.**

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid in this application cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

This application file is being referred to Technology Center AU 3643 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions

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WEIDE & MILLER, LTD.
7251 W. LAKE MEAD BLVD.
SUITE 530
LAS VEGAS NV 89128

MAILED

SEP 06 2011

OFFICE OF PETITIONS

In re Application of	:	
Sal Falciglia Sr.	:	
Application No. 13/136,612	:	DECISION ON PETITION
Filed: August 4, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **SLINGO.0008P**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 4, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3714 for action on the merits commensurate with this decision.

/JoAnne Burke/
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

CHARLES E. BAXLEY, ESQUIRE
90 JOHN STREET
SUITE 403
NEW YORK NY 10038

MAILED

SEP 26 2011

OFFICE OF PETITIONS

In re Application of	:	
Olga Goulko	:	
Application No. 13/136,729	:	DECISION ON PETITION
Filed: August 9, 2011	:	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 6, 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. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request cannot be approved because no reasons for withdrawal have been provided. The Office cannot, at this time, determine whether practitioner's request is one of the mandatory or permissive reasons enumerated in 37 CFR 10.40. Any subsequent requests must include reasons for withdrawal. Please note that there is a space provided for on PTO/SB/83 (Request to Withdraw as Attorney or Agent) to supply practitioner's reasons.

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 Terri Johnson at 571-272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

NOV 07 2011

OFFICE OF PETITIONS

CHARLES E. BAXLEY, ESQUIRE
90 John Street
Suite 403
New York, NY 10038

In re Application of	:	
Olga Goulko	:	
Application No. 13/136,729	:	DECISION ON PETITION
Filed: August 9, 2011	:	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 **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Charles E. Baxley on behalf of all attorneys of record. All attorneys/agents have been withdrawn. Applicant is reminded that there is no attorney of record at this time.

All future correspondence will be directed to the first named inventor Olga Goulko at the address indicated below.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

cc: **Olga Goulko**
2125 Center Avenue-Suite 200
Fort Lee, NJ 07024

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
13/136,729	08/09/2011	Olga Goulko	

CONFIRMATION NO. 7374

POWER OF ATTORNEY NOTICE

36672
CHARLES E. BAXLEY, ESQUIRE
90 JOHN STREET
SUITE 403
NEW YORK, NY 10038

OC000000050828660

Date Mailed: 11/04/2011

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/28/2011.

- 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.

/tsjohnson/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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MAILED
DEC 14 2011
OFFICE OF PETITIONS

DANIEL ROBBINS
381 SAVAGE FARM DRIVE
ITHACA, NY 14850

In re Application of	:	
Frederick E. PROBST	:	
Application No. : 13/136,742	:	DECISION ON PETITION
Filed August 9, 2011	:	
Attorney Docket No.	:	

This is in response to the petition under 37 CFR 1.102(c)(1) filed November 17, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED.**

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. 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 Daniel Robbins an attorney or agent registered to practice before the Patent and Trademark Office certifying that he is in possession of and will retain evidence that applicant Frederick Probst 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 Joanne Hama at 571-272-2911 or in her absence the undersigned at 571-272-7099.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

David Buccei
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/136,846	08/12/2011	Takahisa Shimizu	038915.00225	8022

44955 7590 11/15/2011
SQUIRE, SANDERS & DEMPSEY (US) LLP
275 BATTERY STREET, SUITE 2600
SAN FRANCISCO, CA 94111-3356

EXAMINER

ART UNIT	PAPER NUMBER
2811	

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

Commissioner for Patents
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Alexandria, VA 22313-1450
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SQUIRE, SANDERS & DEMPSEY (US)
LLP
275 BATTERY STREET, SUITE 2600
SAN FRANCISCO CA 94111-3356

In re Application of
SHIMIZU et al.
Application No.: 13/136,846
Filed: August 12, 2011
Attorney Docket No.: 038915.00225

: 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 15, 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
TQAS, TC 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DONALD E. SCRUGGS
4464 WALNUT AVE.
CHINO, CA 91710

MAILED

AUG 29 2011

OFFICE OF PETITIONS

In re Application of	:
Donald E. Scruggs	:
Application No. 13/136,962	:DECISION ON PETITION
Filed: 00/00/0000	:TO MAKE SPECIAL UNDER
Attorney Docket No. N/A	: 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 16, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from the sole inventor that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

This application file is being referred to the Office of Patent Application Processing for further processing in accordance with this decision.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the processing of the application should be addressed to the Office of Patent Application Processing at (571) 272-4000.

Andrea Smith
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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OFFICE OF DONALD GRANT KELLY
POB 320056
ALEXANDRIA VA 22320

MAILED
AUG 03 2011
OFFICE OF PETITIONS

In re Application of	:	
Nathaniel Phillips	:	
Application No. 13/137,047	:	ON PETITION
Filed: July 18, 2011		
Attorney Docket No. PHIL002NPA	:	
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 18, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

MAILED

NOV 07 2011

OFFICE OF PETITIONS

In re Application of	:	
Yuichiro NAKAJIMA et al.	:	
Application No. 13/137,119	:	DECISION ON PETITION
Filed: July 21, 2011	:	
Attorney Docket No. 09227.0040-01	:	

This is a decision on the petition under 37 CFR 1.182 filed September 20, 2011, for date of deposit.

On August 12, 2011, the Office mailed a Notice of Omitted Items indicating that a filing date has been accorded however figures 4 and 5 appear to have been omitted.

Petitioner asserts that the omitted figures were deposited with the application upon submission on July 21, 2011. As evidence, a copy of the stamped Return Receipt Postcard indicating that 14 sheets of drawings, Figs 1-17 were received by the Office.

A view of the Office records indicates that 14 sheets of drawings were in fact received. Petitioner has provided the Office with copy of the drawings filed July 2, 2011.

In view of the above, the petition is **GRANTED.** The petition fee of $400.00 will not be refunded.

Telephone inquiries relating to this decision should be directed to Michelle R. Eason at (571) 272-4231.

This application file is being referred to the Office of Patent Application Processing.

Thurman K. Page
Petitions Examiner
Office of Petitions

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Alexandria, VA 22313-1450
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BREINER & BREINER, L.L.C.
P.O. BOX 320160
ALEXANDRIA VA 22320-0160

MAILED

JAN 3 1 2012

OFFICE OF PETITIONS

In re Application of	:	
Gerardo Strobl Diener	:	
Application No. 13/137,206	:	DECISION ON PETITION
Filed: July 28, 2011		TO WITHDRAW FROM RECORD
Attorney Docket No. 7790	:	
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 6, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office will require the practitioner(s) to certify that he, she or they have: (1) given reasonable notice to the client, prior to the expiration of the reply period, which the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any replies that may be due and the time frame within which the client must respond, pursuant to 37 CFR 10.40 (c).

The request was signed by Jennifer A. Harchick on behalf of herself. Accordingly, Jennifer A. Harchick associated with the above-identified application has been withdrawn as attorney of record in the above-identified application.

The correspondence address of record remains unchanged.

Additionally, the address given on the petition differs from the address of record. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

cc: Jennifer A. Harchick
7761 White Heron Trail
Alexandria, Virginia 22306

Best Available Copy

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.
13/137,290	08/03/2011	Seo Young Choi	1911.1493	7454

21171 7590 01/19/2012
STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

ART UNIT	PAPER NUMBER
2422	

MAIL DATE	DELIVERY MODE
01/19/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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WASHINGTON, D.C. 20231
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JAN 19 2012

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

STAAS & HALSEY LLP
SUITE 700
1201 New York Ave., N.W.
Washington, D.C. 20005

In, re Application of: Seo Young Choi et al)
Application No.: 13/137,290)
Attorney Docket No. 1911.1493)
Filed: 08/03/2011)
For: Apparatus and method for generating video signal reducing crosstalk between lightness signal and chrominance signal)

DECISION ON PETITION UNDER 37 C.F.R. ∋ 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the petition under 37 C.F.R. §1.84(a)(2), filed 08/03/2011, requesting acceptance of color drawings.

The petition is **GRANTED**.

REGULATIONS AND PRACTICE

37 C.F.R. § 1.84(a)(2) states:

(2) *Color.* On rare occasions, color drawings may be necessary as the only practical medium by which to disclose the subject matter sought to be patented in a utility or design patent application or the subject matter of a statutory invention registration. The color drawings must be of sufficient quality such that all details in the drawings are reproducible in black and white in the printed patent. Color drawings are not permitted in international applications (see PCT Rule 11.13), or in an application, or copy thereof, submitted under the Office electronic filing system. The Office will accept color drawings in utility or design patent applications and statutory invention registrations only after granting a petition filed under this paragraph explaining why the color drawings are necessary. Any such petition must include the following:

(i) The fee set forth in § 1.17(h);

(ii) Three (3) sets of color drawings;

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

DECISION

The petition and preliminary amendment, satisfies conditions (i) - (iii) above; therefore, the petition is **GRANTED**.

The application file is being forwarded to the Examiner of record.

Any inquiry regarding this decision should be directed the undersigned whose telephone number is (571) 272-7527.

/Brian T. Pendleton/
Brian T. Pendleton, SPE
Technology Center 2400
Network, Multiplexing, Cable and Security

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13137383	Confirmation Number	7515	Filing Date	2011-08-10
Attorney Docket Number (optional)	040219.17	Art Unit		Examiner	
First Named Inventor	Donald R. Owen				
Title of Invention	Apparatus and Method for Maintaining and/or Restoring Viability of Organs				

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
Donald	R.	Owen	

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	/Steven D. Jinks/	Date (YYYY-MM-DD)	2011-12-08
Name	Steven D. Jinks	Registration Number	62760

PTO/SB/130 (07-09)
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Privacy Act Statement

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The information provided by you in this form will be subject to the following routine uses:

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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.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Donald R. Owen

Application No. 13137383

Filed: August 10,2011

Attorney Docket No. 040219.17

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13137385	Confirmation Number	7517	Filing Date	2011-08-10
Attorney Docket Number (optional)	040219.14	Art Unit		Examiner	
First Named Inventor	Donald R. Owen				
Title of Invention	Apparatus and Method for Maintaining and/or Restoring Viability of Organs				

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
Donald	R.	Owen	

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	/Steven D. Jinks/	Date (YYYY-MM-DD)	2011-12-08
Name	Steven D. Jinks	Registration Number	62760

PTO/SB/130 (07-09)
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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

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In re Application of
Donald R. Owen

Application No. 13137385

Filed: August 10,2011

Attorney Docket No. 040219.14

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13137386	Confirmation Number	7518	Filing Date	2011-08-10
Attorney Docket Number (optional)	040219.15	Art Unit		Examiner	
First Named Inventor	Donald R. Owen				
Title of Invention	Apparatus and Method for Maintaining and/or Restoring Viability of Organs				

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
Donald	R.	Owen	

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	/Steven D. Jinks/	Date (YYYY-MM-DD)	2011-12-08
Name	Steven D. Jinks	Registration Number	62760

PTO/SB/130 (07-09)
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In re Application of
Donald R. Owen

Application No. 13137386

Filed: August 10,2011

Attorney Docket No. 040219.15

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13137387	Confirmation Number	7519	Filing Date	2011-08-10
Attorney Docket Number (optional)	040219.13	Art Unit		Examiner	
First Named Inventor	Donald R. Owen				
Title of Invention	Apparatus and Method for Maintaining and/or Restoring Viability of Organs				

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
Donald	R.	Owen	

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	/Steven D. Jinks/	Date (YYYY-MM-DD)	2011-12-08
Name	Steven D. Jinks	Registration Number	62760

PTO/SB/130 (07-09)
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In re Application of
Donald R. Owen

Application No. 13137387

Filed: August 10,2011

Attorney Docket No. 040219.13

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

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LEE & MORSE, P.C.
3141 FAIRVIEW PARK DRIVE
SUITE 500
FALLS CHURCH VA 22042

MAILED
FEB 09 2012
OFFICE OF PETITIONS

In re Application of	:	
Chung et al.	:	
Application No. 13/137,428	:	ON PETITION
Filing or 371(c) Date: 08/15/2011	:	
Attorney Docket Number: 302/269	:	

This is in response to the Petition Under 37 C.F.R. § 1.84(b)(2), which is treated as a petition under 37 C.F.R. § 1.84(a)(2) to accept color drawings and/or photographs, filed in the United States Patent and Trademark Office (USPTO) on August 15, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

The petition is not accompanied by 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.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners state that the color photographs are necessary because color is important to illustrate features of the claimed invention.

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. MPEP 608.02, Section IX, DRAWINGS SYMBOLS provide graphic symbols that should be used to indicate various materials where the material is an important feature of the invention.

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 2811.

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

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.
13/137,445	08/16/2011	Masato Honma	HRK-006-001	9504

20374 7590 02/01/2012
KUBOVCIK & KUBOVCIK
SUITE 1105
1215 SOUTH CLARK STREET
ARLINGTON, VA 22202

EXAMINER
FEELY, MICHAEL J

ART UNIT	PAPER NUMBER
1761	

MAIL DATE	DELIVERY MODE
02/01/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT and TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
WWW.USPTO.GOV

Mailed: 2/1/12

HP

In re Application of Masato Honma et al.
Serial No.: 13/137,445
Filed: August 16, 2011

DECISION ON REQUEST UNDER *37 CFR 1.48(b)*

Title: FIBER-REINFORCED COMPOSITE SHEET

This is a decision on the REQUEST TO CORRECT INVENTORSHIP OF AN APPLICATION filed January 24, 2012 to correct inventorship under 37 CFR 1.48(b) by removing Shiro Honda and Koyomi Nakahara from the list of inventors of the instant application.

The request is made under 37 CFR 1.48 (b):
(b) *Nonprovisional application-fewer inventors due to amendment or cancellation of claims*. If the correct inventors are named in a nonprovisional application, and the prosecution of the nonprovisional application results in the amendment or cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the nonprovisional application, an amendment must be filed requesting deletion of the name or names of the person or persons who are not inventors of the invention being claimed. Amendment of the inventorship requires:
(1) A request, signed by a party set forth in § 1.33(b), to correct the inventorship that identifies the named inventor or inventors being deleted and acknowledges that the inventor's invention is no longer being claimed in the nonprovisional application; and
(2) The processing fee set forth in § 1.17(i).

The request under 37 CFR 1.48 (b) is improper. No claims have been amended or cancelled in the new divisional case.

It appears that a request under 37 CFR 1.48 (a) is required:
(a) *Nonprovisional application after oath/declaration filed*. If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in a nonprovisional application, and such error arose without any deceptive intention on the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the inventorship of the nonprovisional application may be amended to name only the actual inventor or inventors. Amendment of the inventorship requires:
(1) A request to correct the inventorship that sets forth the desired inventorship change;
(2) A statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part;
(3) An oath or declaration by the actual inventor or inventors as required by § 1.63 or as permitted by §§ 1.42, 1.43 or § 1.47;
(4) The processing fee set forth in § 1.17(i); and
(5) 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).

If Applicants filed the original set of claims from the parent application and cancelled a group or groups of claims (corresponding to groups in the restriction requirement of the parent) in a preliminary amendment, 1.48(b) would work. However, the claim listing in the new divisional case only corresponds to restricted Group III of the parent application.

The request is **DENIED**.

The application file is being forwarded to the appropriate section of the Patent and Trademark Office for correction of the record.

/Harold Y. Pyon/

Harold Y. Pyon
Supervisory Patent Examiner
Art Unit 1761
Technology Center 1700

Ronald J. Kubovcik
Kibovcik & Kibovcik
Crystal Gateway 3
1215 Sounth Clark Street
Arlington, VA 22202

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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DYKEMA GOSSETT PLLC
FRANKLIN SQUARE, THIRD FLOOR WEST
1300 I STREET, NW
WASHINGTON DC 20005

MAILED

DEC 05 2011

OFFICE OF PETITIONS

In re Application of :
RODUNER et al. :
Application No. 13/137,647 : DECISION ON PETITION
Filed: August 31, 2011 :
Attorney Docket No. 66376-511 :

This is a decision on the petition filed on November 16, 2011, requesting that the application be accorded a filing date of August 31, 2011.

The petition is granted.

On August 31, 2011, applicants deposited the above-identified application. On September 16, 2011, the Office of Patent Application Processing mailed a Notice of Incomplete Nonprovisional Application notifying applicants that the application papers had not been accorded a filing date because the application was deposited without drawings.

On November 16, 2011, applicants filed the present petition requesting that the application be accorded a filing date of August 31, 2011. Applicants assert that the Notice of Incomplete Application was issued in error because the application included drawings on filing. Specifically, applicants explain:

> The present application was filed on August 31, 2011 as a division of U.S. application Serial No. 12/223,077, filed September 22, 2008 (parent application). This parent application was filed in 2008 as a U.S. national phase of PCT/AT2007/000050, filed 16 August 2007. The parent application was formed by the filing of a copy of PCT/AT2007/000050 (WO 2007/090216) and payment of filing fees on July 22, 2008, and the filing of an executed Declaration, an English translation and filing fees on August 22, 2008. The copy of WO 2007/090216 filed on July 22, 2008 included two sheets of drawings (Figs. 1-3). The Notice of Acceptance and filing receipt (containing some errors) were issued on July 26, 2010. No objection was raised that the application was filed without drawings.
>
> The documents filed to create the present application on August 31, 2011 included (1) a copy of WO 2007/090216, including the associated two sheets of drawings (Figs. 1-3), (2)

a copy of the English translation of the specification and claims, and (3) a copy of the executed Declaration.

Petition pp. 1-2.

A further review of the record reveals that the application papers deposited on August 31, 2011, included a copy of WO 2007/090216, which contained two sheets of drawings. Accordingly, the requirement for drawings set forth in the Notice of Incomplete Nonprovisional Application was mailed in error. The application will be accorded a filing date of August 31, 2011.

The application file will be forwarded to the Office of Patent Application Processing to accord the present application a filing date of **August 31, 2011**, using the two sheets of drawings as they appear in the copy of WO 2007/090216, and to mail a file receipt.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

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NOV 08 2011

OFFICE OF PETITIONS

OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of	:
Akihiko Hamamura	:
Application No. 13/137,751	: DECISION GRANTING PETITION
Filed: September 9, 2011	:
Attorney Docket No: 032420.04	:

This is a decision on the petition filed October 27, 2011 under 37 CFR 1.53, in response to the Notice of Omitted Items ("Notice") mailed September 29, 2011.

The instant application was filed September 9, 2011 and a filing date was accorded. However, a "Notice" was mailed September 29, 2011 advising that Figure 7 described in the specification appeared to have been omitted.

Petitioner asserts that Figure 7 was among the papers filed on September 9, 2011, and submits, *inter alia*, a "legible" postcard receipt in evidence thereof. The postcard receipt, identifies the application and acknowledges, inter alia, that the application included seven (7) sheets of drawings, Figures 1-8, and bears a United States Patent and Trademark Office date-stamp of September 9, 2011. However, only six (6) sheets of drawing figures is of record. It is obvious therefore that Figure 7 was included with the original application papers. Additionally, the postcard receipt lacks any notation of non-receipt of any item listed. In view thereof, the petition is **GRANTED.**

Given the basis for granting the petition, no petition fees are due and petitioner's deposit account no. 15-0461 will be credited in the amount of $400.00.

This application is being forwarded to the Office of Patent Application Processing for further pre-examination processing, using the application papers received in the Office on September 9, 2011 and Figure 7 submitted on petition October 27, 2011.

Telephone inquiries regarding this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Jenifer A. Harchick
7761 White Heron Trail
Alexandria, VA 22306

MAILED
JAN 30 2012
OFFICE OF PETITIONS

In re Application of	:	
Bruce C. Cathcart	:	
Application No. 13/137,770	:	DECISION ON PETITION
Filed: September 12, 2011	:	TO WITHDRAW
Attorney Docket No. 7634	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 6, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request was signed by Jenifer A. Harchick. Jenifer A. Harchick has been withdrawn as attorney or agent of record; all other attorneys remain of record.

The correspondence address of record remains unchanged.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

/Terri Johnson/
Terri Johnson
Petitions Examiner
Office of Petitions

cc: **Breiner & Breiner, L.L.C.**
P.O. Box 320160
Alexandria, VA 22320-0160

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Commissioner for Patents
United States Patent and Trademark Office
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RADER FISHMAN & GRAUER PLLC
LION BUILDING
1233 20TH STREET N.W., SUITE 501
WASHINGTON DC 20036

MAILED

FEB 09 2012

OFFICE OF PETITIONS

In re application of :
Tiehong Wang et al :
Application No. 13/137,842 :
Filed: September 16, 2011 :
Attorney Docket No. WAN-0005-CON3 :

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 on November 30, 2011.

The Office no longer investigates or rejects original or reissue patent under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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SEP 06 2011

PCT LEGAL ADMINISTRATION

Aleksandr Smushkovich
POB 140505
Brooklyn NY 11214

In re Application of	:	
LOGINENKO et al.	:	
Application No.: 13/138,002	:	DECISION
PCT No.: PCT/RU2009/000457	:	REGARDING
Int. Filing Date: 08 September 2009	:	SUBMISSION UNDER 37 CFR 1.42
Priority Date: 11 January 2009	:	
Attorney Docket No.: GUZEL-08	:	
For: METHOD FOR SORPTION RECOVERY OF PRECIOUS METALS	:	

This decision is issued in response to the declaration filed 22 June 2011 which is being treated as a Submission under 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 08 September 2009, applicant filed international application PCT/US2009/001029 which claimed a priority date of 11 January 2009. On 15 July 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 11 July 2011 (thirty months from the priority date).

On 22 June 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 a declaration executed by: Izabella Alekseevna LOGVINENKO, Tatyana Veniaminovna VLASOVA, Viktor Andreevich SINEGRIBOV, Andrei Filippovich SMETANNIKOV, and Tatyana Froyanovna Weitzman, on behalf of deceased inventor, Arkadiy Evgenievich KRASNOSHTEIN.

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.

37 CFR 1.497(b)(2) states the following:

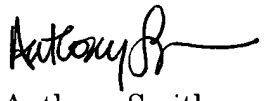
> (2) If the person making the oath or declaration or any supplemental oath or declaration is not the inventor (§§ 1.42, 1.43, or § 1.47) the oath or declaration shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor would have been 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.

The declaration filed 22 June 2011 was executed by Tatyana Froyanovna Weitzman as "legal representative" to the deceased inventor, Arkadiy Evgenievich KRASNOSHTEIN. The declaration provides the residence, post office address, and country of citizenship for the deceased inventor and the legal representative. Therefore, the declaration is acceptable under 37 CFR 1.42 and complies with 37 CFR 1.497(a)-(b).

CONCLUSION

The papers filed under 37 CFR 1.42 are ACCEPTED.

This application is being forwarded to the National Stage Processing Branch of the International Division for continued national stage processing.



Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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JUL 15 2011

PCT LEGAL ADMINISTRATION

HUDAK, SHUNK & FARINE, CO., L.P.A.
2020 FRONT STREET
SUITE 307
CUYAHOGA FALLS OH 44221

In re Application of VARGAS AISPURO et al.	:	
Application No.: 13/138,003	:	DECISION ON
PCT No.: PCT/MX08/00147	:	
Int. Filing: 31 December 2008	:	PETITION TO REVIVE
Priority Date: 16 October 2008	:	
Attorney Docket No.: FC-G-PCT-US	:	UNDER 37 CFR 1.137(b)
For: METHOD FOR CONTROLLING COLOURATION	:	
IN TABLE GRAPES....	:	

The petition to revive under 37 CFR 1.137(b) filed 22 June 2011 in the above captioned application is hereby **GRANTED** as follows:

Applicants' statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

Applicant paid the petition fee ($810) and the basic national fee. The request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being referred to the National Stage Processing Branch of the Office of PCT Operations for further processing including issuance of a Notification of Missing Requirements indicating that a declaration, identifying all the inventors in compliance with 37 CFR 1.497(a) and (b), an English translation of the international application and the processing fee for filing the English translation after the thirty month period is required.

/Cynthia M. Kratz/
Cynthia M. Kratz
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3286

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ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

MAILED

JAN 26 2012

OFFICE OF PETITIONS

Applicant(s): DEUTSH, et al.
Appl. No.: 13/138,017
International Filing Date: November 4, 2009
Title: CIGARETTE PACKAGE
Attorney Docket: 058522-406112
Pub. No.: US 2011/0266166 A1
Pub. Date: November 3, 2011

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on December 28, 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 published the application without incorporating the amendments to the specification and claims made under Article 19 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 amended claims is not Office error. The patent application publication does not include a mistake regarding the failure to include a preliminary amendment to the application because patent application publications are not required to include preliminary amendments. See 37 CFR 1.215(a). The "failure to include an amendment is not an Office error." See MPEP 1130(b). The publication accurately reflected the specification as filed.

[1] Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

37 C.F.R. 1.215(a) states that the patent application publication may also be based upon amendments to the specification (other than the abstract or the claims) that are reflected in a substitute specification under § 1.125(b), amendments to the abstract under § 1.12(b), amendments to the claims that are reflected in a complete claim listing under § 1.121(c), and amendments to the drawings under § 1.121(d), provided that such substitute specification or amendment is submitted in sufficient time to be entered into the Office file wrapper of the application before technical preparations for publication of the application have begun. 37 CFR 1.215(c) states that applicant may file an amended copy of the application for publication purposes, but such amendments must be submitted in compliance with the Office electronic filing system requirements, and within one month of the mailing date of the first Office communication that includes a confirmation number for the application, or fourteen months of the earliest filing date for which a benefit is sought under 35, United States Code, whichever is later.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication".

Inquiries relating to this matter may be directed to Sherry D. Brinkley at (571) 272-3204.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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45662
G. TURNER MOLLER
711 N. Carancahua
Suite 720
Corpus Christi, TX 78401

MAILED

AUG 26 2011

PCT LEGAL ADMINISTRATION

In re Application of :
KOUMBIS, George :
U.S. Application No.: 13/138,025 :
PCT No.: PCT/US2009/001062 :
Int. Filing Date: 19 February 2009 :
Priority Date: 21 February 2008 :
Docket No.: None :
For: ASSEMBLY AND NOISE :
SUPPRESSOR FOR FIREARMS :

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicant's petition to revive under 37 CFR 1.137(b) filed with the national stage papers on 24 June 2011 is hereby **GRANTED** as follows:

The appropriate 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.

A declaration in compliance with 37 CFR 1.497(a) and (b) was provided. 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

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P.O. Box 1450
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YEFIM KREYDIN
201 EAST 28 STREET #2E
NEW YORK, NY 10016-8538

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DEC 02 2011
PCT LEGAL ADMINISTRATION

In re Application of ABRAMOV et al	:	
U.S. Application No.: 13/138,038	:	
PCT Application No.: PCT/RU2010/000090	:	
Int. Filing Date: 26 February 2010	:	
Priority Date Claimed: 29 December 2008	:	DECISION
Attorney Docket No.: 1103/YK	:	
For: METHOD FOR EXTRACTING MATERIALS AND A DEVICE FOR IMPLEMENTING SAME	:	

This is in response to applicant's petition under 37 CFR 1.137(a) and petition under 37 CFR 1.137(b) filed 26 October 2011.

BACKGROUND

On 26 February 2010, applicant filed international application PCT/RU2010/000090, which claimed priority of an earlier Russia application filed 29 December 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 22 July 2010. The thirty-month period for paying the basic national fee in the United States expired on 29 June 2011.

On 24 June 2011, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was not accompanied by the basic national fee required by 35 U.S.C. 371(c)(1).

On 30 June 2011, international application PCT/RU2010/000090 became abandoned as to the United States for failure to timely pay the basic national fee.

On 26 October 2011, applicant filed the present petitions under 37 CFR 1.137(a) and 37 CFR 1.137(b).

DISCUSSION

I. Petition under 37 CFR 1.137(a)

Under 37 CFR 1.137(a), a petition requesting that an application be revived on the grounds of unavoidable abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(l), (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unavoidable, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1) above, applicant has provided the required reply.

With regard to item (2) above, applicant has provided the required petition fee.

With regard to item (3) above, applicant has failed to make an adequate showing that abandonment of the present application was unavoidable. The failure to sign a credit card authorization form is not an inevitable event.

II. Petition under 37 CFR 1.137(b)

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 in §I above, the petition under 37 CFR 1.137(a) is DISMISSED without prejudice.

For the reasons in §II 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 26 February 2010, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 26 October 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

PTO/SB/20PCT-EP (08-10)
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:	13/138,104	Filing date:	July 7, 2011
First Named Inventor:	Joachim BARTHELME		
Title of the Invention:	Method for Providing Printing Formes at Installation Positions on One of a Plurality of Forme Cylinders Disposed in a Printing Press		

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/EP2009/063877

The international filing date of the corresponding PCT application(s) is/are: October 22, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☐ is attached

☒ is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ is attached

☒ is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(a). 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.:	13/138,104
First Named Inventor	Joachim BARTHELME

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

■ Has already been filed in the above-identified U.S. application on July 7, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

■ Have already been filed in the above-identified U.S. application on July 7, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
44 - 83	1 - 40	Direct correspondence

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Douglas R Hanscom/	Date July 14, 2011
Name (Print/Typed) Douglas R. Hanscom	Registration Number 26600

KARIN T. DUNN, LLC

GERMAN TRANSLATION AND LANGUAGE SERVICES
Certified by the American Translators Association

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Date: 4 July 2011

DECLARATION

The undersigned, Karin T. Dunn, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of the German text of PCT/EP2009/063877, filed on 22 October 2009 and published on 22 July 2010 under No. WO 2010/081569 A1. The undersigned further states that the prosecution document associated with PCT/EP2009/063877 and translated by her is also a true translation to the best of her knowledge and ability.

The undersigned declares that the above statement is true and that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Karin T. Dunn

Karin T. Dunn

Claims

1. A method for providing printing formes (01) at installation positions on one of a plurality of forme cylinders (06) disposed in a printing press, in which a plurality of printing formes (01) are provided spatially separately from the printing press, at the end of at least one plate line, with each said plate line comprising at least one plate exposure device (33), wherein printing formes (01) assigned to a specific one of the forme cylinders (06) are distributed among a plurality of mobile collecting containers (43) provided at the plate line, wherein different mobile collecting containers (43), along with the printing formes (01) arranged therein and assigned to the same forme cylinder (06), are conveyed at different times from the plate line to said forme cylinder (06), wherein the mobile collecting containers (43) are transported to the printing press along a guidance system (67), wherein a current position of at least one of the mobile collecting containers (43) that are moved along the guidance system (67) is determined by means of a vehicle master computer (88), wherein at a specific time, a plurality of these mobile collecting containers (43) that are conveyed from the plate line to the relevant forme cylinder (06) are provided side by side in the axial direction of the relevant forme cylinder (06) on one operating side of the printing press, wherein printing formes (01) assigned to installation positions arranged side by side on the relevant forme cylinder (06), in the axial direction thereof, and conveyed to the printing press in different mobile collecting containers (43) are removed from these mobile collecting containers (43), provided side by side at the specific time, and are provided at the respective installation positions on the relevant forme cylinder (06).

2. The method according to claim 1, characterized in that each of the printing formes (01) provided at the end of the plate line is held by a compartment (58) of the mobile collecting container (43), with each said container comprising a plurality of compartments (58).

3. The method according to claim 2, characterized in that the printing formes (01) assigned to a specific forme cylinder (06) are arranged presorted in compartments (58) of the respective collecting containers (43).

4. The method according to claim 3, characterized in that these printing formes (01) are distributed among the compartments (58) of the respective mobile collecting container (43) on the basis of the respective installation positions of the relevant printing formes (01) on the relevant forme cylinder (06).

5. The method according to claim 1, characterized in that at the end of the plate line, printing formes (01) are provided, which are distributed among different mobile collecting containers (43) provided there, and are conveyed to different forme cylinders (06) disposed in the same or in different printing presses or printing units (44; 44.1; 44.2).

6. The method according to claim 1, characterized in that a robot (63) is used to distribute the printing formes (01) among the mobile collecting containers (43) provided at the plate line.

7. The method according to claim 1, characterized in that at least two printing formes (01) are arranged in the same mobile collecting container (43), oriented differently in terms of their respective contact surfaces (02).

8. The method according to claim 1, characterized in that each of the individual mobile collecting containers (43) is positioned as needed and moved in a targeted manner by means of a control program, on the basis of an identification code provided on said container.

9. The method according to claim 1, characterized in that the mobile collecting containers (43) are detached from their guidance system (67) at their intended position of assignment to the printing press.

10. The method according to claim 1, characterized in that a mobile collecting container (43) that has been detached from the guidance system (67) is inserted, along with the printing formes (01) arranged therein, into the relevant printing forme magazine (09).

11. The method according to claim 1, characterized in that the printing formes (01) conveyed to the printing press are stored intermediately in a printing forme magazine (09) that is assigned to the relevant forme cylinder (06), before said formes are supplied to the relevant forme cylinder (06).

12. The method according to claim 11, characterized in that a plurality of mobile collecting containers (43) that have been detached from the guidance system (67) are inserted together into the same printing forme magazine (09).

13. The method according to claim 11, characterized in that a mobile collecting container (43) that has been detached from the guidance system (67) and inserted into a printing forme magazine (09) is removed from the printing forme magazine (09) and connected to the guidance system (67).

14. The method according to claim 1, characterized in that the mobile collecting containers (43) are provided to the printing press with their compartments (58) in a nearly horizontal alignment.

15. The method according to claim 1, characterized in that at the specific, same time,

the same number of mobile collecting containers (43) are provided side by side, in parallel with the operating side of the printing press, as the number of installation positions that are provided side by side in the axial direction of the relevant forme cylinder (06).

16. The method according to claim 1, characterized in that the mobile collecting containers (43) provided at the end of the plate line are provided there individually or in groups.

17. The method according to claim 1, characterized in that the printing formes (01) provided in different mobile collecting containers (43) to the same forme cylinder (06) of the printing press are removed by the same gripper device (72).

18. The method according to claim 2, characterized in that the respective compartment (58) of the mobile collecting container (43), each compartment storing one of the printing formes (01), is selected on the basis of the intended installation position of the relevant printing forme (01) on the relevant forme cylinder (06), using data that are provided by a control unit of a production planning system before said printing formes (01) are placed in storage.

19. The method according to claim 18, characterized in that at least one function of the production planning system is executed by a program module of a management system that comprises a plurality of program modules.

20. The method according to claim 19, characterized in that at least one function of a control plane is executed by each of various program modules of the management system, wherein a plurality of these control planes executed by various program modules are hierarchically organized in relation to one another.

21. The method according to claim 19, characterized in that at least one function of a tracking plane (166) is executed by a first of the program modules of the management system.

22. The method according to claim 19, characterized in that at least one function of a planning plane (167) is executed by a second program module.

23. The method according to claim 19, characterized in that at least one function of a coordination plane (168) is executed by a third program module.

24. The method according to claim 19, characterized in that at least one function of an execution plane (169) is executed by a fourth program module.

25. The method according to claim 21, characterized in that at least one function of a print shop management and tracking system (171), which governs all the processes that are run in a print shop and are connected with the production of printed products, is executed in the tracking plane (166).

26. The method according to claim 22, characterized in that at least one function of the production planning system and at least one function of at least one control console (42) assigned to the printing press are executed in the planning plane (167).

27. The method according to claim 23, characterized in that at least one function of a

sequence control module (173) for controlling the production of the printing formes (01) is executed in the coordination plane (168).

28. The method according to claim 23, characterized in that at least one function of a control module (174) for a plate logistics management system and for handling a plurality of mobile collecting containers (43) is executed in the coordination plane (168).

29. The method according to claim 23, characterized in that at least one function for controlling the plate exposure device (33) is executed in the coordination plane (168).

30. The method according to claim 24, characterized in that at least one function of a computer (34) of the prepress stage is executed in the execution plane (169).

31. The method according to claim 24, characterized in that at least one function for controlling a loading device, disposed at the end of the plate line, for loading the at least one mobile collecting container (43) with printing formes (01), is executed in the execution plane (169).

32. The method according to claim 24, characterized in that at least one function of a vehicle master computer (88) is executed in the execution plane (169), wherein the vehicle master computer (88) controls a sequence of movements of at least one transport vehicle (83), which conveys the at least one mobile collecting container (43).

33. The method according to claim 24, characterized in that at least one function for controlling the gripper device (72) is executed in the execution plane (169),

wherein the gripper device (72) carries out a change of printing formes (01) on the relevant forme cylinder (06) or wherein the gripper device (72) carries out a replacement of the at least one mobile collecting container (43) on the printing forme magazine (09) assigned to the relevant forme cylinder (06).

34. The method according to claim 24, characterized in that at least one function for controlling at least one conveyor device (80) assigned to the printing forme magazine (09) and/or at least one function for controlling a register device (132) and/or roller strip (139) assigned to the printing forme magazine (09) is executed in the execution plane (169).

35. The method according to claim 28, characterized in that communication between the control module (174) of the plate logistics management system, executed in the coordination plane (168), and at least one device disposed in the same control plane and/or at least one device assigned to the execution plane (169) is carried out in each case via a bidirectional communications connection (177).

36. The method according to claim 1, characterized in that a control device provided at the end of the plate line checks to ensure that the printing formes (01) are arranged correctly in the respective mobile collecting containers (43), according to the print order.

37. The method according to claim 1, characterized in that at least one printing forme (01) that is transported away from the printing press in the respective mobile collecting containers (43) is unloaded automatically at an unloading station (98), wherein at the same time, the relevant mobile collecting container (43) is

registered on the basis of an identification code (104) provided thereon.

38. The method according to claim 1, characterized in that the printing formes (01) are provided in random sequence in terms of their respective assignment to one of the forme cylinders (06).

39. The method according to claim 1, characterized in that the mobile collecting containers (43) conveyed to the specific forme cylinder (06) are arranged side by side in a row in the axial direction of the relevant forme cylinder (06) on the operating side of the printing press.

40. The method according to claim 1, characterized in that the printing formes (01) conveyed in different mobile collecting containers (43) to the printing press and assigned to installation positions arranged side by side on the relevant forme cylinder (06), in the axial direction thereof, are removed simultaneously from said mobile collecting containers (43).

Translation of the pertinent portions of a **Notification of the Transmittal of the International Preliminary Report on Patentability** in accordance with Rule 71.1 PCT, mailed on 9 March, 2011

2. This report comprises a total of 6 pages including this cover sheet.

3. Enclosures are also included with the report; these include

   A total of 8 pages *(sent to the applicant and to the International Authority)*, which include

   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).

4. This report contains information relating to the following items:

Box I Basis of the Report

Box V Reasoned statement according to Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations to support such statement

Box I **Basis of the Report**

1. With regard to **language**, this report is based on:

   the international application in the language in which it was filed.

2. With regard to the **elements** of the international application, this report is based on:

   the description, pages

   1-104 as originally filed/furnished

   the claims, No.

   1-40 received on 3 March 2010

   the drawings, pages

   1-46 as originally filed/furnished

Box V. Reasoned statement according to Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations to support such statement

1. Statement

Novelty (N)	Yes:	Claims 1-40
	No:	Claims
Inventive Step (IS)	Yes:	Claims 1-40
	No:	Claims
Industrial Applicability (IA)	Yes:	Claims 1-40
	No:	Claims

2. Citations and Explanations (Rule 70.7):
   <u>See supplementary pages</u>

INTERNATIONAL PRELIMINARY REPORT REGARDING PATENTABILITY (SUPPLEMENTARY PAGES)

Box V.

1. Reference is made to the following documents:

D1 DE 20 2007 011576 U1 (NEUMEISTER GEB GMBH [DE]) 31 October 2007 (2007-10-31), cited in the application

D2 DE 20 2008 012225 U1 (MANROLAND AG [DE]) 27 November 2008 (2008-11-27), cited in the application

D3 DE 10 2006 032203 A1 (KOENIG & BAUER AG [DE]) 17 January 2008 (2008-01-17), cited in the application

D4 DE 10 2006 032204 B3 (KOENIG & BAUER AG [DE]) 31 October 2007 (2007-10-31), cited in the application

D5 DE 10 2006 061452 A1 (ROLAND MAN DRUCKMASCH [DE]) 26 June 2008 (2008-06-26), cited in the application

D6 DE 10 2005 042756 A1 (WIFAG MASCHF [CH]) 29 March 2007 (2007-03-29), cited in the application

D7 DE 102 20 424 A1 (SWISSLOG TELELIFT GMBH [DE]) 18 June 2003 (2003-06-18), cited in the application

D8 DE 44 42 265 A1 (ROLAND MAN DRUCKMASCH [DE]) 30 May 1996 (1996-05-30), cited in the application

D9 DE 40 03 445 A1 (ROLAND MAN DRUCKMASCH [DE]) 8 August 1991 (1991-08-08), cited in the application

D10 DE 36 30 876 A1 (TOKYO KIKAI SEISAKUSHO LTD [JP]) 19 March 1987 (1987-03-19), cited in the application

D11 GB 2 413 530 A (GOSS GRAPHIC SYSTEMS LTD [GB]) 2 November 2005 (2005-11-02), cited in the application

D12 EP 1 878 570 A2 (KOENIG & BAUER AG [DE]) 16 January 2008 (2008-01-16), cited in the application

D13 EP 1 435 292 A1 (OHG GIOVANNI CERUTTI S P A [IT]) 7 July 2004 (2004-07-07), cited in the application

D14 EP 1 002 646 A1 (TOKYO KIKAI SEISAKUSHO LTD [JP]) 24 May 2000 (2000-05-24), cited in the application

D15 WO 2004/085153 A2 (KOENIG & BAUER AG [DE]; SCHNEIDER GEORG [DE]; SCHAEFER KARL ROBERT [DE]) 7 October 2004 (2004-10-07), cited in the application

D16 DE 103 14 341 B3 (KOENIG & BAUER AG [DE]) 12 August 2004 (2004-08-12), cited in the application

D17 US 4 727 807 A (SUZUKI KUNIO [JP] ET AL) 1 March 1988 (1988-03-01), cited in the application

2. D12 is considered to be the prior art closest to the subject matter of claim 1, and discloses a printing unit of a rotary printing press. D12 (Fig. 3) describes a transport system for supplying printing formes to a printing unit, wherein printing formes that are required in the printing unit and are imaged in an imaging system are transported in sequence to the relevant printing unit by means of a rail-mounted, for example, preferably remotely controllable conveyor device (D12, [0025]).

3. The subject matter of claim 1 therefore differs from the known method in that different mobile collecting containers (43), along with the printing formes (01) arranged therein and assigned to the same forme cylinder (06), are conveyed at different times from the plate line to said **forme cylinder** (06), wherein a current position of at least one of the mobile collecting containers (43) that is moved along the guidance system (67) is determined by means of a vehicle master computer (88), wherein at a specific time, **a plurality of these mobile collecting containers (43), which are conveyed from the plate line to the relevant forme cylinder (06), are provided side by side in the axial direction of the relevant forme cylinder (06)** on one operating side of the printing press, wherein **printing formes (01)** that are assigned to installation positions arranged side by side on the relevant forme cylinder (06), in the axial direction thereof, and **are conveyed to the printing press in different mobile collecting containers (43) are removed from these** mobile **collecting containers (43)** provided side by side at the specific time, and are provided to the respective installation positions on the relevant forme cylinder (06).

4. Because none of the identified publications discloses a method having the features of new claim 1, the subject matter of this method is novel (PCT Article 33(2)).

5. Because the identified publications do not suggest a method having the features of new claim 1, the development of the subject matter of this method also involves an inventive step (PCT Article 33(3)).

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/138,104	07/07/2011	Joachim Barthelme	W1.3130 PCT-US	4164

23294 7590 11/02/2011
JONES, TULLAR & COOPER, P.C.
P.O. BOX 2266 EADS STATION
ARLINGTON, VA 22202

EXAMINER

ART UNIT	PAPER NUMBER
2854	

MAIL DATE	DELIVERY MODE
11/02/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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JONES, TULLAR & COOPER, P.C.
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ARLINGTON VA 22202

***In re* Application of**	**: DECISION ON REQUEST TO**
BARTHELME, *et al.*	**: PARTICIPATE IN THE PATENT**
Application No.: 13/138,104	**: PROSECUTION HIGHWAY**
Filed: 07 July 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: W1.3130 PCT-US	**: TO MAKE SPECIAL UNDER**
For: METHOD FOR PROVIDING PRINTING FORMES AT INSTALLATION POSITIONS ON ONE OF A PLURALITY OF FORME CYLINDERS DISPOSED IN A PRINTING PRESS	**: 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 14 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(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 Michael Day at 571-272-1568.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/ Michael Day /

Michael Day
Quality Assurance Specialist
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PCT LEGAL ADMINISTRATION

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In re Application of RIONDATO Application No.: 13/138,113 PCT No.: PCT/EP09/07990 Int. Filing Date: 09 November 2009 Priority Date: 17 November 2008 Attorney Docket No.: BA-23104 PCT For: COMBINATION OF A SHOE, A FRAME AND A PEDAL FOR RACING BICYCLES	:	DECISION on PETITION UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 08 July 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 20 July 2011.

/Cynthia M. Kratz/
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