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:	13/183,490	Filing date:	July 15, 2011
First Named Inventor:	Yoichiro Yamamoto		
Title of the Invention:	Method and Apparatus for Transferring Articles of Different Sizes		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2011/043932

The international filing date of the corresponding PCT application(s) is/are: July 14, 2011

I. List of Required Documents:

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

- [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.:	13/183,490
First Named Inventor:	Yoichiro 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.**

- [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
1-13	1-13	Please see attached claims correspondence table.
14-20	Not Applicable	Claims 14-20 are canceled by the Preliminary Amendment submitted herewith.

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

Signature /Abbey A. Lopez/	Date March 12, 2012
Name (Print/Typed) Abbey A. Lopez	Registration Number 67,997

Privacy Act Statement

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

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

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

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
Hughett, Eileen L.
THE PROCTER & GAMBLE COMPANY
Global Patent Services
299 E. Sixth Street, Sycamore Bldg., 4th Floor
Cincinnati OH 45202
ETATS-UNIS D'AMERIQUE

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)* 27 September 2011 (27-09-2011)
Applicant's or agent's file reference 11805Q-JC	**FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. PCT/US2011/043932	International filing date *(day/month/year)* 14 July 2011 (14-07-2011)
Applicant THE PROCTER & GAMBLE COMPANY	

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 *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

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

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

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

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

4. **Reminders**

   The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

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

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

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

   For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the *PCT Applicant's Guide*, National Chapters.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2	Authorized officer PITTORRU, Rossella

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 11805Q-JC	**FOR FURTHER ACTION**	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2011/043932	International filing date *(day/month/year)* 14/07/2011	(Earliest) Priority Date *(day/month/year)* 15/07/2010
Applicant THE PROCTER & GAMBLE COMPANY		

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

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

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

1. **Basis of the report**
   a. With regard to the **language**, the International search was carried out on the basis of:
      [X] the international application in the language in which it was filed
      [ ] a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. [ ] This International search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. [ ] With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. [ ] **Certain claims were found unsearchable** (See Box No. II)
3. [ ] **Unity of invention is lacking** (see Box No III)
4. With regard to the **title**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
   [X] the text is approved as submitted by the applicant
   [ ] the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority
6. With regard to the **drawings**,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 3
      [ ] as suggested by the applicant
      [ ] as selected by this Authority, because the applicant failed to suggest a figure
      [X] as selected by this Authority, because this figure better characterizes the invention

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2011/043932

A. CLASSIFICATION OF SUBJECT MATTER
INV. A61F13/15
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)
A61F

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

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

EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 2008/001209 A2 (GDM S P A [IT]; PIANTONI MATTEO [IT]; PASTRELLO GABRIELE [IT]; PEREGO) 3 January 2008 (2008-01-03) page 1, line 10 - page 4, line 27; claims 1-20; figures 1-8	1-13
A	WO 95/19752 A2 (KIMBERLY CLARK CO [US]) 27 July 1995 (1995-07-27) page 3, line 6 - line 23 page 3, line 35 - page 6, line 4; claims 1-20; figures 1-9	1-13
A	EP 1 941 854 A2 (PROCTER & GAMBLE [US]) 9 July 2008 (2008-07-09) paragraph [0002] - paragraph [0016]; claims 1-8; figures 1-28	1-13

-/--

[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
20 September 2011	27/09/2011
Name and mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2	Authorized officer

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2011/043932

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 1 595 517 A1 (ZUIKO CORP [JP]) 16 November 2005 (2005-11-16) claims 1-2; figures 1-16	1-13

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/US2011/043932

Patent document cited in search report		Publication date	Patent family member(s)			Publication date
WO 2008001209	A2	03-01-2008	NONE			
WO 9519752	A2	27-07-1995	AU	678887	B2	12-06-1997
			AU	1519595	A	08-08-1995
			CA	2123022	A1	26-07-1995
			CO	4370750	A1	07-10-1996
			DE	69423521	D1	20-04-2000
			DE	69423521	T2	09-11-2000
			EP	0743843	A1	27-11-1996
			GB	2286571	A	23-08-1995
			JP	9509128	T	16-09-1997
			JP	3523875	B2	26-04-2004
			US	6022443	A	08-02-2000
			US	6319347	B1	20-11-2001
			ZA	9500080	A	06-09-1995
EP 1941854	A2	09-07-2008	EP	1943994	A2	16-07-2008
EP 1595517	A1	16-11-2005	AT	365694	T	15-07-2007
			AT	517834	T	15-08-2011
			CN	1356097	A	03-07-2002
			DE	60129103	T2	25-10-2007
			EP	1234787	A1	28-08-2002
			EP	1574461	A2	14-09-2005
			JP	3798298	B2	19-07-2006
			JP	2002345889	A	03-12-2002
			JP	4531711	B2	25-08-2010
			JP	2006193337	A	27-07-2006
			US	2002103468	A1	01-08-2002

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/US2011/043932	14.07.2011	15.07.2010

International Patent Classification (IPC) or both national classification and IPC
INV. A61F13/15

Applicant
THE PROCTER & GAMBLE COMPANY

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

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

2. **FURTHER ACTION**

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

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

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

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

Name and mailing address of the ISA:	Date of completion of this opinion	Authorized Officer
European Patent Office	see form	Demay, Stéphane

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/043932

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	1-13
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-13
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-13
	No:	Claims	

2. Citations and explanations

   see separate sheet

Re Item V

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

Reference is made to the following documents:

D1 WO 2008/001209 A2 (GDM S P A [IT]; PIANTONI MATTEO [IT]; PASTRELLO GABRIELE [IT]; PEREGO) 3 January 2008 (2008-01-03)

D2 WO 95/19752 A2 (KIMBERLY CLARK CO [US]) 27 July 1995 (1995-07-27)

D3 EP 1 941 854 A2 (PROCTER & GAMBLE [US]) 9 July 2008 (2008-07-09)

D4 EP 1 595 517 A1 (ZUIKO CORP [JP]) 16 November 2005 (2005-11-16)

1 **Independent Apparatus Claim 1**

None of the documents D1-D4 appears to disclose an apparatus as claimed in claim 1 of the present application. In particular, none of these documents discloses an apparatus comprising

(i) a first transferring surface configured to receive the leading end portion of each article, said first transferring surface being mechanically coupled to a first drive motor;

(ii) a second transferring surface configured to receive the trailing end of each article, said second transferring surface being mechanically coupled to a second drive motor;

(iii) wherein the first and second drive motors are configured to accelerate and/or decelerate the first and second transferring surfaces independently from each other.

The apparatus shown in any of the documents D1-D4 are quite remote from the apparatus as claimed in claim 1.

Although the documents D1-D4 disclose apparatus for transferring articles in a machine direction from a first carrier moving at a first speed to a second carrier moving at a second speed that is greater than the first speed, and although the same problem underlying the present application is known in the art and addressed in D1-D3, namely the problem of transferring articles of

different sizes without having to stop the machine in order to replace a carrier or another part of the mechanism with one that is tailored to accommodate the desired article size (see D1, page 3, lines 14-28 and page 4, lines 18-22; see D2, page 3, lines 17-20; see D3, paragraph [0008]), none of these documents renders obvious for a skilled person the apparatus as claimed in claim 1.

Hence, the subject-matter of claim 1 appears to be novel and to involve an inventive step over any of the documents D1-D4 (Art. 33(2) and (3) PCT).

2 Claims 2-13 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

3 **Formal Issues**

In order to increase the intelligibility of the claims, the features of the claims, in particular claim 1, should be provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

According to the requirements of Rule 11.13(m) PCT the same feature shall be denoted by the same reference sign throughout the application. This requirement is not met in view of the use of the reference sign 110 to refer to a rotating first carrier (see page 7, lines 23-25). In the rest of the description and the the figures, the reference sign 120 is used to refer to the rotating first carrier.

The reference sign 131 is used at page 8, line 11, but does not appear on any of the figures 2-4.

At page 10, lines 25, the reference sign 250 is used to refer to the leading end of the article. It should be 150.

At page 11, line 9, reference is made to figure 6. In that context, it should be figure 7.

At page 12, line 3, reference is made to figure 7. In that context, it should be figure 8.

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

What is claimed is:

1. An apparatus for transferring articles in a machine direction from a first carrier moving at a first speed to a second carrier moving at a second speed that is greater than the first speed, each article having a leading end portion and a trailing end portion, the apparatus comprising:

   a first transferring surface configured to receive the leading end portion of each article from the first carrier and transport each article to the second carrier, the first transferring surface being mechanically coupled to a first drive motor that advances the first transferring surface in the machine direction;

   a second transferring surface configured to receive the trailing end of each article from the first carrier and transport the trailing end of each article to the second carrier, the second transferring surface being mechanically coupled to a second drive motor that advances the second transferring surface in the machine direction;

   wherein the first drive motor is configured to advance the first transferring surface at the first speed when the leading end of each article is transferred from the first carrier to the first transferring surface, then decelerate the first transferring surface to accumulate slack in the article, and then accelerate the first transferring surface back to the second speed such that the leading end of the article is transferred to the second carrier at the second speed; and

   wherein the second drive motor is configured to advance the second transferring surface at the first speed when the trailing end of each article is transferred from the first carrier to the second transferring surface, and then accelerate the second transferring surface to the second speed such that the trailing end of each article is transferred to the second carrier at the second speed.

2. The apparatus of claim 1, wherein the first transferring surface and the second transferring surface each include at least one belt.

3. The apparatus of claim 1 or claim 2, wherein the first and second transfer surfaces each include two or more belts arranged in an alternating relationship.

4. The apparatus of any of the preceding claims, wherein the apparatus is configured as a two-up belt.

5. The apparatus of any of the preceding claims, wherein the apparatus is configured as a rotary drum with at least two independently rotatable heads.

6. The apparatus of any of the preceding claims, wherein the article is a disposable absorbent article configured to be worn about the lower torso of a wearer, the disposable absorbent article comprising a first waist region, a second waist region, and a crotch region disposed therebetween.

7. The apparatus of claim 6, wherein the leading end is the first waist region and the trailing end is the second waist region.

8. The apparatus of any of the preceding claims, wherein at least one of the first and second transferring surfaces have vacuum present.

9. The apparatus of any of the preceding claims, further comprising a third transferring surface configured to receive a portion of the article from the first carrier and transport the portion to the second carrier, the third transferring surface being mechanically coupled to a third drive motor that advances the third transferring surface in the machine direction,

10. The apparatus of any of the preceding claims, further comprising one or more raised pads disposed on at least one of the first and second transferring surfaces, the raised pad being configured to receive at least one of the leading and trailing ends of the article.

11. The apparatus of claim 10, wherein the one or more raised pads are configured to accommodate articles of different widths.

12. The apparatus of any of the preceding claims, wherein substantially all of the slack has been removed from the article when the trailing end is transferred to the second carrier.

13. The apparatus of any of the preceding claims, wherein the article includes at least some slack when the trailing end is transferred to the second carrier.

Claims Correspondence Table
Comparing Claims 1-20 of U.S. Patent Application No. 13/183,490 to Claims 1-13 of PCT/US2011/043932

Claim from 13/183,490	Claim from PCT/US2011/043932	Comments
1. An apparatus for transferring articles in a machine direction from a first carrier moving at a first speed to a second carrier moving at a second speed that is greater than the first speed, each article having a leading end portion and a trailing end portion, the apparatus comprising:	1. An apparatus for transferring articles in a machine direction from a first carrier moving at a first speed to a second carrier moving at a second speed that is greater than the first speed, each article having a leading end portion and a trailing end portion, the apparatus comprising:	U.S. Claim 1 sufficiently corresponds to PCT claim 1.
a first transferring surface configured to receive the leading end portion of each article from the first carrier and transport each article to the second carrier, the first transferring surface being mechanically coupled to a first drive motor that advances the first transferring surface in the machine direction;	a first transferring surface configured to receive the leading end portion of each article from the first carrier and transport each article to the second carrier, the first transferring surface being mechanically coupled to a first drive motor that advances the first transferring surface in the machine direction;	
a second transferring surface configured to receive the trailing end of each article from the first carrier and transport the trailing end of each article to the second carrier, the second transferring surface being mechanically coupled to a second drive motor that advances the second transferring surface in the machine direction;	a second transferring surface configured to receive the trailing end of each article from the first carrier and transport the trailing end of each article to the second carrier, the second transferring surface being mechanically coupled to a second drive motor that advances the second transferring surface in the machine direction;	
wherein the first drive motor is configured to advance the first transferring surface at the first speed when the leading end of each article is transferred from the first carrier to the first transferring surface, then decelerate the first transferring surface to accumulate slack in the article, and then accelerate the first transferring surface back to the second speed such that the leading end of the article is transferred to the second carrier at the second speed; and	wherein the first drive motor is configured to advance the first transferring surface at the first speed when the leading end of each article is transferred from the first carrier to the first transferring surface, then decelerate the first transferring surface to accumulate slack in the article, and then accelerate the first transferring surface back to the second speed such that the leading end of the article is transferred to the second carrier at the second speed; and	
wherein the second drive motor is configured to advance the second transferring surface at the first speed when the trailing end of each article is transferred from the first carrier to the second transferring surface, and then	wherein the second drive motor is configured to advance the second transferring surface at the first speed when the trailing end of each article is transferred from the first carrier to the second transferring surface, and then	

Claim from 13/183,490	Claim from PCT/US2011/043932	Comments
accelerate the second transferring surface to the second speed such that the trailing end of each article is transferred to the second carrier at the second speed.	accelerate the second transferring surface to the second speed such that the trailing end of each article is transferred to the second carrier at the second speed.	
2. The apparatus of claim 1, wherein the first transferring surface and the second transferring surface each include at least one belt.	2. The apparatus of claim 1, wherein the first transferring surface and the second transferring surface each include at least one belt.	U.S. Claim 2 sufficiently corresponds to PCT Claim 2.
3. The apparatus of claim 2, wherein the first and second transfer surfaces each include two or more belts arranged in an alternating relationship.	3. The apparatus of claim 1 or claim 2, wherein the first and second transfer surfaces each include two or more belts arranged in an alternating relationship.	U.S. Claim 3 depends only from Claim 1, whereas PCT Claim 3 depends from "claim 1 or claim 2."
4. The apparatus of claim 1, wherein the apparatus is configured as a two-up belt.	4. The apparatus of any of the preceding claims, wherein the apparatus is configured as a two-up belt.	U.S. Claim 4 depends only from Claim 1, whereas PCT Claim 4 depends from "any of the preceding claims."
5. The apparatus of claim 1, wherein the apparatus is configured as a rotary drum with at least two independently rotatable heads.	5. The apparatus of any of the preceding claims, wherein the apparatus is configured as a rotary drum with at least two independently rotatable heads.	U.S. Claim 5 depends only from Claim 1, whereas PCT Claim 5 depends from "any of the preceding claims."
6. The apparatus of claim 1, wherein the article is a disposable absorbent article configured to be worn about the lower torso of a wearer, the disposable absorbent article comprising a first waist region, a second waist region, and a crotch region disposed therebetween.	6. The apparatus of any of the preceding claims, wherein the article is a disposable absorbent article configured to be worn about the lower torso of a wearer, the disposable absorbent article comprising a first waist region, a second waist region, and a crotch region disposed therebetween.	U.S. Claim 6 depends only from Claim 1, whereas PCT Claim 6 depends from "any of the preceding claims."
7. The apparatus of claim 6, wherein the leading end is the first waist region and the trailing end is the second waist region.	7. The apparatus of claim 6, wherein the leading end is the first waist region and the trailing end is the second waist region.	U.S. Claim 7 sufficiently corresponds to PCT Claim 7.
8. The apparatus of claim 1, wherein at least one of the first and second	8. The apparatus of any of the preceding claims, wherein at least one of the first	U.S. Claim 8 depends only from

Claim from 13/183,490	Claim from PCT/US2011/043932	Comments
transferring surfaces have vacuum present.	and second transferring surfaces have vacuum present.	Claim 1, whereas PCT Claim 8 depends from "any of the preceding claims."
9. The apparatus of claim 1, further comprising a third transferring surface configured to receive a portion of the article from the first carrier and transport the portion to the second carrier, the third transferring surface being mechanically coupled to a third drive motor that advances the third transferring surface in the machine direction.	9. The apparatus of any of the preceding claims, further comprising a third transferring surface configured to receive a portion of the article from the first carrier and transport the portion to the second carrier, the third transferring surface being mechanically coupled to a third drive motor that advances the third transferring surface in the machine direction,	U.S. Claim 9 depends only from Claim 1, whereas PCT Claim 9 depends from "any of the preceding claims." U.S. Claim 1 was amended to correct a typographical error in the Preliminary Amendment filed on December 12, 2011.
10. The apparatus of claim 1, further comprising one or more raised pads disposed on at least one of the first and second transferring surfaces, the raised pad being configured to receive at least one of the leading and trailing ends of the article.	10. The apparatus of any of the preceding claims, further comprising one or more raised pads disposed on at least one of the first and second transferring surfaces, the raised pad being configured to receive at least one of the leading and trailing ends of the article.	U.S. Claim 10 depends only from Claim 1, whereas PCT Claim 10 depends from "any of the preceding claims."
11. The apparatus of claim 10, wherein the one or more raised pads are configured to accommodate articles of different widths.	11. The apparatus of claim 10, wherein the one or more raised pads are configured to accommodate articles of different widths.	U.S. Claim 11 sufficiently corresponds to PCT Claim 11.
12. The apparatus of claim 1, wherein substantially all of the slack has been removed from the article when the trailing end is transferred to the second carrier.	12. The apparatus of any of the preceding claims, wherein substantially all of the slack has been removed from the article when the trailing end is transferred to the second carrier.	U.S. Claim 12 depends only from Claim 1, whereas PCT Claim 12 depends from "any of the preceding claims."
13. The apparatus of claim 1, wherein the article includes at least some slack when the trailing end is transferred to the second carrier.	13. The apparatus of any of the preceding claims, wherein the article includes at least some slack when the trailing end is transferred to the second carrier.	U.S. Claim 13 depends only from Claim 1, whereas PCT Claim 13 depends from "any of the preceding

Claims Correspondence Table
Comparing Claims 1-20 of U.S. Patent Application No. 13/183,490 to Claims 1-13 of PCT/US2011/043932

Claim from 13/183,490	Claim from PCT/US2011/043932	Comments
		claims."
14-20.		U.S. Claims 14-20 were canceled in the Preliminary Amendment filed on December 12, 2011.

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Paper No.

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OFFICE OF PETITIONS

BAE SYSTEMS
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NHQ1-719
NASHUA NH 03061-0868

In re Application of	:	
Deborah Hunka, Christopher Rector	:	DECISION REFUSING STATUS
and Michael Bowers II	:	UNDER 37 CFR 1.47(a)
Application No. 13/183,492	:	
Filed: July 15, 2011	:	
Attorney Docket No. BAEP-1291	:	

This is a decision on the "PETITION ON BEHALF OF OTHER JOINT INVENTOR WHO REFUSES TO JOIN IN AN APPLICATION OR CANNOT BE REACHED (37 CFR 1.47)" filed September 28, 2011.

The renewed petition is **DISMISSED**.

Rule 47 applicant is given **TWO MONTHS** from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventors. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 C.F.R. § 1.136(a).

The above-identified application was filed on July 15, 2011 with an application data sheet, but without an executed oath or declaration. Accordingly, on July 28, 2011, the Office mailed a Notice of Missing Parts of Nonprovisional Application, requiring an executed oath or declaration and the late surcharge.

In response, applicants timely filed the instant petition (and petition fee) and late charge. The petition fee of $200 (not $130) was charged to the Deposit Account as authorized. The petition includes a declaration executed by joint inventors

Rector and Bowers on behalf of themselves and on behalf of nonsigning joint inventor Hunka. Applicants assert that status under 1.47 is proper as inventor Hunka refuses to join in the application or cannot be reached.

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

The petition includes an acceptable declaration, the petition fee and a statement of the last known address of inventor However, applicants did not make an adequate showing that inventor Hunka refused to join in the application or could not be reached or found after diligent effort to join in the application.

Applicants have not submitted adequate proof that inventor Hunka refuses to join in the application. Before a refusal can be alleged, applicants must demonstrate that a bona fide attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the non-signing inventor. 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. See MPEP 409.03(d). Rule 47 applicants have alleged refusal, but have acknowledged that inventor Hunka as not received the application papers as they were returned as undeliverable.

Applicants have not submitted adequate proof that inventor Hunka cannot be located after diligent effort. Without explanation it seems that applicants have limited their search of public records for Deborah Hunka to Baltimore, Maryland). Although her last known address was in Baltimore, Maryland, absent reasonable explanation, undertaking diligent efforts requires searching the public records beyond the Baltimore region. In order to have the necessary proof required under 37 CFR § 1.47 that the

inventor cannot be reached after diligent effort, applicants should submit details of the additional efforts to reach or locate the non-signing inventor in an affidavit or declaration of facts by a person with firsthand knowledge of the details and submit documentary evidence such as the results of any Internet searches or public record searches.

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

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

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

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

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3219.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

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NHQ1-719
NASHUA NH 03061-0868

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DEC 08 2011

OFFICE OF PETITIONS

In re Application of	:	
Deborah Hunka, Christopher Rector	:	
And Michael Bowers II	:	DECISION NOTING JOINDER
Application No. 13/183,492	:	OF INVENTOR AND PETITION
Filed: July 15, 2011	:	UNDER 37 CFR 1.47(a) MOOT
Attorney Docket No. BAEP-1291	:	

This is in response to the "Request for Reconsideration of Petition Under 37 C.F.R. §1.47(a)" filed November 2, 2011.

The petition is **DISMISSED AS MOOT**.

The above-identified application was filed on July 15, 2011, without an executed oath or declaration but with an application data sheet. In response to the Notice to File Missing Parts of Nonprovisional Application mailed July 28, 2011, on September 28, 2011, applicants filed the initial petition under § 1.47(a) on the basis that joint inventor Hunka refuses to join in the application or cannot be reached. By decision mailed October 3, 2011, the petition was dismissed for failure to submit adequate proof that the non-signing inventor cannot be reached or found, after diligent effort, or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings).

On instant renewed petition, applicants have submitted a declaration executed by previously non-signing inventor Hunka.

The declarations filed November 2, 2011, executed in combination by all inventors, have been reviewed and found in compliance with 37 CFR 1.63.

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

This application will be examined in due course.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.

/Nancy Johnson/

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

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GE HEALTHCARE, INC.
IP DEPARTMENT
101 CARNEGIE CENTER
PRINCETON NJ 08540-6231

MAILED
SEP 07 2011
OFFICE OF PETITIONS

In re Application of :
Helge Tolleshaug :
Application No. 13/183687 : DECISION ON PETITION
Filing or 371(c) Date: 07/15/2011 :
Attorney Docket No. PN0473-US DI V :

This is a decision on the "Response to Notice of Notice of Incomplete Nonprovisional Application Filed Under 37 CFR 1.53(B)," filed august 16, 2011, requesting that the Office accord the present application a filing date of July 15, 2011.

The petition is granted.

On July 15, 2011, Applicants deposited the above-identified application, and included a copy of International Application No. WO2006/065146. On August 1, 2011, the Office of Patent Application Processing mailed a Notice of Incomplete Nonprovisional Application, stating that the application had NOT been accorded a filing date because the specification was missing.

Applicants file the present petition and assert that the application as-filed on July 15, 2011 included a specification, filed as International Application No. WO2006/065146.

A review of the file indicates that the Office received a copy of International Application No. WO2006/065146[1] on July 15, 2011, that included a specification, claims and drawings.

Therefore, the application may be accorded a filing date of July 15, 2011.

This matter is being referred to the Office of Patent Application Processing to accord the application a filing date of July 15, 2011, using as the specification (specification, claims amd drawings), the copy of International Patent Publication No. WO2006/065146, filed on that date, as part of the original disclosure.

[1] [1] Although the specification was located in the file, the specification was filed as part of the International Patent Publication No. WO2006/065146. Because the specification was filed in this format, special processing was necessitated. Therefore, the petition fee has been charged to the Deposit Account.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods
Attorney
Office of Petitions

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

PTO/SB/420 (11-10)
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PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 83196205	Application Number (if known): 13/183,700	Filing date: July 15, 2011
First Named Inventor: Avra Brahma		
Title: SYSTEM AND METHOD FOR PROCESSING NH3 SLIPPAGE OF A SELECTIVE CATALYST REDUCTION SYSTEM		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature /John D. Russell/	Date September 14, 2011
Name (Print/Typed) John D. Russell	Registration Number 47,048

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

[X] *Total of 1 forms are submitted.

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Avra Brahma, et al.
Application No.	:	13/183,700
Filed	:	July 15, 2011
Title	:	SYSTEM AND METHOD FOR PROCESSING NH_3 SLIPPAGE OF A SELECTIVE CATALYST REDUCTION SYSTEM
Group Art Unit	:	3748
Confirmation No.	:	8878
Docket No.	:	83196205

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

CERTIFICATE OF TRANSMISSION

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

September 14, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

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

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: the claimed invention materially enhances the quality of the environment.

II. Statement pertaining to the materiality standard.

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

Applicants submit that the claimed invention materially enhances the quality of the environment by reducing the inadvertent release of ammonia to the atmosphere, which negatively impacts the quality of the environment. As explained in the

Background and Summary of the subject application, nitrogen oxides (e.g., NOx) may be processed in a vehicle exhaust system via a selective reduction catalyst (SCR). The SCR reduces the NOx into N_2 and H_2O. In some systems the SCR may co-operate with a reductant such as ammonia (NH_3) to reduce the NOx when there is sufficient temperature within the SCR. The ammonia may be injected to the SCR from a storage tank via an injector. However, if excess ammonia is delivered to the SCR via the injector, ammonia may pass through the SCR and enter the atmosphere. Models have been developed to estimate the amount of ammonia stored within a SCR so that ammonia injection may be stopped before ammonia slips past the SCR. Nevertheless, ammonia may slip past an SCR due to modeling and system input (e.g., feedgas NOx, injector errors, urea quality) errors.

The claimed invention addresses this issue by providing a system including a second SCR positioned downstream from a first SCR. For example, claim 1 recites:

> A system for controlling vehicle exhaust system NH_3 slippage, comprising:
>
> a first SCR positioned in a vehicle exhaust system downstream of an engine;
>
> a second SCR positioned in the vehicle exhaust system; and
>
> a controller including instructions to direct NH_3 slippage from the first SCR to the second SCR, the controller including additional instructions to direct exhaust gases from the second SCR to the first SCR.

By storing NH_3 slippage from a first SCR in a second SCR and directing exhaust gases from the second SCR to the first SCR, it may be possible to reduce NH_3 slippage from a vehicle exhaust system to atmosphere as well as recover the slipped NH_3 for further NOx reduction in the SCR. In particular, NH_3 that has slipped past the first SCR can be stored in the second SCR and then returned to the first SCR via desorption so that NOx may be additionally processed in the first SCR via the slipped NH_3. In this way, it may be possible to better utilize NH_3 that has been injected to the exhaust system to reduce NOx. This approach may improve NH_3 utilization in a vehicle exhaust system and reduce the amount of NH_3 emissions from a vehicle, thus enhancing the quality of the environment. Further better utilization of the NH_3 results in reduce NOx emissions, further improving the quality of the environment.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 06-1510.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

/John D. Russell/
John D. Russell
Registration No. 47,048
Customer No. 36865
Attorney/Agent for Applicants/Assignee
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/183,700	07/15/2011	Avra Brahma	83196205	8878

36865 7590 09/22/2011
ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND, OR 97205

EXAMINER

ART UNIT	PAPER NUMBER
3748	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

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

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

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

In re Application of	:	
BRAHMA, AVRA , et al	:	DECISION ON PETITION
Application No. 13/183,700	:	TO MAKE SPECIAL UNDER
Filed: July 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **83196205**	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed September 14, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

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

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

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

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

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

This application will be forwarded to the Technology Center Art Unit 3748 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 000748.000001	Application Number (if known):	Filing date: July 15, 2011

First Named Inventor: Kevin Callaway

Title: Truncated Reflector

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 /Edward J. Marshall/	Date 07/15/2011
Name (Print/Typed) Edward J. Marshall	Registration Number 45395

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

☐ *Total of _____ forms are submitted.

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

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

(Not to be Submitted to the USPTO)

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

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

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

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

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

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

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

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/183,915	07/15/2011	Kevin Callaway	000748.000001	9313

87457 7590 09/15/2011
Edward J. Marshall, Attorney at Law
8705 Shoal Creek Blvd.
Suite 202
Austin, TX 78757

EXAMINER
POON, PETER M

ART UNIT	PAPER NUMBER
3643	

MAIL DATE	DELIVERY MODE
09/15/2011	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

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SEP 1 5 2011

Edward J. Marshall, Attorney at Law
8705 Shoal Creek Blvd.
Suite 202
Austin TX 78757

In re Application of	:	
KEVIN CALLAWAY	:	DECISION ON PETITION
Application No. 13/183,915	:	TO MAKE SPECIAL UNDER
Filed July 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 000748.000001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 15, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

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

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

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

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

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

The petition lacks item 4.

In regard to item 4, there is no evidence that irradiating the underside of leaves of a plant using the claimed reflector would reduce/eliminate the needs for soil treatment to eliminate viruses, fungi and nematodes that live in the soil. As the viruses, fungi and nematodes attack the root system of a plant that results in root dysfunction, reduced root volume, and reduced the root's efficiency in absorbing water and nutrient from the soil, the claimed reflector would not be able to control soil problems and root problems.

Ultraviolet radiation gradually stops seed growth and sprouting, depended on the how much radiation is released, disrupts Stomata Resistance -- If there is too much evaporation due to intense radiation, the stomata closes to reserve water. If the stomata is unable to open for a long period of time, the growth of the plant is stunted. Prolonged periods of radiation can completely damage the stomata and destroy the plant. Ultraviolet radiation also damages plant cells and increases cell mutations. Prolonged radiation can completely destroy the fertility of a plant. Therefore, the claimed reflective device may cause damage in leaves and the plant due to prolonged/intense radiation, and over-transpiration (water is released through the leaves to cool them). Over-transpiration of a plant wastes water.

In the case of a tomato plant, the claimed reflective device may expose fruit to direct sun which can lead to sunscald problem – a yellowing of the side exposed to the sun. Furthermore, collecting and delivering water to the base/crown of a plant using the claimed reflector may not be an effective watering method as it may lead to rotting of the crown of a plant.

Based on the foregoing reasons, petitioner's assertion the claimed reflector's enhancement of the quality of the environment is merely speculation. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI).* Accordingly, it is unclear as to how the claimed invention would materially contribute to category (B), and it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3643 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

Certification Under 37 C.F.R. 1.8

Date of Mailing or Transmission: October 12, 2011. I hereby certify that I have caused the document indicated herein on the date indicated above to be transmitted via the Office electronic filing system in accordance with 37 C.F.R. Sec. 1.6(a)(4).

/Edward J. Marshall, Reg. No. 45,395/
Edward J. Marshall, Reg. No. 45395

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin Callaway
Serial No: 13/183,915
Filing Date: July 15, 2011
Title: TRUNCATED REFLECTOR

Examiner: Poon, Peter M.
Art Group: 3643; CN: 9313
Docket No: 000748.000001

Date: 10/12/2011

REQUEST FOR RECONSIDERATION OF DENIAL

Dear Madam:

In response to the dismissal, filed September 15, 2011, of Applicant's petition to make special under the Green Technology Pilot Program, Applicant submits the following Request for Reconsideration of the dismissal.

As noted in Applicant's Statement of Special Status, filed on July 15, 2011, the Truncated Reflector materially enhances the quality of the environment by reducing the need "for potentially environmentally hazardous chemicals in the cultivation of plants by serving as an alternative to chemical soil treatment and by mitigating waste of chemicals that may be used. For example, aspects of the invention reduce the need to utilize methyl bromide in the cultivation of tomatoes because [the aspects] can serve as an alternative to treating the soil with methyl bromide and reduce volatilization of any methyl bromide that is used on the soil, thereby preventing the need for, and environmental damage caused by, the chemical."

In a telephone interview on Oct. 11, 2011 with Applicant and his Attorneys, Edward Marshall and Michael Gamble, Quality Assurance Specialist Lanna Mai indicated that the Truncated Reflector does not meet the materiality standard as a matter of common sense. In fact, Ms. Mai specifically denied that she was required to take official notice of the purported facts or provide proof, because the purported facts were based on what Ms. Mai believes to be "common sense." Ms. Mai, when queried about the identity of her supervisor, who could be contacted about the "common sense" standard applied, indicated that there was none. Ms. Mai also indicated that no consideration would be given to information provided during the telephone interview and that any evidence to rebut the Dismissal would be considered only as part of a written Request for Reconsideration.

In rejecting Applicant's petition, the Office argues that the Truncated Reflector, on its face, does not meet the materiality standard or could only have the desired effect if specially applied. *Dismissal*, p. 2. To support this argument, the Office makes multiple assertions regarding possible effects of the claimed invention on plants. But the assertions appear to be

either purely conjectural, or copied from webpages whose accuracy and reputability is dubious, at best. In contrast, as noted in the attached Declarations, multiple experts in gardening, terrestrial farming, and agriculture agree that the Truncated Reflector **will** reduce the need for methyl bromide and at least some other fumigants, thereby materially enhancing the quality of the environment. *See Declaration of Chris Winslow*; *Declaration of Dr. Charles Hardin Rahe*.

In rejecting Applicant's Petition, the Office argues that "there is no evidence that irradiating the underside of leaves of a plant using the claimed reflector would reduce/eliminate the needs for soil treatment to eliminate viruses, fungi and nematodes that live in the soil." *Dismissal*, p. 2. But the claimed invention controls viruses, fungi and nematodes both by irradiating the underside of the leaves with a targeted spectrum of light to control carbon allocation (e.g., allocating more resources to the plant leaves and fruit than to the root system, thereby minimizing the effect of nematodes on the plant) and by its physical structure that prevents soil splash. *See, e.g., Specification*, paras. [0002], [0024], [0036], [0043]; *see also Fortnum, B.A. and Kasperbauer, M.J., Biomass Partitioning and Root-Knot Nematode Development in Tomato Plants under End-of-Day Red or Far-Red Light*, Crop Science, April 1992, Vol. 32, pages 408-411, United States. As a result, and as agreed by multiple experts, the Truncated Reflector reduces the need for harmful fumigants such as methyl bromide. *See Declaration of Chris Winslow*; *Declaration of Dr. Charles Hardin Rahe*; *Specification*, paras. [0002]; [0036].

The Office also asserts that the claimed device "may cause damage in leaves and the plant due to prolonged/intense radiation, and over-transpiration (water is released through the leaves to cool them)." *Dismissal*, p. 2. To support this argument, the Office asserts that

Ultraviolet radiation "gradually stops seed growth and sprouting . . . disrupts Stomata Resistance . . . . damages plant cells and increases cell mutations . . . [and] can completely destroy the fertility of a plant." *Dismissal*, p. 2.

Many of the assertions made by the Office with respect to Ultraviolet radiation are identical—grammatical errors included—to passages from a webpage on the website "eHow.com," titled "Effects of Radiation on Plant Growth & Development" and available at *http://www.ehow.com/how-does_5525557_effects-radiation-plant-growth-development.html*. Even if the Office had properly cited the eHow.com webpage as a reference for its assertion, the webpage does not appear to be a reputable source of accurate information. According to the "Terms and Conditions of Use" of the "eHow.com" website, available at *http://www.ehow.com/terms-of-use.html*, the site is for "general research, informational, and entertainment purposes only . . . . The information on the Site represents the opinions and perspectives of a variety of contributors and users of the Site since its inception. You should assume that we have not independently verified the accuracy, thoroughness, or relevance of the content available on the Site."

Furthermore, the references cited as support for the statements made on the webpage include a paper by Mildred Chaffin titled "The Effects of Over Exposure to Ultraviolet Radiation on the Growth of Plants and Bacteria," available at *http://mypages.iit.edu/~smile/bi8802.html*. The paper does not appear to be a reputable source for information, as it appears to merely outline an experiment for high-school students, whereby ultraviolet radiation is directed at plant seedlings and bacteria to demonstrate ill effects of ultraviolet radiation.

Even if the information in the webpage is reputable and accurate, the information appears to have been copied selectively, as the Office did not recite the information in the webpage which clarifies that "[n]ot all radiation is bad. Sunshine is a type of radiation that is needed for photosynthesis and normal plant growth." In fact, as noted in the Declaration of Kevin Callaway, plants grown using the claimed invention grew taller, produced greater yields, and produced yields more quickly, than plants grown without the claimed invention. *Declaration of Kevin Callaway.*

In addition, the Office speculates that "the claimed reflective device may expose fruit to direct sun which can lead to sunscald problem [sic] – a yellowing of the side exposed to the sun." *Dismissal*, p. 2. The Office provides no support for this assertion. In fact, the Office's assertion appears to be, at most, paraphrasing a passage from a webpage on the website "www.TomatoGardeningGuru.com," titled "Ten Mistakes To Avoid When Growing Tomatoes," available at *http://www.tomatogardeningguru.com/mistakes_article.html.* But, as with the eHow.com webpage passages, the Office did not paraphrase adjacent passages that clarified that such exposure to direct sun that may cause sunscald may be a result of removing or pruning foliage from a mature tomato plant, thereby exposing mature tomatoes to direct sunlight, rather than reflecting incident light to the undersides of leaves of a plant. In fact, the adjacent passages also include the statement "pruning the plant prior to fruiting is fine," indicating that even direct sunlight is not always undesirable. Furthermore, as noted in the declaration of Kevin Callaway, plants grown using the Truncated Reflector grew taller, produced greater yields, and produced yields earlier than plants grown without the Truncated Reflector. *Declaration of Kevin Callaway.*

The Office also claims that "collecting and delivering water to the base/crown of a plant using the claimed reflector may not be an effective watering method as it may lead to rotting of the crown of a plant." The Office provides no support for this assertion, and it appears to be merely conjecture on the part of the Office. In contrast, as noted in the declaration of Kevin Callaway, plants grown using the Truncated Reflector grew taller, produced greater yields, and produced yields earlier than plants grown without the Truncated Reflector. *Declaration of Kevin Callaway.*

In view of at least the above, Applicant traverses the Office's reasoning and submits that the claimed invention materially enhances the quality of the environment by reducing the need for harmful fumigants, such as methyl bromide. Therefore, Applicant respectfully requests the Office reconsider its dismissal and grant Applicant's petition under 37 C.F.R. 1.102 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies.

Respectfully submitted,

Date: 10/12/2011

By: /Edward J. Marshall, RN 45,395/
Edward J. Marshall, Reg. 45,395

Edward J. Marshall, Attorney at Law PLLC
8705 Shoal Creek Blvd, Suite 202
Austin, Texas 78757
(512) 533-9944
(512) 519-7789 fax

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.
13/183,915	07/15/2011	Kevin Callaway	000748.000001	9313

87457 7590 10/27/2011
Edward J. Marshall, Attorney at Law
8705 Shoal Creek Blvd.
Suite 202
Austin, TX 78757

EXAMINER
POON, PETER M

ART UNIT	PAPER NUMBER
3643	

MAIL DATE	DELIVERY MODE
10/27/2011	PAPER

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

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

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Edward J. Marshall, Attorney at Law
8705 Shoal Creek Blvd.
Suite 202
Austin TX 78757

10/27/11

In re Application of	:	
Callaway	:	DECISION ON PETITION
Application No. 13/183,915	:	TO MAKE SPECIAL UNDER
Filed: 7/15/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **000748.000001**	:	PILOT PROGRAM

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

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 3643 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No.

MARGER JOHNSON & MCCOLLOM, P.C.
210 SW MORRISON STREET, SUITE 400
PORTLAND OR 97204

MAILED
OCT 04 2011
OFFICE OF PETITIONS

In re Application of	:
Wells Whitney, Umesh Sopory	: DECISION ACCORDING STATUS
Steve Makar and Konrad Mech	: UNDER 37 CFR 1.47(a)
Application No. 13/183,916	:
Filed: July 15, 2011	:
Atty Docket No. 7099-0018 (790P2)	:

This is a decision on the PETITION BY PERSONS HAVING PROPRIETARY INTEREST TO FILE APPLICATION ON BEHALF OF NON-COOPERATIVE INVENTORS (37 C.F.R. §1.47(a) filed September 30, 2011.

The petition is **GRANTED**.

The above-identified application was filed on July 15, 2011, with a declaration executed by joint inventors Makar and Mech on behalf of themselves and on behalf of inventors Whitney and Sopory. (It is noted that this application is a continuation application which adds inventors Makar and Mech, who are not named in the parent application). No petition under 37 CFR 1.47 accompanied this declaration. Accordingly, on August 1, 2011, the Office mailed a "Notice to File Missing Parts of Application," requiring the signatures of inventors Whitney and Sopory on a declaration, and the surcharge for its late filing. This Notice set a two-month time limit for reply with extensions of time obtainable under § 1.136(a).

In response, applicants timely filed the late surcharge and the instant petition and petition fee. Applicants assert that status under 1.47(a) is proper because joint inventors Makar and Mech refuse to join in the application. The proof submitted on petition shows that the application papers were presented to the inventors both directly by mail to their last known addresses and via the attorney for the parent application. The proof includes an email response by the attorney that the inventors

refuse to sign. It is clear that the inventors dispute the addition of the inventors named in this continuation, and therefore, refuse to join in this application. (It is noted that this decision does not address that dispute).

The declaration filed July 15, 2011, has been reviewed and found in compliance with § 1.63. The petition includes payment of the petition fee of $200 and a statement of the last known addresses of the non-signing inventors.

In view thereof, this application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3219.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Mr. Umesh Sopory
2448 Renfield Way
San Jose, CA 95148

MAILED
OCT 04 2011
OFFICE OF PETITIONS

In re Application of :
Wells Whitney, Umesh Sopory : LETTER
Steve Makar and Konrad Mech :
Application No. 13/183,916 :
Filed: July 15, 2011 :
Atty Docket No.7099-0018 (790P2) :

Dear Mr. Sopory:

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

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay

for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

MARGER JOHNSON & MCCOLLOM, P.C.
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PORTLAND OR 97204

UNITED STATES PATENT AND TRADEMARK OFFICE

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Mr. Wells Whitney
1308 Montgomery Street
San Francisco, CA 94133

MAILED
OCT 04 2011
OFFICE OF PETITIONS

In re Application of :
Wells Whitney, Umesh Sopory : LETTER
Steve Makar and Konrad Mech :
Application No. 13/183,916 :
Filed: July 15, 2011 :
Atty Docket No.7099-0018 (790P2) :

Dear Mr. Whitney:

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

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (571) 272-3219. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay

for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

MARGER JOHNSON & MCCOLLOM, P.C.
210 SW MORRISON STREET, SUITE 400
PORTLAND OR 97204

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 09 2011
OFFICE OF PETITIONS

EVAN LAW GROUP LLC
600 WEST JACKSON BLVD., SUITE 625
CHICAGO IL 60661

In re Application of	:	
Michael L. Caswell	:	
Application No. 13/183,971	:	DECISION ON PETITION
Filed: July 15, 2011	:	
Attorney Docket No. FLE01-013-CON-US	:	

This is a decision on the petition filed August 5, 2011, under 37 CFR 1.181 (no fee), requesting refund of the filing fee for the above-identified application.

The petition is **GRANTED**.

Petitioner asserts that the instant application was an unintended duplicate filing via EFS-Web.

37 CFR 1.26(a) states, in part: "The Director may refund any fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee, such as when a party desires to withdraw a patent filing for which the fee was paid, including an application, an appeal, or a request for an oral hearing, will not entitle a party to a refund of such fee."

However, the Office may find a mistake pursuant to 37 CFR 1.26, waive the presumption in 37 CFR 1.26 that applications are not entitled to filing fee refunds, and refund the filing fees associated with unintended duplicate application filings via EFS-Web.

The Office has accepted petitioner's statement as an assertion that the duplicate application was filed by mistake. Accordingly, the filing fee of $1,090.00, submitted on July 15, 2011, has been credited to petitioner's deposit account no. 50-3123 as authorized.

As no further action will be taken in this application, this matter is being referred to the Office of Patent Publication for express abandonment of the subject application.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

/Karen Creasy/
Karen Creasy
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 247
FALLS CHURCH VA 22040-0747

MAILED
JAN 25 2012
OFFICE OF PETITIONS

In re Application of	:	
Yukihiro Kawada	:	
Application No. 13/183,980	:	DECISION DISMISSING PETITION
Filed: July 15, 2011	:	UNDER 37 CFR 1.313(a)
Attorney Docket No. 1982-0362PUS2	:	

This is a decision on the petition filed January 24, 2012, which is being treated under 37 CFR 1.313(a), requesting withdrawal of the above-identified application from issue.

The petition is **dismissed** as moot for the reasons stated below.

A review of the file record discloses that a Notice of Allowance and Fee(s) Due was mailed on October 28, 2011, with the issue fee being due on or before January 30, 2012. The issue fee in this case has not been paid.

The filing of a petition under 37 CFR 1.313(a) is unnecessary, since the mere filing of an RCE and submission will effectively withdraw an application from issue prior to payment of the issue fee. In view thereof, the petition to withdraw from issue is dismissed as involving a moot issue. *Note* MPEP §§ 706.07(h)(IX) and 1308.

Inquiries concerning this decision may be directed to the undersigned at (571) 272-3208.

The matter is being referred to Technology Center AU 2624 for appropriate processing of the RCE filed January 24, 2012, and for consideration of the concurrently filed amendment and IDS.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

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

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	23898-80138	Application Number (if known):	13/184,033	Filing date: July 15, 2011	
First Named Inventor:	Chen-Liang Liao				
Title:	SOLAR CELL MODULE				

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Signature	/Tim Tingkang Xia/	Date	July 15, 2011
Name (Print/Typed)	Tim Tingkang Xia	Registration Number	45,242

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

☐ *Total of 1 forms are submitted.

S/N 13/184,033

PATENT
Confirmation No.: 9551

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Chen-Liang Liao et al.	Examiner:	Unassigned
Serial No.:	13/184,033	Group Art Unit:	Unassigned
Filed:	July 15, 2011	Docket:	23898-80138

Title: SOLAR CELL MODULE

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Mail Stop: Petition
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

July 15, 2011

CUSTOMER NO. 24728

Dear Sir/Madam:

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 (Dec. 8, 2009), as amended by 75 Fed. Reg. 28,554 (May 21, 2010), and 75 Fed. Reg. 69,049 (November 10, 2010).

A basis for the special status is that aspects of the invention relate to ***solar cell module*** that ***materially contribute to the discovery or development of renewable energy resources***. Applicant respectfully submits that it is clear on the above-referenced application's face that the claimed invention materially contributes to ***the discovery or development of renewable energy resources***, so no statement is required explaining how the materiality standard is met.

The above-referenced application is a non-reissue, non-provisional utility application filed July 12, 2010 under 35 U.S.C. § 111(a). The application contains no more than three (3) independent claims and twenty (20) total claims. The application does not contain any multiple dependent claims. Further, applicant respectfully submits that the claims of the application are directed to a single invention of a solar cell module. However, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant agrees to

make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements.

A first Office action (including an Office action containing only a restriction requirement) has not yet appeared in the Patent Application Information Retrieval (PAIR) system.

A request for early publication of the present application in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) are concurrently accompanied herewith this petition.

It is believed that no fee is due. However, the Commissioner is hereby authorized to charge any petition fee under 37 CFR 1.102, and any deficiency of fees which may be required, or to credit of any overpayments to Deposit Account No. 50-3537.

The Applicant respectfully requests that a favorable decision on this Petition to Make Special Under the Green Technology Pilot Program be granted and the application be accorded special status under the Green Technology Pilot Program.

Respectfully submitted,
MORRIS, MANNING & MARTIN, LLP

July 15, 2011

Tim Tingkang Xia
Attorney for Applicant on the Record
Reg. No. 45,242

MORRIS, MANNING & MARTIN, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, N.E.
Atlanta, Georgia 30326-1044
Phone: 404-233-7000
Direct: 404-495-3678
Customer No. 24728

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.
13/184,033	07/15/2011	Chen-Liang Liao	23898-80138	9551

24728 7590 08/26/2011
MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA, GA 30326

EXAMINER

ART UNIT	PAPER NUMBER
1724	

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):

ipdocket@mmmlaw.com
ppz@mmmlaw.com
jlsmith@mmmlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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8/26/11

MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA GA 30326

In re Application of	:	
Chen-Liang Liao et al.	:	DECISION ON PETITION
Application No. 13/184,033	:	TO MAKE SPECIAL UNDER
Filed: July 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 23898-80138	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 15, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Doc code : 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	13184138	Confirmation Number	9772	Filing Date	2011-07-15
Attorney Docket Number (optional)	00135-1US	Art Unit		Examiner	
First Named Inventor	Marshall MEDOFF				
Title of Invention	PROCESSING BIOMASS				

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
Marshall		MEDOFF	

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	/Celia H. Leber/	Date (YYYY-MM-DD)	2011-07-20
Name	Celia H. Leber	Registration Number	33524

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

Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of
Marshall MEDOFF

Application No. 13184138

Filed:

Attorney Docket No. 00135-1US

: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 20-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

Berenbaum Weinshienk PC
370 17th Street
Suite 4800
Denver CO 80202

MAILED
NOV 22 2011
OFFICE OF PETITIONS

In re Application of	:	
Graeme E. REYNOLDS et al.	:	ON PETITION
Application No. 13/184,153	:	
Filed: July 15, 2011	:	
Atty. Docket No.: 16946.853US02		

This is a decision on the petition captioned "PETITION FOR UNSIGNED DECEASED INVENTOR", filed October 28, 2011.

The petition is **DISMISSED**.

Petitioner has requested consideration for signing of a Declaration by an Executor for an inventor, Graeme E. Reynolds, who has died.

Petitioner is informed that a petition is not required for the signing by an Executor on behalf of a deceased inventor. See MPEP 409.01(a).

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
Petitions Examiner
Office of Petitions

PATENT
Docket No.: 91756-814183

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No.:
Andrew J. Felker	Examiner:
Application No.: UNASSIGNED	Art Unit:
Filed: HEREWITH	
For: Techniques of Forming Ohmic Contacts on GaN Light Emitting Diodes	**Request for Petition to Make Special Under the Green Technology Pilot Program**
Customer No.: 20350	

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

Commissioner:

Applicant hereby requests to participate in the Green Technology Pilot Program for the above-identified application. Applicant is herewith submitting a request for early publication together with the requisite fee of $300.00.

STATEMENTS OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

The application is a non-reissue, non-provisional utility application filed under 35 USC §111(a). The application contains no more than three independent claims, twenty or fewer total claims, and no multiple dependent claims.

By filing this petition:

Applicant believes the pending claims in this application are directed to a single invention that materially contributes to the discovery or development of renewable energy resources. The claimed invention relates to an improved structure for making light emitting diodes for use in manufacture of efficient lighting using less electric power.

Applicant hereby agrees to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified

by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

If the Office believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-324-6303 (direct).

Respectfully submitted,

/Robert C. Colwell/

Robert C. Colwell
Reg. No. 27,431

KILPATRICK TOWNSEND & STOCKTON LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (415) 576-0300
RCC:mks

63613607 v1

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 91756-814183	Application Number (if known):	Filing date:

First Named Inventor: Felker, Andrew J.

Title: TECHNIQUES OF FORMING OHMIC CONTACTS ON GAN LIGHT EMITTING DIODES

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments:_____

Signature /Robert C.Colwell/	Date July 15, 2011
Name (Print/Typed) Robert C. Colwell	Registration Number 27,431

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

☐ *Total of_____forms are submitted.

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

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

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

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

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,160	07/15/2011	Andrew J. Felker	91756-814183	9808

20350 7590 10/27/2011
KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

ART UNIT	PAPER NUMBER
2812	

NOTIFICATION DATE	DELIVERY MODE
10/27/2011	ELECTRONIC

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

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

Docket@kilpatricktownsend.com
ipefiling@kilpatricktownsend.com
jlhice@kilpatrick.foundationip.com

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KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

In re Application of	:	
FELKER et al.	:	DECISION ON PETITION
Application No. 13/184160	:	TO MAKE SPECIAL UNDER
Filed: July 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 91756-814183	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 15, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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CHESTER G. MOORE
BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, PC
3 SANCTUARY BOULEVARD
SUITE 201
MANDEVILLE LA 70471

MAILED
JAN 31 2012
OFFICE OF PETITIONS

In re Application of	:	
TEESLIHNK, et al	:	
Application No. 13/184,300	:	DECISION ON PETITION
Filed: July 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 2910160-006001	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 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 **DISMISSED**.

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

Petitioner has not properly identified the inventor for which the petition to make special because of age is based. The instant petition indicates Charles Rex Teeslink as the inventor who is 65 years of age or more. However, a review of the Office record indicates that this inventor's name is different from the Office records. Therefore, the instant petition submitted December 19, 2011, fails to correctly identify the inventor for which the petition is intended.

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14).

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

By Mail: Mail Stop PETITION
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Alexandria, VA 22313-1450

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

By FAX: (571) 273-8300

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

The application is being forwarded to Technology Center 3763 for processing in its regular turn.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

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BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, PC
3 SANCTUARY BOULEVARD
SUITE 201
MANDEVILLE LA 70471

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OFFICE OF PETITIONS

In re Application of	:	
TEESLINK, et al	:	
Application No. 13/184,300	:	DECISION ON PETITION
Filed: July 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 291060-006001	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the renewed petition under 37 CFR 1.102(c)(1), filed February 2, 2012, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED.**

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

The instant petition includes a statement made by registered attorney Chester G. Moore, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

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

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

The application is being referred to Technology Center Art Unit 3763 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

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PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED
AUG 19 2011
OFFICE OF PETITIONS

In re Application of	:	
WIDEN, Bo	:	
Application No. 13/184,305	:	DECISION ON PETITION
Filed: July 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 0226-0132PUS3	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 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 **DISMISSED**.

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

The instant petition does not include a clear copy of the Passport stated in the petition.

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

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Alexandria, VA 22314

By FAX: (571) 273-8300

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

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

The application is being forwarded to the Technology Center Art Unit 3673 for action in its regular turn.

/Tredelle D. Jackson/
Paralegal Specialist
Office of Petitions

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In re Application of	:	
Bo Widèn	:	
Application No. 13/184,305	:	DECISION ON PETITION
Filed: July 15, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 0226-0132PUS3	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the renewed petition under 37 CFR 1.102(c)(1), filed August 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED.**

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

The instant petition stated that a clear copy of inventor's passport was submitted with the petition. No passport was provided. The statement by an attorney on behalf of inventor Bo Widén , attesting to his/her age, will be accepted as evidence. 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 3673 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,306	07/15/2011	Andrew Finn	117744-08804	1084

86738 7590 07/22/2011
MCCARTER & ENGLISH, LLP BOSTON
265 Franklin Street
Boston, MA 02110

EXAMINER

ART UNIT	PAPER NUMBER
1616	

MAIL DATE	DELIVERY MODE
07/22/2011	PAPER

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JUL 2 2 2011

MCCARTER & ENGLISH, LLP BOSTON
265 Franklin Street
Boston MA 02110

In re Application of:
Finn et al.

Serial No.: 13/184,306

Filed: : July 15, 2011

Docket: **117744-08804**

Title: **TRANSMUCOSAL DELIVERY DEVICES WITH ENHANCED UPTAKE**

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

This is a decision on the petition July 15, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Procopio, Cory, Hargreaves &
Savitch, LLP
525 B Street
Suite 2200
SAN DIEGO CA 92101

MAILED
AUG 24 2011
OFFICE OF PETITIONS

In re Application of	:	
Eichhorn et al.	:	DECISION ON PETITION
Application No. 13/184,362	:	
Deposited: July 15, 2011	:	
Atty Docket No. 110630-015CT2	:	

This is a decision on the "PETITION UNDER 37 CFR 1.57(a)TO ACCEPT UNINTENTIONALLY OMITTED DRAWINGS," filed August 10, 2011, requesting that the above-referenced application be accorded a filing date of July 15, 2011.

The petition under 37 CFR 1.57(a) is **DISMISSED**.

Any reconsideration petition should be filed within two (2) months of the mail date of this decision on petition.

The application was deposited on July 15, 2011. A Notice of Incomplete Nonprovisional Application was mailed on July 28, 2011.

Petitioners timely filed the present petition in response on August 10, 2011. Petitioners state that drawings were inadvertently omitted from the application deposited on July 15, 2011. Petitioners argue that because the application deposited on July 15, 2011 contains a claim for benefit of priority under 37 CFR 1.78 to Application No. 12/814,611, filed June 14, 2010, that, pursuant to 37 CFR 1.57(a)(3), petitioners are permitted to amend the above- identified application to include the omitted drawings and thereby, obtain a July 15, 2011 filing date for the application.

On September 21, 2004, § 1.57 was added to read, in pertinent part that:

> (a) Subject to the conditions and requirements of this paragraph, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains … a claim under 1.78 for the benefit of a prior-filed provisional, nonprovisional or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under … § 1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s).
>
> (1) The application must be amended to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by § 1.114(b), or abandonment of the application, whichever occurs earlier;
>
> …
>
> (3) If an application is not otherwise entitled to a filing date under § 1.53(b), the amendment must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f).

The petition is dismissed because petitioners did **not** file a formal amendment to add the drawings. The amendment must be in compliance with 37 CFR 1.57(a) and 1.121. Both an amendment adding the drawings and a petition are required under 37 CFR 1.57(a). MPEP 201.17 Incorporation by Reference under 37 CFR 1.57(a).

Further correspondence with respect to this matter should be delivered through one of the following mediums:

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By internet: EFS-Web
www.uspto.gov/ebc/efs_help.html
(for help using EFS-Web call the
Patent Electronic Business Center
at (866) 217-9197)

Telephone inquiries concerning this matter may be directed to Petitions Attorney Shirene Willis Brantley at (571) 272-3230.

Chris Bottorff
Supervisor
Office of Petitions

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Savitch, LLP
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OFFICE OF PETITIONS

In re Application of	:	
Eichhorn et al.	:	DECISION ON PETITION
Application No. 13/184,362	:	
Deposited: July 15, 2011	:	
Atty Docket No. 110630-015CT2	:	

This is a decision on the "RENEWED PETITION UNDER 37 CFR 1.57(a)TO ACCEPT UNINTENTIONALLY OMITTED DRAWINGS," filed September 7, 2011, requesting that the above-referenced application be accorded a filing date of July 15, 2011.

The petition under 37 CFR 1.57(a) is **GRANTED**.

The application was deposited on July 15, 2011. A Notice of Incomplete Nonprovisional Application was mailed on July 28, 2011.

Petitioners' first petition under 37 CFR 1.57(a) was timely filed on August 10, 2011 and dismissed on August 24, 2011. The present petition was timely filed on September 7, 2011.

Petitioners state that drawings were inadvertently omitted from the application deposited on July 15, 2011. Petitioners argue that because the application deposited on July 15, 2011 contains a claim for benefit of priority under 37 CFR 1.78 to Application No. 12/814,611, filed June 14, 2010, that, pursuant to 37 CFR 1.57(a)(3), petitioners are permitted to amend the above-identified application to include the omitted drawings and thereby, obtain a July 15, 2011 filing date for the application.

On September 21, 2004, § 1.57 was added to read, in pertinent part that:

(a) Subject to the conditions and requirements of this paragraph, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains … a claim under 1.78 for the benefit of a prior-filed provisional, nonprovisional or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under … § 1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s).

(1) The application must be amended to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by § 1.114(b), or abandonment of the application, whichever occurs earlier;

…

(3) If an application is not otherwise entitled to a filing date under § 1.53(b), the amendment must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f).

It is noted that the application as filed included a claim under 1.78 for the benefit of prior-filed application No. 12/814,611. Thus, pursuant to 1.57, the application as filed is considered to have incorporated by reference the prior filed application as to the inadvertently omitted drawings.

The instant petition includes an amendment adding the inadvertently omitted drawings and the August 10, 2011 petition included a copy of the prior-filed application, an identification of where the inadvertently omitted drawings may be found in the prior-filed application, and the necessary $400.00 petition fee.

In view of the incorporation by reference of the prior application, the drawings supplied on September 7, 2011, would not constitute new matter if they were a part of the original disclosure of the prior application. Of course, the examiner is expected to compare the drawings supplied on September 7, 2011, to the drawings in prior application No. 12/814,611 in order to

verify that they are an accurate copy of the prior drawings and that they contain no new matter.

In view thereof, the petition is **GRANTED**.

The application is being forwarded to the Office of Patent Application Processing (OPAP) for **according of a filing date of July 15, 2011**, as a continuation application under 37 CFR 1.53(b) of prior application No. 12/814,611, including the copy of the drawings from the prior application supplied on September 7, 2011. Applicants will receive appropriate notifications regarding the fees owed, if any, and other information in due course from OPAP.

Telephone inquiries concerning this matter may be directed to Petitions Attorney, Shirene Willis Brantley at (571) 272-3230.

Chris Bottorff
Supervisor
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,364	07/15/2011	Shohei YAMADA	5132-0149PUS2	1187

2292 7590 10/18/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER
KIZOU, HASSAN

ART UNIT	PAPER NUMBER
2472	

NOTIFICATION DATE	DELIVERY MODE
10/18/2011	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):

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PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of: YAMADA et al.
Application No. 13/184,364
Filed: July 15, 2011
For: MOBILE STATION APPARATUS, MOBILE COMMUNICATION SYSTEM, AND COMMUNICATION 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 Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 15, 2011, to make the above-identified application special.

The petition is **GRANTED.**

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

1. The U.S. application for which participation in the PPH program is requested and the corresponding JPO application must have the same priority/filing date;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s); and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as allowable/patentable claim(s) in the JPO application(s). Claims are considered to "sufficiently correspond" where, accounting for differences due to translations and claim format, the claims in the USPTO are of the same or similar scope as the claims in the JPO, or the claims in the USPTO are narrower in scope than the claims in the JPO. In this regard, a claim that is narrower in scope occurs when a JPO claim is amended to be further limited by an additional feature that is supported in the specification (description and/or claims). A claim in the USPTO which introduces a new/different category of claims to those claims indicated as allowable in the JPO is not considered to sufficiently correspond. For example, if the JPO claims only contain claims to a process of manufacturing a product, then the claims in the USPTO are not

considered to sufficiently correspond if the USPTO claims introduce product claims that are dependent on the corresponding process claims; and

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

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

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

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

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

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

/Chau Nguyen/

Chau Nguyen
Quality Assurance Specialist
Technology Center 2400

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.
13/184,369	07/15/2011	Akihiko Nishio	733156.408C2	1198

96896 7590 09/14/2011
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 5400
Seattle, WA 98104

EXAMINER

ART UNIT	PAPER NUMBER
2618	

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):

patentinfo@seedip.com

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

Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 5400
Seattle WA 98104

In re Application of	**: DECISION ON REQUEST TO**
NISHIO et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/184,369	**: PROSECUTION HIGHWAY**
Filed: 15 July 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: 733156.408C2	**: TO MAKE SPECIAL UNDER**
For: CHANNEL ARRANGEMENT METHOD AND RADIO COMMUNICATION 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 19 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

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

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

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

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

Lee W. Young
TQAS, Technology Center 2600

Doc Code: 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	13184369
Filing Date	15-Jul-2011
First Named Inventor	Akihiko Nishio
Art Unit	2461
Examiner Name	BRANDON RENNER
Attorney Docket Number	733156.408C2
Title	CHANNEL ARRANGEMENT METHOD AND RADIO COMMUNICATION DEVICE

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	/Shoko Leek/
Name	Shoko I. Leek
Registration Number	43746

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 : December 6, 2011

In re Application of :

Akihiko Nishio

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 13184369

Filed : 15-Jul-2011

Attorney Docket No : 733156.408C2

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed December 6, 2011, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED.**

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

Petitioner is advised that the issue fee paid 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 2461 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,381		Shohei YAMADA	5132-0149PUS3	1224

2292 7590 07/26/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2473	

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):

mailroom@bskb.com

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www.uspto.gov

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

In re Application of: YAMADA, SHOHEI Application No. 13/184381 Filed: 07/15/11 For: MOBILE STATION APPARATUS, MOBILE COMMUNICATION SYSTEM, AND COMMUNICATION 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 Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 15, 2011, to make the above-identified application special.

The petition is **GRANTED.**

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);

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

(5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;

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

(7) The required petition fee under 37 CFR 1.17(h) if filed before May 25, 2010. The request to participate in the PPH program and petition are found to comply with all the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Tod Swann at 571-272-3612.

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

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

__/Tod Swann/_____
Tod Swann
Quality Assurance Specialist
Technology Center 2400

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,382	07/15/2011	Akihiko Nishio	733156.408C3	1229

96896 7590 08/08/2011
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 5400
Seattle, WA 98104

EXAMINER

ART UNIT	PAPER NUMBER
2473	

NOTIFICATION DATE	DELIVERY MODE
08/08/2011	ELECTRONIC

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

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

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

patentinfo@seedip.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SEED INTELLECTUAL PROPERTY
LAW GROUP PLLC
701 FIFTH AVENUE, SUITE 5400
SEATTLE WA 98104

In re Application of: NISHIO et al.
Application No. 13/184382
Filed: July 15, 2011
For: CHANNEL ARRANGEMENT METHOD AND RADIO COMMUNICATION BASE STATION DEVICE

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 19, 2011, to make the above-identified application special.

The petition is **GRANTED.**

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

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

Or

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

Or

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

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

(2) Applicant must submit a copy of:
a. The allowable/patentable claim(s) from the JPO application(s);
b. An English translation of the allowable/patentable claim(s), if the claims were published in a language other than English); and
c. A statement that the English translation is accurate;

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to Kim Huynh at 571-272-4147

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

The application is undergoing pre-examination processing. Once it is released for examination, the application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Kim Huynh/

Kim Huynh
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

Decision Date : December 6, 2011

In re Application of :

Akihiko Nishio

DECISION ON PETITION

UNDER CFR 1.313(c)(2)

Application No : 13184382

Filed : 15-Jul-2011

Attorney Docket No : 733156.408C3

This is an electronic decision on the petition under 37 CFR 1.313(c)(2), filed December 6, 2011, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED.**

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

Petitioner is advised that the issue fee paid 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 2461 for processing of the request for continuing examination under 37 CFR 1.114 .

Office of Petitions

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

Electronic Petition Request	**PETITION TO WITHDRAW AN APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE UNDER 37 CFR 1.313(c)**
Application Number	13184382
Filing Date	15-Jul-2011
First Named Inventor	Akihiko Nishio
Art Unit	2461
Examiner Name	BRANDON RENNER
Attorney Docket Number	733156.408C3
Title	CHANNEL ARRANGEMENT METHOD AND RADIO COMMUNICATION BASE STATION DEVICE

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	/Shoko Leek/
Name	Shoko I. Leek
Registration Number	43746

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,391	07/15/2011	Seiji SATO	5132-0154PUS3	1245

2292 7590 08/03/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
2611	

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):

mailroom@bskb.com

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Alexandria, VA 22313-1450
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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of	
SATO et al.	**: DECISION ON REQUEST TO**
Application No.: 13/184,391	**: PARTICIPATE IN THE PATENT**
Filed: 15 July 2011	**: PROSECUTION HIGHWAY**
Attorney Docket No.: 5132-0154PUS3	**: PROGRAM AND PETITION**
For: MOBILE STATION APPARATUS,	**: TO MAKE SPECIAL UNDER**
BASE STATION APPARATUS,	**: 37 CFR 1.102(a)**
COMMUNICATION METHOD AND	
COMMUNICATION SYSTEM	

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 15 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 <u>not</u> begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

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

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

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

Lee W. Young
TQAS, Technology Center 2600

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	13184436	Confirmation Number	1339	Filing Date	2011-07-15
Attorney Docket Number (optional)	EMIP-11-001	Art Unit		Examiner	
First Named Inventor	LAU				
Title of Invention	Infant Oral Feeding System				

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

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

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

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

Given Name	Middle Name	Family Name	Suffix
Chantal		Lau	

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

Select (1) or (2) :

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

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

Signature	/Robert D. Watson/	Date (YYYY-MM-DD)	2011-07-16
Name	Robert D. Watson	Registration Number	45604

PTO/SB/130 (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

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

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

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

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

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

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

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

In re Application of
Chantal Lau

Application No. 13184436

Filed:

Attorney Docket No. EMIP-11-001

: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-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.

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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.
13/184,442	07/15/2011	David Grant	DGRANT.001C2	1355

20995 7590 02/15/2012
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
BUSCH, CHRISTOPHER CONRAD

ART UNIT	PAPER NUMBER
3682	

NOTIFICATION DATE	DELIVERY MODE
02/15/2012	ELECTRONIC

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

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

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

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

FEB 14 2012

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

In re application of: GRANT, DAVID, et al. Application No.: 13/184,442 Filed: July 15, 2011 For: METHODS AND SYSTEMS FOR SEARCHING, SELECTING, AND DISPLAYING CONTENT	: : : :	**DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 CFR 1.102**

This is a decision on the petition filed on July 15, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Robert Weinhardt
Business Practice Specialist
Technology Center 3600

RW/2/13/12

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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,448	07/15/2011	David Grant	DGRANT.001C1	1372

20995 7590 08/26/2011
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
YOUNG, KEVIN L.

ART UNIT	PAPER NUMBER
2165	

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):

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

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Milan S. Kapadia
KNOBBE MARTENS OLSON & BEAR LLP
2040 Main Street
Fourteenth Floor
Irvine, CA 92614

In re Application of: David GRANT et al. Serial No.: 13/184,448 Filed: July 15, 2011 Title: **METHODS AND SYSTEMS FOR SEARCHING, SELECTING, AND DISPLAYING CONTENT**	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on July 15, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-3613.

/Vincent N. Trans/
Vincent N. Trans, SPRE/QAS
Technology Center 2100
Computer Architecture and Software

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Paper No.

FSB FisherBroyles, a Limited Liability Partnership
The Pinnacle Building
3455 Peachtree Road, NE Fifth Floor
Atlanta GA 30326

MAILED
DEC 02 2011
OFFICE OF PETITIONS

In re Application of	:	
Dextraze, Morin, St. Pierre,	:	
Vallieres, Durand, Jarboe,	:	
Paradat, and Dennison	:	
Application No. 13/184,501	:	DECISION ON PETITION
Filed: July 16, 2011	:	PURSUANT TO 37 C.F.R.
Attorney Docket Number:	:	§ 1.47(A)
01587.P003U1	:	
Title: MODULAR FIREARM STOCK	:	
SYSTEM	:	

This is in response to the petition pursuant to 37 C.F.R. § 1.47(a), filed November 9, 2011.

Receipt of the concurrently submitted basic filing fee, additional claim fees, search fee and examination fee is acknowledged.

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

On July 16, 2011, the application was filed, identifying Messrs. Dextraze, Morin, St. Pierre, Vallieres, Durand, Jarboe, Paradat, and Dennison as joint inventors. No oath or declaration was included on filing. On August 10, 2011, a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (notice) was mailed, requiring, *inter alia*, a fully executed oath or declaration and the surcharge associated with the late submission of the same. The notice set a two-month period for response.

A grantable petition pursuant to 37 C.F.R. § 1.47(a) requires:

(1) the petition fee of $200;
(2) a surcharge of either $65 or $130 if the petition is not filed at the time of filing the application, as set forth in 37 C.F.R. § 1.16(f);
(3) a statement of the last known address of each non-signing inventor;
(4) either
  a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to each non-signing inventor for review and proof that each non-signing inventor refuses to join in the application or
  b) proof that each non-signing inventor cannot be found or reached after diligent effort, and;
(5) a declaration which complies with 37 C.F.R. § 1.63.

With this petition, Petitioner has submitted, *inter alia*, both the petition fee and the surcharge that is associated with the late submission of this petition, a declaration that has been executed by the first five-named inventors, the last known address of non-signing inventors Jarboe, Paradat, and Dennison,[1] proof that each was provided with a complete copy of the application[2] and that the attorney representing the employer of these three individuals has indicated that each has expressly refused to execute the declaration.[3] Petitioner has further included a one-month extension of time, so as to make timely this response.

Requirements (1) - (4) of Rule 1.47(a) have been satisfied. The fifth requirement of Rule 1.47(a) has not been satisfied, as will now be pointed out.

Regarding the fifth requirement of Rule 1.47(a), it cannot be determined whether the declaration lists the correct spelling for the seventh-named inventor. Both the declaration that was included with this petition and the Application Data Sheet (ADS) that was included on filing list the seventh-named inventor as having a last name of Paradat (emphasis added). However, this petition, the letter of July 22, 2011 from Petitioner to this

1 Petition, page 1.
2 Three letters, each dated July 22, 2011.
3 Letter dated July 28, 2011.

individual, and the letter dated July 28, 2011 from the attorney representing the employer of this individual to Petitioner each lists this inventor as having a last name of Baradat (emphasis added).

Pursuant to 37 C.F.R. § 1.48(f)(1), inventorship is set by the first submission of an executed declaration. Therefore, the seventh-named inventor is listed in Office records as Gregory Phillip Paradat. If this spelling is incorrect, Petitioner will need to submit a supplemental declaration, a properly-executed and titled supplemental ADS, a petition pursuant to 37 C.F.R. § 1.48(a) to correct the inventorship, and possibly a petition pursuant to 37 C.F.R. § 1.183 if a statement from Mr. Paradat cannot be obtained. Alternatively, if this spelling is correct, Petitioner should submit an explanation of why the name was spelled differently in three different locations, including two papers which he executed.

Any reply must be submitted within **TWO MONTHS** from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reply should include a cover letter entitled "Renewed Petition pursuant to 37 C.F.R. § 1.47(a)". This is not a final agency action within the meaning of 5 U.S.C § 704.

Petitioner should note that any statement that appears therein should be made by one having firsthand knowledge of the event. Statements based on hearsay are not normally accepted.

Any response to this decision should indicate in a prominent manner that the attorney handling this matter is Paul Shanoski, and may be submitted by mail,[4] hand-delivery,[5] or facsimile.[6] Registered users of EFS-Web may alternatively submit a response to this decision via EFS-Web.[7]

If responding by mail, Petitioner is advised not to place the undersigned's name on the envelope. Only the information that appears in the footnote should be included - adding anything else to the address will delay the delivery of the response to the undersigned.

---

4 Mail Stop Petition, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.
5 Customer Window, Randolph Building, 401 Dulaney Street, Alexandria, VA, 22314.
6 (571) 273-8300: please note this is a central facsimile number.
7 https://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.[8] All other inquiries concerning examination procedures should be directed to the Technology Center.

Paul Shanoski
Senior Attorney
Office of Petitions

8 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.

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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FSB FisherBroyles, a Limited Liability Partnership
The Pinnacle Building
3455 Peachtree Road, NE Fifth Floor
Atlanta GA 30326

MAILED
FEB 21 2012
OFFICE OF PETITIONS

In re Application of Dextraze, Morin, St. Pierre, Vallieres, Durand, Jarboe, Baradat, and Dennison Application No. 13/184,501 Filed: July 16, 2011 Attorney Docket Number: 01587.P003U1 Title: MODULAR FIREARM STOCK SYSTEM	DECISION ON RENEWED PETITION PURSUANT TO 37 C.F.R. § 1.47(A) AND PETITIONS PURSUANT TO 37 C.F.R. §§ 1.48(A), AND 1.183

This is a decision on the renewed petition pursuant to 37 C.F.R. § 1.47(a), filed on January 30, 2012, along with the concurrently filed petitions pursuant to 37 C.F.R. §§ 1.48(a) and 1.183.

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

The petition pursuant to 37 C.F.R. § 1.48(a) is **DISMISSED AS MOOT**.

The petition pursuant to 37 C.F.R. § 1.183 is **DISMISSED AS MOOT**.

On July 16, 2011, the application was filed, identifying Messrs. Dextraze, Morin, St. Pierre, Vallieres, Durand, Jarboe, Paradat, and Dennison as joint inventors. No oath or declaration was included on filing. On August 10, 2011, a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (notice) was mailed, requiring, *inter alia*, a fully executed oath or declaration and the surcharge associated with the late submission of the same. The notice set a two-month period for response.

An original petition pursuant to 37 C.F.R. § 1.47(a) was filed on November 9, 2011.

A grantable petition pursuant to 37 C.F.R. § 1.47(a) requires:

(1) the petition fee of $200;
(2) a surcharge of either $65 or $130 if the petition is not filed at the time of filing the application, as set forth in 37 C.F.R. § 1.16(f);
(3) a statement of the last known address of each non-signing inventor;
(4) either
  a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to each non-signing inventor for review and proof that each non-signing inventor refuses to join in the application or
  b) proof that each non-signing inventor cannot be found or reached after diligent effort, and;
(5) a declaration which complies with 37 C.F.R. § 1.63.

With the original petition pursuant to 37 C.F.R. § 1.47(a), Petitioner submitted, *inter alia*, both the petition fee and the surcharge that is associated with the late submission of the petition, a declaration that has been executed by the first five-named inventors, the last known address of non-signing inventors Jarboe, Paradat, and Dennison,[1] proof that each was provided with a complete copy of the application[2] and that the attorney representing the employer of these three individuals has indicated that each has expressly refused to execute the declaration.[3] Petitioner further included a one-month extension of time, so as to make timely the response.

The original petition pursuant to 37 C.F.R. § 1.47(a) was dismissed via the mailing of a decision on December 2, 2011, which indicated requirements (1) - (4) of Rule 1.47(a) have been satisfied, and the fifth requirement of Rule 1.47(a) was not been satisfied. The decision indicated, *in pertinent part*:

> Regarding the fifth requirement of Rule 1.47(a), it cannot be determined whether the declaration lists the correct spelling for

1 Original petition, page 1.
2 Three letters, each dated July 22, 2011.
3 Letter dated July 28, 2011.

> the seventh-named inventor. Both the declaration that was included with this petition and the Application Data Sheet (ADS) that was included on filing list the seventh-named inventor as having a last name of Paradat (emphasis added). However, this petition, the letter of July 22, 2011 from Petitioner to this individual, and the letter dated July 28, 2011 from the attorney representing the employer of this individual to Petitioner each lists this inventor as having a last name of Baradat (emphasis added).
>
> Pursuant to 37 C.F.R. § 1.48(f)(1), inventorship is set by the first submission of an executed declaration. Therefore, the seventh-named inventor is listed in Office records as Gregory Phillip Paradat. If this spelling is incorrect, Petitioner will need to submit a supplemental declaration, a properly-executed and titled supplemental ADS, a petition pursuant to 37 C.F.R. § 1.48(a) to correct the inventorship, and possibly a petition pursuant to 37 C.F.R. § 1.183 if a statement from Mr. Paradat cannot be obtained. Alternatively, if this spelling is correct, Petitioner should submit an explanation of why the name was spelled differently in three different locations, including two papers which he executed.
>
> Decision on original petition, pages 2-3.

With this renewed petition pursuant to 37 C.F.R. § 1.47(a), Petitioner has notified the Office that the correct spelling of the second-to-last named inventor's last name is "Baradat." Petitioner has further submitted petitions pursuant to 37 C.F.R. §§ 1.48(a) and 1.183, as directed in the decision on the original petition. However, after further consideration, the undersigned has concluded that a new oath or declaration is not required to correct the typographical error concerning the second-to-last named inventor, and therefore, petitions pursuant to 37 C.F.R. §§ 1.48(a) and 1.183 are not required.[4] As such, each of these two petitions are dismissed as moot, and the associated fees will be refunded to Petitioner's credit card in due course. A corrected filing receipt has been included with this decision.

It follows that in light of the notification of the correct spelling of the second-to-last named inventor, the fifth requirement of 37 C.F.R. § 1.47(a) has been satisfied.

It follows that each of the five requirements of 37 C.F.R. § 1.47(a) has been satisfied.

---

4 See MPEP § 201.03(B): "[a] request under 37 CFR 1.48 will not be required...[w]here a typographical or transliteration error in the spelling of an inventor's name is discovered, the Office should simply be notified of the error. A new oath or declaration is not required. See MPEP § 605.04(g). Reference to the notification will be made on the previously filed oath or declaration."

This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47, this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Application Data Sheet that was included on initial deposit.

The Technology Center will be notified of this decision, and jurisdiction over this application is transferred to the Technology Center, so that the application may receive further processing. The Technology Center's support staff will notify the Examiner of this decision, so that the present application can receive further processing in due course.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.[5] All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

Paul Shanoski
Senior Attorney
Office of Petitions

Encl. Corrected Filing Receipt

5 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 Petitioner's further action(s).

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/184,501	07/16/2011	3641	1480	481587.P003U1	37	6

CONFIRMATION NO. 1492

CORRECTED FILING RECEIPT

39564
FSB FisherBroyles, a Limited Liability Partnership
The Pinnacle Building
3455 Peachtree Road, NE Fifth Floor
Atlanta, GA 30326

OC000000052469508

Date Mailed: 02/10/2012

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)

Serge Dextraze, St-Jean-sur-Richelieu, CANADA;
Sylvain Morin, St-Jean-sur-Richelieu, CANADA;
Emmanuel St. Pierre, St-Bruno-de-Montarville, CANADA;
Christian Vallieres, St-Nicholas, CANADA;
Ghyslain Durand, St-Jean-sur-Richelieu, CANADA;
Michael Brent Jarboe, Rineyville, KY;
Gregory Phillip Baradat, Lakewood, WA;
Gregory A. Dennison, Louisville, KY;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 12/640,531 12/17/2009 ABN

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: 08/04/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/184,501**

Projected Publication Date: 03/01/2012

Non-Publication Request: No

Early Publication Request: No
**** SMALL ENTITY ****

Title

MODULAR FIREARM STOCK SYSTEM

Preliminary Class

042

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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Gregory Phillip Baradat
10914 Meadow Rd. SW
Lakewood, WA 98499

MAILED
FEB 21 2012
OFFICE OF PETITIONS

In re Application of	:	
Dextraze, Morin, St. Pierre,	:	
Vallieres, Durand, Jarboe,	:	
Baradat, and Dennison	:	
Application No. 13/184,501	:	LETTER
Filed: July 16, 2011	:	
Attorney Docket Number:	:	
01587.P003U1	:	
Title: MODULAR FIREARM STOCK	:	
SYSTEM	:	

Dear Mr. Baradat:

You are named 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 C.F.R. § 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 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, the attorney of record below would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3225. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1-800-972-6382 (outside the Washington D.C. area).

Paul Shanoski
Senior Attorney
Office of Petitions

cc: FSB FisherBroyles, a Limited Liability Partnership
The Pinnacle Building
3455 Peachtree Road, NE Fifth Floor
Atlanta GA 30326

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LAW OFFICE OF CARL GIORDANO, PA
17 ARCADIAN AVE, SUITE 208
PARMUS, NJ 07652

MAILED

AUG 01 2011

OFFICE OF PETITIONS

In re Application of
D. A. Krusos
Application No. 13/184,510
Filing Date: July 16, 2011
Attorney Docket No. Copy-87CIP-1

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 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 (PTO/SB/130 form) by the applicant that he is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

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

This matter is being referred to the Technology Center Art Unit 2482 for action on the merits commensurate with this decision.

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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Jean-Paul Cass, Esquire
The Cass Law Firm, PC
1230 Avenue of the Americas, 7th Floor
Rockefeller Center
New York NY 10020

MAILED

MAR 12 2012

OFFICE OF PETITIONS

In re Application of	:	
Victoria Nazarenko et al.	:	
Application No. 13/184,514	:	DECISION ON PETITION
Filed: July 16, 2011	:	TO WITHDRAW
Attorney Docket No. **NAZARENKO-003-USU**	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed February 29, 2012.

The request is **APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. The Office requires the practitioner(s) requesting withdrawal to certify that he, she, or they have: (1) given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intends to withdraw from employment; (2) delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and (3) notified the client of any responses that may be due and the time frame within which the client must respond , pursuant to 37 CFR 10.40.

The request was signed by Jean-Paul Cass on behalf of all attorneys of record who are associated with the above-identified application.

All attorneys/agents associated with the above-identified application have been withdrawn.

Applicant is reminded that there is no attorney of record at this time.

The correspondence address of record has been changed and all future correspondence will be directed to the first name inventor Victoria Nazarenko at the address indicated below.

There is no outstanding Office action mailed that requires a reply from the applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-4584.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

cc: Victoria Nazarenko
45 Tall Oaks
Old Bridge, NJ 08857

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/184,514	07/16/2011	Victoria Nazarenko	NAZARENKO-003-USU

CONFIRMATION NO. 1518

POWER OF ATTORNEY NOTICE

OC000000053082213

Jean-Paul Cass, Esquire
The Cass Law Firm, PC
1230 Avenue of the Americas, 7th Floor
Rockefeller Center
New York, NY 10020

Date Mailed: 03/12/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/29/2012.

- 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.

/jlburke/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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KAMILO FEHER
44685 COUNTRY CLUB DRIVE
EL MACERO, CA 95618

MAILED

AUG 01 2011

OFFICE OF PETITIONS

In re Application of
Kamilo Feher
Application No. 13/184,534
Filing Date: July 16, 2011
Attorney Docket No.
PHONEVIDappIDatSH16july11

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 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 (PTO/SB/130 form) by the applicant that he is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

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

This matter is being referred to the Technology Center Art Unit 2617 for action on the merits commensurate with this decision.

Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,556	07/17/2011	Michael T. Nordsiek	83136C14(54610)	1640

21874 7590 07/22/2011
EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER

ART UNIT	PAPER NUMBER
1629	

MAIL DATE	DELIVERY MODE
07/22/2011	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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JUL 2 2 2011

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

In re Application of:
Nordsiek et al.

Serial No.: 13/184,556

Filed: : July 17, 2011

Docket: **83136C14(54610)**

Title: **3 X 3 X 3 WEEK DOSING REGIMEN FOR TREATING ACTINIC KERATOSIS WITH PHARMACEUTICAL COMPOSITIONS FORMULATED WITH 3.75 % IMIQUIMOD**

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

This is a decision on the petition July 17, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

2. Restriction Practice:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,579	07/18/2011	Michael T. Nordsick	83136C16(54610)	1696

21874 7590 08/02/2011
EDWARDS ANGELL PALMER & DODGE LLP
P.O. BOX 55874
BOSTON, MA 02205

EXAMINER

ART UNIT	PAPER NUMBER
1629	

MAIL DATE	DELIVERY MODE
08/02/2011	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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AUG 0 2 2011

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

In re Application of:
Nordsiek et al.

Serial No.: 13/184,579

Filed: : July 18, 2011

Docket: **83136C16(54610)**

Title: **UP TO SIX WEEKS DOSING REGIMEN FOR TREATING ACTINIC KERATOSIS WITH PHARMACEUTICAL COMPOSITIONS FORMULATED WITH 3.75% IMIQUIMOD**

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

This is a decision on the petition July 18, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

2. Restriction Practice:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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LAMBERT & ASSOCIATES
92 STATE STREET
BOSTON MA 02109-2004

MAILED
AUG 10 2011
OFFICE OF PETITIONS

In re Application of	:	
SHANK, JR., John Mohr	:	
Application No. 13/184,812	:	DECISION ON PETITION
Filed: July 18, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **11-073-JS**	:	37 CFR 1.102(c)(1)
	:	

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 attesting that John Mohr Shank is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

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

This application is being referred to the Office of Patent Application Processing. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,866	07/18/2011	SANGHEE LEE	NOB.LGI.194	1259

23557 7590 11/01/2011
SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE, FL 32614

EXAMINER

ART UNIT	PAPER NUMBER
2834	

NOTIFICATION DATE	DELIVERY MODE
11/01/2011	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):

euspto@slepatents.com

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SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE, FL 32614

NOV 1 2011

In re Application of Sanghee Lee	:	
Appl. No.: 13/184,866	:	DECISION ON PETITION
Filed: July 18, 2011	:	UNDER 37 C.F.R. § 1.59
Attorney Docket No.: NOB.LGI.194	:	
Title: VOICE COIL MOTOR	:	

This is a decision on the petition under 37 C.F.R. §1.59(b), filed September 1, 2011, to expunge information from the above-identified application.

The petition is DISMMISSED and REMOVED as lacking standing.

A preliminary amendment was filed for the instant application on August 1, 2011. A petition to expunge the preliminary amendment was filed on September 1, 2011 by a third party. The petition asserts that the amendment filed August 1, 2011 was intended for a different application but the application number was erroneously listed on the amendment.

A review of the file record reveals that the preliminary amendment filed August 1, 2011 was intended for a different application and was not submitted by a party representing or on behalf of the instant applicant and should not be made part of the application file record.

Because the petition was filed by a party lacking standing and the preliminary amendment was clearly not intended for the instant application, removal of these papers from the file record is appropriate. The petition is hereby dismissed and the petition and the preliminary amendment are closed from the official filed record. However, a copy of this decision will be made of record.

A copy of the preliminary amendment and of the petition is attached for applicant's record.

Any inquiry regarding this decision should be directed to Hien H. Phan, Quality Assurance Specialist, at (571) 272-1606.

Diego Gutierrez, Acting TC Director
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

Enclosures: Copy of preliminary amendment filed August 1, 2011, and
Copy of Petition to Expunge filed September 1, 2011

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

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SEP 02 2011

OFFICE OF PETITIONS

In re Application of	:	
WATKINS, et al	:	
Application No. 13/184,869	:	DECISION ON PETITION
Filed: July 18, 2011	:	TO WITHDRAW
Attorney Docket No. BJS-620-551	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 19, 2011.

The request is **NOT APPROVED.**

The request cannot be approved because no correspondence address for future communications from the Office has been provided.

The Office will either change the correspondence address of record to the most current address information provided for the assignee of the entire interest who properly became of record under 37 CFR 3.71 or, if no assignee of the entire interest has properly been made of record under 37 CFR 3.71, the most current address information provided for the first named inventor.

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 the undersigned at (571) 272-6735.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,872	07/18/2011	Anthony L. Hoffman	3729.79US03AE	1271

24113 7590 09/28/2011
PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402-2100

EXAMINER
PINKNEY, DAWAYNE

ART UNIT	PAPER NUMBER
2873	

MAIL DATE	DELIVERY MODE
09/28/2011	PAPER

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PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS MN 55402-2100

In re Application of: HOFFMAN, *et al.* Serial No.: 13/184872 Filed: 18 July 2011 Title: **THIN FILM HIGH DEFINITION DIMENSIONAL IMAGE DISPLAY DEVICE AND METHODS OF MAKING SAME**	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on 18 July 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

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

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

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

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

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

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

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

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

REVIEW OF FACTS

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

In order to meet the requirement of section II, subsection 5, the preexamintion search provided appears to be lacking. The following class and subclass should also be included in the search: 359/618-621, 625, 626, 443-445 and 264/1.1, 1.32, 2.7. For the above reason, the petition does not meet the requirements of section II, subsection 5, as set forth above.

DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

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

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

/Michael Day/

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

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/184,872	07/18/2011	Anthony L. Hoffman	3729.79US03AE	1271

24113 7590 11/04/2011
PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS, MN 55402-2100

EXAMINER
PINKNEY, DAWAYNE

ART UNIT	PAPER NUMBER
2873	

MAIL DATE	DELIVERY MODE
11/04/2011	PAPER

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PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
4800 IDS CENTER
80 SOUTH 8TH STREET
MINNEAPOLIS MN 55402-2100

In re Application of: HOFFMAN, *et al.* Serial No.: 13/184872 Filed: 18 July 2011 Title: **THIN FILM HIGH DEFINITION DIMENSIONAL IMAGE DISPLAY DEVICE AND METHODS OF MAKING SAME**	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d) filed 18 July 2011, and request for reconsideration of petition decision filed 28 October 2011.

The petition to make the application special is GRANTED.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/Michael Day/

Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
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FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK NY 10151

MAILED
NOV 16 2011
OFFICE OF PETITIONS

In re Application of

Patricia T. Edwards, et al.
Application No. 13/185,016
Filed: July 18, 2011
Attorney Docket No. 544974-205.3

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 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 a statement signed by applicant Warren C. Stern that he is at least 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

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

The application is being forwarded to the Technology Center Art Unit 1627 for action on the merits commensurate with this decision.

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

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

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

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 1630-0945PUS1	Application Number (if known):	Filing date: JUL 18 2011
First Named Inventor: Soohyun KIM		
Title: THIN FILM SOLAR CELL AND METHOD FOR MANUFACTURING THE SAME		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature Esther Chong	Date JUL 18 2011
Name (Print/Typed) Esther H. Chong	Registration Number 40953

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

☐ *Total of_____ forms are submitted.

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

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

4

Docket No.: 1630-0945PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:	Soohyun KIM et al.		
Application No.:	NEW	Confirmation No.:	
Filed:	JUL 18 2011	Art Unit:	Not Yet Assigned
For:	THIN FILM SOLAR CELL AND METHOD FOR MANUFACTURING THE SAME	Examiner:	Not Yet Assigned

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

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

Sir:

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

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

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

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

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

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

Dated: JUL 18 2011

Respectfully submitted,

By _____

Esther H. Chong
Registration No.: 40953
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,045	07/18/2011	Soohyun KIM	1630-0945PUS1	1576

2292 7590 08/26/2011
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ART UNIT	PAPER NUMBER
1725	

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):

mailroom@bskb.com

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8/26/11

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

In re Application of	:	
Soohyun Kim et al.	:	DECISION ON PETITION
Application No. 13/185,045	:	TO MAKE SPECIAL UNDER
Filed: July 18,2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 1630-0945PUS1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,250		Takayoshi ITO	ITOT3003/GAL	1949

23364 7590 07/26/2011
BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314-1176

EXAMINER

ART UNIT	PAPER NUMBER
3734	

MAIL DATE	DELIVERY MODE
07/26/2011	PAPER

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

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

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ALEXANDRIA VA 22314-1176

In re Application of: ITO, TAKAYOSHI, et al Serial No.: 13/185250 Filed: 07/18/2011 Attorney Docket No. : ITOT3033/GAL Title: FITTING MEMBER POSITIONING DEVICE	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 July 18, 2011 to make the above-identified application special.

The request and petition are **granted**.

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

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

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

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

Petition is **granted**.

/Henry C. Yuen/

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

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Commissioner for Patents
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S.C. JOHNSON & SON, INC.
1525 HOWE STREET
RACINE WI 53403-2236

OCT 0 3 2011

In re Application of: Ackerman et al. Application No.: 13/185347 Filed: July 18, 2011 Title: POUCH WITH CONNECTORS AND SYSTEM OF SUCH POUCHES	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on July 18, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

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

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

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

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

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

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

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, 6.2, 6.3, 6.4, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, and 6.5 above.

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

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-7; the "accelerated examination support document" comprising pages 1-44, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 383 subclasses 23, 24, 38, 105, 106, 120 and class 206 subclasses 554 and 820.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, petitioner has not addressed whether there are any means plus function element. If there are none a statement to such must be provided. Additionally, a showing of support under 35 U.S.C. 112, first paragraph, in the written description of the specification has not been made for the priority documents 13/156065 and 61/489145 as required.

DECISION

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

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

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

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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NOV 09 2011

S.C. JOHNSON & SON, INC.
1525 HOWE STREET
RACINE WI 53403-2236

In re Application of: Ackerman et al. Application No.: 13/185347 Filed: July 18, 2011 Title: POUCH WITH CONNECTORS AND SYSTEM OF SUCH POUCHES	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on November 2, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

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Yingjie Cui
PO Box 521807
Flushing NY 11352

SEP 2 6 2011

In re Application of: Yingjie Cui Application No.: 13185349 Filed: July 18, 2011 Title: SYSTEM FOR RESTORING CARDIAC MUSCULAR ASYNCHRONIZED CONTRACTION MANNER IN A FAILING HEART	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on July 18, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;
4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because it was not complete under 37 CFR 1.51 and in condition for examination at the time of filing. The mailing of a Notice to File Missing Parts of Nonprovisional Application on

July 22, 2011 is evidence that the application was not complete and in condition for examination at the time of filing.

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

Any inquiry regarding this decision should be directed to Linda Sholl, TC 3700 Special Program Examiner, at (571) 272-4391.

/Linda Sholl/
Linda Sholl
Special Program Examiner
Technology Center 3700

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SUNSTEIN KANN MURPHY & TIMBERS LLP
125 SUMMER STREET
BOSTON MA 02110-1618

MAILED
AUG 10 2011
OFFICE OF PETITIONS

In re Application of	:	
SADEE, Wolfgang et al.	:	
Application No. 13/185,351	:	DECISION ON PETITION
Filed: July 18, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **3260/103**	:	37 CFR 1.102(c)(1)
	:	

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 attesting that Wolfgang Sadee is over 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

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

This application is being referred to the Office of Patent Application Processing to await a reply to the Notice to File Missing Parts mailed August 02, 2011. This application will be accorded "special" status when pre-examination processing is done.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,372	07/18/2011	David Grant	DGRANT.001A2C1	2166

20995 7590 02/15/2012
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
STAMBER, ERIC W

ART UNIT	PAPER NUMBER
3622	

NOTIFICATION DATE	DELIVERY MODE
02/15/2012	ELECTRONIC

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

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

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

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

FEB 14 2012

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

In re application of:	:	**DECISION ON PETITION**
GRANT, DAVID, et al.	:	**TO MAKE SPECIAL FOR**
Application No.: 13/185,372	:	**NEW APPLICATION**
Filed: July 18, 2011	:	**UNDER 37 CFR 1.102**
For: METHODS AND SYSTEMS FOR PROCESSING AND DISPLAYING CONTENT		

This is a decision on the petition filed on July 18, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

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

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

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

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

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

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

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated

examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

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

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

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

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

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

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

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

    If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is

involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

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

Robert Weinhardt
Business Practice Specialist
Technology Center 3600

RW/2/13/12

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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DIW Sep-11

PETERS VERNY , L.L.P.
425 SHERMAN AVENUE
SUITE 230
PALO ALTO CA 94306

MAILED
SEP 06 2011
OFFICE OF PETITIONS

In re Application of	:	
Berzin et al.	:	
Application Number: 13/185,403	:	DECISION ON PETITION
Filing Date: 07/18/2011	:	
Attorney Docket Number:	:	
5658.10D1 (SMC)	:	

This is in response to the petition under 37 CFR 1.47(a) filed on August 5, 2011.

The petition is **DISMISSED AS MOOT**.

In accordance with 37 CFR 1.63(d), petitioner has submitted a copy of the executed oath or declaration filed in Application No. 12/110,178, filed on April 25, 2008, of which the subject application is a division. Furthermore, a copy of the decision, mailed on February 4, 2009, granting a petition to accord § 1.47(a) status in the above-referenced prior-filed application has been filed with the petition.

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

As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is dismissed as moot. No petition fee is necessary and none has been charged.

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

After this decision is mailed, the application is referred to Technology Center 1742 for examination in due course.

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

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

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: 64059-1010	Application Number (if known): TBD	Filing date: Herewith

First Named Inventor: PITCHER, et al.

Title: BALANCE POINT DETERMINATION

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 /jrk/	Date 7/18/11
Name (Print/Typed) Jeffrey R. Kuester	Registration Number 34367

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

☐ *Total of _____ forms are submitted.

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

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

(Not to be Submitted to the USPTO)

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

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

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

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

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

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

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

Privacy Act Statement

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

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

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

PITCHER, John and
HORTMAN, Matthew

Serial No.: Unknown

Filed: June 27, 2011

For: BALANCE POINT DETERMINATION

Confirmation Number: Unknown

Group Art Unit: Unknown

Examiner: Unknown

Docket No.: 64059-1010

STATEMENT OF SPECIAL STATUS AND MATERIALITY

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

Sir:

Applicant respectfully submits the enclosed petition to make special under the green technology pilot program. The application is eligible for special status within the green technology pilot program. Applicant seeks special status because the application disclosure pertains to enhancing the quality of the environment by contributing to energy conservation.

The application disclosure is clear on its face that the claimed invention materially contributes to development of energy conservation.

Respectfully submitted,

/jrk/

Jeffrey R. Kuester, Reg. No. 34,367

Taylor English Duma LLP
1600 Parkwood Circle
Suite 400
Atlanta, Georgia 30339
(770) 434-6868
Customer No.: **94104**

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.
13/185,421	07/18/2011	John Pitcher	64059-1010	2249

94104 7590 08/25/2011
Taylor English Duma LLP
1600 Parkwood Circle, Suite 400
Atlanta, GA 30339

EXAMINER

ART UNIT	PAPER NUMBER
2121	

MAIL DATE	DELIVERY MODE
08/25/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Taylor English Duma LLP
1600 Parkwood Circle, Suite 400
Atlanta GA 30339

In re Application of	:	
PITCHER, John et al.	:	**DECISION ON PETITION**
Application No. 13/185,421	:	**TO MAKE SPECIAL UNDER**
Filed: July 18, 2011	:	**THE GREEN TECHNOLOGY**
For: **BALANCE POINT DETERMINATION**	:	**PILOT PROGRAM**

This is a decision on the petition under 37 CFR 1.102, filed July 18, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 2121 for action on the merits commensurate with this decision.

Telephone inquires concerning this decision should be directed to Eddie C. Lee at 571-272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

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.
13/185,451	07/18/2011	Richard Arthur Halavais	CEATS.1C11C1C1	2302

20995 7590 02/14/2012
KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER
CAMPBELL, SHANNON S

ART UNIT	PAPER NUMBER
3628	

NOTIFICATION DATE	DELIVERY MODE
02/14/2012	ELECTRONIC

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

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

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

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

FEB 13 2012

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re application of: HALAVAIS, RICHARD A., et al. Application No.: 13/185,451 Filed: July 18, 2011 For: SYSTEM AND METHOD FOR ARBITRATING THE SELECTION AND RESERVING OF AIRLINE SEATS	: : : :	**DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 CFR 1.102**

This is a decision on the petition filed on July 18, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Robert Weinhardt
Business Practice Specialist
Technology Center 3600

RW/2/12/12

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: 39896-705.201	Application Number (if known): 13/185,459	Filing date: July 18, 2011
First Named Inventor: Paul Lees, et al.		
Title: TURBINE BLADES, SYSTEMS AND METHODS		

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Statement

Signature	Date October 6, 2011
Name (Print/Typed) Ali R. Alemozafar, Ph.D., Esq.	Registration Number 68,180

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

☒ *Total of 1 forms are submitted.

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

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

American LegalNet, Inc.
www.FormsWorkFlow.com

PATENT
Attorney Docket No. 39896-705.201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:	Confirmation No.: **2317**
Paul Lees, et al.	Examiner: Unassigned
Application No.: 13/185,459	Group Art Unit: Unassigned
Filed: July 18, 2011	Customer No. **21971**
Title: **TURBINE BLADES, SYSTEMS AND METHODS**	

FILED ELECTRONICALLY ON: OCTOBER 6, 2011

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

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

Dear Sir or Madam:

Applicants herewith submit the following statement accompanying a Petition to Make Special under the Green Technology Pilot Program.

Applicants' invention materially enhances the quality of the environment by contributing to the restoration and maintenance of basic life-sustaining natural elements. Applicants' invention relates to turbine blades to extract energy from a flow of a fluid, such as wind. For example, embodiments of the invention provide blades that help decrease a dependence on fossil fuels as a source of energy, which in turn aids in reducing pollution and various issues associated with global warming.

CONCLUSION

Applicants respectfully request the Examiner accept this Petition to Make Special under the Green Technology Pilot Program and advance the application to issuance.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (Docket No. 39896-705.201).

Respectfully submitted,

Date: October 6, 2011

By: _____
Ali R. Alemozafar, Ph.D., Esq.
Registration No. 68,180

WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050
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Customer No. 21971

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.
13/185,459	07/18/2011	Paul Lees	39896-705.201	2317

21971 7590 11/02/2011
WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER

ART UNIT	PAPER NUMBER
3724	

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

In re Application of	:	
LEES, PAUL et al	:	DECISION ON PETITION
Application No. 13/185,459	:	TO MAKE SPECIAL UNDER
Filed: July 18, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 39896-705.201	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Oct. 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

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

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

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

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

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

This application currently is undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3724 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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United States Patent and Trademark Office
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MAILED
AUG 03 2011
OFFICE OF PETITIONS

ANTOINETTE G. GIUGLIANO P.C.
DBA AGG INTELLECTUAL PROPERTY LAW
100 CUMMINGS CENTER
SUITE 213C
BEVERLY MA 01915

In re Application of	:	
Alice McCarthy	:	
Application No. 13/185,462	:	DECISION ON PETITION
Filed: July 18, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 0078.0001-002	:	37 CFR 1.102(c)(1)
	:	

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 from inventor Alice McCarthy stating that she 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 3636 for action on the merits commensurate with this decision.

Irvin Dingle
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kyle E. Litz et al. Examiner: Unknown

Serial No.: 13/185,552 Group Art Unit: 1621 / Conf. No. 2513

Filed: 7/19/2011 Docket No.: AUTE.6828US1-NY

Title: **OXIDATIVE DESULFURIZATION USING A TITANIUM(IV) CATALYST AND ORGANOHYDROPEROXIDES**

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

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)

Dear Sir:

This is a *Petition to Make Special* to advance the above identified patent application out of turn for examination and expedite the prosecution thereof. The basis for this petition under 37 CFR § 1.102(c) is that the claimed invention will materially:

(i) Enhance the quality of the environment; and/or

(ii) Contribute to the development or conservation of energy resources.

Evidence for such petition includes inter alia that in 2006, as part of the Clean Air Act, the Environmental Protection Agency (EPA) passed legislation to limit the sulfur content of roadway diesel fuels to ≤ 15 ppm by 2010. *Application 13/185,552* at ¶2. This regulation was developed to diminish the negative impact of SO_x emissions on the environment. *Id.* SO_x is responsible for acid rain, and is a principle component of industrial smog. *Id.* The current commercial technology for removing sulfur compounds from petroleum fuels is hydrodesulfurization (HDS). *Id.* HDS uses hydrogen in the presence of a catalyst (typically Co-

Mo supported on alumina) to convert thiols, sulfides, disulfides and benzothiophenes to sulfur-free hydrocarbons and hydrogen sulfide. *Id.* Operating temperatures typically range from 260 to 400°C and 3-5 MPa hydrogen pressure. *Id.* The sulfur-free hydrocarbons are recombined with petroleum streams, while the hydrogen sulfide is converted to elemental sulfur in a Claus plant. *Id.*

HDS is very effective at desulfurizing lighter petroleum streams such as gasoline and naphtha, but sulfur-removal from heavier streams such as kerosene and gas oil present a greater challenge. *Application 13/185,552* at ¶3 The reason for this is that heavier streams (boiling range > 150°C) contain sulfur in the form of benzothiophenes (bp 200-350°C). *Id.* Benzothiophenes (BT's) and their alkylated derivatives are more difficult to hydro-treat than the sulfides, disulfides and thiols contained in the lighter streams. *Id.* Therefore higher temperatures and hydrogen pressures are required to remove BT's from heavier petroleum streams using HDS technology. *Id.*

HDS technology will continue to be challenged in the future as environmental laws become more stringent and petroleum supplies become more heavy and sour. The problem facing the oil industry is that meeting current and future sulfur regulations also forces the industry to increase its green house gas (CO_2) emissions. *Application 13/185,552* at ¶4. This is based on the fact that using hydrogen gas to remove sulfur from oil is very energy intensive and leaves a large CO_2 emissions footprint. *Id.* Therefore an alternative desulfurization technology is needed to either supplement or replace HDS. *Id.* The most promising candidate is oxidative desulfurization (ODS). *Id.* ODS technology uses an oxidant, often in the presence of a transition metal catalyst, to convert sulfides to sulfones under relatively mild conditions (50-90°C, atmospheric pressure). *Id.* The sulfones are then removed from the petroleum stream by

distillation, extraction, adsorption, etc. *Id.* Therefore ODS serves to greatly reduce CO_2 emissions associated with the current HDS technology. *Id.*

In view of the above, applicant requests that this Petition to Make Special be granted and the examination of the application be advanced. It is believed that no fee is necessary for this *Petition to Make Special.*

Date: November 9, 2011

/Arlen L. Olsen/
Arlen L. Olsen
Registration No. 37,543
Customer No. 5409
Schmeiser, Olsen & Watts
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Latham, New York 12110
(518) 220-1850

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,552	07/19/2011	Kyle E. Litz	AUTE.6828US1-NY	2513

5409 7590 11/17/2011
SCHMEISER, OLSEN & WATTS
22 CENTURY HILL DRIVE
SUITE 302
LATHAM, NY 12110

EXAMINER

ART UNIT	PAPER NUMBER
1622	

MAIL DATE	DELIVERY MODE
11/17/2011	PAPER

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

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

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NOV 17 2011

SCHMEISER, OLSEN & WATTS
22 CENTURY HILL DRIVE
SUITE 302
LATHAM NY 12110

In re Application of	:	
LITZ, Kyle *et al.*	:	DECISION ON PETITION
Application No. 13/185552	:	TO MAKE SPECIAL UNDER
Filed: July 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 9, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **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 petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2)The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or

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

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

The petition lacks item(s) 6 and 8.

In regard to item 6, petitioner should note that a statement has not been provided that states that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner as required by the Notice. Accordingly, the petition cannot be granted without such a statement (Form SB 420).

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1621 for action in its regular turn.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner
Technology Center 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kyle E. Litz et al. Examiner: Unknown

Serial No.: 13/185,552 Group Art Unit: 1622 / Conf. No. 2513

Filed: 7/19/2011 Docket No.: AUTE.6828US1-NY

Title: **OXIDATIVE DESULFURIZATION USING A TITANIUM(IV) CATALYST AND ORGANOHYDROPEROXIDES**

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

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)-
REQUEST FOR RECONSIDERATION

Dear Sir:

This is a request for reconsideration of the Decision of Dismissal (hereinafter the "Decision") of the *Petition to Make Special* (hereinafter the "Petition") mailed November 17, 2011. The Petition was filed on November 9, 2011, to advance the above identified patent application out of turn for examination and expedite the prosecution thereof. The Decision sets forth the requirement for qualifying for special status:

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; 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 reductionThe basis for this petition under 37 CFR § 1.102(c) is that the claimed invention will materially:

(i) Enhance the quality of the environment; and/or

(ii) Contribute to the development or conservation of energy resources;

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 a first Office Action appears in the PAIR system; and

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 Decision indicates that Applicants lack items 5), and 8); therefore, Applicants have satisfied items 2), 3), 4), 5), 6), and 7). To satisfy item 8), Applicants attach/submit the following document to the Office:

1) a copy of a request for early publication under 37 CFR 1.219 to be filed concurrently with this request, including the publication fee as set forth under 37 CFR 1.18(d).

Additionally, to satisfy item 5), Applicants hereby agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the Examiner.

CONCLUSION

Applicants believe that this request for reconsideration and the referenced attachments satisfy all criteria set forth by the Office. Therefore, Applicant respectfully requests reconsideration of the Decision, and that the Office should grant the Petition. Should the Office have any further questions, or requirements, Applicants encourage the personnel handling this matter to contact Applicants representatives listed below. Furthermore, should any fees arise in connection with this request for reconsideration, the Director is authorized to charge Deposit Account No. 19-0513.

Date: December 19, 2011

/Arlen L. Olsen/
Arlen L. Olsen
Registration No. 37,543
Customer No. 5409
Schmeiser, Olsen & Watts
22 Century Hill Drive, Suite 302
Latham, New York 12110
(518) 220-1850

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,552	07/19/2011	Kyle E. Litz	AUTE.6828US1-NY	2513

5409 7590 01/23/2012
SCHMEISER, OLSEN & WATTS
22 CENTURY HILL DRIVE
SUITE 302
LATHAM, NY 12110

EXAMINER

ART UNIT	PAPER NUMBER
1622	

MAIL DATE	DELIVERY MODE
01/23/2012	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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JAN 23 2012

SCHMEISER, OLSEN & WATTS
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SUITE 302
LATHAM NY 12110

In re Application of	:	
LITZ, Kyle *et al.*	:	DECISION ON PETITION
Application No. 13/185552	:	TO MAKE SPECIAL UNDER
Filed: July 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. AUTE.6828US1-NY	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 19, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1622 for action on the merits commensurate with this decision.

/Manjunath Rao/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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Rosenthal Pauerstein Sandoloski Agather LLP
755 EAST MULBERRY STREET AVE
SUITE 200
SAN ANTONIO TX 78212

MAILED
AUG 23 2011
OFFICE OF PETITIONS

In re Application of	:	
Howe	:	
Application No. 13/185,614	:	ON PETITION
Filing Date: July 19, 2011	:	
Attorney Docket No.: 81332.00004	:	

This is a decision on the petition under 37 CFR 1.57(a), filed August 9, 2011, requesting the application be accorded a filing date of July 19, 2011, including drawing Figures 2, 11, 13, and A19 – A26.

The petition is **dismissed**.

The application was filed on July 19, 2011. However, on August 1, 2011, the Office of Patent Application Processing mailed a Notice of Omitted Items in a Nonprovisional Application ("Notice"), noting that a filing date had been accorded the application; however, Figures 2, 11, 13, and A19 - A26 described in the specification appeared to have been omitted from the application. The Notice set a two-month period for reply, with extensions of time available under 37 CFR §1.136(a).

In response to the Notice, applicant filed the present petition and requests that the application be accorded a filing date of July 19, 2011, including Figures 2, 11, 13, and A19 - A26.

Applicant is advised that a petition is not necessary in this instance to add the omitted figures.

37 CFR 1.57(a) provides a method whereby an applicant may amend an application to include an inadvertently omitted portion of the specification or drawing(s) that is found in a prior-filed application, as long as the application contained a proper claim for benefit to the prior-filed application when the application was filed.

Where a filing date has been accorded an application, a petition is not necessary to add the omitted portion of the specification or drawing(s). If an application is not otherwise entitled to a filing date under § 1.53(b), the amendment must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in § 1.17(f)." 37 CFR 1.57(a)(3)

Since this application has been accorded a filing date, applicant may add the omitted figures by way of amendment under 37 CFR 1.57(a) without a petition. The examiner of record will decide the matter. It is noted that applicant has not filed a formal amendment requesting addition of Figures 2, 11, 13, and A19 - A26.

In view of the fact that the petition was not necessitated by an error on the part of this Office, the petition fee will not be refunded.

The application will be returned to the Office of Patent Application Processing for further processing as a nonprovisional application with a filing date of July 19, 2011, using the application papers filed on that date.

Telephone inquiries concerning this matter should be directed to Senior Petitions Attorney Shirene Willis Brantley at (571) 272-3230.

Chris Bottorff
Supervisor
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,652	07/19/2011	Randolph S. Porubcan	THER-5DFAccel	2722

93599 7590 08/25/2011
Eric P. Mirabel
3783 Darcus
Houston, TX 77005

EXAMINER
SRIVASTAVA, KAILASH C

ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
08/25/2011	ELECTRONIC

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

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

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

emirabel@comcast.net

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
www.uspto.gov

AUG 2 5 2011

Eric P. Mirabel
3783 Darcus
Houston TX 77005

In re Application of:
Porubcan et al.

Serial No.: 13/185,652

Filed: : July 19, 2011

Docket: **THER-5DFAccel**

Title: **PREBIOTIC COMPOSITION FOR INCREASING PROBIOTIC GROWTH RATE AND ACTIVITY**

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

This is a decision on the petition filed July 19, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

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

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

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

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

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

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

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

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

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

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.
6. Information Disclosure Statement (IDS):
7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

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

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

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

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

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

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

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

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

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

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: 249650-2	Application Number (if known): 13/185,670	Filing date: July 19, 2011

First Named Inventor: Aaron Yarbrough

Title: Shear Web Spring Flanges for use in Wind Turbine Blades

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

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

1. By filing this petition:

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

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

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

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

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

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

Signature /Allison W. Mages/	Date October 19, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

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

☐ *Total of _____ forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Aaron Yarbrough	)
Confirmation No.: 2755	)
	)
Serial No.: 13/185,670	)
	)
Filing Date: July 19, 2011	)
	)
Atty Docket No.: 249650-2	)

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

Statement Concerning the Basis for the Special Status

SIR:

The present application relates generally to the field of wind turbines, and more particularly to the shear web configuration within the wind turbine blades. (See [0001]).

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

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

Respectfully submitted,

General Electric Company

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

Dated: October 19, 2011

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,670	07/19/2011	Aaron Yarbrough	249650-2/GEC-348B	2755

87853 7590 11/25/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
11/25/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

	:	
In re Application of		
YARBROUGH, AARON	:	DECISION ON PETITION
Application No. 13/185,670	:	TO MAKE SPECIAL UNDER
Filed: July 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 249650-2/GEC-348B	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 19, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

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

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

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

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

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

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

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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: 249650-3	Application Number (if known): 13/185,682	Filing date: July 19, 2011

First Named Inventor: Aaron Yarbrough

Title: WIND TURBINE BLADE SHEAR WEB WITH SPRING FLANGES

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

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

1. By filing this petition:

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

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

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

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

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

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

Signature /Allison W. Mages/	Date October 19, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

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

☐ *Total of _____ forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Aaron Yarbrough	)
Confirmation No.: 2782	)
	)
Serial No.: 13/185,682	)
	)
Filing Date: July 19, 2011	)
	)
Atty Docket No.: 249650-3	)

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

Statement Concerning the Basis for the Special Status

SIR:

The present application relates generally to the field of wind turbines, and more particularly to the shear web configuration within the wind turbine blades. (See [0001]).

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

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

Respectfully submitted,

General Electric Company

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

Dated: October 19, 2011

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,682	07/19/2011	Aaron Yarbrough	249650-3/GEC-348C	2782

87853 7590 11/25/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
11/25/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
YARBROUGH, AARON	:	DECISION ON PETITION
Application No. 13/185,682	:	TO MAKE SPECIAL UNDER
Filed: July 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 249650-3/GEC-348C	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 19, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

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

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

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

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

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

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

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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: 249650-4	Application Number (if known): 13/185,705	Filing date: July 19, 2011

First Named Inventor: Aaron Yarbrough

Title: WIND TURBINE BLADE MULTI-COMPONENT SHEAR WEB WITH INTERMEDIATE CONNECTION ASSEMBLY

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

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

1. By filing this petition:

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

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

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

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

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

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

Signature /Allison W. Mages/	Date October 19, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

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

☐ *Total of _____ forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Aaron Yarbrough	)
Confirmation No.: 2833	)
	)
Serial No.: 13/185,705	)
	)
Filing Date: July 19, 2011	)
	)
Atty Docket No.: 249650-4	)

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

Statement Concerning the Basis for the Special Status

SIR:

The present application relates generally to the field of wind turbines, and more particularly to the shear web configuration within the wind turbine blades. (See [0001]).

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

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

Respectfully submitted,

General Electric Company

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

Dated: October 19, 2011

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/185,705	07/19/2011	Aaron Yarbrough	249650-4/GEC-348D	2833

87853 7590 11/25/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
11/25/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
YARBROUGH, AARON	:	DECISION ON PETITION
Application No. 13/185,705	:	TO MAKE SPECIAL UNDER
Filed: July 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 249650-4/GEC-348D	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 19, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

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

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

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

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

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

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

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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:	13/185,764	Filing date:	July 19, 2011
First Named Inventor:	Robert W. Vitale		
Title of the Invention:	A Chemical Method and Composition for Soil Improvement		

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/US2010/022534

The international filing date of the corresponding PCT application(s) is/are: January 29, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

c. **English translations of the documents in a. and b. above are attached (if the documents are not in 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.:	13/185,764
First Named Inventor:	Robert W. Vitale

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 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 August 9, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1 - 9	4 - 10	Claims are narrower in scope than
10 - 15	16 - 18	the approved PCT claims
16 - 20	30 - 34	

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

Signature	/daniel a thomson/	Date	August 9, 2011
Name (Print/Typed)	Daniel A. Thomson	Registration Number	43,189

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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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.
13/185,764	07/19/2011	ROBERT W. VITALE	40045.50089	2965

78340 7590 09/21/2011
Emerson, Thomson & Bennett, LLC
1914 Akron-Peninsula Road
Akron, OH 44313

EXAMINER
OGDEN JR, NECHOLUS

ART UNIT	PAPER NUMBER
1761	

NOTIFICATION DATE	DELIVERY MODE
09/21/2011	ELECTRONIC

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iplaw@etblaw.com
dlm@etblaw.com

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EL

September 20, 2011

In re application of Vitale et al. Serial No. 13/185,764 Filed: July 19, 2011 For: **CHEMICAL METHOD AND COMPOSITION FOR SOIL IMPROVEMENT**	: : : : : :	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 09, 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 KIPO or USPTO;

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

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

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

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

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

product is not in the English language; and

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

The request to participate in the PPH program and petition fail because:
(4) Examination of the U.S. application has begun. A non-final office action has been issued September 01, 2011. It is further noted that a supplemental non-final office action has been issued on September 19, 2011.

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

Any inquiry regarding this decision should be directed to 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

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AUG 12 2011
OFFICE OF PETITIONS

EMERSON, THOMSON & BENNETT, LLC
1914 AKRON-PENINSULA ROAD
AKRON, OH 44313

In re Application of Vitale et al. Application No. 13/185,821 Filed: July 19, 2011 Attorney Docket No. 40045.50076	: : : : :	ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that the applicant is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059.

This application file is being referred to the Office of Patent Application Processing (OPAP) for further pre-examination processing.

/A. Kelley-Collier/
Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,046	07/19/2011	Troy Schmidtke	2609.001US2	3541

21186 7590 10/07/2011
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
10/07/2011	ELECTRONIC

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SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS MN 55402

In re Application of:
SCHMIDTKE, Troy et al.
Application No. 13/186,046
Filed: July 19, 2011
For: **SYSTEMS, METHODS, AND SOFTWARE FOR AUTOMATED DESIGN AND MANUFACTURING OF HVAC CONTROL PANELS**

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 July 19, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 1-13 be accepted in lieu of black and white drawings. However, a review of the drawings reveals that only Figs. 4A-5B are in color.

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 one sets of color drawing Figures 4A-5B via EFS-Web, which is acceptable. The amendment to the specification filed on September 22, 2011 contains the required notification. However, the color drawing figures identified in the petition does not correspond to the drawings on file.

Accordingly, the petition is **DISMISSED**.

A renewed petition under 37 CFR § 1.84(a)(2) must be filed within TWO (2) MONTHS of this decision. If applicant fails to file a renewed petition within TWO (2) MONTHS, the drawings will be printed in black and white.

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,046	07/19/2011	Troy Schmidtke	2609.001US2	3541

21186 7590 12/16/2011
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS, MN 55402

EXAMINER

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
12/16/2011	ELECTRONIC

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P.O. BOX 2938
MINNEAPOLIS MN 55402

In re Application of:
SCHMIDTKE, Troy et al.
Application No. 13/186,046
Filed: July 19, 2011
For: **SYSTEMS, METHODS, AND SOFTWARE FOR AUTOMATED DESIGN AND MANUFACTURING OF HVAC CONTROL PANELS**

DECISION ON PETITION UNDER 37 C.F.R. § 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the renewed petition under 37 C.F.R. § 1.84(a)(2), filed on November 16, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 4A, 4B1, 4B2, 5A1, 5A2 and 5B 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 one sets of color drawing Figures 4A, 4B1, 4B2, 5A1, 5A2 and 5B, via EFS-Web, which is acceptable. The amendment to the specification filed on September 22, 2011 contains the required notification.

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,069	07/19/2011	Troy Schmidtke	2609.001US3	3578

21186 7590 10/07/2011
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
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ART UNIT	PAPER NUMBER
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MINNEAPOLIS MN 55402

In re Application of:
SCHMIDTKE, Troy et al.
Application No. 13/186,069
Filed: July 19, 2011
For: **SYSTEMS, METHODS, AND SOFTWARE FOR AUTOMATED DESIGN AND MANUFACTURING OF HVAC CONTROL PANELS**

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 July 19, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 1-13 be accepted in lieu of black and white drawings. However, a review of the drawings reveals that only Figs. 4A-5B are in color.

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 one sets of color drawing Figures 4A-5B via EFS-Web, which is acceptable. The amendment to the specification filed on September 22, 2011 contains the required notification. However, the color drawing figures identified in the petition does not correspond to the drawings on file.

Accordingly, the petition is **DISMISSED**.

A renewed petition under 37 CFR § 1.84(a)(2) must be filed within TWO (2) MONTHS of this decision. If applicant fails to file a renewed petition within TWO (2) MONTHS, the drawings will be printed in black and white.

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,069	07/19/2011	Troy Schmidtke	2609.001US3	3578

21186 7590 12/16/2011
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
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EXAMINER
SHECHTMAN, SEAN P

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
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MINNEAPOLIS MN 55402

In re Application of:
SCHMIDTKE, Troy et al.
Application No. 13/186,069
Filed: July 19, 2011
For: **SYSTEMS, METHODS, AND SOFTWARE FOR AUTOMATED DESIGN AND MANUFACTURING OF HVAC CONTROL PANELS**

DECISION ON PETITION UNDER 37 C.F.R. § 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the renewed petition under 37 C.F.R. § 1.84(a)(2), filed on November 16, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 4A, 4B1, 4B2, 5A1, 5A2 and 5B 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 one sets of color drawing Figures 4A, 4B1, 4B2, 5A1, 5A2 and 5B, via EFS-Web, which is acceptable. The amendment to the specification filed on September 22, 2011 contains the required notification.

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,083	07/19/2011	Troy Schmidtke	2609.001US4	3602

21186 7590 09/23/2011
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
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EXAMINER

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
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P.O. BOX 2938
MINNEAPOLIS MN 55402

In re Application of:
SCHMIDTKE, Troy et al.
Application No. 13/186,083
Filed: July 19, 2011
For: **SYSTEMS, METHODS, AND SOFTWARE FOR AUTOMATED DESIGN AND MANUFACTURING OF HVAC CONTROL PANELS**

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 July 19, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 1-13 be accepted in lieu of black and white drawings. However, a review of the drawings reveals that only Figs. 4A-5B are in color.

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 one sets of color drawing Figures 4A-5B via EFS-Web, which is acceptable. However, the specification does not contain the required notification described above. Furthermore, the renewed petition must correctly identify the color drawings.

Accordingly, the petition is **DISMISSED**.

A renewed petition under 37 CFR § 1.84(a)(2) must be filed within TWO (2) MONTHS of this decision. If applicant fails to file a renewed petition within TWO (2) MONTHS, the drawings will be printed in black and white.

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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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,083	07/19/2011	Troy Schmidtke	2609.001US4	3602

21186 7590 10/07/2011
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EXAMINER

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NOTIFICATION DATE	DELIVERY MODE
10/07/2011	ELECTRONIC

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In re Application of:
SCHMIDTKE, Troy et al.
Application No. 13/186,083
Filed: July 19, 2011
For: **SYSTEMS, METHODS, AND SOFTWARE FOR AUTOMATED DESIGN AND MANUFACTURING OF HVAC CONTROL PANELS**

DECISION ON PETITION UNDER 37 C.F.R. § 1.84(a)(2) TO ACCEPT COLOR DRAWINGS

This is a decision on the renewed petition under 37 C.F.R. § 1.84(a)(2), filed on September 22 and28, 2011, requesting acceptance of color drawings.

The renewed petition requests that the color drawings of Figures 4A-5B 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 one sets of color drawing Figures 4A-5B via EFS-Web, which is acceptable. The amendment to the specification filed on September 22, 2011 contains the required notification.

Accordingly, the petition is **GRANTED**.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Quality Assurance Specialist, TC 2100

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

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 9535-005	Application Number (if known): 13/186,226	Filing date: July 19, 2011

First Named Inventor: Jay Whitacre

Title: HIGH VOLTAGE BATTERY COMPOSED OF ANODE LIMITED ELECTROCHEMICAL CELLS

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: _____

Signature	Date July 20, 2011
Name (Print/Typed) Leon Radomsky	Registration Number 43,445

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

☐ *Total of_____ forms are submitted.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Jay Whitacre

Group Art Unit: 1726

Application No. 13/186,226

Examiner: Not Yet Assigned

Filed: July 19, 2011

Confirmation No. 3888

Docket No. 9535-005

For: ***High Voltage Battery Composed of Anode Limited Electrochemical Cells***

STATEMENT REGARDING PUBLICATION OF APPLICATION AND THE ELIGIBILITY REQUIREMENT

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This Statement is filed in conjunction with a Petition To Make Special Under The Green Technology Pilot Program.

The undersigned representative of the Applicant states that the publication fee is being paid in conjunction with the filing of the Petition To Make Special Under The Green Technology Pilot Program.

The undersigned representative of the Applicants further states that the above listed application is entitled to special status under the Green Technology Pilot Program because the invention materially contributes to the development of energy conservation by improving energy storage.

A favorable decision on the Petition To Make Special Under The Green Technology Pilot Program is earnestly solicited.

Respectfully submitted,

Date: July 20, 2011

The Marbury Law Group PLLC
11800 Sunrise Valley Dr., Ste. 1000
Reston, VA 20191
703-391-2900

Leon Radomsky
Attorney for Applicants
Reg. No. 43,445

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.
13/186,226	07/19/2011	Jay Whitacre	9535-005	3888

22208 7590 08/26/2011
The Marbury Law Group, PLLC
11800 SUNRISE VALLEY DRIVE
SUITE 1000
RESTON, VA 20191

EXAMINER

ART UNIT	PAPER NUMBER
1726	

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):

ptonotices@marburylaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

The Marbury Law Group, PLLC
11800 SUNRISE VALLEY DRIVE
SUITE 1000
RESTON VA 20191

8/26/11

In re Application of	:	
Jay Whitacre	:	DECISION ON PETITION
Application No. 13/186,226	:	TO MAKE SPECIAL UNDER
Filed: July 19, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 9535-005	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 20, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

Telephone inquires concerning this decision should be directed to 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
www.uspto.gov

MARC E. HANKIN, ESQ.
11414 THURSTON CIRCLE
LOS ANGELES CA 90049

MAILED

AUG 05 2011

OFFICE OF PETITIONS

In re Application of	:	
Roland Tirelli	:	
Application No. 13/186,261	:	DECISION ON PETITION
Filed: July 19, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **Tirelli-BullRide-CIP**	:	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 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 AU 3711 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

In re Application of
Robert E. Hebner

Application No. 13186282

Filed:

Attorney Docket No. UTAU:1292

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

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 19-JUL-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

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

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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	13186282	Confirmation Number	4005	Filing Date	2011-07-19
Attorney Docket Number (optional)	UTAU:1292	Art Unit	TBD	Examiner	TBD
First Named Inventor	Hebner, et al.				
Title of Invention	Electromechanical Lysing of Algae Cells				

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

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

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

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

Given Name	Middle Name	Family Name	Suffix
Robert	E.	Hebner	

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	/Edwin S. Flores/	Date (YYYY-MM-DD)	2011-07-19
Name	Edwin S. Flores	Registration Number	38453

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.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No.:	13186302	First Named Inventor:	Bobby Smith
Filing Date:	July 19, 2011	Attorney Docket No.:	006444
Title of the Invention:	System and Method for Instant Issue of Personalized Financial Transaction Cards		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2011/044530

The international filing date of the corresponding PCT application(s) is/are: July 19, 2011

I. List of Required Documents:

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

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

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

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

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

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

- ☐ is attached.
- ☑ has already been filed in the above-identified U.S. application on March 14, 2012

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

- ☐ are attached.
- ☑ have already been filed in the above-identified U.S. application on March 14, 2012

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

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

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

(continued)

Application No.:	13186302	First Named Inventor:	Bobby Smith

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	1	identical
2	2	identical
3	3	identical
4	4	identical
5	5	identical

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

Signature /Emily A. Shouse, Reg. No. 44,336/	Date March 14, 2012
Name (Print/Typed) Emily A. Shouse	Registration Number 44336

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE NW
WASHINGTON DC 20005

MAILED
MAR 23 2012
OFFICE OF PETITIONS

In re Application of Cho, et al. Application No. 13/186,650 Filed: July 20, 2011 Attorney Docket Number: 2044.1076	: : : : :	DECISION ON PETITION

This is in response to the petition under 37 CFR 1.84(a)(2), filed July 20, 2011, for acceptance of color drawings.

The petition is **DISMISSED**.

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

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

(1) The fee set forth in 37 C.F.R. 1.17(h);

(2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and

(3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

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

Here, the petition has not met requirement (3) above. In addition, the Office has determined that color drawings are not necessary for an understanding of the invention.

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 2836 for examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

Jose Dees
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Alexander Rafalovich
8222 Santa Rosa Ct.
Sarasota FL 34243

MAILED
AUG 15 2011
OFFICE OF PETITIONS

In re Application of	:	
Alexander Rafalovich	:	
Application No. 13/186,700	:	DECISION ON PETITION
Filed: July 20, 2011	:	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 20, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement 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 3744 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
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,759	07/20/2011	Sung Woo Kang	0122-P0024B	4947

7590 10/28/2011

Hyun Jong Park
Park & Associates IP Law, P.C.
Suite 106
265 Bic Drive
Milford, CT 06461

EXAMINER
CHEUNG, WILLIAM K

ART UNIT	PAPER NUMBER
1762	

MAIL DATE	DELIVERY MODE
10/28/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

CST

10/28/11

In re application of Sung Woo Kang et al Serial No. 13/186,759 Filed: July 20, 2010 For: GAS-PHASE POLYMERIZATION OF ALPHA-OLEFIN	: : : : : :	DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program, filed July 25, 2011.

The request and petition are **DISMISSED** as moot. Specifically, a Notice of Allowability was mailed in this application on October 27, 2011.

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

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

(2) Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the KIPO application(s) 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 KIPO application(s); and
   b. Submit a claims correspondence table in English;

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

(5) Applicant must submit:
a. 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 KIPO 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 KIPO application is a first action allowance then no office action from the KIPO is necessary should be indicated on the request/petition form:
Further, if a copy of the documents from (i) or (ii) is available via the Dossier Access System (DAS), applicant may request the USPO obtain a copy from the DAS; however, if the USPTO is unable to obtain a copy of the DAS, the applicant will be required to submit a copy;
b. An English language translation of the KIPO 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 KIPO examiner in the KIPO office action (unless already submitted in this application)
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application).

The request to participate in the PPH program and petition fail because:

(5) Examination of the U.S. application has begun. Specifically, note that a Notice of Allowability was mailed in this application on October 27, 2011.

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,842	07/20/2011	Chin-Yao Tsai	23898-78379	5100

24728 7590 08/18/2011
MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA, GA 30326

EXAMINER

ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
08/18/2011	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):

ipdocket@mmmlaw.com
ppz@mmmlaw.com
jlsmith@mmmlaw.com

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AUG 18 2011 CST

In re application of	:	
Chin-Yao Tsai	:	
Serial No. 13/186,842	:	DECISION ON PETITION
Filed: July 20, 2011	:	TO MAKE SPECIAL
For: THIN FILM PHOTOVOLTAIC DEVICE	:	

This is a decision on the petition filed on July 20, 2011 to make the above-identified application special under the accelerated examination program.

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

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

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

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

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

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

REVIEW OF FACTS

The conditions regarding the application (section I, subsections 1-4) discussed above are considered to have been met. Additionally, the conditions regarding the petition, section II, subsections 1-5, are considered to have been met. However, the petition fails to comply with condition II, subsection 6.

It is required that petitioner provide a showing of where each limitation of each of the claims finds support under 35 USC 112, first paragraph, in the written description of the provisional application 61/434,885 as applicant has claimed priority to this application. It is noted that on page 37 of the Accelerated Examination Support Document (AESD), applicant states that the disclosure of the US provisional application is substantially the same as that of the present application, however upon a review of provisional application 61/434,885, it appears that the specification differs substantially from the present specification. Accordingly, it is required that petitioner provide a showing of where each limitation of each of the claims finds support under 35 USC 112, first paragraph, in the written description of the provisional application 61/434,885 (for example by page number or paragraph number).

DECISION

For the above-stated reasons, the petition is dismissed. The application will therefore be taken up by the examiner in its regular turn.

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

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

Application No. 13/186,842

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/186,842	07/20/2011	Chin-Yao Tsai	23898-78379	5100

24728 7590 10/05/2011
MORRIS MANNING MARTIN LLP
3343 PEACHTREE ROAD, NE
1600 ATLANTA FINANCIAL CENTER
ATLANTA, GA 30326

EXAMINER

ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
10/05/2011	ELECTRONIC

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

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

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

ipdocket@mmmlaw.com
ppz@mmmlaw.com
jlsmith@mmmlaw.com

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CST

OCT 05 2011

In re application of	:	
Chin-Yao Tsai	:	
Serial No. 13/186,842	:	DECISION ON PETITION
Filed: July 20, 2011	:	TO MAKE SPECIAL
For: THIN FILM PHOTOVOLTAIC DEVICE	:	

This is a decision on the Request for Reconsideration of Petition to Make Special under the Accelerated Examination Program filed on September 16, 2011 to make the above-identified application special.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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:	[to be assigned]	Filing date:	July 20, 2011
First Named Inventor:	Jungo KONDO		
Title of the Invention:	A Method of Detecting Particulates		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2011/057068

The international date of the corresponding PCT application(s) is/are: March 16, 2011

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	[to be assigned]
First Named Inventor:	Jungo KONDO

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
1-9	1-9	Same
10-15	9	Same
16	10	Same
17-22	10	Same

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

Signature /Tomoko Nakajima/	Date July 20, 2011
Name (Print/Typed) Tomoko Nakajima	Registration Number 63706

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.
13/187,068	07/20/2011	Jungo Kondo	1027-0011	5503

93263 7590 08/11/2011
Tomoko Nakajima
Cermak Nakajima LLP
127 S. Peyton Street
Suite 210
Alexandria, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
1776	

NOTIFICATION DATE	DELIVERY MODE
08/11/2011	ELECTRONIC

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

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

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

tnakajima@cermaknakajima.com
IP@cermaknakajima.com

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
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AUG 11 2011

WG

In re application of Jungo Kondo et al. Serial No. 13/187,068 Filed: July 20, 2011 For: METHOD OF DETECTING PARTICULATES	: : : : : :	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 20, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

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

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

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

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

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

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

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

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

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

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

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

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

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

PTO/SB/20PCT-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:	13/187,091	Filing date:	2011-07-20
First Named Inventor:	Kennedy, Robert M.		
Title of the Invention:	Insecticidal Triazines and Pyrimidines		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2011/044675

The international filing date of the corresponding PCT application(s) is/are: 2011-07-20

I. List of Required Documents:

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

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

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

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

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

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

Approved for use through 01/31/2012. OMB 0651-0058
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REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/187,091
First Named Inventor:	Kennedy, Robert M.

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
See attached claims correspondence table.		

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

Signature *Thomas A Wootton*	Date 9 March 2012
Name (Print/Typed) Thomas A. Wootton	Registration Number 35,004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert M. Kennedy et al.
Application No.: 13/187,091
Filing date: July 20, 2011

Art Unit: 1629
Examiner: Venkataraman Balasubramanian
Attorney Docket No.: 225312/FAM I US/312592

Title: Insecticidal Triazines and Pyrimidines

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

Request for Participation in the Patent Cooperation Treaty – Patent Prosecution Highway (PCT-PPH) Pilot Program Between the European Patent Office (EPO) and the USPTO

The following claims were indicated in the International Search Report and Written Opinion of the European Patent Office in its capacity as the International Searching Authority to have novelty, inventive step, and industrial applicability.

Claims Correspondence Table

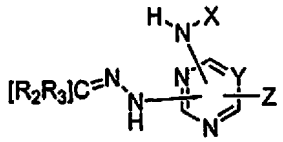
Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claims are identical.
2	2	Claims are identical.
3	3	Claims are identical.
4	4	Claims are identical.
5	5	Claims are identical.
6	6	Claims are identical.
7	7	Claims are identical.
8	8	Claims are identical.
9	9	Claims are identical.

10	10	Claims are identical.
11	11	Claims are identical.
12	12	Claims are identical.
13	13	Claims are identical.
14	14	Claims are identical.
15	15	Claims are identical.
16	16	Claims are identical.
17	17	Claims are identical.
18	18	Claims are identical.
19	19	Claims are identical.
20	20	Claims are identical.
21	21	Claims are identical.
22	22	Claims are identical.
23	23	Claims are identical.
24	24	Claims are identical.
25	25	Claims are identical.
26	26	Claims are identical.
27	27	Claims are identical.
28	28	Claims are identical.
29	29	Claims are identical.
30	30	Claims are identical.
31	31	Claims are identical.

CLAIMS

We claim:

1. A compound of Formula (I),



Formula I

including its physiologically acceptable salt wherein:

Y is N or CR_1;

R_1, is –H, Halo or -C_1-C_4 alkyl;

Z is -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, –C_3-C_8 cycloalkyl, heterocyclic, -C_1-C_8 alkylheterocyclic,

X, is –H, -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, heterocyclic, -C_1-C_8 alkylheterocyclic, -NR^iR^j or -C_1-C_8 alkylNR^iR^j;

R_2 and R_3 are independently -H or -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, heterocyclic, -C_1-C_8 alkylheterocyclic, and -C_1-C_8 alkylNR^iR^j, but R_2 and R_3 are not both H;

R^i and R^j are independently –H, or -C_1-C_8 alkyl;

wherein heterocyclic is a 5-10 member cyclic or bicyclic aromatic or saturated -C_1-C_8 cycloaliphatic ring moiety containing 1, 2, or 3 heteroatoms selected from N, O, or S;

wherein aryl, -C_3-C_8 cycloalkyl and heterocyclic are optionally independently substituted with one to five substituents independently selected from -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl; and

at each occurrence alkyl, is optionally substituted with 1-5 halo, -CN, or -OH.

2. A compound of claim 1, wherein Y is CR_1.

3. A compound of claim 1, wherein Y is N.

4. A compound of claim 1-3, wherein heterocyclic is a 5, 6 or 10 member ring where the heteroatoms are selected from N, O or S;

5. A compound of claim 1-3 wherein,

aryl is an optionally substituted 6 or 10 member ring.

6. A compound of claim 1 wherein halo is Cl or F;

R^i and R^j are H or C_1-C_2 alkyl; and

R_2 and R_3 are independently -H or -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, heterocyclic, -C_1-C_8 alkylheterocyclic, and -C_1-C_8 alkylNR^iR^j; but when one of R_2 and R_3 are -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, heterocyclic, -C_1-C_8 alkylheterocyclic, and -C_1-C_8 alkylNR^iR^j then the other of either R_2 or R_3 is independently -H or -C_1-C_8 alkyl.

7. A compound of claim 1 wherein

at each occurrence aryl is selected from -C_3-C_{12} aryl, -C_3-C_{10} aryl, -C_3-C_8 aryl, –C_5-C_{10} aryl, -C_6 aryl, C_{10} aryl;

at each occurrence cycloalkyl is selected from -C_3-C_{12} cycloalkyl, -C_3-C_{11} cycloalkyl, -C_3-C_{10} cycloalkyl, -C_3-C_9 cycloalkyl, -C_3-C_8 cycloalkyl, -C_3-C_7 cycloalkyl, -C_3-C_6 cycloalkyl, C_3-C_5 cycloalkyl, -C_3-C_4 cycloalkyl, -C_5-C_9 cycloalkyl, -C_5-C_8 cycloalkyl, C_5-C_7 cycloalkyl, C_5-C_6 cycloalkyl, C_6-C_8 cycloalkyl, C_8-C_{12} cycloalkyl, -C_3 cycloalkyl, -C_4 cycloalkyl, -C_5 cycloalkyl, -C_6 cycloalkyl, -C_7 cycloalkyl, -C_8 cycloalkyl, -C_9 cycloalkyl, -C_{10} cycloalkyl, -C_{11} cycloalkyl, and -C_{12} cycloalkyl.

when R_2 is –H or -C_1-C_8 alkyl, then R_3 is -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, heterocyclic, -C_1-C_8 alkylheterocyclic, and -C_1-C_8 alkylNR^iR^j;

when R_3 is –H or -C_1-C_8 alkyl, then R_2 is -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, -heterocyclic, -C_1-C_8 alkylheterocyclic, and -C_1-C_8 alkylNR^iR^j;

at each occurrence alkyl may be C_1-C_2 alkyl, C_1-C_4 alkyl, C_1-C_6 alkyl, C_1-C_8 alkyl, C_1-C_{10} alkyl, or C_1-C_{12} alkyl.

8. A compound of claim 1 wherein

1, 2 or 3 of X, Z, and either R_2, or R_3 is independently a -C_1-C_6 cycloalkyl, -C_1-C_6 alkylC_6cycloalkyl, -C_6 aryl, -C_1-C_6alkylC_6 aryl or C_6 heterocyclic or -C_1-C_6 alkylC_6-heterocyclic or saturated or unsaturated optionally substituted ring, wherein

X, Z, and either R_2, or R_3 is optionally independently substituted with 1, 2 or 3, of –H, -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

wherein at each occurrence, any -C_1-C_6 alkyl, is optionally independently substituted with 1-5 -halo, -CN or -OH.

9. A compound of claim 8 wherein

1, 2, or 3 of X, Z, and either R_2, or R_3 is independently a heterocyclic or -C_1-C_6 alkylheterocyclic 6 member saturated or unsaturated optionally substituted ring, wherein

X, Z, and either R_2, or R_3 is optionally independently substituted with 1 or 2 –H, -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

wherein at each occurrence, any -C_1-C_6 alkyl, is optionally independently substituted with 1-5 -halo, -CN or -OH.

10. A compound of claim 9 wherein

1, 2, or 3 of X, Z, and either R_2, or R_3 is independently a heterocyclic or -C_1-C_6 alkylheterocyclic 6 member saturated or unsaturated optionally substituted ring, wherein

X, Z, and either R_2, or R_3 is optionally independently substituted with 1 –H, -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

wherein at each occurrence, any -C_1-C_6 alkyl, is optionally independently substituted with 1-5 -halo, -CN or -OH.

11. A compound of claim 8 wherein

said heterocyclic or alkylheterocyclic is an aromatic unsaturated optionally substituted ring, a aliphatic saturated ring, or a combination of both unsaturated and saturated optionally substituted rings and the hetero atom is a non adjacent N or O or combination of N and O atoms.

12. A compound of claim 8 wherein

Z is -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, or –C_3-C_8 cycloalkyl;

X is –H, -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, -NR^iR^j or -C_1-C_8 alkylNR^iR^j;

when R_2 is –H or -C_1-C_8 alkyl then R_3 is -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, and -C_1-C_8 alkylNR^iR^j; and

when R_3 is –H or -C_1-C_8 alkyl then R_2 is -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, and -C_1-C_8 alkylNR^iR^j;

R^i and R^j are independently –H, or -C_1-C_8 alkyl;

13. A compound of claim 12 wherein

aryl is phenyl, alkylaryl is alkylphenyl and phenyl or alkylphenyl is optionally independently substituted with 1, 2 or 3 -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

and at each occurrence alkyl, is optionally substituted with 1-5 halo, -CN, or -OH.

14. A compound of claim 13 wherein

X is optionally independently substituted with 1, 2 or 3 -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

R_2 or R_3 is optionally independently substituted with 1 or 2 -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_8 alkyl, or -S-C_1-C_6 alkyl;

Z is optionally independently substituted with 1, 2 or 3

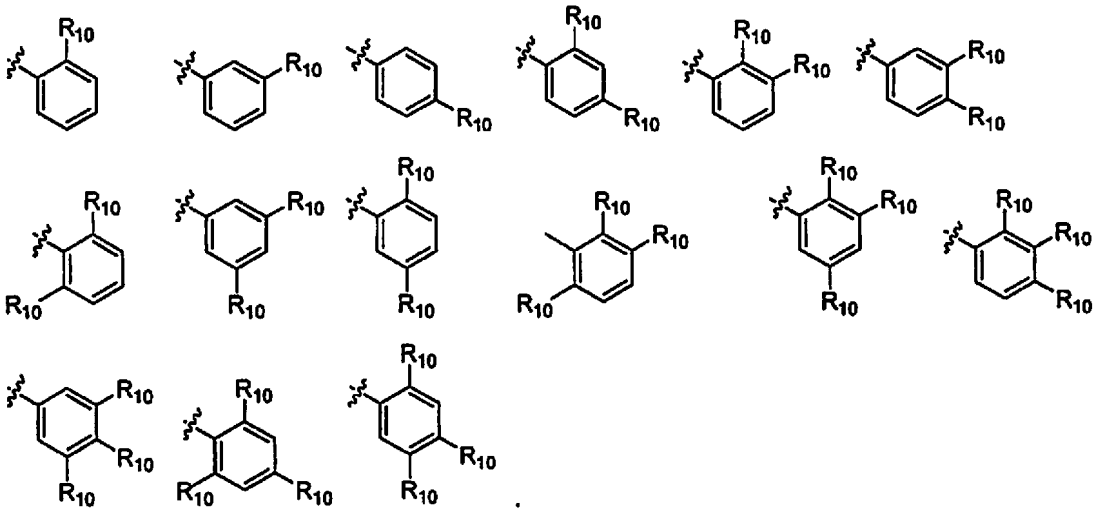
-halo, -CN, -OH, -$OCH_2CH{=}CHCl$, –C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

and at each occurrence alkyl, is optionally substituted with 1-5 halo, -CN, or -OH.

15. A compound of claim 1 wherein the aryl is phenyl and phenyl is optionally substituted with 1-3 R10, at any of the positions of any of the formula below;and

R10 is selected from optionally independently substituted with one to five substituents independently selected from -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl; and

at each occurrence alkyl, is optionally substituted with 1-5 halo, -CN, or -OH.



16. A compound of claim 1 wherein

1, 2, or 3 of X, Z, and either R_2, or R_3 is independently a heterocyclic or alkylheterocyclic 5, 6 or 10 member saturated or unsaturated optionally substituted ring.

optionally independently substituted with 1, 2 or 3, of –H, -halo, -CN, -OH, $-OCH_2CH{=}CHCl$, $-C_1$-C_6 alkyl, $-O-C_1$-C_6 alkyl, or $-S-C_1$-C_6 alkyl;

wherein at each occurrence, any $-C_1$-C_6 alkyl, is optionally independently substituted with 1-5 -halo, -CN or -OH.

17. A compound of claim 16 wherein

Z is -aryl, $-C_1$-C_8 alkylaryl, $-C_3$-C_8 cycloalkyl, or $-C_3$-C_8 cycloalkyl;

X is heterocyclic or $-C_1$-C_8 alkylheterocyclic;

when R_2 is –H or $-C_1$-C_8 alkyl, then R_3 is $-C_1$-C_8 alkyl, -aryl, $-C_1$-C_8 alkylaryl, $-C_3$-C_8 cycloalkyl, $-C_1$-C_8 alkylC_3-C_8 cycloalkyl and $-C_1$-C_8 alkylNR^iR^j;

when R_3 is –H or $-C_1$-C_8 alkyl, then R_2 is $-C_1$-C_8 alkyl, -aryl, $-C_1$-C_8 alkylaryl, $-C_3$-C_8 cycloalkyl, $-C_1$-C_8 alkylC_3-C_8 cycloalkyl and $-C_1$-C_8 alkylNR^iR^j.

18. A compound of claim 16 wherein

Z is heterocyclic or $-C_1$-C_8 alkylheterocyclic,

X is –H, $-C_1$-C_8 alkyl, -aryl, $-C_1$-C_8 alkylaryl, $-C_3$-C_8 cycloalkyl, $-C_1$-C_8 alkylC_3-C_8 cycloalkyl, $-NR^iR^j$ or $-C_1$-C_8 alkylNR^iR^j;

when R_2 is –H or -C_1-C_8 alkyl, then R_3 is -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl and -C_1-C_8 alkylNR^iR^j; and

when R_3 is –H or -C_1-C_8 alkyl, then R_2 is -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl and -C_1-C_8 alkylNR^iR^j.

19. A compound of claim 16 wherein

Z is -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, or –C_3-C_8 cycloalkyl;

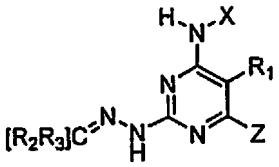
X is –H, -C_1-C_8 alkyl, -aryl, -C_1-C_8 alkylaryl, -C_3-C_8 cycloalkyl, -C_1-C_8 alkylC_3-C_8 cycloalkyl, -NR^iR^j or -C_1-C_8 alkylNR^iR^j;

R_2 is –H or -C_1-C_8 alkyl, when R_3 is heterocyclic and -C_1-C_8 alkylheterocyclic;

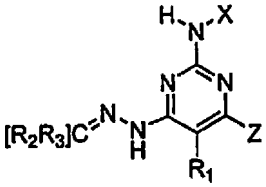
R_3 is –H or -C_1-C_8 alkyl, when R_2 is –heterocyclic and -C_1-C_8 alkylheterocyclic.

20. A compound of claim 1 wherein there are 1, 2, or 3 ring hetero atoms with 1, 2 or 3 independent substitutions taking any of the positions as shown in the Formulas Phenyl 1-15, Formulas C_5 Hetero 1- 95 and Formulas C_{10} Hetero 1- 283.

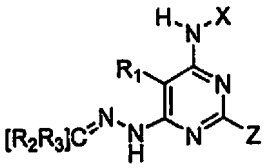
21. A compound of claim 1 wherein Y is CR_1 and Formula I is selected from Formulas II-CR1, III-CR1, and IV-CR1,



II-CR1



III-CR1



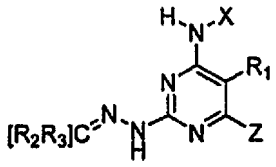
IV-CR1

Formula II –CR1 Formula III-CR1 Formula IV-CR1

and pharmaceutically acceptable salts thereof.

22. A compound of claim 21 wherein R_1 is -H, -Cl, -F, or –CF_3.

23. A compound of claim 22 wherein the compounds are selected from



II-CR1

Formula II-CR1.

24. A compound of claim 23 wherein

1, 2 or 3 of X, Z, and either R_2, or R_3 is independently a -C_1-C_6 cycloalkyl, -C_1-C_6 alkylC_6cycloalkyl, C_6 aryl, -C_1-C_6alkylC_6 aryl or C_6 heterocyclic or -C_1-C_6 alkylC_6-heterocyclic or saturated or unsaturated optionally substituted ring, wherein

X, Z, and either R_2, or R_3 is optionally independently substituted with 1, 2 or 3, of –H, -halo, -CN, -OH, -$OCH_2CH{=}CHCl$, -C_1-C_6 alkyl, -O-C_1-C_6 alkyl, or -S-C_1-C_6 alkyl;

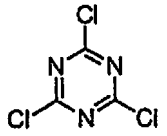
wherein at each occurrence, any -C_1-C_6 alkyl, is optionally independently substituted with 1-5 -halo, -CN or -OH.

25. A compound of claim 1 wherein

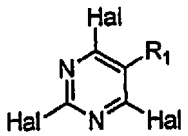
Z, X and R_2 or R_3 is a para-haloalkoxy substituted aryl ring.

26. A process for the preparation of a compound of Formula I comprising:

(a) contacting cyanuric chloride (formula V), a 2,4,6-trichloropyrimidine (formula VI) or 2,4,6-trihalopyrimidine (formula VI) wherein Hal is independently Cl or F.



V



VI

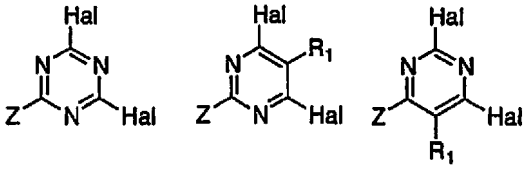
with an organometallic shown in formula VII

Z-M
wherein:
M= Li, Mg, B, Zn

Formula VII

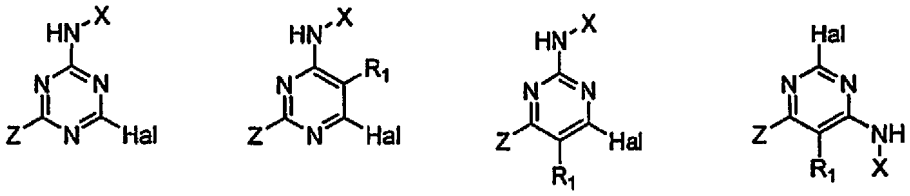
in a polar aprotic solvent to provide aryl and heterocyclic substituted triazines and

pyrimidines of the formulas VIII-X.



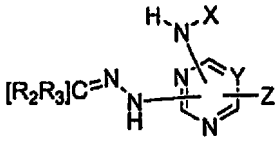
VIII IX X

(b) contacting a compound of formulas VIII, IX, X with a primary amino nucleophile ($X\text{-}NH_2$) in a polar aprotic solvent in the presence of a base to provide a compound of the formulas XI, XV, XIII, XII;



XI XV XIII XII

(c) contacting compounds of formulas XI, XV, XIII, XII with hydrazine in a polar aprotic solvent to provide hydrazine compounds which were then added to keto compounds to make compounds of formula I where Y is N or CR_1, as described above.



Formula I

27. The compound of claims 1-25 selected from:
N-(4-chlorophenyl)-4-(2,6-difluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorophenyl)-4-phenyl-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-((6-chloropyridin-3-yl)methyl)-4-(2,6-difluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(6-chloropyridin-3-yl)-4-(2,6-difluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorophenyl)-4-(2,6-difluorophenyl)-6-(2-(4-(1,1,2,2-tetrafluoroethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-

N-(4-chlorophenyl)-6-(2-(4-(1,1,2,2-tetrafluoroethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-6-(2-(4-(1,1,2,2-tetrafluoroethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(6-chloropyridin-3-yl)-4-(2,6-difluorophenyl)-6-(2-(4-(1,1,2,2-tetrafluoroethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(6-chloropyridin-3-yl)-4-(2,6-dichlorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-6-(2-(4-ethylbenzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-((2-(4-(2-chloro-6-fluorophenyl)-6-((4-chlorophenyl)amino)-1,3,5-triazin-2-yl)hydrazono)methyl)benzonitrile; 4-(2-butylidenehydrazinyl)-6-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-6-(2-(2-phenylethylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-6-(2-(1-(4-(trifluoromethoxy)phenyl)ethylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-((6-chloropyridin-3-yl)methyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(p-tolyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(2-morpholinoethyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 2-(2-chloro-6-fluorophenyl)-4-(2,2-dimethylhydrazinyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazine; N-(3-chloro-4-fluorophenyl)-4-(2-chloro-6-fluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(4-fluoro-3-(trifluoromethyl)phenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-(4-(2-chloro-1,1,2-trifluoroethoxy)benzylidene)hydrazinyl)-6-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-1,3,5-triazin-2-amine; 4-(2-(4-(2-chloro-1,1,2-trifluoroethoxy)benzylidene)hydrazinyl)-6-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(3,4-dichlorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(3,5-dichlorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(2-chlorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(6-chloropyridin-3-yl)-4-(2-fluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-

fluorophenyl)-N-methyl-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorophenyl)-4-(2-fluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorophenyl)-2-phenyl-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-4-amine; 4-(2-(2-chloro-6-fluorobenzylidene)hydrazinyl)-N-(4-chlorophenyl)-6-(4-(trifluoromethoxy)phenyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-6-(2-(4-(trifluoromethyl)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 6-(2-chloro-6-fluorophenyl)-N-(4-chlorophenyl)-2-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-4-amine; 4-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-6-(2-(4-methylbenzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-6-(2-(4-methoxybenzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-6-(2-(3-fluoro-4-(trifluoromethyl)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-((6-chloropyridin-3-yl)methyl)-6-phenyl-2-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-4-amine; N-(4-chlorophenyl)-6-phenyl-2-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-4-amine; N-(4-chlorophenyl)-4-phenyl-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-2-amine; 6-(2-chloro-6-fluorophenyl)-N-(6-chloropyridin-3-yl)-2-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-4-amine; 4-(2-chloro-6-fluorophenyl)-N-(4-chlorobenzyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorobenzyl)-6-phenyl-2-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)pyrimidin-4-amine; N-(4-chlorophenyl)-4-(2,6-dichlorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorophenyl)-4-(3-fluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; N-(4-chlorophenyl)-4-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-6-(4-(trifluoromethoxy)phenyl)-1,3,5-triazin-2-amine; 4-(2,6-difluorophenyl)-N-(4-fluoro-3-(trifluoromethyl)phenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2,6-difluorophenyl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-N-(4-(trifluoromethoxy)phenyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(2-chloropyridin-4-yl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine; 4-(2-chloro-6-fluorophenyl)-N-(5-chloropyridin-2-yl)-6-(2-(4-(trifluoromethoxy)benzylidene)hydrazinyl)-1,3,5-triazin-2-amine.

28. An insecticidal composition selected from the compounds of Formula I.

29. A composition of claim 25 with a phytologically-acceptable carrier.

30. A method of controlling insects using the compounds of Formula I.

31. A method of controlling insects by applying the compounds of Formula I to the locus of an insect.

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:	13/187,149	Filing date:	July 20, 2011
First Named Inventor:	Robert W. Vitale		
Title of the Invention:	Method and Composition for Modifying Soil and Dust Control		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2010/028671

The international filing date of the corresponding PCT application(s) is/are: March 25, 2010

I. List of Required Documents:

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

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

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

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

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

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

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

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/187,149
First Named Inventor:	Robert W. Vitale

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 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 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1 - 12	1 - 21	The claims are substantially similar.
13 - 18	22 -31	The claims are substantially similar.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/daniel a thomson/	Date	August 25, 2011
Name (Print/Typed)	Daniel A. Thomson 40045.50078	Registration Number	43,189

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 (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:	Pending	Filing date:	July 20, 2011
First Named Inventor:	Jan Anger		
Title of the Invention:	Gapped Magnet Core		

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/EP2009/067323

The international filing date of the corresponding PCT application(s) is/are: December 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).**

- [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.:	
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.**

- [x] Is attached
- [ ] Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- [x] Are attached.
- [ ] Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Corresponding claim (same)
2	2	Corresponding claim (same)
3	3	Corresponding claim (same)
4	4	Corresponding claim (single dependency)
5	5	Corresponding claim (same)
6	6	Corresponding claim (same)
7	7	Corresponding claim (same)
8	8	Corresponding claim (single dependency)
9	9	Corresponding claim (same)
10	10	Corresponding claim (single dependency)
11	11	Corresponding claim (single dependency)
12	12	Corresponding claim (single dependency)
13	13	Corresponding claim (same)
14	14	Corresponding claim (single dependency)
15	15	Corresponding claim (same)

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Wesley W. Whitmyer, Jr./	Date July 20, 2011
Name (Print/Typed) Wesley W. Whitmyer, Jr.	Registration Number 33,558

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT
04189-P0066A WWW/SFB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Jan Anger, *et al.*
Application No. Pending	Filing Date: July 20, 2011
Title of Application:	Gapped Magnet Core

Mail Stop Amendment
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Request To Participate In Patent Prosecution Highway (PPH)

Filed herewith is form PTO/SB/20PCT-EP requesting participation in the PPH program and petitioning to make special the present U.S. Patent Application.

The present U.S. Patent Application is a continuation of, and claims priority from, PCT application PCT/EP2009/067323, filed on December 16, 2009. Applicant seeks accelerated examination under the PPH Program because corresponding claims in the PCT application have been found patentable in a Written Opinion (WO/ISA) issued by the European Patent Office.

Filed herewith is a copy of the WO/ISA dated April 6, 2010, indicating that claims 1-15 were found to have novelty, inventive step and industrial applicability. Also filed herewith is a copy of claims 1-15 from PCT/EP2009/067323 publication WO 2010/083924.

The references cited in the WO/ISA are submitted to the Office in an IDS filed herewith.

The claims of the present U.S. Patent Application have been amended to conform with U.S. claim format requirements. All claims correspond to claims found pa-

tentable in the WO/ISA and are believed to have similar or more limited scope, as shown in the claims correspondence table in form PTO/SB/20PCT-EP.

Applicant's request to participate in the Patent Prosecution Highway and petition to make special is believed to be in condition for granting and a favorable decision is hereby requested.

Applicant believes that no fee is due in connection with the filing of this request. However, if any fee is due, please charge Deposit Account No. 19-4516.

Respectfully submitted,

/Wesley W. Whitmyer, Jr./

July 20, 2010

Wesley W. Whitmyer, Jr., Registration No. 33,558
Stephen Ball, Registration No. 59,169
Attorney for Applicants
ST.ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
Tel. 203 324-6155

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/EP2009/067323	16.12.2009	20.01.2009

International Patent Classification (IPC) or both national classification and IPC
INV. H01F3/14 H01F27/26

Applicant
ABB RESEARCH 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. 6/7-10 20/11-2010

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	Winkelman, André Telephone No. +49 89 2399-2242

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2009/067323

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	1-15
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-15
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations

   see separate sheet

1 Reference is made to the following documents:
D1 : GB 1 571 057 A (SEV MARCHAL) 9 July 1980 (1980-07-09)
D2 : EP 0 075 164 A (TRANSFORMATOREN UNION AG [DE]) 30 March 1983 (1983-03-30)
D3 : US 2002/024413 A1 (DE GRAAF MARTINUS JOHANNES MAR [NL] ET AL) 28 February 2002 (2002-02-28)

1.1 Background. Core legs

Background/State of the art

A core leg for a "shunt reactor" (an inductor element comprising a magnetizable yoke and windings as appropriate) comprises core (magnetizable) elements which are stacked one upon the other. It is known (see EP0075164) to have a multi-gapped core-leg , the gaps being created by spacers made of tension-preloaded iron washers. This should reduce the generation of noise from the inductor. In another stacked core leg (CA1034646), the spacers are made of a hard pre-formed composite (linen, paper in thermosetting plastic).

Problem. The spacers need to be of a high-precision dimension in order to form a rigid, well-formed stack. Otherwise gap-deformation and vibrations and/or increased sound levels might occur nonetheless when the inductor is operated.

Solution. The spaces between the magnetizable elements are cast (claim 1) / directly casted (claim 6).

Assesment. No documents could be retrieved where the stacked core legs are cast.

In GB1571057 the spacers are pre-formed inserts.

Where US2002/24413 does teach to cast resin in the gaps of a toroidal core, it does not fairly hint or suggest to extend this teaching to a core leg (in this context a "leg" is understood to be straight in contrast to a toroid which is curved), which moreover is stacked, from a plurality of elements.

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 gapped core leg (1) for a shunt reactor, the gapped core leg (1) comprising:
a plurality of core elements (2) arranged in a stacked manner, and
a spacer (3) arranged in a gap between adjacent core elements (2),
characterized in that the spacer (3) is directly cast between the adjacent core elements (2).

2. A gapped core leg (1) according to claim 1, wherein the direct cast spacer (3) comprises a polymer composite.

3. A gapped core leg (1) according to claim 2, wherein the polymer composite is a polymer concrete.

4. A gapped core leg (1) according to any of the preceding claims, wherein the direct cast spacer (3) has two main surfaces (7) and a side surface (6), the side surface (6) comprising through holes (5) across the direct cast spacer (3).

5. A gapped core leg according to claim 4, wherein the through holes (5) are running in two levels adjacent to each main surface (7) of the direct cast spacer (3).

6. A method for manufacturing a gapped core leg (1) for a shunt reactor, the method comprising:
arranging a plurality of core elements (2) in a mould (8) in a stacked manner,
providing a gap between adjacent core elements (2) with a direct cast spacer (3) by casting spacer material (13) directly between adjacent core elements (2).

7. A method according to claim 6, comprising:
casting a plurality of direct cast spacers (3) in one shot.

8. A method according to any of the claims 6 and 7, comprising: arranging at least one distance piece (10) in the gap between adjacent core elements (2) before casting.

9. A method according to claim 8, wherein the number of distance pieces (10) in the gap between adjacent core elements (2) is at least three.

10. A method according to any of the claims 6 to 9, comprising:
providing the mould (8) with an individual radial gate (9) for each gap between adjacent core elements (2) which is to comprise a direct cast spacer (3).

11. A method according to any of the claims 6 to 9, comprising:
providing the mould (8) with a common gate (11) for several gaps between adjacent core elements (2), providing at least one core element with a through hole (12) to connect the gaps on both sides of the core element.

12. A method according to any of the claims 6 to 11, comprising:
before casting, providing the gap between adjacent core elements (2) with tubes or pipes across the gap through a surface corresponding to a side surface (6) of the direct cast spacer (3).

13. A method according to claim 12, comprising:
locating the tubes or pipes in two levels adjacent to each adjacent core element (2).

14. A method according to any of the claims 6 to 13, wherein the spacer material (13) comprises polymer composite.

15. A method according to claim 14, wherein the polymer composite is polymer concrete.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/187,241	07/20/2011	Jan Anger	04189-P0066A	5872

24126 7590 11/03/2011
ST. ONGE STEWARD JOHNSTON & REENS, LLC
986 BEDFORD STREET
STAMFORD, CT 06905-5619

EXAMINER

ART UNIT	PAPER NUMBER
2832	

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.

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ST. ONGE STEWARD JOHNSTON & REENS, LLC
986 BEDFORD STREET
STAMFORD CT 06905-5619

NOV 3 2011

In re Application of	:	
ANGER, *et al.*	:	DECISION ON REQUEST TO
Application No. 13/187241	:	PARTICIPATE IN PATENT
Filed: 20 July 2011	:	PROSECUTION HIGHWAY
Attorney Docket No. 04189-P0066A	:	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 20 July 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the PCT;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the PCT application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the PCT examiner in the PCT office action along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Response must be filed via the Electronic Filing System (EFS) with the Document Code PPH.PET.

Telephone inquiries concerning this decision should be directed to Michael Day at 571-272-1568.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Michael Day/

Michael Day
TQAS
Technology Center 2800 – Semiconductors
Electrical & Optical Systems & Components

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/187,243	07/20/2011	Claire Coleman	14131-0091002	5877

26161 7590 07/28/2011
FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER
CHIU, THANG K

ART UNIT	PAPER NUMBER
1654	

NOTIFICATION DATE	DELIVERY MODE
07/28/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

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JUL 2 8 2011

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FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

In re Application of:
Coleman et al.

Serial No.: 13/187,243

Filed: : July 20, 2011

Docket: **14131-0091002**

Title: **CONTROL OF COPOLYMER COMPOSITIONS**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition July 20, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.
6. Information Disclosure Statement (IDS):
7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:
    If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600

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MAILED
AUG 12 2011
OFFICE OF PETITIONS

AMPACC LAW GROUP, PLLC
6100 219TH STREET SW, SUITE 580
MOUNTLAKE TERRACE WA 98043

In re Application of Hoshino et al. Application No. 13/187,282 Filed: July 20, 2011 Attorney Docket No. 908RO-000300US	: : : : :	ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that the applicant is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059.

/A. Kelley-Collier/
Alicia Kelley-Collier
Petitions Examiner
Office of Petitions

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LIFE TECHNOLOGIES CORPORATION
Attn: IP Department
5791 Van Allen Way
Carlsbad CA 92008

MAILED
OCT 12 2011
OFFICE OF PETITIONS

In re Application of
Ignatius, et al.
Application No. 13/187,297
Filed: July 20, 2011
Atty. Dkt. No.: IVGN 1001 US1

: DECISION GRANTING STATUS
: UNDER 37 CFR 1.47(a)

This decision is in response to the petition under 37 CFR 1.47(a) filed October 3, 2011.

The petition is GRANTED.

Petitioners have shown that the non-signing inventor has refused to join in the application for patent.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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Elena Molokanova
2384 Panorama Dr.
Eugene, OR 97405

MAILED
OCT 12 2011
OFFICE OF PETITIONS

In re Application of
Ignatius, et al.
Application No. 13/187,297
Filed: July 20, 2011
Atty. Dkt. No.: IVGN 1001 US1

Dear Madam:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3205. 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).

/ALESIA M. BROWN/

Alesia M. Brown
Attorney Advisor
Office of Petitions

cc: LIFE TECHNOLOGIES CORPORATION
Attn: IP Department
5791 Van Allen Way
Carlsbad CA 92008

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b Data Sheet

CONFIRMATION NO. 5

SERIAL NUMBER	FILING OR 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKE NO.
13/187,297	07/20/2011 RULE 1.47	514	1629	IVGN 1001 US1

PPLICANTS

Michael Ignatius, Eugene, OR;
Elena Molokanova, Eugene, OR;
Alexei Savtchenko, Eugene, OR;
Joseph Bartel, Eugene, OR;
Weiwen Zhao, Eugene, OR;
Joseph Treadway, Eugene, OR;

CONTINUING DATA **********

This application is a CON of 12/996,354 ABN
which is a 371 of PCT/US2009/046312 06/04/2009
which claims benefit of 61/059,155 06/05/2008

FOREIGN APPLICATIONS **********

REQUIRED, FOREIGN FILING LICENSE GRANTED **
/29/2011

		STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS	INDEPENDE CLAIMS
reign Priority claimed	☐ yes ☐ no	OR	22	50	5
USC 119 (a-d) conditions met	☐ yes ☐ no ☐ Met after Allowance				
rified and Acknowledged	Examiner's Signature Initials				

DDRESS
059

TLE

CTIVATION AND MONITORING OF CELLULAR TRANSMEMBRANE POTENTIALS

FILING FEE RECEIVED 1750	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	☐ All Fees ☐ 1.16 Fees (Filing) ☐ 1.17 Fees (Processing Ext. of time) ☐ 1.18 Fees (Issue) ☐ Other _____ ☐ Credit

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In re Application of
Charles M. Stephens

Application No. 13187374

Filed:

Attorney Docket No. 10007-0003

: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 25-JUL-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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	13187374	Confirmation Number	6144	Filing Date	2011-07-20
Attorney Docket Number (optional)	10007-0003	Art Unit	3693	Examiner	
First Named Inventor	Charles M. Stephens				
Title of Invention	Procurement and Salvage Auction System				

Attention: Office of Petitions
An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Charles	M.	Stephens	

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	/James David Johnson/	Date (YYYY-MM-DD)	2011-07-25
Name	James David Johnson	Registration Number	47685

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
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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.

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: 800KT-000211US	Application Number (if known): Unassigned	Filing date: Unassigned

First Named Inventor: Danielle A. FONG

Title: COMPRESSED AIR ENERGY STORAGE SYSTEM UTILIZING TWO-PHASE FLOW TO FACILITATE HEAT EXCHANGE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: (1) Statement in Support of Green Tech. Petition; (2) Preliminary Amendment Before First Office Action

Signature /Kent J. Tobin/	Date July 20, 2011
Name (Print/Typed) Kent J. Tobin	Registration Number 39,496

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 3 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT
Attorney Docket No.: 800KT-000211US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Danielle A. FONG et al.

Application No.: Unassigned
Continuation of Appl. No.: 12/695,922

Filed: Unassigned

For: COMPRESSED AIR ENERGY STORAGE SYSTEM UTILIZING TWO-PHASE FLOW TO FACILITATE HEAT EXCHANGE

Customer No.: 83274

Confirmation No.: Unassigned

Examiner: Unassigned

Technology Center/Art Unit: Unassigned

STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request granting of the petition for participation in the Green Technology Pilot Program for the above-identified application pursuant to 37 C.F.R. 1.102.

The application is a non-reissue, non-provisional utility application filed under 35 USC 111(a). As amended by the preliminary amendment being submitted herewith, the application contains no more than three independent claims, twenty or fewer total claims, and no multiple dependent claims.

Early publication under 37 CFR 1.219 is requested. The $300 publication fee of CFR 1.18(d) accompanies this petition.

The claims of the instant patent application materially contribute to: (1) the discovery or development of renewable energy resources. Specifically, energy recovery apparatuses can allow intermittent renewable energy resources (such as solar and wind) to supply energy at peak demand times.

Further in support of the petition, it is noted that the independent claim 21 recites an energy recovery apparatus comprising "a chamber in selective fluid communication with a compressed gas storage unit through valving", and "a member moveable within the chamber to transmit a power of expanding gas, out of the chamber via a linkage." Energy recovery systems

utilizing compressed gas as a storage medium, can enhance the quality of the environment and reduce greenhouse gases, by allowing energy from intermittent renewable energy resources (such as wind and solar) to be accessible for consumption at times other than when provided by nature. For example, absent some sort of energy storage, wind energy provided by nature during times of low demand (such as at night or on weekends), may be wasted.

By contrast, energy storage and recovery may allow renewable energy to be stored and then recovered at some later time in order to meet peak demand (such as occurs Mon-Friday between 7AM-5PM). Making energy from intermittent renewable energy resources accessible reduces the burden on fossil fuel-burning/greenhouse gas-emitting "peaker" power plants to otherwise meet peak demand. This promotes the development of renewable energy resources.

Further in support of this petition, it is noted that particular embodiments of energy recovery systems may rely upon "green" materials such as compressed air. By contrast, other approaches to energy storage (for example electrochemical cells), can utilize less environmentally-friendly materials.

By filing this petition, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Programs if the Office determines that the claims are not obviously directed to a single invention. In addition, the publication fee set forth in 37 CFR 1.18(d) has been submitted with this petition.

The Commissioner is authorized to charge any deficiency in any fees required under 37 C.F.R. 1.16 and/or 1.17, including extension of time fees, and credit any overpayment to Deposit Account No. 50-4713. If a telephone conference would expedite prosecution of this application, please telephone the undersigned at 425-348-3500.

Respectfully submitted,
/Kent J. Tobin/
Kent J. Tobin
Reg. No. 39,496

AMPACC Law Group, PLLC
6100 219th St. SW, Suite 580
Mountlake Terrace, WA 98043
Tel: 425-348-3500
Fax: 425-968-9795

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.
13/187,393	07/20/2011	Danielle A. FONG	800KT-000211US	6174

83274 7590 09/22/2011
AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace, WA 98043

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DOCKETING@AMPACC.COM
email@ampacc.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

AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace WA 98043

In re Application of	:	
FONG, DANIELLE A. et al	:	DECISION ON PETITION
Application No. 13/187,393	:	TO MAKE SPECIAL UNDER
Filed: July 20, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **800KT-000211US**	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed July 20, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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: FPeguero20111007UPA	Application Number (if known): Unassigned	Filing date: July 21, 2011

First Named Inventor: Fernando A. Peguero

Title: A Solar Heat Collector Module

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /George L. Walton, Reg. No. 56717/	Date July 21, 2011
Name (Print/Typed) George L. Walton	Registration Number 56717

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/187,921	07/21/2011	Fernando A. Peguero	FPeguero20111007UPA	7156

82696 7590 09/07/2011
Patent Analysis Research Technology Systems LLC
927 S walter Reed Drive Suite 24 DBA Parts LLC
Arlington, VA 22204

EXAMINER

ART UNIT	PAPER NUMBER
3749	

MAIL DATE	DELIVERY MODE
09/07/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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Patent Analysis Research Technology Systems LLC
927 S walter Reed Drive Suite 24 DBA Parts LLC
Arlington VA 22204

In re Application of	:	
PEGUERO, FERNANDO A.	:	DECISION ON PETITION
Application No. 13/187,921	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. FPeguero20111007UPA	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed July 21, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3749 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sunil Rodrigues
Serial No.:
Filed: July 21, 2011
For: BUILDING ENERGY EFFICIENCY DIAGNOSTIC AND MONITORING SYSTEM
Examiner:
Art Unit: Confirmation No.

STATEMENT OF BASIS FOR SPECIAL STATUS UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests participation in the Green Technology Pilot Program for the above-referenced application because the invention materially contributes to the more efficient utilization and conservation of energy resources. The description of the invention provided in the Application confirms the suitability of its entry into the Green Technology Pilot Program as indicated herein.

THE INVENTION MATERIALLY CONTRIBUTES TO THE MORE EFFICIENT UTILIZATION AND CONSERVATION OF ENERGY RESOURCES

The present invention is a system for diagnosing and monitoring the energy efficiency of a building. The description of the invention includes examples associated with a building that is a home, but it is not limited thereto. In particular, the invention provides a diagnostic system to investigate and monitor energy efficiency of heated (or cooled, when air-conditioned) buildings by providing a measure of the building's relative energy tightness through a yardstick defined as the Energy Tightness Factor (ETF) and for the measurement of the continuing energy efficiency of the building.

The Applicant has described in the Application issues associated with existing systems intended to be used for the purpose of detecting energy losses in buildings. Specifically, he notes in paragraphs [0002]-[0004] that energy loss in buildings is detected or diagnosed and tested

using a blower door and a thermal imaging camera. The blower door is a calibrated device that is used to identify the overall leakage area of the building and a HVAC (heating, ventilation and air conditioning) duct system if installed. Blower door technology is used in many countries, where energy efficiency is mandated, to measure the air tightness of building envelopes, diagnose and demonstrate air leakage problems, estimate natural infiltration rates, estimate energy efficiency losses from building air leakage, and certify construction integrity. A Blower Door consists of a large fan which is mounted in a frame. The frame is placed in an exterior door and used to either depressurize or pressurize the house. Using the pressure readings, a calculation of the natural leakage of the house air changes per hour natural is done.
Thermal imaging is a non-destructive method for diagnostics of potential heat loss problems. Thermal imaging cameras can give accurate, clear, high resolution pictures, with the ability to modify and analyze images in a detailed report. The range in thermal sensitivity is related to the price of the camera. Thermal imaging cameras capture an image of the thermal infrared light emitted from an object. That light is captured and translated into a complex temperature reading or pattern. This temperature reading goes through a process and is then translated into data that can be organized into the image. The images are analyzed to yield points of leakage or thermal loss or gain. Both devices are expensive, require expertise in use and knowledge of application and are therefore not easy for an ordinary person to use.

The Applicant has overcome the limitations of existing energy efficiency diagnostic problems to enable the widespread evaluation of building energy efficiency so that building modifications can be made to conserve energy. As Applicant states the present invention is "provided to diagnose and/or monitor energy efficiency of a building and includes a first sensor module including a first temperature sensor, wherein the first sensor module is arranged to sense temperature outside of the building, the first sensor module including a data storage component for storing therein temperature information acquired by the first temperature sensor, and a communication interface, a second sensor module including a second temperature sensor, wherein the second sensor module is arranged to sense temperature inside of the building, the second sensor module including a data storage component for storing therein temperature information acquired by the second temperature sensor, and a communication interface and a computing device configured to receive temperature information from the first sensor module and the second sensor module and to calculate: a) the delta cooling rate of the building by

calculating a difference between the temperature information from the first temperature sensor and the second temperature sensor at a first time and at a second time divided by a time period defined by a difference between the first time and the second time being the duration of cooling; and b) an effective heating rate of the building by calculating a difference between the temperature information from the first temperature sensor and the second temperature sensor at a second time and at a third time divided by a time period defined by a difference between the first time and the second time being the duration of heating." As a result, the acquisition of temperature information allows for the performance of calculation steps to identify the energy efficiency ratings of the building, among other things, and determine fuel savings or losses as well as heating and cooling costs. Carbon footprint information can also be determined. See paragraphs [0006] and [0008] of the Application.

The use of the diagnostic tool and related computational method of the present invention enables the evaluation of energy losses of buildings, which then allows the building owner to make appropriate modifications to the building in order to reduce energy losses and thereby conserve energy. For this reason, the Application should be accepted into the Green Technology Pilot Program.

CONCLUSION

The invention described in the referenced application is a system and related method for diagnosing and monitoring the energy efficiency of a building. It can be used to provide the building owner with information leading to the conservation of energy through the reduction of energy losses, lower fuel consumption and the reduction of carbon footprint. The invention materially contributes to the more efficient utilization and conservation of energy resources. Applicant respectfully requests that it be entered into the Green Technology Pilot Program.

Respectfully submitted,

Chris A. Caseiro, Reg. No. 34,304
Attorney for Applicants
Verrill Dana, LLP
One Portland Square
Portland, ME 04112-0586
Tel. No. 207-253-4530

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.
13/187,951	07/21/2011	Sunil Rodrigues	ROD-001	7219

35557 7590 09/22/2011
CHRIS A. CASEIRO
VERRILL DANA, LLP
ONE PORTLAND SQUARE
PORTLAND, ME 04112-0586

EXAMINER	
ART UNIT	PAPER NUMBER
3628	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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CHRIS A. CASEIRO
VERRILL DANA, LLP
ONE PORTLAND SQUARE
PORTLAND ME 04112-0586

In re Application of	:	
Sunil RODRIGUES	:	DECISION ON PETITION
Application No. 13/187951	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. ROD-001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 21, 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 4, 5 and 8.

In regard to item 4, applicant's statement pertaining to how the materiality standard is met does not satisfy the requirements for this pilot. The petition alleges that the claimed invention contributes to more efficient utilization and conservation of energy. The claims are generally directed to a system to monitor the energy efficiency of a building. The materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention. Any argument that the claimed invention can be used to provide more efficient utilization of energy resources is considered speculation as to how a hypothetical end-user might specially apply the claimed invention.

In regard to item 5, applicant has failed to provide 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.

In regard to item 8, the petition was not accompanied by a request for early publication in compliance with 37 CFR 1.219.

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.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: ROD-001	Application Number (if known): 13/187,951	Filing date: July 21, 2011

First Named Inventor: Sunil Rodrigues

Title: BUILDING ENERGY EFFICIENCY DIAGNOSTIC AND MONITORING SYSTEM

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature	Date November 1, 2011
Name (Print/Typed) Chris A. Caseiro	Registration Number 34,304

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Sunil Rodrigues
Serial No.:	13/187,951
Filed:	July 21, 2011
For:	BUILDING ENERGY EFFICIENCY DIAGNOSTIC AND MONITORING SYSTEM
Examiner:	
Art Unit:	3628 Confirmation No. 7219

STATEMENT OF BASIS FOR SPECIAL STATUS UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests participation in the Green Technology Pilot Program for the above-referenced application because the invention materially contributes to the more efficient utilization and conservation of energy resources. The description of the invention provided in the Application confirms the suitability of its entry into the Green Technology Pilot Program as indicated herein.

THE INVENTION MATERIALLY CONTRIBUTES TO THE MORE EFFICIENT UTILIZATION AND CONSERVATION OF ENERGY RESOURCES

The present invention is a system for diagnosing and monitoring the energy efficiency of a building. The description of the invention includes examples associated with a building that is a home, but it is not limited thereto. In particular, the invention provides a diagnostic system to investigate and monitor energy efficiency of heated (or cooled, when air-conditioned) buildings by providing a measure of the building's relative energy tightness through a yardstick defined as the Energy Tightness Factor (ETF) and for the measurement of the continuing energy efficiency of the building.

The Applicant has described in the Application issues associated with existing systems intended to be used for the purpose of detecting energy losses in buildings. Specifically, he notes in paragraphs [0002]-[0004] that energy loss in buildings is detected or diagnosed and tested

using a blower door and a thermal imaging camera. The blower door is a calibrated device that is used to identify the overall leakage area of the building and a HVAC (heating, ventilation and air conditioning) duct system if installed. Blower door technology is used in many countries, where energy efficiency is mandated, to measure the air tightness of building envelopes, diagnose and demonstrate air leakage problems, estimate natural infiltration rates, estimate energy efficiency losses from building air leakage, and certify construction integrity. A Blower Door consists of a large fan which is mounted in a frame. The frame is placed in an exterior door and used to either depressurize or pressurize the house. Using the pressure readings, a calculation of the natural leakage of the house air changes per hour natural is done.
Thermal imaging is a non-destructive method for diagnostics of potential heat loss problems. Thermal imaging cameras can give accurate, clear, high resolution pictures, with the ability to modify and analyze images in a detailed report. The range in thermal sensitivity is related to the price of the camera. Thermal imaging cameras capture an image of the thermal infrared light emitted from an object. That light is captured and translated into a complex temperature reading or pattern. This temperature reading goes through a process and is then translated into data that can be organized into the image. The images are analyzed to yield points of leakage or thermal loss or gain. Both devices are expensive, require expertise in use and knowledge of application and are therefore not easy for an ordinary person to use.

The Applicant has overcome the limitations of existing energy efficiency diagnostic problems to enable the widespread evaluation of building energy efficiency so that building modifications can be made to conserve energy. As Applicant states the present invention is "provided to diagnose and/or monitor energy efficiency of a building and includes a first sensor module including a first temperature sensor, wherein the first sensor module is arranged to sense temperature outside of the building, the first sensor module including a data storage component for storing therein temperature information acquired by the first temperature sensor, and a communication interface, a second sensor module including a second temperature sensor, wherein the second sensor module is arranged to sense temperature inside of the building, the second sensor module including a data storage component for storing therein temperature information acquired by the second temperature sensor, and a communication interface and a computing device configured to receive temperature information from the first sensor module and the second sensor module and to calculate: a) the delta cooling rate of the building by

calculating a difference between the temperature information from the first temperature sensor and the second temperature sensor at a first time and at a second time divided by a time period defined by a difference between the first time and the second time being the duration of cooling; and b) an effective heating rate of the building by calculating a difference between the temperature information from the first temperature sensor and the second temperature sensor at a second time and at a third time divided by a time period defined by a difference between the first time and the second time being the duration of heating." As a result, the acquisition of temperature information allows for the performance of calculation steps to identify the energy efficiency ratings of the building, among other things, and determine fuel savings or losses as well as heating and cooling costs. Carbon footprint information can also be determined.

The present invention directly contributes to the more efficient utilization and conservation of energy resources by providing consumers with an effective tool to determine qualification for an Energy Star Rating. As noted in paragraph [0071] of the Application, through a Partnership Agreement with the U.S. Environmental Protection Agency, a builder agrees to affix an Energy Star label on homes that are independently verified to meet program guidelines. To ensure that a home meets Energy Star guidelines, third–party verification by a certified Home Energy Rater (or equivalent) is required. This Rater works closely with the builder throughout the construction process to help determine the needed energy–saving equipment and construction techniques and conduct required on–site diagnostic testing and inspections to document that the home is eligible to earn the Energy Star label. After the Rater completes the final inspection and determines that all requirements have been met, the Rater will provide the builder with an Energy Star label, which is placed on the circuit breaker box of the home. This label provides the homeowner with documentation that the home is Energy Star qualified, and includes the home address, builder name, Rater name, and date verified.

The earning of an Energy Star Rating is a goal to be achieved for the purpose of proving that the builder/building owner has completed steps to conserve energy resources. The present invention is a mechanism for ensuring that conservation efforts have been accomplished in a qualified manner. Moreover, the present invention enables the effective calculation of fuel consumption and savings for a building. This calculation provides the building owner with the necessary tool to quantify the value of energy resource conservation measures. Without such a tool, the building owner would not be able to determine where energy resource conservation

measures are required for the building nor would the owner be able to characterize the impact of conservation measures undertaken. As shown in paragraph [0082], the present invention allows for the direct analysis of fuel consumption reduction.

The use of the diagnostic tool and related computational method of the present invention enables the evaluation of energy losses of buildings, which then allows the building owner to make appropriate modifications to the building in order to reduce energy losses and thereby conserve energy. In addition, the tool allows the building owner to quantify the impact of energy conservation steps undertaken; thereby increasing the likelihood that such steps would be taken for the building evaluated and for future buildings. For this reason, the Application should be accepted into the Green Technology Pilot Program.

CONCLUSION

The invention described in the referenced application is a system and related method for diagnosing and monitoring the energy efficiency of a building. It can be used to provide the building owner with information leading to the conservation of energy through the reduction of energy losses, lower fuel consumption and the reduction of carbon footprint. The invention materially contributes to the more efficient utilization and conservation of energy resources. Applicant respectfully requests that it be entered into the Green Technology Pilot Program.

Respectfully submitted,

Chris A. Caseiro, Reg. No. 34,304
Attorney for Applicants
Verrill Dana, LLP
One Portland Square
Portland, ME 04112-0586
Tel. No. 207-253-4530

Certificate of Transmission

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on November 1, 2011, using the EFS-Web service. It is requested that this correspondence be granted a filing date of November 1 2011.

Chris A. Caseiro

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/187,951	07/21/2011	Sunil Rodrigues	ROD-001	7219

35557 7590 11/18/2011
CHRIS A. CASEIRO
VERRILL DANA, LLP
ONE PORTLAND SQUARE
PORTLAND, ME 04112-0586

EXAMINER
HAYES, JOHN W

ART UNIT	PAPER NUMBER
3628	

MAIL DATE	DELIVERY MODE
11/18/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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11/18/11

CHRIS A. CASEIRO
VERRILL DANA, LLP
ONE PORTLAND SQUARE
PORTLAND ME 04112-0586

In re Application of	:	
Rodrigues	:	DECISION ON PETITION
Application No. 13/187,951	:	TO MAKE SPECIAL UNDER
Filed: 7/21/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **ROD-001**	:	PILOT PROGRAM

This is a decision on the request for reconsideration filed 11/1/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3628 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: 080783.0102	Application Number (if known):	Filing date: July 21, 2011

First Named Inventor: Laurian Stoicoviciu

Title: Systems and Methods for Powering a Vehicle, and Generating and Distributing Energy

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /s/Brian K. Prewitt/	Date July 21, 2011
Name (Print/Typed) Brian K. Prewitt	Registration Number 60,135

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/188,010	07/21/2011	Laurian Stoicoviciu	080783.0102	7324

31625 7590 09/22/2011
BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

ART UNIT	PAPER NUMBER
3618	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SEP 8 2011

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

In re Application of	:	
LAURIAN STOICOVICIU et al.	:	DECISION ON PETITION
Application No. 13/188,010	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 080783,0102	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 21, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 3.

In regard to item 3, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3618 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

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.
13/188,010	07/21/2011	Laurian Stoicoviciu	080783.0102	7324

31625 7590 09/22/2011
BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

ART UNIT	PAPER NUMBER
3618	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

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BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

In re Application of	:	
STOICOVICIU et al.	:	DECISION ON PETITION
Application No. 13/188010	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 080783.0102	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 21, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 3.

In regard to item 3, applicant has failed to provide a statement of the basis for seeking special status.

In regard to item 4, it is not readily apparent how the claimed powering assembly would meet any of the materiality standards.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Laurian Stoicoviciu et al.
Application Serial No.:	13/188,010
Date Filed:	July 21, 2011
Group Art Unit:	3618
Confirmation No.:	7324
Title:	SYSTEMS AND METHODS FOR POWERING A VEHICLE, AND GENERATING AND DISTRIBUTING ENERGY

PETITION FOR GREEN TECHN PILOT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION FOR RECONSIDERATION TO MAKE SPECIAL UNDER THE GREEN TECHNOLGOY PILOT PROGRAM

In response to the Decision on Petition to Make Special Under the Green Technology Pilot Program dated September 22, 2011, Applicants submit the following comments:

A. STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

The basis for the special status is Applicants believe the instant invention materially enhances the quality of the environment and materially contributes to the development of renewable energy resources, energy conservation, and greenhouse gas reduction.

B. MATERIALITY STANDARDS

In the recent Decision on Petition to Make Special under the Green Technology Pilot Program, the Quality Assurance Specialist states that "it is not readily apparent how the claimed powering assembly would meet any of the materiality standards." Applicants respectfully disagree and submit that that face of the application is clear regarding how the claimed invention materially enhances the quality of the environment and materially contributes to the development of renewable energy resources, energy conservation, and greenhouse gas reduction. As stated in the "Background" section of the application, environmental consciousness associated with the importation and use of petroleum products (e.g., environmental quality concerns, consumption of finite supply of petroleum products, emissions of carbon dioxide and other greenhouse gasses) has led to a desire for transition from the use of vehicles with internal combustion engines to electric vehicles or hybrid electric vehicles. It is well-known that vehicles with internal combustion engines contribute significantly to air pollution, negatively affect the environment, and use the world's finite supply of petroleum resources, while comparatively electric and electric hybrid vehicles contribute less to air pollution, have a significantly smaller negative effect on the environment, and consume fewer petroleum resources. The claimed invention attempts to overcome many of the existing challenges and disadvantages associated with transitioning from internal combustion engine vehicles to electric vehicles, including those challenges and disadvantages set forth in the "Background" section of the application, which have prevented full-scale adaptation of electrical vehicles that may enhance the quality of the environment and materially contribute to the development of renewable energy resources or energy conservation, and greenhouse gas reduction.

The specification of the present application discloses embodiments of each of a powering assembly and roadway system that attempts to overcome existing challenges and disadvantages by providing an efficient mechanism to provide electric energy to a roadway (e.g., from an existing power grid or via renewable energy resources including solar energy, thermal energy, and/or vibrational energy) and deliver such electric energy to a vehicle upon the roadway via magnetic induction and/or electrical conduction such that the electric energy delivered to the vehicle is converted to mechanical energy for driving the vehicle. The instant application and its

related co-pending applications claim methods and systems for powering a vehicle with the described powering assembly, methods and systems for efficiently and inexpensively converting existing internal combustion engine vehicles to those with the described powering assembly, and methods and systems related to a roadway configured to deliver power to the described powering assembly, wherein the roadway includes a mechanism for generating and delivering renewable energy. Applicants submit that the systems and methods described and claimed in the present application and its related co-pending applications overcome many of the challenges and disadvantages that have presented a broader scale adoption of electrical vehicles and electrical-hybrid vehicles. For at least these reasons, Applicants submit that the invention described in the instant application materially enhances the quality of the environment and materially contributes to the development of renewable energy resources, energy conservation, and greenhouse gas reduction.

CONCLUSION

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2684.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicants

Brian K. Prewitt

Brian K. Prewitt
Reg. No. 60,135

Date: September 30, 2011

SEND CORRESPONDENCE TO:
BAKER BOTTS L.L.P.
CUSTOMER ACCOUNT NO. **31625**
512.322.2684; 512.322.8383 (fax)

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.
13/188,010	07/21/2011	Laurian Stoicoviciu	080783.0105	7324

31625 7590 10/27/2011
BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

ART UNIT	PAPER NUMBER
3618	

NOTIFICATION DATE	DELIVERY MODE
10/27/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

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10/27/11

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

In re Application of	:	
Stoicoviciu et al.	:	DECISION ON PETITION
Application No. 13/188,010	:	TO MAKE SPECIAL UNDER
Filed: 7/21/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **080783.0105**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 9/30/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3618 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
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P.O. Box 1450
Alexandria, VA 22313-1450
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BLANK ROME LLP
ONE LOGAN SQUARE
PHILADELPHIA PA 19103

MAILED

NOV 23 2011

OFFICE OF PETITIONS

In re Application of	:	
Charles Attila SZORADI et al.	:	DECISION GRANTING STATUS
Application No. 13/188,029	:	UNDER 37 CFR 1.47(a)
Filed: July 21, 2011	:	
Attorney Docket No. 137204-00101.1	:	

This is in response to the petition under 37 CFR 1.47(a), filed October 05, 2011.

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being referred to the Office of Patent Application Processing for pre-examination processing.

Telephone inquiries regarding this decision should be directed to Michelle R. Eason at (571) 272-4231.

Thurman K. Page
Petitions Examiner
Office of Petitions

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

PAUL PRIOR
65 STEPHANIE ROAD
BIRDSBORO, PENNSYLVANIA 19508

MAILED

NOV 23 2011

OFFICE OF PETITIONS

In re Application of
Charles Attila SZORADI et al.
Application No. 13/188,029
Filed: July 21, 2011
For: LIGHT ENGINE DEVICE WITH DIRECT TO LINEAR SYSTEM DRIVER

Dear Paul Prior:

You are named as a joint inventor in the above-identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Michelle R. Eason at (571) 272-4231. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington, DC area).

Thurman K. Page
Petitions Examiner
Office of Petitions

cc: **BLANK ROME LLP**
ONE LOGAN SQUARE
PHILADELPHIA PA 19103

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: 080783.0103	Application Number (if known):	Filing date: July 21, 2011

First Named Inventor: Laurian Stoicoviciu

Title: Systems and Methods for Converting a Gasoline-Fueled Vehicle to a Dual-Mode Powered Vehicle

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /s/Brian K. Prewitt/	Date July 21, 2011
Name (Print/Typed) Brian K. Prewitt	Registration Number 60,135

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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.
13/188,110	07/21/2011	Laurian Stoicoviciu	080783.0106	7520

31625 7590 09/22/2011
BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

ART UNIT	PAPER NUMBER
3655	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 2 2011

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

In re Application of	:	
LAURIAN STOICOVICIU et al.	:	DECISION ON PETITION
Application No. 13/188,110	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 080783,0106	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 21, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 3.

In regard to item 3, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3655 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/188,110	07/21/2011	Laurian Stoicoviciu	080783.0106	7520

31625 7590 09/22/2011
BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

ART UNIT	PAPER NUMBER
3655	

NOTIFICATION DATE	DELIVERY MODE
09/22/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

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BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

In re Application of	:	
STOICOVICIU et al.	:	DECISION ON PETITION
Application No. 13/188110	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 080783.0106	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 21, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 3.

In regard to item 3, applicant has failed to 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.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Laurian Stoicoviciu et al.
Application Serial No.:	13/188,110
Date Filed:	July 21, 2011
Group Art Unit:	3655
Confirmation No.:	7520
Title:	SYSTEMS AND METHODS FOR CONVERTING A GASOLINE-FUELED VEHICLE TO A DUAL-MODE POWERED VEHICLE

PETITION FOR GREEN TECHN PILOT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION FOR RECONSIDERATION TO MAKE SPECIAL UNDER THE GREEN TECHNOLGOY PILOT PROGRAM

In response to the Decision on Petition to Make Special Under the Green Technology Pilot Program dated September 22, 2011, Applicants submit the following comments:

A. STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

The basis for the special status is Applicants believe the instant invention materially enhances the quality of the environment and materially contributes to the development of renewable energy resources, energy conservation, and greenhouse gas reduction.

B. MATERIALITY STANDARDS

Applicants respectfully submit that that face of the application is clear regarding how the claimed invention materially enhances the quality of the environment and materially contributes to the development of renewable energy resources, energy conservation, and greenhouse gas reduction. As stated in the "Background" section of the application, environmental consciousness associated with the importation and use of petroleum products (e.g., environmental quality concerns, consumption of finite supply of petroleum products, emissions of carbon dioxide and other greenhouse gasses) has led to a desire for transition from the use of vehicles with internal combustion engines to electric vehicles or hybrid electric vehicles. It is well-known that vehicles with internal combustion engines contribute significantly to air pollution, negatively affect the environment, and use the world's finite supply of petroleum resources, while comparatively electric and electric hybrid vehicles contribute less to air pollution, have a significantly smaller negative effect on the environment, and consume fewer petroleum resources. The claimed invention attempts to overcome many of the existing challenges and disadvantages associated with transitioning from internal combustion engine vehicles to electric vehicles, including those challenges and disadvantages set forth in the "Background" section of the application, which have prevented full-scale adaptation of electrical vehicles that may enhance the quality of the environment and materially contribute to the development of renewable energy resources or energy conservation, and greenhouse gas reduction.

The specification of the present application discloses embodiments of each of a powering assembly and roadway system that attempts to overcome existing challenges and disadvantages by providing an efficient mechanism to provide electric energy to a roadway (e.g., from an existing power grid or via renewable energy resources including solar energy, thermal energy, and/or vibrational energy) and deliver such electric energy to a vehicle upon the roadway via magnetic induction and/or electrical conduction such that the electric energy delivered to the vehicle is converted to mechanical energy for driving the vehicle. The instant application and its related co-pending applications claim methods and systems for powering a vehicle with the described powering assembly, methods and systems for efficiently and inexpensively converting

existing internal combustion engine vehicles to those with the described powering assembly, and methods and systems related to a roadway configured to deliver power to the described powering assembly, wherein the roadway includes a mechanism for generating and delivering renewable energy. Applicants submit that the systems and methods described and claimed in the present application and its related co-pending applications overcome many of the challenges and disadvantages that have presented a broader scale adoption of electrical vehicles and electrical-hybrid vehicles. For at least these reasons, Applicants submit that the invention described in the instant application materially enhances the quality of the environment and materially contributes to the development of renewable energy resources, energy conservation, and greenhouse gas reduction.

CONCLUSION

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2684.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorney for Applicants

Brian K. Prewitt

Brian K. Prewitt
Reg. No. 60,135

Date: September 30, 2011

SEND CORRESPONDENCE TO:
BAKER BOTTS L.L.P.
CUSTOMER ACCOUNT NO. **31625**
512.322.2684; 512.322.8383 (fax)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/188,110	07/21/2011	Laurian Stoicoviciu	080783.0106	7520

31625 7590 10/27/2011
BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN, TX 78701-4039

EXAMINER

ART UNIT	PAPER NUMBER
3655	

NOTIFICATION DATE	DELIVERY MODE
10/27/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

apatent@bakerbotts.com
crystle.garbade@bakerbotts.com
brittany.marr@bakerbotts.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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10/27/11

BAKER BOTTS L.L.P.
PATENT DEPARTMENT
98 SAN JACINTO BLVD., SUITE 1500
AUSTIN TX 78701-4039

In re Application of	:	
Stoicoviciu et al.	:	DECISION ON PETITION
Application No. 13/188,110	:	TO MAKE SPECIAL UNDER
Filed: 7/21/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **080783.0106**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 9/30/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3655 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. 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.:	13/188,172-Conf. #7645	Filing Date:	July 21, 2011
First Named Inventor:	C. Richard PANICO		
Title of the Invention:	REDUCTION OF STRAY LIGHT DURING SINTERING		

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/US11/44808

The international date of the corresponding PCT application(s) is/are: July 21, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT appliction(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.**

Under the 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.:	13/188,172-Conf. #7645
First Named Inventor:	C. Richard PANICO

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
1-19	1-19	Claims are identical

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/Bo Han/	Date	April 10, 2012
Name (Print/Typed)	Bo Han	Registration Number	64,386

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2011.007.001	Application Number (if known):	Filing date: 7/21/2011

First Named Inventor: George Sly

Title: Automatic Rain Barrel

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 /James Haugen, Reg# 60056/	Date
Name (Print/Typed) James Haugen	Registration Number 60056

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/188,229	07/21/2011	George Sly	2011.010.001	7744

11658 7590 08/29/2011
Seattle Patent Group
4020 148th Ave NE, Suite D
Redmond, WA 98052

EXAMINER

ART UNIT	PAPER NUMBER
3633	

NOTIFICATION DATE	DELIVERY MODE
08/29/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jlthaugen@seattlepatentgroup.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

AUG 2 6 2011

Seattle Patent Group
4020 148th Ave NE, Suite D
Redmond WA 98052

In re Application of	:	
GEORGE SLY	:	DECISION ON PETITION
Application No. 13/188,229	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2011.010.001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 21, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks items 3 and 4.

In regard to item 3, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.
In regard to item 4, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. As municipal water is needed to keep the claimed water collection system filled to supply sprinkler system to water the lawn, it is unclear how the water collection system would save water resources. There is no evidence in the present application that the claimed water collection system enhances the quality of the environment. In fact, utilize water for the lawn is not an effective use of water which can be a scarce resource in times of drought. Therefore, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3633 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

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.
13/188,229	07/21/2011	George Sly	2011.010.001	7744

11658 7590 09/13/2011
Seattle Patent Group
4020 148th Ave NE, Suite D
Redmond, WA 98052

EXAMINER

ART UNIT	PAPER NUMBER
3753	

NOTIFICATION DATE	DELIVERY MODE
09/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jlthaugen@seattlepatentgroup.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

Seattle Patent Group
4020 148th Ave NE, Suite D
Redmond WA 98052

Date: September 13, 2011

In re Application of	:	
George Sly	:	DECISION ON PETITION
Application No. 13/188,229	:	TO MAKE SPECIAL UNDER
Filed: July 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2011.010.001	:	PILOT PROGRAM

The decision mailed on August 29, 2011 is vacated. The below decision corrects the clearly erroneous position taken by the USPTO regarding the present application not clearly meeting the green materiality standard requirement in the August 29, 2011 decision.

This is a decision on the petition under 37 CFR 1.102, filed July 21, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to 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
www.uspto.gov

LOCKE LORD BISSELL & LIDDELL LLP
600 TRAVIS SUITE 2800
HOUSTON TX 77002-3095

MAILED

MAR 29 2012

OFFICE OF PETITIONS

In re Application of
Sorin G. Teodorescu et al.
Application No. 13/188,284
Filed: July 21, 2011
Attorney Docket No. 0016422-270US

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed March 7, 2012.

The request is **not approved.**

The Office will no longer approve requests from practitioners to withdraw from applications where the requesting practitioner is acting, or has acted, in a representative capacity pursuant to 37 CFR 1.34. In these situations, the practitioner is responsible for the correspondence the practitioner files in the application while acting in a representative capacity. As such, there is no need for the practitioner to obtain the Office's permission to withdraw from representation. However, practitioners acting in a representative capacity, like practitioners who have a power of attorney in the application, remain responsible for noncompliance with 37 CFR 1.56, as well as 37 CFR 10.18, with respect to documents they file.

A review of the file record indicates that D. Brit Nelson, and attorneys/agents associated with customer number 22904, do not have power of attorney, but has acted in a representative capacity in this patent application. See 37 C.F.R. § 10.40.

The request to change the correspondence address should be that of the: (1) the first named signing inventor; or (2) an assignee of the entire interest under 37 C.F.R 3.71. If an assignee has intervened in this application then a Statement under 37 CFR 3.73(b), or a copy of the actual assignment must be submitted along with a change of correspondence address if desired, using Form No. PTO/SB/122.

Telephone inquires concerning this decision should be directed to the undersigned at 571-272-4618

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

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:	13/188,354	Filing date:	July 21, 2011
First Named Inventor:	Nathan Kona Falkenborg		
Title of the Invention:	Systems and Methods to Identify Payment Accounts Having Business Spending Activities		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/045103

The international filing date of the corresponding PCT application(s) is/are: July 22, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/188,354
First Named Inventor:	Nathan Kona Falkenborg

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on March 9, 2012

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☑ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	Claims 1-20 in the US and PCT applications are identical.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /John P. Ward/	Date March 27, 2012
Name (Print/Typed) John P. Ward	Registration Number 40216

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 (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:	13/188496	Filing date:	July 22, 2011
First Named Inventor:	Zhipei Wu		
Title of the Invention:	COMPOUND USEFUL AS A c-MET INHIBITOR		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/044926

The international filing date of the corresponding PCT application(s) is/are: July 22, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [x] Is attached
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [ ] Is attached.
- [x] Is not attached because the document is already in the U.S. application.

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.:	13/188496
First Named Inventor:	Zhipei 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 October 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 October 27, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	identical
2	2	identical
3	3	identical
4	4	identical except for amending "the invention" to "Claim 1"

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Tina M. Tucker/	Date October 28, 2011
Name (Print/Typed) Tina M. Tucker	Registration Number 47,145

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

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)

30 May 2012

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/US2011/044926	22.07.2011	30.07.2010

International Patent Classification (IPC) or both national classification and IPC
INV. A61K31/501 C07D487/04 A61P35/00

Applicant
ELI LILLY AND 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	Renard, Delphine Telephone No. +49 89 2399-4744

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2011/044926

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	1-7
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-7
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-7
	No:	Claims	

2. Citations and explanations

   see separate sheet

1 The present application relates to 6- (1- methyl-1 H- pyrazol-4- yl)-3- (2-methyl-2H- indazol-5- ylthio)- [1,2,4] triazolo [4,3- b] pyridazine as a C- Met inhibitor and its use in the treatment of cancer.

Re Item V.

2 Claim 4 relates subject-matter considered by this Authority to be covered by the provisions of Rule 39.1 (iv)/ 67.1 (iv) PCT. The patentability can be dependent upon the formulation of the claims. The EPO, for example, does not recognise as patentable claims to the use of a compound in medical treatment, but may allow claims to a product, in particular substances or compositions for use in a first or further medical treatment.

3 Reference is made to the following document:

D1 WO 2008/051808 A2 (SGX PHARMACEUTICALS INC [US]; BOUNAUD PIERRE-YVES [US]; SMITH CHRISTOP) 2 May 2008 (2008-05-02)

D2 WO 2009/056692 A2 (SANOFI AVENTIS [FR]; ALBERT EVA [FR]; BACQUE ERIC [FR]; NEMECEK CONCEP) 7 May 2009 (2009-05-07)

4 Novelty

Document D1 discloses triazolo[4,3b]pyridazine derivatives (see for example compound 25 on page 122) but fails to specifically disclose the present compound.

Document D2 discloses 6- triazolopyridazine sulphanyl benzothiazole and benzimidazole derivatives but fails to disclose 6- triazolopyridazine sulphanyl indazole derivatives.

Accordingly, the subject-matter of the present claims is considered to be novel in view of D1-D2.

5 Inventive step

In the light of D1 as closest prior art, the problem underlying the present application may be seen as the provision of further C-MET inhibitors.

The difference resides in the substituents linked to the triazolopyridazine ring.

Formula I of D1 generally discloses triazolo [4,3b] pyridazine derivatives wherein R10 is an heteroaryl. The closest specifically disclosed compound in D1 is compound 25 wherein R10 is a benzimidazole ring.

The present application discloses that the present compound as a higher bioavailability than compound 25 of D1 (cf. page 18 lines 3-11 and table 7 on page 19).

As solution 6-(1-methyl-1 H-pyrazol-4-yl)-3-(2-methyl-2H-indazol-5-ylthio)-[1,2,4]triazolo [4,3-b]pyridazine would not seem obvious to the person skilled in the art as no prior art suggests to select this compound for its high bioavailability.

Accordingly, the subject-matter of the present claims involves an inventive step.

Possible steps after receipt of the international search report (ISR) and written opinion of the International Searching Authority (WO-ISA)

General information	For all international applications filed on or after 01/01/2004 the competent ISA will establish an ISR. It is accompanied by the WO-ISA. Unlike the former written opinion of the IPEA (Rule 66.2 PCT), the WO-ISA is not meant to be responded to, but to be taken into consideration for further procedural steps. This document explains about the possibilities.
Amending claims under Art. 19 PCT	Within 2 months after the date of mailing of the ISR and the WO-ISA the applicant may file amended claims under Art. 19 PCT directly with the International Bureau of WIPO. The PCT reform of 2004 did not change this procedure. For further information please see Rule 46 PCT as well as form PCT/ISA/220 and the corresponding Notes to form PCT/ISA/220.
Filing a demand for international preliminary examination	In principle, the WO-ISA will be considered as the written opinion of the IPEA. This should, in many cases, make it unnecessary to file a demand for international preliminary examination. If the applicant nevertheless wishes to file a demand this must be done before expiry of 3 months after the date of mailing of the ISR/WO-ISA or 22 months after priority date, whichever expires later (Rule 54bis PCT). Amendments under Art. 34 PCT can be filed with the IPEA as before, normally at the same time as filing the demand (Rule 66.1 (b) PCT). If a demand for international preliminary examination is filed and no comments/amendments have been received the WO-ISA will be transformed by the IPEA into an IPRP (International Preliminary Report on Patentability) which would merely reflect the content of the WO-ISA. The demand can still be withdrawn (Art. 37 PCT).
Filing informal comments	After receipt of the ISR/WO-ISA the applicant may file informal comments on the WO-ISA directly with the International Bureau of WIPO. These will be communicated to the designated Offices together with the IPRP (International Preliminary Report on Patentability) at 30 months from the priority date. Please also refer to the next box.
End of the international phase	At the end of the international phase the International Bureau of WIPO will transform the WO-ISA or, if a demand was filed, the written opinion of the IPEA into the IPRP, which will then be transmitted together with possible informal comments to the designated Offices. The IPRP replaces the former IPER (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

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ELI LILLY & COMPANY
PATENT DIVISION
P.O. BOX 6288
INDIANAPOLIS IN 46206-6288

MAILED
APR 04 2012
OFFICE OF PETITIONS

In re Application of:
Zhipei Wu
Application No. 13/188,496
Filed: July 22, 2011
Attorney Docket No. X-19084

: 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 October 28, 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, NPI, Australia, Austria, China, Finland, Russia, Spain, Sweden, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Currently, requirements (1) – (6) and (8) are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (7).

Regarding the requirement of condition (7), applicant has failed to submit a copy of the WO 2009/056692 A2 reference listed on the October 27, 2011 IDS.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Petitions Examiner Joan Olszewski at (571)-272-7751.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SCHIFF HARDIN, LLP
PATENT DEPARTMENT
233 S. WACKER DRIVE-SUITE 6600
CHICAGO IL 60606-6473

MAILED
APR 13 2012
OFFICE OF PETITIONS

In re Application of:	: DECISION ON REQUEST TO
Marcel Jan Marie Kruip	: PARTICIPATE IN THE PATENT
Application No. 13/188,590	: PROSECUTION HIGHWAY
Filed: July 22, 2011	: PROGRAM AND PETITION
Attorney Docket No. P11,0160 (26965-4665)	: TO MAKE SPECIAL UNDER
	: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 20, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is

   a. a Paris Convention application which either
      i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the UKIPO, 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 UKIPO, 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 UKIPO, or
      ii. validly claims priority to a PCT application that contains no priority claims, or
      iii. contains no priority claim;

2. Applicant must:

   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UKIPO application(s) and

   b. Submit a claims correspondence table in English;

3. Examination of the U.S. application has not begun;

4. Applicant must submit:

   a. Documentation of prior office action:

      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the UKIPO 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 UKIPO application is a first action allowance then no office action from the UKIPO is necessary should be indicated on the request/petition form;

   b. An English language translation of the UKIPO Office action from (4)(a)(i)-(ii) above

5. Applicant must submit:

   a. An IDS listing the documents cited by the UKIPO examiner in the UKIPO office action (unless already submitted in this application)

   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Petitions Examiner Joan Olszewski at 571-272-7751.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

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MCHALE & SLAVIN, P.A.
2855 PGA BLVD
PALM BEACH GARDENS FL 33410

MAILED
AUG 18 2011
OFFICE OF PETITIONS

In re Application of :
Daniel Navarro :
Application No. 13/188,610 : ON PETITION
Filed: July 22, 2011
Attorney Docket No. 1911.015 :
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 22, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

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

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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.
13/188,654	07/22/2011	Andrew LAUDER	APL1P790C1/P9985USC2	8639

62464 7590 08/24/2011
BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO, CA 95015-1687

EXAMINER

ART UNIT	PAPER NUMBER
2627	

NOTIFICATION DATE	DELIVERY MODE
08/24/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

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BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO CA 95015-1687

In re application of	:	DECISION ON REQUEST TO
LAUDER et al.	:	PARTICIPATE IN PATENT
Serial No. 13/188,654	:	PROSECUTION HIGHWAY
Filed: 22 July 2011	:	PROGRAM AND
For: ELECTRONIC DEVICE WITH	:	PETITION TO MAKE SPECIAL
MAGNETIC ATTACHMENT	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed 25 July 2011.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application and corresponding IPAU application must have the same priority/filing date;

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);

(3) All of 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); and

(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 IPAU application(s);

(6) Applicant must submit:
   a. An IDS listing the documents cited by the IPAU examiner in the IPAU Office action(s) (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

Conditions (2) through (6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (1).

Regarding the requirement of condition (1), the petition to participate in the PPH program is based on IPAU 2011100424 but such is not a priority document for the US application nor is there any evidence of record to suggest that the US application and IPAU application share a common priority document and common priority date.

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.PET.652. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Lee W. Young
TQAS Technology Center 2600

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/188,654	07/22/2011	Andrew LAUDER	APL1P790C1/P9985USC2	8639

62464 7590 10/17/2011
BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO, CA 95015-1687

EXAMINER

ART UNIT	PAPER NUMBER
2835	

NOTIFICATION DATE	DELIVERY MODE
10/17/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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USPTOmail@beyerlaw.com

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Alexandria, VA 22313-1450
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BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO CA 95015-1687

OCT 14 2011

In re Application of
LAUDER et al.
Application No.: 13/188654
Filed: 22 July 2011
Attorney Docket No.:
APL1P790C1/P9985USC2
For: ELECTRONIC DEVICE WITH MAGNETIC ATTACHMENT

: 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 25 July 2011 and renewed 08 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application and corresponding IPAU application must have the same priority/filing date;

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s);

(3) All of 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); and

(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 IPAU application(s);

(6) Applicant must submit:
a. An IDS listing the documents cited by the IPAU examiner in the IPAU Office action(s) (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 pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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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.
13/188,675		Andrew LAUDER	APL1P787C1/P9985USC1	8689

62464 7590 07/28/2011
BEYER LAW GROUP LLP
P.O. BOX 1687
CUPERTINO, CA 95015-1687

EXAMINER

ART UNIT	PAPER NUMBER
3711	

NOTIFICATION DATE	DELIVERY MODE
07/28/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOmail@beyerlaw.com

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In re Application of: LAUDER, ANDREW Serial No.: 13/188675 Filed: July 22, 2011 Attorney Docket No. : APL1P787C1/P9985USC1 Title: ACCESSORY DEVICE WITH MAGNETIC ATTACHMENT	DECISION ON A REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed July 25, 2011 to make the above-identified application special.

The request and petition are **granted.**

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the IPAU;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the IPAU application(s) 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 all the office actions 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; and
(6) Applicant must submit an IDS listing the documents cited by the IPAU examiner in the IPAU office action along with copies of documents except U.S. patents or U.S. patent application publications.

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:	13/188,690	Filing date:	July 22, 2011
First Named Inventor:	ISOZAKI		
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/JP2009/005933

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.

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.:	13/188,690
First Named Inventor:	ISOZAKI

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 22, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on July 22, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	corresponding to PCT claim 1
2	2	corresponding to PCT claim 2
3	3	corresponding to PCT claim 3
4	4	corresponding to PCT claim 4
5	5	corresponding to PCT claim 5
6	6	corresponding to PCT claim 6
7	7	corresponding to PCT claim 7
8	8	corresponding to PCT claim 8
9	9	corresponding to PCT claim 9
10	10	corresponding to PCT claim 10 but depending from claim 1 only

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Kerry S. Culpepper Reg. # 45,672/	Date September 20, 2011
Name (Print/Typed) Kerry S. Culpepper	Registration Number 45,672

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.
13/188,690	07/22/2011	HIROYOSHI ISOZAKI	P54748-02	8723

42212 7590 10/19/2011
PANASONIC PATENT CENTER
1130 CONNECTICUT AVENUE NW, SUITE 1100
WASHINGTON, DC 20036

EXAMINER

ART UNIT	PAPER NUMBER
2614	

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):

ppc@us.panasonic.com
Dhiren.Odedra@us.panasonic.com
idogawa.y@jp.panasonic.com

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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**
ISOZAKI et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/188,690	**: PROSECUTION HIGHWAY**
Filed: 22 July 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: P54748-02	**: 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 20 September 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate

if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

Doc Code: 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: 250781	Application Number (if known): 13/188,698	Filing date: July 22, 2011

First Named Inventor: Christopher D. Cheng

Title: SYSTEM AND METHOD FOR DETECTING ICE ON A WIND TURBINE ROTOR BLADE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date September 26, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Christopher D. Cheng	)
Confirmation No.: 8742	)
	)
Serial No.: 13/188,698	)
	)
Filing Date: July 22, 2011	)
	)
Atty Docket No.: 250781	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present subject matter relates generally to wind turbines and, more particularly, to a system and method for detecting ice on a wind turbine rotor blade. (See [0001]).

Under some atmospheric conditions, ice may be buildup or otherwise accumulate on the rotor blades of a wind turbine. As the ice layer accumulating on a rotor blade becomes increasingly thicker, the aerodynamic surface of the blade is modified, thereby resulting in diminished aerodynamic performance. Moreover, ice accumulation significantly increases the weight of a rotor blade, which can lead to structural damage as an increased amount of bending moments and/or other rotational forces act on the rotor blade. In addition, when there is a differential in the amount of ice accumulating on each of the rotor blades, a mass imbalance may occur that can cause significant damage to a wind turbine. (See [0003])

Due to the disadvantages associated with ice accumulation, a wind turbine may be shutdown when it is believed that ice has accumulated on the surface of one or more of the rotor blades. Operation of the wind turbine may then be restarted after it can be verified that ice is no longer present on the rotor blades. Accordingly, upon shutdown of a wind turbine for ice accumulation, each rotor blade must be inspected to determine whether ice is actually and/or is still present on the blades. Conventionally, this requires that each blade be visually inspected from a location on the ground. However, due to the risk of falling ice, the service worker(s) performing the visual inspection must be located a safe distance away from the wind turbine. As such, it is often difficult to visually detect ice accumulation on the rotor blades. Moreover, such a visual inspection of the rotor blade blades typically takes a significant amount of time, which may unnecessarily increase that amount of time that a wind turbine is shutdown to check for ice accumulations. (See [0004])

Accordingly, a system and method that allows for the accurate and efficient detection of ice on a wind turbine rotor blade would be welcomed in the technology. (See [0005])

Therefore, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: September 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/188,698	07/22/2011	Christopher D. Cheng	250781/GEC-358	8742

87853 7590 10/26/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
2855	

MAIL DATE	DELIVERY MODE
10/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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P.O. Box 1450
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Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Christopher D. CHENG	:	DECISION ON PETITION
Application No. 13/188,698	:	TO MAKE SPECIAL UNDER
Filed: July 22, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 250781/GEC-358	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on September 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2855 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Teddy M. Keller

Application No. 13188720

Filed: July 22,2011

Attorney Docket No. 100176-US3

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 19-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	13188720	Confirmation Number	8790	Filing Date	2011-07-22
Attorney Docket Number (optional)	100176-US3	Art Unit	N/A	Examiner	Not Yet Assigned
First Named Inventor	Teddy M Keller				
Title of Invention	CARBON NANOTUBE FIBERS/FILAMENTS FORMULATED FROM METAL NANOPARTICLE CATALYST AND CARBON SOURCE				

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
Teddy	M	Keller	

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	/Teddy M Keller/	Date (YYYY-MM-DD)	2011-08-18
Name	Teddy M Keller		

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.

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DORITY & MANNING, P.A.
POST OFFICE BOX 1449
GREENVILLE SC 29602-1449

MAILED
AUG 17 2011
OFFICE OF PETITIONS

In re Application of	:	
Knox et al.	:	
Application No. 13/188,775	:	ON PETITION
Filed: July 22, 2011		
Attorney Docket No. TCP-50C-CON	:	
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 22, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 1742 for action on the merits commensurate with this decision.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

MAILED
APR 13 2012
OFFICE OF PETITIONS

In re Application of	:	
Satoshi Torii, et al.	:	
Application No.: 13/188,869	:	ON PETITION
Filed: July 22, 2011	:	
Attorney Docket No.: 090382A	:	

This is a decision on the petition, filed April 12, 2012, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on March 28, 2012, cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.[1]

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2827 for further processing of the request for continued examination under 37 CFR 1.114.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

[1] *The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.*

UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
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SCHOX PLC
500 3RD STREET, SUITE 515
SAN FRANCISCO CA 94107

MAILED
JAN 26 2012
OFFICE OF PETITIONS

In re Application of	:	
James Morrison	:	DECISION ON PETITION
Application No. 13/188,892	:	TO WITHDRAW
Filed: July 22, 2011	:	FROM RECORD
Attorney Docket No. MOBX-P01-US	:	

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 20, 2012.

The request is **NOT APPROVED**.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71*, or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

> ***An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.***

Therefore, as there is currently no Statement under 37 CFR 3.73(b) of record in the instant application, the Office cannot change the correspondence address to the address on the Request to Withdraw.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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:	13/189,097	Filing date:	22 July 2011
First Named Inventor:	Sumiaki NAKANO		
Title of the Invention:	SEMICONDUCTOR SUBSTRATE STRUCTURE AND 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/JP2009/003722

The international date of the corresponding PCT application(s) is/are: 4 AUGUST 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.:	13/189,097 (DOCKET NO. 085393-0635)
First Named Inventor:	Sumiaki NAKANO

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 22 JULY 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 22 JULY 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Same
2	2	Same
3	3	Same
4	4	Same, except US claim not multiple dependent
5	5	Same
6	6	Same
7	7	Same, except US claim not multiple dependent
8	8	Same, except US claim not multiple dependent
9	9	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 Kamar Syed Ahmad 58,958	Date 8 August 2011
for Name (Print/Typed) Michael E. Fogarty	Registration Number 36,139

CERTIFICATE OF TRANSLATION

I, the undersigned, hereby certify

that I am well acquainted with the English and Japanese languages,

that I prepared the attached document, and

that, to the best of my knowledge and belief, the attached document is an accurate translation of the claims of the international patent application PCT/JP2009/003722 filed on August 4, 2009.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Keiko Sasada
Keiko SASADA

July 1, 2011
Date

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. **PCT/JP2009/003722**

Box No.V

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. Citation and explanations:

Reference 1: JP 2005-183992 A (Samsung Electronics Co., Ltd.), July 7, 2005, All pages, FIGS. 1-4I
Reference 2: JP 2001-053111 A (Matsushita Electric Works Co., Ltd.), February 23, 2001, All pages, FIGS. 1-10
Reference 3: JP 02-087629 A (NEC Corporation), March 28, 1990, All pages, FIGS. 1-4
Reference 4: JP 04-355933 A (Nitto Denko Corporation), December 9, 1992, All pages, FIGS. 1-10
Reference 5: JP 2008-198670 A (Matsushita Electric Industrial Co., Ltd.), August 28, 2008, All pages, FIGS. 1-6
Reference 6: JP 2008-177456 A (Epson Imaging Devices Corporation), July 31, 2008, All pages, FIGS. 1-15

None of the references cited in the International Search Report discloses the invention regarding claims 1-9, a protective film formed with a distance from an electrode pad on which a bump electrode is formed, and having a barrier portion surrounding the electrode pad, and the invention is not obvious to those skilled in the art.

特許協力条約

前田
09.9.18
特許

発信人　日本国特許庁（国際調査機関）

代理人
前田弘
様

あて名
〒541-0053
日本国大阪府大阪市中央区本町２丁目５番７号　大阪丸紅ビル

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

発送日 (日.月.年)　15. 09. 2009	
出願人又は代理人 の書類記号　P053214P0	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／ＪＰ２００９／００３７２２	(日.月.年)　04. 08. 2009	(日.月.年)　04. 02. 2009

国際特許分類（ＩＰＣ）Int.Cl. H01L21/60(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
02. 09. 2009

名称及びあて先	特許庁審査官（権限のある職員）	4R	9544
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	市川　篤 電話番号　０３－３５８１－１１０１　内線　３４７１		

国際調査機関の見解書

国際出願番号 PCT／JP2009／003722

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／JP2009／003722

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	1－9	有
	請求項		無
進歩性（IS）	請求項	1－9	有
	請求項		無
産業上の利用可能性（IA）	請求項	1－9	有
	請求項		無

2. 文献及び説明

文献1：JP 2005-183992 A（三星電子株式会社）2005.07.07，全文，図1－4I
文献2：JP 2001-053111 A（松下電工株式会社）2001.02.23，全文，図1－10
文献3：JP 02-087629 A（日本電気株式会社）1990.03.28，全文，第1－4図
文献4：JP 04-355933 A（日東電工株式会社）1992.12.09，全文，図1－10
文献5：JP 2008-198670 A（松下電器産業株式会社）2008.08.28，全文，図1－6
文献6：JP 2008-177456 A（エプソンイメージングデバイス株式会社）2008.07.31，全文，図1－15

請求項1－9に係る発明のごとく、バンプ電極が形成される電極パッドとは互いに間隔をおいて形成され、かつ、電極パッドを囲む障壁部を有する保護膜は、国際調査報告に引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。

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。

［００２３］に記載された「粘度１８０がＰａ・ｓ」は、「粘度が１８０Ｐａ・ｓ」の誤記である。

Translation of claims determined to be patentable by the ISA

1. A semiconductor substrate structure, comprising:

an electrode pad formed on a semiconductor substrate;

a protective film formed on the semiconductor substrate and having an opening through which the electrode pad is exposed; and

a bump formed on the electrode pad,

wherein

the electrode pad and the protective film are formed with a distance from each other,

the protective film has a barrier portion surrounding the electrode pad, and

the barrier portion has a height different from a height of a part of the protective film other than the barrier portion.

2. The semiconductor substrate structure of claim 1, wherein

the barrier portion is a recessed portion.

3. The semiconductor substrate structure of claim 2, wherein

at least a part of the recessed portion has an affinity for flux higher than an affinity for the flux in parts of the protective film other than the part of the recessed portion.

4. The semiconductor substrate structure of claim 2 or claim 3, wherein

the electrode pad has an electrode pad body and an under barrier metal layer formed on the electrode pad body, and

a bottom surface of the recessed portion is located in a position equal to or higher than an upper surface of the electrode pad body.

5. The semiconductor substrate structure of claim 1, wherein

the barrier portion is a raised portion.

6. The semiconductor substrate structure of claim 5, wherein

at least a part of the recessed portion has an affinity for flux lower than an affinity for the flux in parts of the protective film other than the part of the recessed portion.

7. The semiconductor substrate structure of any one of claims 1-6, wherein

the barrier portion continuously surrounds the electrode pad.

8. The semiconductor substrate structure of any one of claims 1-7, wherein

the protective film is made of a polyimide resin, a polybenzoxazole resin, or a silicone-based resin.

9. A semiconductor device, comprising

the semiconductor substrate structure of any one of claims 1-8.

(PCT/JP2009/003722)

【書類名】請求の範囲

【請求項１】

半導体基板構造は、

半導体基板本体の上に形成された電極パッドと、

前記半導体基板本体の上に形成され且つ前記電極パッドを露出する開口部を有する保護膜と、

前記電極パッドの上に形成されたバンプとを備え、

前記電極パッドと前記保護膜とは、互いに間隔をおいて形成され、

前記保護膜は、前記電極パッドを囲む障壁部を有し

前記障壁部は、前記保護膜における前記障壁部を除く部分と高さが異なっている。

【請求項２】

請求項１に記載の半導体基板構造において、

前記障壁部は、凹部である。

【請求項３】

請求項２に記載の半導体基板構造において、

前記凹部の少なくとも一部は、フラックスに対する親和性が前記保護膜の他の部分よりも高い。

【請求項４】

請求項２又は３に記載の半導体基板構造において、

前記電極パッドは、電極パッド本体と、該電極パッド本体の上に形成されたアンダーバリアメタル層とを有し、

前記凹部の底面の位置は、前記電極パッド本体の上面と同一又は上面よりも高い位置である。

【請求項５】

請求項１に記載の半導体基板構造において、

前記障壁部は、凸部である。

【請求項６】

請求項５に記載の半導体基板構造において、

前記凸部の少なくとも一部は、フラックスに対する親和性が前記保護膜の他の部分より

も低い。

【請求項７】

請求項１～６のいずれか１項に記載の半導体基板構造において、

前記障壁部は、前記電極パッドを連続して囲んでいる。

【請求項８】

請求項１～７のいずれかに記載の半導体基板構造において、

前記保護膜はポリイミド樹脂、ポリベンゾオキサゾール樹脂又はシリコーン系の樹脂からなる。

【請求項９】

半導体装置は、

請求項１～８のいずれか１項に記載の半導体基板構造を備えている。

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

SCHOX PLC
500 3RD STREET, SUITE 515
SAN FRANCISCO CA 94107

MAILED

JAN 30 2012

OFFICE OF PETITIONS

In re Application of	:	
Morrison, James	:	DECISION ON PETITION
Application No. 13/189,185	:	TO WITHDRAW
Filed: July 22, 2011	:	FROM RECORD
Attorney Docket No. MOBX-P02-US	:	

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 20, 2012.

The request is **NOT APPROVED**.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71,* or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

> *An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.*

As there is no Statement under 37 CFR 3.73(b) in the instant application, the request cannot be granted. All future communications from the Office will be directed to above-listed address until otherwise properly notified by the applicant or a proper change of correspondence address have been submitted.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OCT 0 3 2011

Hanes Hrbacek & Bartels LLC
102 SOUTH TEJON ST.
SUITE 800
COLORADO SPRINGS CO 80903

In re Application of: Troy Allen Fodemski Application No.: 13/189298 Filed: July 22, 2011 Title: PROTECTIVE HELMET HAVING A MICROPROCESSOR CONTROLLED RESPONSE TO IMPACT	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on July 22, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, 6.3, 6.4 and 6.5 above.

Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-17; the "accelerated examination support document" comprising pages 1-21, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 2 subclass 6.8; class 340 subclass 573.1; class 380 subclasses 728.1 and 730.1.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

> *For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, petitioner does not address each limitation of all the claims and where it is (or state that it is not) found in each closest prior art. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, each claim including all the dependent claims is not addressed relative to all the references. There is no detailed explanation of how each of the claims is patentable with particularity required by 37 CFR 1.111(b) and (c). Specific claim limitations that support the position of patentability have not been provided for all the claims.
A statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

Regarding the requirements of section II element 6.4 outlined above, the petition fails to identify a concise statement of the utility of the invention as defined in each of the independent claims. A general statement directed to the overall concept of the invention is not specifically relating the utility to each of the independent claims as is required by the policy. Petitioner should reference the independent claims specifically when discussing the utility of the invention.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where <u>each limitation</u> of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, 35 USC 112, first paragraph support has not been shown claim limitation by claim limitation. Support must be shown for all claims including dependent claims. The general discussion of the independent claims is insufficient.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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Hanes Hrbacek & Bartels LLC
102 SOUTH TEJON ST.
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COLORADO SPRINGS CO 80903

In re Application of: Troy Allen Fodemski Application No.: 13/189298 Filed: July 22, 2011 Title: PROTECTIVE HELMET HAVING A MICROPROCESSOR CONTROLLED RESPONSE TO IMPACT	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on November 1, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

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AUG 02 2011
OFFICE OF PETITIONS

MORRISS OBRYANT COMPAGNI, P.C.
734 EAST 200 SOUTH
SALT LAKE CITY UT 84102

In re Application of :
Northrup,et al. :
Application No. 13/189,408 : ON PETITION
Filed: NO FILING DATE YET ACCORDED :
Attorney Docket No. **3969.EPSI.CN** :
For: **TWO-PIECE BEARING HOUSING FOR A CENTRIFUGAL PUMP**

This is in response to the petition under 37 CFR 1.47(a), filed July 22, 2011.

In accordance with 37 CFR 1.63(d)(3), applicants have submitted a copy of the executed declaration submitted in Application No. 12/151,319, filed May 5, 2008, of which the present filing is a continuation application. A copy of the decision granting the petition under 37 CFR 1.47(a) in the prior application can be found in the Image File Wrapper.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status. As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is **dismissed as moot.** No petition fee is necessary.

Pursuant to 37 CFR 1.47(c), the Office is dispensing with the notice provision in the present application because notice was provided after the grant of Rule 1.47(a) status in the prior application.

The matter is being referred to the Office of Patent Application Processing for further review.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya McLaughlin
Petitions Attorney
Office of Petitions

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OCT 03 2011

KEAN MILLER LLP
P. O. BOX 3513
BATON ROUGE LA 70821-3513

In re Application of: Victor Segura Application No.: 13/189443 Filed: July 22, 2011 Title: SHACKLE APPARATUS	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on July 22, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 5.3, 6, 6.1, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 6.2, 6.3, 6.4 and 6.5 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Discussion

When referring to "the petition" hereinbelow, the received papers under consideration include the PTO/SB/28 form, the "pre-examination search document" including pages 1-23; the "accelerated examination support document" comprising pages 1-29, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 294 subclasses 82.1.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat "the independent claims", nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on www.uspto.gov/web/patents/accelerated/ in "Guidelines for Applicants under the new accelerated examination procedures"):

> *For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. Claim limitations must be individually addressed. All

dependent claims must be addressed. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Additionally, every reference found in the IDSs are not discussed. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, since each independent claims is of a different scope they must be discussed separately.

Regarding the requirements of section II element 6.4 outlined above, the petition fails to identify a concise statement of the utility of the invention as defined in each of the independent claims. A general statement directed to the overall concept of the invention is not specifically relating the utility to each of the independent claims as is required by the policy. Petitioner should reference the independent claims specifically when discussing the utility of the invention.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where <u>each limitation</u> of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists. In the instant petition, each claim must be discussed limitation by limitation for 35 U.S.C. 112, first paragraph support. Secondly, petitioner has not addressed whether there are any means plus function elements. If there are none a statement to such must be provided. Finally, a showing of support for the claims under 35 U.S.C. 112, first paragraph, in the written description

of the specification has not been made for the priority documents 12/952445, 12/802901, and 61/296958 as required.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/
Linda J. Sholl
Special Programs Examiner
Technology Center 3700

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KEAN MILLER LLP
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In re Application of: Victor Segura
Application No.: 13/189443
Filed: July 22, 2011
Title: SHACKLE APPARATUS

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the renewed petition filed on November 3, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). A supplemental renewed petition was filed on December 2, 2011.

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/
Linda Sholl
Special Programs Examiner
Technology Center 3700

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/189,462	07/22/2011	Kristian Eide	938P	1247

7590 09/06/2011

Thomas M. Freiburger
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EXAMINER

ART UNIT	PAPER NUMBER
3633	

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.

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SEP - 6 2011

Thomas M. Freiburger
P.O. Box 1026
Tiburon, CA 94920

In re application of Todd R. Demonte et al. Application No. 13/189,462 Filed: July 22, 2011 For: SOLAR PANEL RACKING SYSTEM	: **DECISION ON PETITION** : **TO MAKE SPECIAL FOR** : **NEW APPLICATION** : **UNDER 37 CFR 1.102**

This is a decision on the petition filed on July 22, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition in this case fails to comply with conditions II.5.2, II.6.2, II.6.3 and II.6.5, above.

As to condition II.5.2, the petition lacks an indication of a preexamination search that encompasses all of the features of the claims. With respect to the classification search, in addition to the areas searched, the search needs to include at least a search of 52/200, 73, 74, 633, 65, 66, 263; 126/623, 621 and 248/237, 125.8, 125.1. Additionally, it does not appear that an acceptable text search had been completed. The search logic used by the applicant as listed in the Search document appears to be misdirected, lacking some of the claimed terms and anything synonymous with them. Search logic encompassing the "broadest reasonable interpretation" of the claimed invention is required. The USPTO website has an example of the proper manner of performing and documenting a preexamination search for Accelerated Examination petitions at: http://www.uspto.gov/web/patents/accelerated/. Additionally, an example of sample search logic is provided below:

> photovoltaic and panel$1 and support$3 and rail$1 and (column$1 or leg$1) and (grid or beam$1) and bracket$1 and channel$1

The sample search logic is not meant to be the sole search logic that can or should be employed in this application, but is meant solely as an example for applicant's assistance.

Finally, because it is necessary to look for every limitation claimed, the indication in the Support Document that limitations (or partial limitations) such as the limitations of claims outlined below, for example, are not found in any of the cited references exposes evidence of the search not encompassing the claimed invention.

Claim 2, double sided channels are well known and can be easily found.
Claim 3, the side by side pairs can also be easily found.
Claim 4 is very well known.
Claim 7, the limitation to the nut-receiving channels in the channels is well known.
Claim 9, the nut-capturing channels are well known.
Claim 10, having the main joists in side-by-side-pairs is well known.
Claim 12, use of channel to secure panels together is well known.
Claim 14, the spacing is an engineering design choice to achieve the optimum efficiency.
Claim 15, the limitations to the side-by-side pairs, and the lateral ends of the array not having a pair, can be easily found.
Claims 16-20, not **claiming** a method, does not mean that a reference does not teach some or all of the claim limitations. Much of the structure of the method claims that correspond to the article claims above, are likewise easily found.

At least the above noted claim limitations seem to contain elements that the examiner assigned this case believes are quite common and it strains credulity to assert that nowhere in the prior art are located these additional claimed limitations. While a reference containing a specific limitation of any one claim may not result in a rejection of the claim, not finding the structure at all calls into question the sufficiency of the search. It appears that the search may have been completed on the concept of the disclosed invention rather than the "claimed invention" as is required. Some of the additional search terms listed above are seen as being directed to finding art on the above-noted limitations.

Applicant's statement that there are no disclosed features that are unclaimed at this time that may be claimed later is noted.

As to condition II.6.2, an AESD that contains a list of references in the information disclosure statement (IDS) of the AESD, but does not include any identification and explanation for those references that are not required to be submitted in the IDS of the AESD (*i.e.*, references that are not most closely related to the subject matter of each of the claims), will be deemed insufficient for lack of identification and explanation. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR 1.97 and 1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR 10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Furthermore, a supplemental AESD is required if a reference being submitted in an IDS is deemed more closely related to the subject matter of at least one claim than the references provided in the previously-filed AESD. Consistent with 37 CFR 10.18, any reference submitted in a separate IDS that is not part of an AESD is a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD. If applicant deems references found after the initial filing to be closer to the subject matter of at least one claim than the references provided in the AESD, then applicant needs to supplement the AESD to account for these references.

Finally, the general requirement is that applicant is required to submit an accelerated examination support document (AESD) that includes an IDS in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims (whether in independent or dependent form). Specifically:

> **(1)** Applicant **is not** required to cite the references that are only relevant to the general subject matter of the claims because there are references that are more closely related to the subject matter of the claims. Applicant is

also not required to cite a reference that is cumulative to any other reference cited in the IDS.
(2) Applicant **is** required to cite any reference that establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim (see 37 CFR 1.56(b)) in the IDS of the AESD.
(3) Applicant **is** required to cite the reference that discloses the most limitations in the independent claim.
(4) Applicant **is** required to cite any reference that discloses a limitation of an independent claim that is not shown in the other references.
(5) Applicant **is** required to cite any reference that discloses a limitation of a dependent claim that is not shown in the other references.

As to condition II.6.2 specifically for this case, since it is required that the most closely related references are to be submitted with the petition, and applicant has submitted only a single IDS, all of the references submitted are considered to be "most closely related" and need to be completely addressed in the Support Document.

As to condition II.6.3, the petition does not appear to include a detailed explanation of claim patentability over each of the references. One is needed and the explanation needs to specify how each of the claims are patentable over each of the cited references. Specifically, the explanation needs to specify how each of the claims (not just independent claims 1 and 16) are patentable over each of the cited references, which includes the need to specify whether each of the dependent claims are separately patentable beyond the limitations contained in the independent claims, and if so how, or a statement made that the dependent claims are not separately patentable. This is especially true in that in applicant's identification of the limitations of the claims that are disclosed by the art cited, it appears that at least claims 3 and 4 may be taught by the prior art and thus not separately patentable. Additionally, as pointed out above, much of the claimed subject matter is seen by the examiner assigned this case as being very well known or a choice of design. What specifically is present in each claim deemed to be separately patentable needs to be made clear. Limitations need to be indicated as taught and not separately patentable, patentable distinctions, or not taught but well known structures that are not seen as patentably distinguishing the claim.

The USPTO website has an example of the proper manner of documenting limitations taught by cited art, and the manner of explaining claim patentability over the references, for an Accelerated Examination Support Document at:
http://www.uspto.gov/web/patents/accelerated/.

As to condition to II.6.5, the showing of where each limitation of each of the claims finds support under 35 USC 112 in the written description of the application is sufficient. However, similar support (if any) for the claimed invention must additionally be shown in any parent application upon which priority is claimed under 35 USC 119. Specifically, for provisional application 61/400,208, a listing of where the limitations of the claims find support is necessary in order to allow the examiner to determine the effective filing dates of the various claims.

Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

For the above-stated reasons, the petition is **DISMISSED**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Steven N. Meyers, at (571) 272-6611.

Steven N. Meyers,
Quality Assurance Specialist
Technology Center 3600

Sm/sm: 9/4/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/189,462	07/22/2011	Kristian Eide	938P	1247

7590 10/11/2011

Thomas M. Freiburger
P.O. Box 1026
Tiburon, CA 94920

EXAMINER

ART UNIT	PAPER NUMBER
3633	

MAIL DATE	DELIVERY MODE
10/11/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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OCT 11 2011

Thomas M. Freiburger
P.O. Box 1026
Tiburon, CA 94920

In re application of	:	**DECISION ON PETITION**
Todd R. Demonte et al.	:	**TO MAKE SPECIAL FOR**
Application No. 13/189,462	:	**NEW APPLICATION**
Filed: July 22, 2011	:	**UNDER 37 CFR 1.102**
For: SOLAR PANEL RACKING SYSTEM		

This is a decision on the renewed petition filed on October 6, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The renewed petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of

Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Steven N. Meyers, at (571) 272-6611.

Steven N. Meyers,
Quality Assurance Specialist
Technology Center 3600

Sm/sm: 10/11/11

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HAIM FACTOR
Ofek Group Inc.
16192 Coastal Highway
Lewes DE 19958

MAILED
OCT 26 2011
OFFICE OF PETITIONS

In re Application of:	:	
Daniel Suraqui	:	
Application No. 13/189,512	:	PETITION DECISION
Submitted: July 24, 2011	:	
Attorney Docket No.: 275913US6RE	:	

This is a decision on the Petition to Waive Any Late Filing Surcharge, filed July 25, 2011, which is being treated as a petition under 37 CFR 1.183.

The petition is **dismissed as being moot**.

Petitioner requests waiver for any late filing surcharge due to possible problems with the filing of application fees on July 24, 2011. Office records show that all fees were received and processed on July 25, 2011. No notice for late payment of fees (and surcharge) have been sent out by the Office and thus no surcharge is required.

Telephone inquiries concerning this matter should be directed to Carl Friedman at (571) 272-6842.

Carl Friedman
Petitions Examiner
Office of Petitions

Doc Code: PET.AUTO
Doc Description: Petition Automatically granted by EFS

PTO/SB/130 (03-08)
Approved for use through 06/30/2009. 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		Confirmation Number		Filing Date	
Attorney Docket Number (optional)		Art Unit		Examiner	
First Named Inventor	Kenneth Dale Thomas				
Title of Invention	FISHING LURE HAVING RECORDED BAIT SOUND PLAYBACK MODULE				

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
Kenneth	Dale	Thomas	

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	Kenneth Dale Thomas	Date (YYYY-MM-DD)	2011-07-23
Name	Kenneth Dale Thomas		
Signature		Date (YYYY-MM-DD)	
Name		Registration Number	

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KENNETH DALE THOMAS
PO BOX 689
KALAHEO HI 96741

MAILED

AUG 18 2011

OFFICE OF PETITIONS

In re Application of	:	
Kenneth Dale Thomas	:	
Application No. 13/189,548	:	ON PETITION
Filed: July 24, 2011		
Title: Fishing Lure Having Recorded Bait	:	
Sound Playback Module	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 24, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3643 for action on the merits commensurate with this decision.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

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THOMPSON HINE L.L.P.
Intellectual Property Group
P.O. BOX 8801
DAYTON OH 45401-8801

MAILED

AUG 11 2011

OFFICE OF PETITIONS

In re Application of	:	
Gholam A. Peyman	:	
Application No. 13/189,606	:	DECISION ON PETITION
Filed: July 25, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 075200.27	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 25, 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 declaration by inventor Gholam A. Peyman attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Upon completion of the pre-examination processing by the Office of Patent Application Processing, this application will be referred to Technology Center 3739 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT OFFICE

Title: ECO FRIENDLY CROSSLINKED FLAME RETARDANT COMPOSITION FOR WIRE AND CABLE

Inventor: Ahmed Ali Basfar et al.

Filing Date: July 25th, 2011

Attorney docket number- RIPLLC007.006US1

PETITION TO MAKE SPECIAL

To,

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia, 22313-1450

Sir/Madam:

REQUEST FOR EXPEDITIOUS AND URGENT EXAMINATION OF SUBMITTED APPLICATION ON THE BASIS THAT INVENTION MATERIALLY ENHANCES THE QUALITY OF THE ENVIRONMENT OF MANKIND BY CONTRIBUTING TO THE PREVENTION OF CONTAMINATION OF THE BASIC LIFE SUSTAINING NATURAL ELEMENTS SUCH AS WATER AND SOIL.

The applicant of the instant application hereby requests that this application be made special pursuant to MPEP 708.02, under 37 CFR 1.102. Advancement of examination V. ENVIRONMENTAL QUALITY section. The instant application materially enhances the quality of the environment of mankind by contributing to reduction of pollution of air and water because the flame retardant compositions according to the present invention do not produce any toxic gases such as halogen gas when burned. This procedure allows the user to well insulate the wire and cable in buildings and other places and prevent contamination of water and soil when there is a natural disaster such as fire.

The urgent and expeditious examination of instant U.S. Patent Application will help the inventor to continue to innovate, develop and provide superior product to insulate wire and cable. The method is a cost effective method to insulate wire and cable and prevent water and soil contamination during disasters such as fire to a infrastructure. As such, this petition to make special for expedited examination is being made to the USPTO.

The client agrees to elect over the phone without traverse if restriction may be deemed necessary by the Examiner.

CONCLUSION

For the above mentioned reasons, applicants respectfully requests that this application be granted special status pursuant to MPEP rule 708.02 subsection V, as the claimed technology directly and relevantly is directed toward materially enhancing the quality of the environment of mankind by contributing to the maintenance of the basic life-sustaining natural elements, i.e., water and soil by preventing contamination.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name: Geeta Kadambi
Registration Number: 64446
Address: 43526 Gallegos Avenue
Fremont, CA, 94539

Sign: /Geeta Kadambi/

Date: July 25th, 2011

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.
13/189,731	07/25/2011	Ahmed Ali Basfar	RIPLLC007.006US1	1822

97207 7590 08/29/2011
Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont, CA 94539

EXAMINER

ART UNIT	PAPER NUMBER
1762	

NOTIFICATION DATE	DELIVERY MODE
08/29/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

geeta@riddhiip.com
docketing@facetsip.com

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8/29/11

Geeta Kadambi
Riddhi IP LLC
43526 Gallegos Avenue
Fremont CA 94539

In re Application of	:	
Basfar et al.	:	DECISION ON PETITION
Application No. 13/189,731	:	TO MAKE SPECIAL UNDER
Filed: 7/25/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **RIPLLC007.006US1**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 7/25/2011, 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 1762 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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.
13/189,758	07/25/2011	DANIEL PURKIS	1158-014	1871

79606 7590 10/21/2011
Buchanan Nipper LLC
P.O. Box 700
Perrysburg, OH 43552-0700

EXAMINER
ANDRISH, SEAN D

ART UNIT	PAPER NUMBER
3672	

MAIL DATE	DELIVERY MODE
10/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 27 2011

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Buchanan Nipper LLC
P.O. Box 700
Perrysburg OH 43552-0700

In re application of Daniel Purkis Application No. 13/189758 Filed: July 25, 2011 For: RUNNING ADAPTER	**DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)**

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed August 2, 2011, to make the above-identified application special.

The request and petition are **DISMISSED as MOOT.**

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 UKIPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the UKIPO, application(s) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UKIPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest Office action from each of the UKIPO 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 UKIPO examiner in the UKIPO 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 is not grantable as per item (4) above in that Examination of the U.S. application has already begun. A Non Final Office action was mailed on October 13, 2011.

No time period for reply to this decision is available since an Office action on the merits has already been mailed.

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: 10/20/11

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WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400
900 SECOND AVENUE SOUTH
MINNEAPOLIS MN 55402

MAILED

AUG 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Reynolds W. Guyer et al.	:	
Application No. 13/189,797	:	DECISION ON PETITION
Filed: July 25, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. W427.12-0010	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 25, 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 Reynolds W. Guyer, attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Upon completion of the pre-examination processing by the Office of Patent Application Processing, this application will be referred to Technology Center 3711 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400
900 SECOND AVENUE SOUTH
MINNEAPOLIS MN 55402

MAILED

SEP 19 2011

OFFICE OF PETITIONS

In re Application of :
Reynolds W. Guyer et al. :
Application No. 13/189,898 : DECISION ON PETITION
Filed: July 25, 2011 :
Attorney Docket No. W427.12-0009 :

This is a decision on the petition filed July 25, 2011, requesting under 37 CFR 1.182 that the acceptance of the terminal disclaimer filed May 21, 2010 be withdrawn.

The petition for withdrawal of terminal disclaimers is **DISMISSED as being MOOT**.

A terminal disclaimer in priority application SN 12/056,957 was filed May 21, 2010. Petitioner requests that this terminal disclaimer with respect to claims in the instant application be withdrawn and nullified. Review of the priority application 12/056,957 shows that a petition to withdraw the terminal disclaimer was filed November 12, 2010 and was granted in a petition decision mailed January 20, 2011. Therefore the terminal disclaimer has already been withdrawn and has no effect in the above identified application. The instant petition is dismissed as being moot.

Telephone inquiries related to this decision should be addressed to the undersigned at (571) – 272-6842.

Carl Friedman
Petitions Examiner
Office of Petitions

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Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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MAILED

SEP 26 2011

OFFICE OF PETITIONS

WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400
900 SECOND AVENUE SOUTH
MINNEAPOLIS MN 55402

In re Application of :
Reynolds W. Guyer et al : DECISION ON PETITION
Application No. 13/189,898 : 37 CFR 1.102(c)(1)
Filed: July 25, 2011 :
Attorney Docket No. W427.12-0009 :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 25, 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**.

Petitioner states in the instant petition that he is in possession of evidence, and will retain such in the application file record, showing that the inventor "Reynolds W. Guyer" is 65 years of age, or more. Accordingly, the application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3208.

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 Technology Center Art Unit 3711 for action on the merits commensurate with this decision.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions

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SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

MAILED
MAR 19 2012
OFFICE OF PETITIONS

In re Application of
Hideo Sanai
Application No.: 13/189,901
Filed: July 25, 2011
Attorney Docket No.: 27890Z
For: ULTRASOUND OPERATION SYSTEM AND SURGICAL TREATMENT INSTRUMENT

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 2, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

DISCUSSION

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or

c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
   i. validly claims priority to an application filed in the JPO, or
   ii. validly claims priority to a PCT application that contains no priority claims, or
   iii. contains no priority claim;

2. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
3. Examination of the U.S. application has not begun;
4. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
5. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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: 248376	Application Number (if known): 13/189,947	Filing date: 07-25-2011

First Named Inventor: Megan M. Wilson

Title: SYSTEM AND METHOD FOR IDENTIFYING REGIONS OF DISTINCT WIND FLOW

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date October 10, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Megan M. Wilson	)
Confirmation No.: 1220	)
	)
Serial No.: 13/189,947	)
	)
Filing Date: 07-25-2011	)
	)
Atty Docket No.: 248376	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present application is generally directed to a method for determining regions of distinct wind flow, and more particularly to a method for determining desirable locations for wind measurement devices and wind turbines within a proposed wind farm site. (See [0001]).

It is desirable to detect regions of distinct wind flow at a potential wind turbine plant location to assist in the measurement and development of wind velocity data and to identify recirculation zones. For instance, during the development of wind velocity data for a proposed wind farm site, it can be desirable to know the locations of areas of distinct wind flow to identify the areas for placement of wind measurement devices. This can also be used when there is poor cross-prediction between meteorological measurement devices to group turbines with the appropriate meteorological measurement devices based on these distinct regions. In addition, once a wind velocity field has been determined, for instance, using computational fluid dynamics and data collected by the wind measurement devices, it can be desirable to identify recirculation zones within the wind velocity field. (See [0008]).

Thus, a need exists for a system and method that can be used to automatically detect regions of distinct flow in a wind velocity field. A system and method that identifies regions of distinct flow to assist in placement of wind measurement devices for developing wind velocity data would be useful. A system and method that identifies recirculation zones and defines the recirculation zones as exclusion zones in a wind turbine layout optimization tool, such as a computing device executing a wind turbine layout software application or similar wind turbine layout optimization tool, would be particularly useful. (See [0011]).

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

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.
13/189,947	07/25/2011	Megan M. Wilson	248376/GEC-324	1220

87853 7590 10/26/2011
Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
2857	

MAIL DATE	DELIVERY MODE
10/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Dority & Manning, PA and General Electric Company
Post Office Box 1449
Greenville SC 29602

In re Application of	:	
Megan M. WILSON	:	DECISION ON PETITION
Application No. 13/189,947	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 248376/GEC-324	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

The application is being forwarded to the Technology Center Art Unit 2857 for action on the merits commensurate with this decision.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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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	:	
Stephen Mark MCALLISTER et al.	:	
Application No. 13/189,987	:	DECISION ON PETITION
Filed: July 25, 2011	:	
Attorney Docket No. 11795-0027-01	:	

This is a decision on the petition under 37 CFR 1.137(b), filed August 08, 2011.

The petition under 37 CFR 1.137(b) is **Dismissed as Moot.**

The record shows that the above application has not been abandoned therefore the filing of a petition for revival was unnecessary.

In view of the above, the $1,620.00 petition will be credited to petitioner's deposit account.

Inquiries concerning this decision may be directed to the undersigned at (571) 272-4231.

Michelle R. Eason
Paralegal Specialist
Office of Petitions

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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE CA 92614

MAILED
MAR 27 2012
OFFICE OF PETITIONS

Applicant: Prashant Bhadri et al
Appl. No.: 13/190,142
International Filing Date: July 25, 2011
Title: ENHANCED VISUALIZATION ILLUMINATION SYSTEM
Attorney Docket No.: DOHENY2.018C1D1
pub. No.: US 20110282161 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 January 10, 2012, for the above-identified application

The request is DISMISSED.

Applicant requests that the application be republished because the patent application publication contains a material error on the front page of the application wherein one of the inventors' names has been misspelled.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed **within two months** from the date of the patent application publication. **This period is not extendable**." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. [1]

The error on the front page of the publication wherein one of the inventor's name is misspelled is not a material error under 37 CFR 1.221(b). An error in an inventor's name and/or assignees name does not affect the understanding of the application. The error in the inventors name is not a material mistake because it 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 to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. See MPEP 1130.

[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 request for a Corrected Filing Receipt submitted on January 10, 2012, will be treated separately.

Applicants are encouraged to use and submit an **eADS** (PTO/SB/14) as an EFS-Web Fillable Form, rather than a scanned PDF image, to benefit from having the data loaded directly into USPTO electronic systems. For questions contact the Patent EBC (Electronic Business Center):
Telephone: 1-866-217-9197 (toll-free) or E-mail: ebc@uspto.gov
571-272-4100 (local)

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

A guide for filing a request for a Pre-Grant Publication, such as a request for republication, may be found on the link below:

http://www.uspto.gov/patents/process/file/efs/guidance/index.jsp

http://www.uspto.gov/ebc/portal/efs/pgpub_quickstart.pdf

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system, as a "Pre-Grant Publication."

Inquiries relating to this matter may be directed to Karen Creasy at (571) 272-3208.

/Christopher Bottorff/

Christopher Bottorff
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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MAILED
JAN 09 2012
OFFICE OF PETITIONS

JAMES EDWARD LEDBETTER
1875 EYE STREET
SUITE 1200
WASHINGTON DC 20006

In re Application of
MURAKAMI, et al
Application No.: 13/190,158
Filed: July 25, 2011
Attorney Docket No.: 009289-72412
For: TRANSMITTER 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 October 31, 2011, to make the above-identified application special.

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 then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;

3. Applicant must
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;

4. Examination of the U.S. application has not begun;

5. Applicant must submit:
    a. Documentation of prior office action:
        i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
        ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
        iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

    Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
    b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
    c. A statement that the English translation is accurate;

6. Applicant must submit:
    a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition fails to meet condition (4) above.

Regarding the requirement of condition (4), an Office action has been completed on this application. Since examination of the U.S. application has begun, the request filed October 31, 2011, to make the above-identified application special cannot be granted.

Telephone inquiries concerning this decision should be directed to Diane Goodwyn (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.

Anthony Knight
Director
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: GIP-0036	Application Number (if known):	Filing date: 07/25/2011

First Named Inventor: Young Kuk KWAK

Title: LIGHTING DEVICE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature	Date 07/25/2011
Name (Print/Typed) David C. Oren	Registration Number 38,694

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: **GIP-0036** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Young Kuk KWAK and Sang Jun HONG

Serial No.: **New U.S. Application**

Filed: **July 25, 2011** Customer No.: **34610**

For: **LIGHTING DEVICE**

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP PETITIONS**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Special status is sought under 37 C.F.R. §1.102 because the invention materially contributes to the more efficient utilization and conservation of energy resources. As one non-limiting example, independent claim 1 relates to a light source unit that includes a light source unit having a light emitting diode to emit light toward a reflector. This may materially contribute to a more efficient utilization of energy resources.

Respectfully submitted,
KED & ASSOCIATES, LLP

David C. Oren
Registration No. 38,694

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DCO/kah
Date: July 25, 2011
Please direct all correspondence to Customer Number 34610

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.
13/190,180	07/25/2011	Young Kuk KWAK	GIP-0036	1671

34610 7590 09/22/2011
KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER

ART UNIT	PAPER NUMBER
2875	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston VA 20195

In re Application of	:	
KWAK et al.	:	DECISION ON PETITION
Application No. 13/190180	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GIP-0036	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 25, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 617.1008	Application Number (if known): To be assigned	Filing date: Herewith

First Named Inventor: Christopher K. DYER

Title: SYSTEM AND METHOD FOR RECHARGING ELECTRIC VEHICLE BATTERIES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature	Date July 25, 2011
Name (Print/Typed) William C. Gehris	Registration Number 38,156

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/190,197	07/25/2011	Christopher K. Dyer	617.1008	1704

23280 7590 11/29/2011
Davidson, Davidson & Kappel, LLC
485 7th Avenue
14th Floor
New York, NY 10018

EXAMINER

ART UNIT	PAPER NUMBER
2858	

MAIL DATE	DELIVERY MODE
11/29/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Davidson, Davidson & Kappel, LLC
485 7th Avenue
14th Floor
New York NY 10018

In re Application of	:	
DYER et al.	:	DECISION ON PETITION
Application No. 13/190,197	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 617.1008	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 25, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

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: 617.1009	Application Number (if known): To be assigned	Filing date: Herewith

First Named Inventor: Christopher K. DYER

Title: STATION FOR RAPIDLY CHARGING AN ELECTRIC VEHICLE BATTERY

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 WCG	Date July 25, 2011
Name (Print/Typed) William C. Gehris	Registration Number 38,156

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/190,225	07/25/2011	Christopher K. DYER	617.1009	1756

23280 7590 11/29/2011
Davidson, Davidson & Kappel, LLC
485 7th Avenue
14th Floor
New York, NY 10018

EXAMINER

ART UNIT	PAPER NUMBER
2858	

MAIL DATE	DELIVERY MODE
11/29/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Davidson, Davidson & Kappel, LLC
485 7th Avenue
14th Floor
New York NY 10018

In re Application of	:	
DYER et al.	:	DECISION ON PETITION
Application No. 13/190,225	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 617.1009	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 25, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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COX SMITH MATTHEWS INCORPORATED
112 EAST PECAN STREET, SUITE 1800
SAN ANTONIO TX 78205-1521

MAILED
MAR 30 2012
OFFICE OF PETITIONS

In re Application of	:	
Lewis, Sally Sirkin	:	DECISION ON PETITION
Application No. 13/190,291	:	TO MAKE SPECIAL
Filed: July 25, 2011	:	37 CFR 1.102(C)
Attorney Docket No. 32909.201	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed March 20, 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. No fee is required.

The instant petition includes a statement from Sally Sirkin Lewis's attorney, attesting to the inventor being 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3206. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to Technology Center Art Unit 1715 for action on the merits commensurate with this decision.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Sprinkle IP Law Group/Zimmer
1301 W. 25th Street
Suite 408
Austin, TX 78705

MAILED
MAR 06 2012
OFFICE OF PETITIONS

In re Application of	:	
Erik J. Wagner et al.	:	
Application No. 13/190,370	:	DECISION ON PETITION
Filed: July 25, 2011	:	TO WITHDRAW
Attorney Docket No. 1292.1419106	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed February 27, 2012.

The request is **moot because a revocation of power of attorney has been filed**.

A review of the file record indicates that the power of attorney to all attorneys/agents associated with the firm of Sprinkle Law Group have been revoked by the assignee of the patent application on February 16, 2012. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

All future communications from the Office will continue to be directed to the below listed until otherwise notified by applicant.

Telephone inquires concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

cc: Seager, Tufte & Wickhem, LLC
1221 Nicollet Avenue
Suite 800
Minneapolis, MN 55403-2420

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: 32185.66	Application Number (if known): 13/190,380	Filing date: 07/25/2011

First Named Inventor: Samir Mekid

Title: Method of Conserving Energy and Water Using an Apparatus to Locate Leaks in Subsurface Pipelines

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: Request for First Action Interview

Signature	Date 08/17/2011
Name (Print/Typed) Richard J. Apley	Registration Number 51,316

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No. **32185.66**

Confirmation No. **2017**

Customer No. **37833**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE PATENT APPLICATION OF:

APPLICANT: **SAMIR MEKID ET AL.**

SERIAL NO: **13/190,380** ART UNIT: **2856**

FILED: **07/25/2011** EXAMINER: **UNASSIGNED**

FOR: **Method of Conserving Energy and Water Using an Apparatus to Locate Leaks in Subsurface Pipelines**

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

STATEMENT OF SPECIAL STATUS ACCOMPANYING PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Sir:

This communication accompanies the Petition to Make Special Under the Green Technology Pilot Program filed herewith for the above-referenced patent application. Applicant is requesting early publication under CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) is filed herewith. Further, a Request for First Action Interview is being filed herewith.

Advancement of examination out of turn of the above-referenced patent application is hereby requested under the Green Technology Pilot Program. The present invention generally relates to *environmental quality and energy conservation.*

In particular, the present invention is drawn to a method for detecting the location of leaks in subsurface pipelines, and particularly to conserving energy such as fuel or natural gas, or water, desalinated or purified, transported through these pipelines by employing an apparatus that uses radio frequency identification (RFID) tags inside the buried pipelines to locate the specific site of leakage of the fuel, gas or water from the pipeline, thereby preserving these natural resources. The invention reduces the unnecessary use of energy to replace the processed water or fossil fuel that is lost through leakage under the surface, and prevents resulting environmental contamination from leakage for which the location is not detected.

In regions of the world where fresh water is virtually non-existent, the principal source of water is through the energy intensive desalination of seawater. Large amounts of fossil fuels are used in the desalination process, and pipelines of relatively expensive drinking water are buried below the surface to transport the water to inland populations. Unfortunately, leaks in these pipelines are common and are not easily located. It has been reported that 30% of the water transported across the Kingdom of Saudi Arabia (KSA) is lost through leakage. The need to conserve this limited resource is compounded by the additional cost to replenish the leaked water by producing additional desalinated water through even further use of fuel. Leaks in water pipelines, while far from being a new problem, is escalating with increasing population growth in the desert areas. The undetected leaks also expose the water flowing through these pipe to subsurface contaminants and carcinogenic agents that may exist under the surface.

Similarly, leaks in oil and natural gas pipelines cause environmentally harmful damage to surrounding areas as well as loss of valuable energy resources transported by pipelines. While the environmental damage associated with the loss of oil and natural gas (a potent green house gas) is more widely reported, significant losses of processed gas, oil or water require a corresponding additional amount of energy generation, resulting in additional pollution and millions of dollars in wasted energy. Furthermore, the problems of leakage can result in hazardous contaminants into the fuel or gas, and water distributed worldwide. It has been reported by a group of medical doctors from the department of Oncology, King Faisal Specialist Hospital, Riyadh, Saudi Arabia, that water contamination causing esophageal cancer at the Qassim region in the Kingdom of Saudi Arabia constitutes a major health risk and problem there. Furthermore, leaks can cause major infrastructure problems by undermining ground stability and, in the process, damaging roads and buildings.

To address these very significant environmental issues in subsurface pipelines that can be many hundreds or thousands of miles in length the disclosed method of conserving energy and water using an apparatus to locate leaks in a subsurface pipelines solving the aforementioned problems is disclosed. The method of conserving energy and water using an apparatus to locate leaks in subsurface pipelines includes the steps of adhering an elongated continuous tape having ribbons of Radio-Frequency Identifier (RFID) tags mounted thereon to the inner wall of a pipeline, the RFID tags being encoded with and configured to transmit identifiers uniquely identifying each tag; recording the RFID tag

identifiers as the tape is being installed in the pipeline using an RFID reader and a recording medium; associating the RFID tag identifiers with a map location of a section of pipeline by comparing the length of tape from the pipeline opening to the RFID tag with a map or plat of the pipeline; equipping a mobile pipeline leak detector device with an RFID tag reader; sending the mobile pipeline leak detector through the pipeline; reading the identifier of an RFID tag in a section of pipeline having a leak using the RFID reader on the mobile leak detector; receiving the RFID tag identifier by RF signal when the pipeline is made of a material permitting transmission of RF signals by the mobile leak detector; storing the RFID tag identifier and subsequently retrieving the RFID tag identifier when the pipeline shields RF signals; and associating the RFID tag identifier at the location of the leak with the map location of the pipeline leak. The pipeline may transport a water supply, a fuel (such as natural gas or a petroleum-based fuel), or other natural resource.

The apparatus includes a supply roll of tape having ribbons of RFID tags mounted on one side of the tape and a layer of adhesive on the opposite side of the tape. The roll includes a backing or release tape covering the RFID tags to prevent the tape from adhering to the tags when the tape is wound into a roll. The RFID tags may also be coated with a protective coating to insulate the tags from the fluid being transported in the pipeline, when necessary.

The apparatus also includes a mobile device referred to herein as an RFID applicator for adhering the tape to the inner wall of the pipeline. The applicator includes

a triangular front wall having three spring-biased legs extending from the vertices or corners of the triangular wall, the legs terminating in rollers or wheels adapted for engaging or bearing against the inner surface of the pipeline at three spaced apart points. The supply roll of RFID tags is mounted for rotation on an axis supported by the triangular front wall, the supply roll being mounted transversely on the wall. The tape is unwound and guided so that the tape passes between one of the rollers and the inner wall of the pipeline, the roller pressing the tape against the wall of the pipeline to adhere the tape thereto, the roller bearing against the backing or release side of the tape. The applicator includes a rear support wall having two or three rollers or wheels mounted thereon that are adapted for engaging the pipeline wall. The rear support includes a motor, a controller, and a drive mechanism for driving the rollers so that the device may be operated as a robotic device by remote control. A frame member extends between the front wall and the rear support wall, the frame member supporting an RFID tag reader and a take-up reel. The tape backing is wound on the take-up reel as the tape is applied to the inner wall of the pipeline. The take-up reel may include a drive mechanism synchronized to advance or pull the tape of RFID tags from the supply roll as the RFID applicator advances through the pipeline.

It is believed that the requirements to accelerate examination of the above-referenced patent application under the Green Technology Pilot Program have been met, and such action is respectfully requested.

Respectfully submitted,

Richard J. Apley
Registration No. 51,316
(703) 486-1000

RJA: mat

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.
13/190,380	07/25/2011	SAMIR MEKID	32185.66	2017

37833 7590 09/22/2011
LITMAN LAW OFFICES, LTD.
PATENT LAW BUILDING
8955 CENTER STREET
MANASSAS, VA 20110

EXAMINER

ART UNIT	PAPER NUMBER
2612	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Alexandria, VA 22313-1450
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LITMAN LAW OFFICES, LTD.
PATENT LAW BUILDING
8955 CENTER STREET
MANASSAS VA 20110

In re Application of	:	
MEKID et al.	:	DECISION ON PETITION
Application No. 13/190,380	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 32185.66	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on August 17, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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.
13/190,407	07/25/2011	William H. Fenstermaker	Fenstermaker Blink C1	2074

63082 7590 02/17/2012
LEMOINE & ASSOCIATES L.L.C.
1018 Harding St.
Suite 102B
LAFAYETTE, LA 70503

EXAMINER
JARRETT, SCOTT L

ART UNIT	PAPER NUMBER
3624	

MAIL DATE	DELIVERY MODE
02/17/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE FEB 17 2012

Commissioner for Patents
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February 15, 2012

LEMOINE & ASSOCIATES L.L.c.
1018 Harding St.
Suite 102B.
LAFAYETTE, LA 70503

In re Application of
William H. Fenstermaker et al.
Application No: 13/190,407
Filed: 07/25/2011
Attorney Docket No. FENSTERMAKER BLINK

: DECISION ON PETITION
: TO ACCEPT COLOR DAWINGS
: UNDER 37 CFR 1.84(a)(2)

For: Method for Visual Presentation of Key Performance Indicators of a Business Utilizing a Squarified Tree Map

This is a decision on the petition under 37 CFR 1.84(a)(2), filed July 25, 2011 requesting acceptance of color drawings. The petition requests that the color drawings submitted in this application be accepted in lieu of black and white drawings.

The petition is **GRANTED.**

A grantable petition under 37 CFR 1.84(a)(2) must be accompanied by a fee set forth under 37 CFR 1.17(h), three (3) sets of the color drawings in question, and the specification must contain, or be 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.*

NOTE: According to Section H of the Legal Framework for EFS-Web (17DEC09), "only one set of such color drawings is necessary when filing via EFS-Web."

This petition properly includes:

(i) The fee set forth in § 1.17(h);
(ii) Three (3) sets of the color drawings;
(iii) An amendment to the specification to insert 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.*

Applicant is requesting the acceptance of color drawings because the color drawings are necessary as the only practical medium by which the subject matter sought to be patented in this application may be accurately conveyed. The present invention involves quantitative associations of changing market shares of various competing products and visually complex charts, for example, are necessary to illustrate various features of the claims.

The criteria for accepting color drawings in a patent application is set forth in MPEP 608.02 and 37 C.F.R. 1.84(a)(2):

37 C.F.R Section 1.84, Standards for Drawings, sets forth the following:

§ 1.84 Standards for drawings.
(a) Drawings . There are two acceptable categories for presenting drawings in
utility and design patent applications.
(1) Black ink . Black and white drawings are normally required. India ink, or its
equivalent that secures solid black lines, must be used for drawings; or
(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.

In the instant application, it is considered that color drawings are the only practical medium for disclosing the subject matter to be patented in this application. Therefore, the color drawings in this application have been accepted.

Any questions regarding this decision should be directed to Supervisory Patent Examiner Lynda Jasmin.

The petition is **GRANTED**.

Lynda C. Jasmin
Supervisory Patent Examiner
Technology Center 3600, Art Unit 3624

lj: 2/15/2012

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United States Patent and Trademark Office
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GREENBERG TRAURIG, LLP (SV)
c/o: Greenberg Traurig LLP - Chicago Office
77 West Wacker Drive, Suite 3100
Intellectual Property Department
Chicago IL 60601

MAILED
SEP 07 2011
OFFICE OF PETITIONS

In re Application of	:	
William Charles Mortimore Jr.	:	
Application No. 13/190,418	:	NOTICE
Filed: July 25, 2011	:	
Attorney Docket No. **076840-206402/US**	:	

This is a notice regarding your request filed August 16, 2011, for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

Inquiries related to this communication should be directed to the undersigned at (571) 272-4584.

JoAnne Burke
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: 108.1070.US.UTL	Application Number (if known): 13/190,435	Filing date: July 25, 2011
First Named Inventor: Thomas E. Hoff		
Title: Computer-Implemented System And Method For Determining Point-To-Point Correlation Of Sky Clearness For Photovoltaic Power Generation Fleet Output Estimation		

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 July 26, 2011
Name (Print/Typed) Patrick J.S. Inouye	Registration Number 40297

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

[X] *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Thomas E. Hoff	)	Group Art Unit: 1725
Serial No. 13/190,435	)	Examiner: *Unassigned*
Filed: July 25, 2011	)	
For: Computer-Implemented System and Method for Determining Point-to-Point Correlation of Sky Clearness for Photovoltaic Power Generation Fleet Output Estimation	)	

STATEMENT OF ELIGIBILITY FOR PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicant's basis for inclusion in the Green Technology Pilot Program is that the invention materially enhances the quality of the environment and materially contributes to the discovery or development of renewable energy resources, as well as the conservation of energy resources.

This application relates in general to photovoltaic power generation fleet planning and operation. Photovoltaic systems are a form of renewable energy resource and are widely applicable as standalone off-grid power systems, sources of supplemental electricity, such as for use in a building or house, and as power grid-connected systems. Typically, when integrated into a power grid, photovoltaic systems are collectively operated as a fleet, although the individual systems in the fleet may be deployed at different physical locations within a geographic region. As power generation and consumption must be balanced across an entire power grid, planners and operators of power grids in particular rely on performance data from all power generation systems serving the power grid to accurately gauge on-going power generation and consumption.

Photovoltaic fleets participating as part of a power grid are expected to exhibit predictable power generation behaviors, even though photovoltaic fleets operating under cloudy conditions can exhibit variable and unpredictable performance. Photovoltaic system power output is particularly sensitive to shading due to cloud cover, and a photovoltaic array with only a small portion covered in shade can suffer a dramatic decrease in power output. As a result, photovoltaic fleet power production data is particularly crucial where a fleet makes a significant contribution to the grid's overall energy mix. Moreover, correlating overhead sky clearness between two locations spanned by a large photovoltaic fleet can help relax the need to obtain power measurements for every system in a photovoltaic fleet, while still providing an accurate prediction of aggregate fleet power output.

The present application is directed to a computer-implemented methodology for correlating point-to-point cloudy conditions in the context of generating high-speed time series performance data for a photovoltaic fleet, which provides results in a form that is useful and usable by electric power grid planning and operation tools. The methodology employs a fully derived statistical approach to generating high-speed photovoltaic fleet production data and uses a small sample of input data sources as diverse as ground-based weather stations, existing photovoltaic systems, or solar data calculated from satellite images. The time series performance data results are usable for any photovoltaic fleet configuration and support any time resolution, even those time resolutions faster than the input data collection rate.

The claims are directed to providing a computer-implemented method for estimating power data for a photovoltaic power generation fleet. For instance, Claim 1 recites, *inter alia*, determining a temporal distance between two points suitable for operation of a photovoltaic station that comprises the physical distance between the two points in proportion to cloud speed, evaluating a correlation between sky clearness over the two points, and correlating a set of input clearness indexes for one of the points into a set of output clearness indexes indicating the sky clearness for the other of the points, which materially

contributes to the development of photovoltaic fleet power generation as a renewable energy resource by permitting weather conditions experienced by different components of a geographically dispersed photovoltaic fleet to be correlated, as well as the conservation of energy resources by lowering or eliminating the need for energy production in a power grid based on non-renewal energy resources.

Based on the aforementioned reasons, the present application materially contributes to the discovery or development of renewable energy resources, as well as the conservation of energy resources. Accordingly, this application is eligible for the Green Technology Pilot Program.

Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Respectfully submitted,

Dated: July 26, 2011

By: _____
Patrick J.S. Inouye, Esq.
Reg. No. 40,297

Cascadia Intellectual Property
500 Union Street, Suite 1005
Seattle, WA 98101

Telephone: (206) 381-3900
Facsimile: (206) 381-3999

Stmt to Make Special Under GT Pilot Program

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/190,435	07/25/2011	Thomas E. Hoff	108.1070.US.UTL	2136

22895 7590 09/20/2011
CASCADIA INTELLECTUAL PROPERTY
500 UNION STREET
SUITE 1005
SEATTLE, WA 98101

EXAMINER

ART UNIT	PAPER NUMBER
2857	

MAIL DATE	DELIVERY MODE
09/20/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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SUITE 1005
SEATTLE WA 98101

SEP 20 2011

In re Application of	:	
Hoff	:	DECISION ON PETITION
Application No. 13/190,435	:	TO MAKE SPECIAL UNDER
Filed: 7/25/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **108.1070.US.UTL**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 7/26/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 108.1100.US.UTL	Application Number (if known): 13/190,442	Filing date: July 25, 2011
First Named Inventor: Thomas E. Hoff		
Title: Computer-Implemented System And Method For Estimating Power Data For A Photovoltaic Power Generation Fleet		

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 July 26, 2011
Name (Print/Typed) Patrick J.S. Inouye	Registration Number 40297

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

[X] *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Thomas E. Hoff	)	Group Art Unit: 1725
Serial No. 13/190,442	)	Examiner: *Unassigned*
Filed: July 25, 2011	)	
For: Computer-Implemented System and Method for Estimating Power Data for a Photovoltaic Power Generation Fleet	)	

STATEMENT OF ELIGIBILITY FOR PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicant's basis for inclusion in the Green Technology Pilot Program is that the invention materially enhances the quality of the environment and materially contributes to the discovery or development of renewable energy resources, as well as the conservation of energy resources.

This application relates in general to photovoltaic power generation fleet planning and operation. Photovoltaic systems are a form of renewable energy resource and are widely applicable as standalone off-grid power systems, sources of supplemental electricity, such as for use in a building or house, and as power grid-connected systems. Typically, when integrated into a power grid, photovoltaic systems are collectively operated as a fleet, although the individual systems in the fleet may be deployed at different physical locations within a geographic region. As power generation and consumption must be balanced across an entire power grid, planners and operators of power grids in particular rely on performance data from all power generation systems serving the power grid to accurately gauge on-going power generation and consumption.

Photovoltaic fleets participating as part of a power grid are expected to exhibit predictable power generation behaviors, even though photovoltaic fleets operating under cloudy conditions can exhibit variable and unpredictable performance. Photovoltaic system power output is particularly sensitive to shading due to cloud cover, and a photovoltaic array with only a small portion covered in shade can suffer a dramatic decrease in power output. As a result, photovoltaic fleet power production data is particularly crucial where a fleet makes a significant contribution to the grid's overall energy mix.

The present application is directed to a computer-implemented methodology for generating high-speed time series performance data for a photovoltaic fleet, which provides results in a form that is useful and usable by electric power grid planning and operation tools. The methodology employs a fully derived statistical approach to generating high-speed photovoltaic fleet production data and uses a small sample of input data sources as diverse as ground-based weather stations, existing photovoltaic systems, or solar data calculated from satellite images. The time series performance data results are usable for any photovoltaic fleet configuration and support any time resolution, even those time resolutions faster than the input data collection rate.

The claims are directed to providing a computer-implemented method for estimating power data for a photovoltaic power generation fleet. For instance, Claim 1 recites, *inter alia*, assembling sets of solar irradiance data for a plurality of locations representative of a geographic region within which a photovoltaic fleet is located, converting the solar irradiance data into a set of clearness indexes, builds power statistics for the photovoltaic fleet as a function of the fleet irradiance statistics and a power rating of the photovoltaic fleet, and generating a time series of the power statistics for the photovoltaic fleet, which materially contributes to the development of photovoltaic fleet power generation as a renewable energy resource, as well as the conservation of energy resources by lowering or eliminating the need for energy production in a power grid based on non-renewal energy resources.

Based on the aforementioned reasons, the present application materially

contributes to the discovery or development of renewable energy resources, as well as the conservation of energy resources. Accordingly, this application is eligible for the Green Technology Pilot Program.

Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Respectfully submitted,

Dated: July 26, 2011

By: _____
Patrick J.S. Inouye, Esq.
Reg. No. 40,297

Cascadia Intellectual Property
500 Union Street, Suite 1005
Seattle, WA 98101

Telephone: (206) 381-3900
Facsimile: (206) 381-3999

Stmt to Make Special Under GT Pilot Program

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/190,442	07/25/2011	Thomas E. Hoff	108.1100.US.UTL	2152

22895 7590 08/26/2011
CASCADIA INTELLECTUAL PROPERTY
500 UNION STREET
SUITE 1005
SEATTLE, WA 98101

EXAMINER

ART UNIT	PAPER NUMBER
1725	

MAIL DATE	DELIVERY MODE
08/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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8/26/11

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SEATTLE WA 98101

In re Application of	:	
Thomas E. Hoff	:	DECISION ON PETITION
Application No. 13/190,442	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 108.1100.US.UTL	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 26, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Doc Code: 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: 108.1102.US.UTL	Application Number (if known): 13/190,449	Filing date: July 25, 2011
First Named Inventor: Thomas E. Hoff		
Title: Computer-Implemented System And Method For Efficiently Performing Area-To-Point Conversion Of Satellite Imagery For Photovoltaic Power Generation Fleet Output Estimation		

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 July 26, 2011
Name (Print/Typed) Patrick J.S. Inouye	Registration Number 40297

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

[X] *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Thomas E. Hoff	)	Group Art Unit: 1725
Serial No. 13/190,449	)	Examiner: *Unassigned*
Filed: July 25, 2011	)	
For: Computer-Implemented System and Method for Efficiently Performing Area-to-Point Conversion of Satellite Imagery for Photovoltaic Power Generation Fleet Output Estimation	)	

STATEMENT OF ELIGIBILITY FOR PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Applicant's basis for inclusion in the Green Technology Pilot Program is that the invention materially enhances the quality of the environment and materially contributes to the discovery or development of renewable energy resources, as well as the conservation of energy resources.

This application relates in general to photovoltaic power generation fleet planning and operation. Photovoltaic systems are a form of renewable energy resource and are widely applicable as standalone off-grid power systems, sources of supplemental electricity, such as for use in a building or house, and as power grid-connected systems. Typically, when integrated into a power grid, photovoltaic systems are collectively operated as a fleet, although the individual systems in the fleet may be deployed at different physical locations within a geographic region. As power generation and consumption must be balanced across an entire power grid, planners and operators of power grids in particular

rely on performance data from all power generation systems serving the power grid to accurately gauge on-going power generation and consumption.

Photovoltaic fleets participating as part of a power grid are expected to exhibit predictable power generation behaviors, even though photovoltaic fleets operating under cloudy conditions can exhibit variable and unpredictable performance. Photovoltaic system power output is particularly sensitive to shading due to cloud cover, and a photovoltaic array with only a small portion covered in shade can suffer a dramatic decrease in power output. As a result, photovoltaic fleet power production data is particularly crucial where a fleet makes a significant contribution to the grid's overall energy mix. Moreover, converting area-based satellite imagery of overhead sky clearness into point-based data is a necessary preliminary step in determining the power output of a photovoltaic system.

The present application is directed to a computer-implemented methodology for converting satellite area imagery into point data in the context of generating high-speed time series performance data for a photovoltaic fleet, which provides results in a form that is useful and usable by electric power grid planning and operation tools. The methodology employs a fully derived statistical approach to generating high-speed photovoltaic fleet production data and uses a small sample of input data sources as diverse as ground-based weather stations, existing photovoltaic systems, or solar data calculated from satellite images. The time series performance data results are usable for any photovoltaic fleet configuration and support any time resolution, even those time resolutions faster than the input data collection rate.

The claims are directed to providing a computer-implemented method for a computer-implemented system and method for efficiently performing area-to-point conversion of satellite imagery for photovoltaic power generation fleet output estimation. For instance, Claim 1 recites, *inter alia*, accessing satellite imagery data of overhead sky clearness for a geographic region suitable for operation of a photovoltaic station, identifying a set of pixels corresponding to a bounded area, setting an area clearness index, expressing a variance of the area

clearness index, and determining a variance of the point clearness index as a ratio of the variance of the area clearness index and the physical area covered by each pixel given the point clearness index for the point, cloud speed, and time interval, which materially contributes to the development of photovoltaic fleet power generation as a renewable energy resource by adapting satellite pixel data for a geographic region into a form usable in determining photovoltaic fleet power output, as well as the conservation of energy resources by lowering or eliminating the need for energy production in a power grid based on non-renewal energy resources.

Based on the aforementioned reasons, the present application materially contributes to the discovery or development of renewable energy resources, as well as the conservation of energy resources. Accordingly, this application is eligible for the Green Technology Pilot Program.

Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

Respectfully submitted,

Dated: July 26, 2011

By: _____
Patrick J.S. Inouye, Esq.
Reg. No. 40,297

Cascadia Intellectual Property
500 Union Street, Suite 1005
Seattle, WA 98101

Telephone: (206) 381-3900
Facsimile: (206) 381-3999

Stmt to Make Special Under GT Pilot Program

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.
13/190,449	07/25/2011	Thomas E. Hoff	108.1102.US.UTL	2168

22895 7590 08/26/2011
CASCADIA INTELLECTUAL PROPERTY
500 UNION STREET
SUITE 1005
SEATTLE, WA 98101

EXAMINER

ART UNIT	PAPER NUMBER
1725	

MAIL DATE	DELIVERY MODE
08/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

8/26/11

CASCADIA INTELLECTUAL PROPERTY
500 UNION STREET
SUITE 1005
SEATTLE WA 98101

In re Application of	:	
Thomas E. Hoff	:	DECISION ON PETITION
Application No. 13/190,449	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 108.1102.US.UTL	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 26, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Doc Code: 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: 4442-115-CIP-CON	Application Number (if known):	Filing date: July 25, 2011

First Named Inventor: REIMANN-PHILIPP, Ulrich

Title: PROCESS FOR IN-SITU CLEANING OF DRINKING WATER FILTRATION MEDIA

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 /vincent k. gustafson/	Date July 25, 2011
Name (Print/Typed) Vincent K. Gustafson	Registration Number 46182

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:		**Docket No.:**	**4442-115-CIP-CON**
Applicants:	**REIMANN-PHILIPP, Ulrich, et al.**	**Conf. No.:**	**Not Yet Assigned**
Application No.:	**Not Yet Assigned**	**Art Unit:**	**Not Yet Assigned**
Date Filed:	**Herewith**	**Examiner:**	**Not Yet Assigned**
Title:	**PROCESS FOR IN-SITU CLEANING OF DRINKING WATER FILTRATION MEDIA**	**Customer No.:**	**23448**

CERTIFICATE OF EFS FILING

I hereby certify that this document is being filed via EFS in the United States Patent and Trademark Office on **July 25, 2011**.
/vincent k. gustafson/

SUBMISSION OF PETITION TO MAKE SPECIAL UNDER GREEN TECHNOLOGY PILOT PROGRAM; AND REQUEST FOR EARLY PUBLICATION UNDER 37 CFR 1.219

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby request participation in the Green Technology Pilot Program for the above-identified patent application. Enclosed in support of this request is a completed Form PTO/SB/420.

A. Request for Early Publication

Applicants hereby request early publication of the above-identified application under 37 CFR 1.219 and the publication fee of $300.00 set forth in 37 CFR 1.18(d) accompanies this request (i.e., as submitted via credit card online using the Electronic Filing System (EFS) of the U.S. Patent and Trademark Office). Applicants hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

B. Agreement to Make Election Without Traverse Responsive to Any USPTO Determination of Multiple Inventions

Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement for the Green Technology Pilot Program, if the USPTO determines that the claims of the above-identified patent application are not obviously directed to a single invention.

C. Demonstration of Eligibility for Green Technology Pilot Program

The above-identified application is a non-provisional utility patent application that (upon entry of the enclosed Preliminary Amendment) contains no more than three (3) independent claims and twenty (20) total claims. The application does not contain any multiple dependent claims.

The above-identified application is **directed to an invention that materially contributes to environmental quality**. Supporting reasons are set out below.

Filtration is an essential step in the treatment of drinking and industrial water supplies. Filtration is carried out to remove contaminants which are either introduced with the source water or are produced during the treatment process and which can affect water quality. Commonly, large-scale filtration involves passing the water either through granular filter media, such as various types of sand, anthracite coal, granular activated carbon or combinations thereof arranged in layers in a filter media bed.

Contaminants removed during filtration accumulate within a granular filter media bed. Over time, this accumulation leads to increased filter backpressure (measured by increased head loss), increased turbidity of the flow-through or in the worst case scenario, to breakthrough of contaminants. Regular backwashing is used to promote removal of accumulated filtrate in an effort to maintain filter performance and capacity.

Over time, filter media particles accumulate deposits of biological and non-biological material that cannot be removed by backwashing, and can significantly interfere with the function of a filter. It is therefore important to clean the filter bed not only of the loose particles removable by backwashing, but also of these surface deposits.

Depending on the water source and environmental conditions, surface deposits on the filter particles can consist predominantly of organic matter (biofilm), metal oxides, or calcium carbonate scale. Heavy fouling or scaling will eventually reduce filter performance. The consequences can be higher backwash frequency, reduced flow-rates, increased water turbidity, breakthrough of contaminants or a combination of these effects. If the deposits are not removed, the filter performance will decline below tolerable levels and filter media exchange becomes necessary.

Filter media exchange involves removing (e.g., excavating) large quantities of contaminated particulate material (which may be classified as hazardous waste), and hauling the material to an appropriate treatment and/or disposal facility. Such process is very expensive in terms of filtration media and downtime cost, and may not be a practical maintenance solution for water treatment installations having only a single filtration bed and that exclusively serve various customers. Maintenance procedures allowing for the cleaning of surface contaminants from filtration media as an alternative to media replacement are required.

Prior to the effective date of the present application, *in situ* cleaning of filter media was not performed on a widespread basis and was not well-understood. Prior filtration media chemical cleaning methods generally included the steps of applying a treatment liquid including an aqueous solution of a strong acid or base to the filtration media, followed by neutralization of the treatment liquid and backwashing or rinsing. In many instances, such treatment liquid flows through the filtration media too quickly for a cleaning reaction to be completed, and/or the

treatment liquid would address only a subset of the types of surface contaminants contained on the filtration media. As a result, treatment liquid would be applied repeatedly, requiring vast amounts of treatment liquid, and/or the treatment liquid would be circulated through the filtration media until the clearing reaction is completed (thus requiring specialized and expensive circulation equipment).

Given the difficulty of visually determining the degree and/or type of contamination affecting a particular filter bed, prior filtration media cleaning methods have involved substantial guesswork in determining requisite amounts and types of treatment liquid to achieve a desired cleaning utility. Excess treatment liquid has often been used, with the rationale that excess treatment liquid may be subsequently neutralized and removed. In some instances, filter media beds may be so contaminated that chemical cleaning is uneconomical (i.e., it would have been preferable to perform filtration media exchange rather than *in situ* cleaning), but such fact may not be known until after a cleaning process is initiated.

Unfortunately, use of excess treatment liquid such as strong acid or base components generates deleterious environmental effects. Prior to neutralization, fumes from excess treatment liquid are discharged into the air, presenting hazards to cleaning personnel and nearby wildlife.

The process of neutralizing pH of a strong acid or base inherently involves salt formation. When excess treatment liquid is used for *in situ* cleaning of water filtration media, the amount of salts produced by such neutralization is also increased. Neutralization materials may also involve other chemical components. Upon release of excess treatment liquid and neutralization products, excess salts and other components may negatively impact water quality.

Excess treatment liquid as applied to water filtration media also necessitates excessive use of backwashing pumps and rinsing liquid (e.g., water). It would be desirable to reduce excessive power and water consumption.

Claims of the present application relate to methods for removing contaminants from water filtration media of a filter media bed, including steps of obtaining a core sample of the water filtration media, analyzing the core sample to determine any amount of at least cleaning material required for substantially complete removal of surface contaminants from the core sample, and

the utilizing results of the analyzing step to calculate an amount of at least one cleaning material required for substantially complete removal of surface contaminants from the entire filter media bed. Such sampling, analysis and calculation steps permit the amount of at least one cleaning material necessary to provide a desired cleaning result to be determined conclusively, thereby eliminating the need for excess treatment liquids and appurtenant environmental consequences.

Methods according to the claimed invention permit reduction in cleaning material use, reduced rinse water utilization, and reduced utilization of backwashing pumps. Such methods also reduce cleaning times, thereby reducing downtime of water treatment facilities providing treated water to residential and/or industrial users. For treatment facilities with fixed maintenance budgets, reduction of excess treatment chemicals permits filtration media to be cleaned more frequently, thereby resulting in higher average water quality for downstream consumers. Moreover, widespread adoption of chemical cleaning of water filtration media provides the potential for reduced energy use by obviating the need for hauling, disposal, and replacement of large quantities of water filtration media.

Based on the foregoing, the above-identified application is directed to an invention that materially contributes to environmental quality, and the application is eligible for participation in the Green Technology Pilot Program. Participation in such program is respectfully requested.

Respectfully submitted,

/vincent k. gustafson/

Vincent K. Gustafson
Reg. No. 46,182
Attorney for Applicants

HULTQUIST IP
P.O. Box 14329
RTP, NC 27709
Phone: (919) 419-9350
Fax: (919) 419-9354
Attorney File No.: 4442-115-CIP-CON

Enclosure: Completed Form PTO/SB/420

The USPTO is hereby authorized to charge any deficiency or credit any overpayment of fees properly payable for this document to Deposit Account No. 08-3284

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.
13/190,472	07/25/2011	Ulrich Reimann-Philipp	4442-115-CIP-CON	2209

23448 7590 08/26/2011
Hultquist IP
P.O. Box 14329
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER
ZALASKY, KATHERINE M

ART UNIT	PAPER NUMBER
1777	

MAIL DATE	DELIVERY MODE
08/26/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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Alexandria, VA 22313-1450
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8/26/11

Hultquist IP
P.O. Box 14329
RESEARCH TRIANGLE PARK NC 27709

In re Application of	:	
Ulrich Reimann-Philipp et al.	:	DECISION ON PETITION
Application No. 13/190,472	:	TO MAKE SPECIAL UNDER
Filed: July 25, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 4442-115-CIP-CON	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed July 25, 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
www.uspto.gov

Muncy, Geissler, Olds & Lowe, PLLC
4000 Legato Road
Suite 310
FAIRFAX VA 22033

MAILED
FEB 08 2012
OFFICE OF PETITIONS

In re Application of :
Wang et al. :
Application No. 13/190,937 : ON PETITION
Filing or 371(c) Date: 07/26/2011 :
Attorney Docket Number: :
5610/0173PUS1 :

This is in response to the Petition Under 37 C.F.R. § 1.84(a)(2) to Accept Color Drawings and/or Photographs, filed in the United States Patent and Trademark Office (USPTO) on July 26, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners state that color drawings are the only practical medium by which the subject matter of the present application can be disclosed.

The Office has determined, however, that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. MPEP 608.02, Section IX, DRAWINGS SYMBOLS provide graphic symbols that should be used to indicate various materials where the material is an important feature of the invention.

As color drawings or photographs are not necessary for an understanding of the invention, 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 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

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: OKUDP0456USA	Application Number (if known): Not yet assigned	Filing date: July 26, 2011

First Named Inventor: Toshiya YOKOGAWA et al.

Title: NITRIDE-BASED SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Mark D. Saralino/	Date July 26, 2011
Name (Print/Typed) Mark D. Saralino	Registration Number 34,243

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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P.O. Box 1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/191,026	07/26/2011	Toshiya YOKOGAWA	OKUDP0456USA	3302

51921 7590 09/22/2011
MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND, OH 44115

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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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	:	
YOKOGAWA et al.	:	DECISION ON PETITION
Application No. 13/191026	:	TO MAKE SPECIAL UNDER
Filed: July 26, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. OKUDP0456USA	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 26, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: GJE.1370D1	Application Number (if known): 13/191,056	Filing date: July 26, 2011

First Named Inventor: Anthony Atkinson

Title: Thermophilic Micro-organisms for Ethanol Production

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement of Special Status, Request for Early Publication, Preliminary Amendment

Signature Glenn P. Ladwig	Date August 29, 2011
Name (Print/Typed) Glenn P. Ladwig	Registration Number 46,853

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being electronically filed in the United States Patent and Trademark Office on August 29, 2011

Glenn P. Ladwig

Glenn P. Ladwig, Patent Attorney, Reg. No. 46,853

STATEMENT OF SPECIAL STATUS
Patent Application
Docket No. GJE.1370D1
Serial No. 13/191,056

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	(not yet assigned)
Art Unit	:	(not yet assigned)
Applicants	:	Anthony Atkinson, Roger Cripps, Kirstin Eley, Brian Rudd, Martin Todd
Serial No.	:	13/191,056
Filed	:	July 26, 2011
Confirm. No.	:	3368
For	:	Thermophilic Micro-organisms for Ethanol Production

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT

This Statement of Special Status is being submitted to make the subject application eligible for entry into the Green Technology Pilot Program.

I. Basis for Special Status

Applicants request special status as the claimed invention materially contributes to the discovery or development of renewable energy resources (*e.g.*, renewable biomass).

II. Explanation For How Materiality Standard is Met

This invention relates to thermophilic microorganisms that have been modified to permit increased production of ethanol as a fermentation product.

There has been much interest in ethanol production using either microorganisms that undergo anaerobic fermentation naturally, or recombinant microorganisms that incorporate genes involved in the production of ethanol. Although there has been some success in producing ethanol by using these microorganisms, fermentation is often compromised by the increased concentration of the ethanol, especially where the microorganism has a low level of ethanol tolerance.

Thermophilic bacteria have been proposed for ethanol production, and their use has the advantage that fermentation can be carried out at elevated temperatures, which allows the ethanol produced to be removed as vapor at temperatures above 50°C and permits high sugar concentrations during fermentation. These attributes result in a more cost effective process. However, finding suitable thermophilic bacteria that can produce ethanol efficiently is problematic.

In the art, development of microorganisms for ethanol production relies on modifying laboratory-produced chemically mutated *Bacillus* microorganisms, treating these with *in vivo* methylation procedures, and further modifying the microorganisms to integrate plasmid DNA into the insertion element sequence. The procedure is complex and uncertain, and there are regulations limiting how the strains can be used. Therefore, there is a need for improved microorganisms for ethanol production.

Ethanol use in vehicles reduces carbon dioxide emissions, because carbon dioxide is absorbed during growth of the cellulosic biomass feedstock (plant) used as a raw material. Ethanol production with thermophilic microorganisms requires less energy than conventional ethanol production processes, offering a climate-friendly substitute for gasoline and promoting more efficient use of agricultural land.

Ethanol generated from renewable and sustainable sources such as agricultural waste, energy crops, and municipal solid waste can be used to replace many fossil fuels and although many

approaches are being taken, this application is focused on the development of a particular class of thermophilic organisms that are able to ferment a whole range of different sugars from simple monomeric sugars to more complex sugar chains. The application of such organisms in an ethanol production process means that the cost of producing ethanol from these lignocellulosic feedstocks can be reduced, making the process economically as well as technically feasible.

Respectfully submitted,

Glenn P. Ladwig
Patent Attorney
Registration No. 46,853
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: P.O. Box 142950
Gainesville, FL 32614-2950

GPL/ps
Attachments: Petition to Make Special Under the Green Technology Pilot Program
Request for Early Publication
Preliminary Amendment

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/191,056	07/26/2011	ANTHONY ATKINSON	GJE.1370D1	3368

23557 7590 09/28/2011
SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE, FL 32614

EXAMINER

ART UNIT	PAPER NUMBER
1652	

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):

euspto@slepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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SEP 2 8 2011

SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE FL 32614

In re Application of	:	
ATKINSON, Anthony *et al.*	:	DECISION ON PETITION
Application No. 13/191056	:	TO MAKE SPECIAL UNDER
Filed: July 26, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GJE.1370D1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 29th, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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JON KER
P.O. BOX 1087
HEWITT TX 76643

MAILED
AUG 24 2011
OFFICE OF PETITIONS

In re Application of Wickstrom et al. Application No. 13/191,161 Filed: July 26, 2011 Title: Trailer Hitch-Ball Chain Coupler	: : : : :	ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 26, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3611 for action on the merits commensurate with this decision.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/191,183	07/26/2011	Kimihiko Naito	150275	3608

25944 7590 11/16/2011
OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA, VA 22320-4850

EXAMINER

ART UNIT	PAPER NUMBER
3769	

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):

OfficeAction25944@oliff.com
jarmstrong@oliff.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450
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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

In re Application of:
NAITO, KIMIHIKO
Serial No.: 13/191,183
Filed: July 26, 2011
Attorney Docket No. : 150275
Title: TREATMENT APPARATUS

: DECISION ON A REQUEST TO
: PARTICIPATE IN PATENT
: PCT/PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: CFR 1.102(a)
:

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed Nov. 7, 2011 to make the above-identified application special.

The request and petition are **granted**.

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s);
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and
(6) Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

In light of the petition being properly submitted, the request to participate in the PPH program and the petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

The applicant is encouraged to cite and submit all relevant prior art references, if any, to facilitate examination in this application.

Response must be filed via EFS-Web. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

Petition is **granted**.

/Henry C. Yuen/

Henry C. Yuen
Special Programs Examiner
Technology Center 3700
Tel: 571-272-4856

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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HAYNES BEFFEL & WOLFELD LLP
P O BOX 366
HALF MOON BAY CA 94019

MAILED

NOV 04 2011

OFFICE OF PETITIONS

In re Application of
Wegener
Application No. 13/191,330
Filed: July 26, 2011
Attorney Docket No. SMPL 1012-8

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed September 23, 2011.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

This application is being forwarded to art unit 2611 for processing in the normal course of business.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3215.

Charlema Grant
Attorney Advisor
Office of Petitions

Doc Code: 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: 0811US-UTL1	Application Number (if known): 13/191,373	Filing date: July 26, 2011

First Named Inventor: Aravanis

Title: PROCESS FOR THE RECOVERY OF OLEAGINOUS COMPOUNDS FROM 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 Special Status

Signature /James E. Butler/	Date Nov. 23, 2011
Name (Print/Typed) James E. Butler	Registration Number 40931

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/191,373	07/26/2011	Alex M. Aravanis	0811US-UTL1	3967

86198 7590 12/02/2011
Sapphire Energy, Inc.
3115 Merryfield Row
San Diego, CA 92121

EXAMINER

ART UNIT	PAPER NUMBER
1622	

NOTIFICATION DATE	DELIVERY MODE
12/02/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

james.butler@sapphireenergy.com
suzi.mogavero@sapphireenergy.com
brenda.wallach@sapphireenergy.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

DEC - 2 2011

Sapphire Energy, Inc.
3115 Merryfield Row
San Diego CA 92121

In re Application of	:	
ARAVANIS, Alex *et al.*	:	DECISION ON PETITION
Application No. 13/191373	:	TO MAKE SPECIAL UNDER
Filed: July 26, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0811US-UTL1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 23, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1622 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13191417
Filing Date	26-Jul-2011
First Named Inventor	Dietrich Charisius
Art Unit	2192
Examiner Name	
Attorney Docket Number	BOR-094A1CIPDIVCON1CON1CO
Title	SUPPORTING AND DEPLOYING DISTRIBUTED COMPUTING COMPONENTS

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 64107

The reason(s) for this request are those described in 37 CFR:

10.40(b)(4)

10.40(c)(1)(iv)

10.40(c)(5)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to:
The address of the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, associated with Customer Number: 47604

I am authorized to sign on behalf of myself and all withdrawing practitioners.

Signature	/Scott S. Kokka/
Name	Scott S. Kokka
Registration Number	51893

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : January 5, 2012

In re Application of :

Dietrich Charisius

Application No : 13191417

Filed : 26-Jul-2011

Attorney Docket No : BOR-094A1CIPDIVCON1CON1CO

DECISION ON REQUEST TO WITHDRAW AS ATTORNEY/AGENTOF RECORD

This is an electronic decision on the Request to Withdraw as attorney or agent of record under 37 CFR§ 1.36(b), filed January 5, 2012

The request is **APPROVED**

The request was signed by Scott S. Kokka (registration no. 51893) on behalf of all attorneys/agents associated with Customer Number 64107 . All attorneys/agents associated with Customer Number 64107 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with Customer number 47604 .

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MARTIN D. MOYNIHAN d/b/a PRTSI, INC.
P.O. BOX 16446
ARLINGTON VA 22215

MAILED

MAR 16 2012

OFFICE OF PETITIONS

In re Application of	:	
Yelin et al.	:	
Application No. 13/191,483	:	ON PETITION
Filed: 07/27/2011	:	
Attorney Docket No.	:	
51640	:	

This is in response to the PETITION TO ACCEPT COLOR DRAWINGS/PHOTOGRAPHS, filed in the United States Patent and Trademark Office (USPTO) on July 27, 2011, which is treated as a petition under 37 CFR §1.84(a)(2),

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners state that the necessity for the Color Drawings is for depicting spectral light reflection and/or illumination.

Petitioners' argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2884.

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.

Jose' G. Dees
Petitions Examiner
Office of Petitions

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

STEIN MCEWEN, LLP
1400 EYE STREET, NW
SUITE 300
WASHINGTON DC 20005

MAILED
AUG 30 2011
OFFICE OF PETITIONS

In re Application of	:	
Dong-Joon Lee	:	
Application No. 13/191,769	:	DECISION ON PETITION
Filed: July 27, 2011	:	
Attorney Docket No. 0002.1185	:	

This is a decision on the Request Removal of EFS Filing, filed July 27, 2011, which is being treated as a petition under 37 CFR 1.59(b), to expunge information from the above identified application.

The petition is **dismissed**.

The petition fee for a petition filed under 37 CFR 1.59(b), currently $200, has been charged to petitioner's deposit account.

Petitioner requests that the Transmittal of New Application, filed July 27, 2011, be expunged from the record. Petitioner further states a replacement Transmittal of New Application was filed concurrently with the petition. The file record shows a Utility Patent Application Transmittal form filed on July 27, 2011 and an Information Disclosure Statement filed on July 27, 2011. These are the only documents indicated as a "Transmittal letter" filed on July 27, 2011 even though one of the documents is actually a prior art transmittal. Thus it is not clear from the petition which paper applicant desires to expunge. Referencing the paper by EFS ID, as done in the petition, does not clarify the issue as EFS ID numbers do not appear on the actual documents. Clarification is required as to exactly what paper is to be expunged.

Further, MPEP 724.05(II) states in part:

> II. INFORMATION UNINTENTIONALLY SUBMITTED IN APPLICATION
> A petition to expunge information unintentionally submitted in an application (other than information forming part of the original disclosure) may be filed under 37 CFR 1.59(b), provided that:

(A) the Office can effect such return prior to the issuance of any patent on the application in issue;
(B) it is stated that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted;
(C) the information has not otherwise been made public;
(D) there is a commitment on the part of the petitioner to retain such information for the period of any patent with regard to which such information is submitted;

The petition is deficient because there is no statement addressing (B), (C) and (D).

For the above reasons, the petition is dismissed.

Telephone inquiries concerning this communication should be directed to Carl Friedman at (571) 272-6842.

Carl Friedman
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
FEB 17 2012
OFFICE OF PETITIONS

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of : DECISION ON REQUEST TO
Takuya NAZAKONO et al. : PARTICIPATE IN PPH PROGRAM
Application No. 13/192,044 : AND PETITION TO MAKE SPECIAL
Filed: July 27, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 5070-0006DIV :
For: ROLL OF CONTINUOUS WEB OF OPTICAL FILM LAMINATE WITH PREDEFINED SLIT LINES, AND METHOD AND SYSTEM FOR MANUFACTURING THE SAME

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 10, 2011 to make the above-identified application special.

The request and petition are **DENIED.**

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) the U.S. application is a Paris Convention application which either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "bypass application" filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

(2) applicant must submit a copy of the allowable/patentable claim(s) from the JPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

(3) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s);

(4) examination of the U.S. application has not begun;

(5) applicant must submit a copy of all the office actions from each of the JPO application(s) containing the allowability/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

(6) applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

Requirements (1) to (3) and (5) to (6) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirement (4).

Regarding requirement (4), as a non-final Office action has been mailed on January 31, 2012, requirement (4) is not met.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Anthony Knight
Director
Office of Petitions

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

NORTON ROSE OR LLP
1, PLACE VILLE MARIE
SUITE 2500
MONTREAL QC H3B 1R1 CA CANADA

MAILED
SEP 15 2011
OFFICE OF PETITIONS

In re Application of:	:	
Zhang et al.	:	
Application No. 13/192,105	:	ON PETITION
Filed: July 27, 2011	:	
Attorney Docket No. 05202435-166US	:	

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed August 26, 2011.

On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission 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.

However, an itemization of the total deficiency payment is required by 37 CFR 1.28(c)(2)(ii). The itemization must include the following information:

(A) Each particular type of fee that was erroneously paid as a small entity, (e.g., basic statutory filing fee, two-month extension of time fee) along with the current fee amount for a non-small entity;
(B) The small entity fee actually paid, and when. This will permit the Office to differentiate, for example, between two one-month extension of time fees erroneously paid as a small entity but on different dates;

(C) The deficiency owed amount (for each fee erroneously paid); and
(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth in paragraph (c)(2)(ii)(C) of this section.

If the requirements of 37 CFR 1.28(c)(2) are not complied with (i.e. not itemizing the total deficiency ,etc.), such failure will either: be treated as an authorization for the Office to process the deficiency payment and charge the processing fee set forth in § 1.17(i), or result in a requirement for compliance within a one-month non-extendable time period under § 1.136(a) to avoid the return of the fee deficiency paper, at the option of the Office.

Petitioner has not provided a proper itemization of the total deficiency payment of $738.00 and therefore petitioner's deposit account has been charged the $130.00 processing fee as set forth in 37 CFR 1.17(i).

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

/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: JSR-001	Application Number (if known): Not yet assigned	Filing date: July 27, 2011

First Named Inventor: James S. Rhodes, III

Title: Whole Crop Biofuel Production (WCBP)

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 July 27, 2011
Name (Print/Typed) Isaac A. Hubner	Registration Number 61,393

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.

PATENT
Attorney Docket No.: JSR-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	James S. Rhodes, III	CONF. NO.:	Not yet assigned
U.S.S.N.:	Not yet assigned	GROUP NO.:	Not yet assigned
FILING DATE:	Herewith	EXAMINER:	Not yet assigned
TITLE:	WHOLE CROP BIOFUEL PRODUCTION (WCBP)		

Statements of Special Status for the Eligibility Requirement for the Petition to Make Special Under the Green Technology Pilot Program

In connection with the Patent Application and Petition to Make Special Under the Green Technology Pilot Program filed herewith, Applicant respectfully submits that the claims are directed to a single invention that materially enhances the quality of the environment, or that materially contributes to:

(1) the discovery or development of renewable energy resources (e.g., the claims are directed to methods associated with the development of renewable biofuels);

(2) the more efficient utilization and conservation of energy resources (e.g., the claims are directed to methods associated with biofuels that more favorably utilize biomass and that have more favorable carbon intensities that conventional fuels); or

(3) green house gas emission reduction (e.g., the claims are directed to methods that mitigate anthropogenic greenhouse gas emission).

Additionally, Applicant states 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 "Pilot Program for Green Technologies Including Greenhouse Gas Reduction."

Respectfully submitted,

Date: July 27, 2011

Isaac A. Hubner, Reg. No. 61,393
Attorney for the Applicant(s)
Proskauer Rose LLP
One International Place
Boston, MA 02110-2600

Tel. No.: (617) 526-9893
Fax No.: (617) 526-9899

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.
13/192,173	07/27/2011	James S. Rhodes III	JSR-001	5495

42532 7590 11/04/2011
PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110

EXAMINER

ART UNIT	PAPER NUMBER
1771	

NOTIFICATION DATE	DELIVERY MODE
11/04/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingPatentBoston@proskauer.com
oandrews@proskauer.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

PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE
BOSTON MA 02110

11/4/11

In re Application of	:	
Rhodes	:	DECISION ON PETITION
Application No. 13/192,173	:	TO MAKE SPECIAL UNDER
Filed: 7/27/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **JSR-001**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 7/27/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PATENT
Attorney Docket No.: JSR-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:	James S. Rhodes, III	CONF. NO.:	Not yet assigned
U.S.S.N.:	Not yet assigned	GROUP NO.:	Not yet assigned
FILING DATE:	Herewith	EXAMINER:	Not yet assigned
TITLE:	SOLID PHASE BIOMASS CARBON STORAGE (SPBCS)		

Statements of Special Status for the Eligibility Requirement for the Petition to Make Special Under the Green Technology Pilot Program

In connection with the Patent Application and Petition to Make Special Under the Green Technology Pilot Program filed herewith, Applicant respectfully submits that the claims are directed to a single invention that materially enhances the quality of the environment, or that materially contributes to:

(1) the discovery or development of renewable energy resources (e.g., the claims are directed to methods associated with the development of renewable biofuels);

(2) the more efficient utilization and conservation of energy resources (e.g., the claims are directed to methods associated with biofuels that more favorably utilize biomass and that have more favorable carbon intensities that conventional fuels); or

(3) green house gas emission reduction (e.g., the claims are directed to methods that mitigate anthropogenic greenhouse gas emission).

Additionally, Applicant states 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 "Pilot Program for Green Technologies Including Greenhouse Gas Reduction."

Respectfully submitted,

Date: July 27, 2011

Isaac A. Hubner, Reg. No. 61,393
Attorney for the Applicant(s)
Proskauer Rose LLP
One International Place
Boston, MA 02110-2600

Tel. No.: (617) 526-9893
Fax No.: (617) 526-9899

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: JSR-002	Application Number (if known): Not yet assigned	Filing date: July 27, 2011

First Named Inventor: James S. Rhodes, III

Title: SOLID PHASE BIOMASS CARBON STORAGE (SPBCS)

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 Isaac A. Hubner	Date July 27, 2011
Name (Print/Typed) Isaac A. Hubner	Registration Number 61,393

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,182	07/27/2011	James S. Rhodes III	JSR-002	5511

42532 7590 11/03/2011
PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE
BOSTON, MA 02110

EXAMINER

ART UNIT	PAPER NUMBER
1771	

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):

DocketingPatentBoston@proskauer.com
oandrews@proskauer.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

PROSKAUER ROSE LLP
ONE INTERNATIONAL PLACE
BOSTON MA 02110

NOV 0 3 2011

In re Application of	:	
Rhodes	:	DECISION ON PETITION
Application No. 13/192,182	:	TO MAKE SPECIAL UNDER
Filed: 7/27/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **JSR-002**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 7/27/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No.:	13192257	First Named Inventor:	Michael Wallace
Filing Date:	27-JUL-2011	Attorney Docket No.:	PURI.016
Title of the Invention:	SIMULATED PERCUSSION INSTRUMENT		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/045598

The international filing date of the corresponding PCT application(s) is/are: 27 JUNE 2011 (17.06.2011)

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

- ☑ is attached.
- ☐ is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**

- ☐ is attached.
- ☑ is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- ☑ is attached.
- ☐ has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

- ☑ are attached.
- ☐ have already been filed in the above-identified U.S. application on _____

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the 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.:	13192257	First Named Inventor:	Michael Wallace

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1-12,14, 24-26	1-12,14, 24-26	Claims in PCT application exactly the same as claims in the US application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Philip R.M.Hunt/	Date 2012-03-26
Name (Print/Typed) Philip R.M. Hunt	Registration Number 58044

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.

Under the 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.:	13/192,310	Filing Date:	July 27, 2011
First Named Inventor:	David Laniado Lacarra		
Title of the Invention:	SLIDE ASSEMBLY WITH DUAL HANDED BALL RETAINER LATCH		

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 THEPCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U. S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are:
PCT/US2011/045596

The international date of the corresponding PCT application(s) is/are:
July 27, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the 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.:	13/192,310
First Named Inventor:	David Laniado Lacarra

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- [ ] Is attached.
- [X] Has already been filed in the above-identified U.S. application on March 28, 2012

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- [ ] Are attached.
- [X] Have already been filed in the above-identified U.S. application on March 28, 2012

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-24	1-24	Currently pending claims 1-24 in US application correspond and have
		identical text to claims 1-24 in PCT application

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date March 30, 2012
Name (Print/Typed) Daniel M. Cavanagh	Registration Number 41,661

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: 153581-5	Application Number (if known): 13/192,534	Filing date: 07-28-2011

First Named Inventor: Peter Rogall

Title: METHOD FOR OPERATING MECHANICAL EMERGENCY BRAKE FOR WIND TURBINES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 11-07-2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Peter Rogall	)
Confirmation No.: 6231	)
	)
Serial No.: 13/192,534	)
	)
Filing Date: 07-28-2011	)
	)
Atty Docket No.: 153581-5	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The invention relates to an emergency brake for wind turbines. More particularly, the invention relates to a wind turbine equipped with a mechanical emergency brake and to a method of operating the mechanical emergency brake. (See page 1, paragraph 2.)

Modern wind turbines generally have rotor blades with adjustable pitch angles. The rotor blades are rotated about their longitudinal axis by means of a pitch drive disposed in the rotor hub. Typically, the pitch drive is actuated electrically or hydraulically. By adjusting the pitch angles of the rotor blades, the power generation of the wind turbine can be controlled and an aerodynamical braking of the rotor can be accomplished. Particularly, the rotor blades generate a braking torque (i.e. an aerodynamical brake effect) when moved into a feather position, ensuring that the rotor is not further accelerated; thus, the rotor blades form an aerodynamical brake for the wind turbine. (See page 1, paragraph 3.)

The aerodynamical brake effect of the rotor blades is also used as an emergency braking system, for example, when a failure of the drive system occurs or when the wind turbine is in an uncontrolled condition. Accordingly, this emergency brake system must be absolutely reliable even when the wind turbine is damaged or in an uncontrolled state (e.g. due to lightning). Further, it is especially important that the emergency brake system ensure that the pitch drive functions properly even in a power outage condition. (See page 1, paragraph 4.)

As a solution to this problem, uninterruptible power supplies (UPS) for the pitch drive have been proposed, however, such an approach may fail when the electronics of the wind turbine are damaged. Mechanical fallback systems have also been proposed, however, the operability, durability, and safety of these systems have all proven to be insufficient. (See page 2, paragraphs 1 and 2.)

It is therefore an object of the present invention to provide an improved mechanical emergency brake for wind turbine applications and a method of using said emergency brake. (See page 2, paragraph 3.)

In one aspect of the invention, a wind turbine is provided that comprises a rotor with at least one rotor blade, a pitch drive for rotating said at least one rotor blade about a longitudinal axis, and a mechanical emergency brake. The mechanical emergency brake comprises a spring energy storage which is coupled to a drive shaft of the pitch drive. Thus, the pitch drive of the wind turbine can be actuated even in cases where no electrical power supply is available. Accordingly, the rotor blades of the wind turbine can be pitched to a feather position and, thus, the rotor can be stopped (i.e. braked) even in a fault

condition (e.g. a power failure caused by an electrical storm). (See page 4, paragraph 2.)

In another aspect of the invention, a method for operating a mechanical emergency brake for a wind turbine is disclosed. The method includes the steps of providing a mechanical emergency brake for a wind turbine comprising a spring energy storage and measuring a variable indicative of a holding torque of a pitch drive motor. The method further comprises the steps of comparing the measured value of the variable with a desired value of the variable, and shutting down (i.e. braking) the wind turbine if the comparison of the measured value and desired value reveals that the wind turbine is in a fault condition. (See page 4, paragraph 3 and Abstract.)

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 7, 2011

GE Global Patent Operation

2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,534	07/28/2011	Peter Rogall	153581-5	6231

52082 7590 11/25/2011
General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
11/25/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.carnaroli@ge.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
ROGALL, PETER et. al.	:	DECISION ON PETITION
Application No. 13/192,534	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 153581-5	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 7, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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: 243047-5	Application Number (if known): 13/192,650	Filing date: July 28, 2011

First Named Inventor: Robert Andrew Dixon

Title: WIND TURBINE BLADES WITH IMPROVED BOND LINE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date October 12, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Robert Andrew Dixon	)
Confirmation No.: 6434	)
	)
Serial No.: 13/192,650	)
	)
Filing Date: July 28, 2011	)
	)
Atty Docket No.: 243047-5	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present invention relates generally to the field of wind turbines, and more particularly to turbine blades having an improved seal along the leading or trailing edge bonding line. (See [0001]).

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 12, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

DLA PIPER LLP US
P. O. BOX 2758
RESTON VA 20195

MAILED
AUG 08 2011
OFFICE OF PETITIONS

In re Application of :
Goerke, et al. :
Application No. 13/192,703 : DECISION GRANTING STATUS
Filed: NO FILING DATE YET ACCORDED : UNDER 37 CFR 1.47(a)
Attorney Docket No. 370016-000073 :
For: **METHOD FOR AUTOMATICALLY INDEXING DOCUMENTS**

This is in response to the petition under 37 CFR 1.47(a), filed July 28, 2011.

In accordance with 37 CFR 1.63(d)(3), applicants have submitted a copy of the executed declaration which was also filed in Application No. 12/106,450, filed April 21, 2008, of which application 13/192,703 is a continuation application. Petitioner has also filed a copy of the decision granting the petition under 37 CFR 1.47(a) in the prior application.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status. As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is **dismissed as moot.** No petition fee is necessary.

Pursuant to 37 CFR 1.47(c), the Office is dispensing with the notice provision in the present application because notice was provided after the grant of Rule 1.47(a) status in the prior application.

The matter is being referred to the Office of Patent Application Processing for further review.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya McLaughlin
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

OPPEDAHL PATENT LAW FIRM LLC (P&A)
12000 PECOS STREET #252
WESTMINSTER CO 80234

MAILED
AUG 25 2011
OFFICE OF PETITIONS

In re Application of	:	
Gebhard et al.	:	
Application No. 13/192,711	:	ON PETITION
Filed: July 28, 2011		
Attorney Docket No. 00012.P-AL09-200US	:	
	:	

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 (PTO/SB/130 form) by the applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

It is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute this patent application. In accordance with 37 CFR 1.34(a), the signature of appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3723 for action on the merits commensurate with this decision.

/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: H0029547	Application Number (if known): 13/192,739	Filing date: 2011-07-28

First Named Inventor: Tao Zhang

Title: CONTINUOUS CATALYTIC GENERATION OF POLYOLS FROM CELLULOSE

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,739	07/28/2011	Tao Zhang	H0029547	6607

23490 7590 09/20/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
09/20/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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www.uspto.gov

HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown NJ 07962

SEP 20 2011

In re Application of	:	
Zhang et al.	:	DECISION ON PETITION
Application No. 13/192,739	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0029547**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1652 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: 247153	Application Number (if known): 13/192,747	Filing date: 07-28-2011

First Named Inventor: Waseem Ibrahim Faidi

Title: COMPOSITE FIBER WAVE INSPECTION SYSTEM AND METHOD

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date October 11, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Waseem Ibrahim Faidi	)
Confirmation No.: 6616	)
	)
Serial No.: 13/192,747	)
	)
Filing Date: 07-28-2011	)
	)
Atty Docket No.: 247153	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present application relates to a system and method for inspecting layered objects, and more particularly to a system and method for inspecting for defects in turbine blades. Layered objects, such as wind turbine blades are formed through matrixed layers being successively applied over an internal skeleton. Sometimes, defects occur in the materials used to form wind turbine blades and other layered objects. Anomalies in the construction of wind turbine blades affect the strength of the turbine blade. (See [0001], [0029], [0011])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 11, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,747	07/28/2011	Waseem Ibrahim Faidi	247153-1	6616

6147 7590 12/19/2011
GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA, NY 12309

EXAMINER

ART UNIT	PAPER NUMBER
2877	

NOTIFICATION DATE	DELIVERY MODE
12/19/2011	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):

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of	:	
FAIDI et al.	:	DECISION ON PETITION
Application No. 13/192,747	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 247153-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 11, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

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: H0029550	Application Number (if known): 13/192,835	Filing date: 2011-07-28

First Named Inventor: Tom N. Kalnes

Title: CONTINUOUS CATALYTIC GENERATION OF POLYOLS FROM CELLULOSE WITH RECYCLE

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,835	07/28/2011	Tom N. Kalnes	H0029550	6799

23490 7590 09/16/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1621	

NOTIFICATION DATE	DELIVERY MODE
09/16/2011	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):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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Morristown NJ 07962

In re Application of	:	
KALNES, Tom *et al.*	:	DECISION ON PETITION
Application No. 13/192835	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. H0029550	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2)The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure

is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 6) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 7) The petition to make special must be filed electronically. 8) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4 and 5.
In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.
In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1621 for action in its regular turn.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner
Technology Center 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	13/192,835	Confirmation No.: 6799
First Named Inventor	:	Tom A. Kalnes	
Filed	:	07/28/2011	
Art Unit	:	1621	
Examiner	:	Rao, Manjunath	
Docket No.	:	H0029550	

REQUEST FOR RECONSIDERATION OF DECISION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 17, 2011

Sir:

Applicants' Petition to Make Special Under the Green Technology Pilot Program has been dismissed, and applicants hereby request reconsideration of that dismissal. The basis for the special status of applicants' invention is that their claimed process both materially enhances the quality of the environment and materially contributes to the conservation of energy resources. Applicants' invention relates to a process for generating at least one polyol from a feedstock comprising at least one saccharide using a specific catalyst system. As stated in paragraph [0002] of applicants' specification, polyols are valuable materials that find use in the manufacture of cold weather fluids, cosmetics, polyesters and many other synthetic products, and generating polyols from saccharides instead of olefins can be a more environmentally friendly process. As stated in paragraph [0011] of applicants' specification, economic conversion of cellulose to useful products can be a sustainable process that reduces fossil energy consumption and does not directly compete with the human food supply. Cellulose is a large renewable resource having a variety of attractive sources, such as residue from agricultural

production or waste from forestry or forest products. Since cellulose cannot be digested by humans, using cellulose as a feedstock does not take from our food supply. Furthermore, cellulose can be a low cost waste type feedstock material which is converted herein to high value products like polyols such as ethylene glycol and propylene glycol. In addition to materially enhancing the quality of the environment, applicants' invention in using a renewable feedstock source instead of fossil fuel-derived feedstock conserves fossil fuel resources thereby conserving overall energy resources.

In light of the above statements, applicants respectfully request that their Petition to Make Special Under the Green Technology Program be granted. If the Examiner believes it would expedite the granting of the petition, they are cordially invited to contact applicants' attorney at the below listed telephone number.

Respectfully submitted,

/Maryann Maas/

Maryann Maas
Attorney for Applicant
Reg. No. 38,954
(847) 391-2137 (phone)
(847) 391-2387 (fax)

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.
13/192,835	07/28/2011	Tom N. Kalnes	H0029550	6799

23490 7590 11/09/2011
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Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1621	

NOTIFICATION DATE	DELIVERY MODE
11/09/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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11/9/11

In re Application of	:	
Kalnes et al.	:	DECISION ON PETITION
Application No. 13/192,835	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0029550**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 10/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1621 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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WAGNER, ANDERSON & BRIGHT, PC
3541 OCEAN VIEW BLVD
GLENDALE CA 91208

MAILED

AUG 10 2011

OFFICE OF PETITIONS

In re Application of	:	
Jacob Y. Wong	:	
Application No. 13/192,863	:	DECISION ON PETITION
Effectively Filed: July 28, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. RLA35.163	:	37 CFR 1.102(c)(1)
	:	

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 declaration by inventor Jacob Y. Wong, attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Upon completion of the pre-examination processing by the Office of Patent Application Processing, this application will be referred to Technology Center 2856 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: H0030890	Application Number (if known): 13/192,907	Filing date: 2011-07-28

First Named Inventor: John Q. Chen

Title: CATALYST SYSTEM FOR GENERATION OF POLYOLS FROM SACCHARIDES

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/192,907	07/28/2011	John Q. Chen	H0030890	6927

23490 7590 09/20/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

--EXAMINER

ART UNIT	PAPER NUMBER
1736	

NOTIFICATION DATE	DELIVERY MODE
09/20/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 2 0 2011

In re Application of	:	
Chen et al.	:	DECISION ON PETITION
Application No. 13/192,907	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0030890**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: H0030890-01	Application Number (if known): 13/192,970	Filing date: 2011-07-28

First Named Inventor: Tom N. Kalnes

Title: PROCESS FOR GENERATION OF POLYOLS FROM SACCHARIDES

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/192,970	07/28/2011	Tom N. Kalnes	H0030890-01	7029

23490 7590 09/16/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1621	

NOTIFICATION DATE	DELIVERY MODE
09/16/2011	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):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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SEP 1 6 2011

HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown NJ 07962

In re Application of	:	
KALNES, Tom *et al.*	:	DECISION ON PETITION
Application No. 13/192970	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 31, 2011 , to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2)The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure

is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 6) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 7) The petition to make special must be filed electronically. 8) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4 and 5.
In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.
In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1621 for action in its regular turn.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner
Technology Center 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	13/192,970	Confirmation No.: 7029
First Named Inventor	:	Tom A. Kalnes	
Filed	:	07/28/2011	
Art Unit	:	1621	
Examiner	:	Rao, Manjunath	
Docket No.	:	H0030890-01	

REQUEST FOR RECONSIDERATION OF DECISION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 17, 2011

Sir:

Applicants' Petition to Make Special Under the Green Technology Pilot Program has been dismissed, and applicants hereby request reconsideration of that dismissal. The basis for the special status of applicants' invention is that their claimed process both materially enhances the quality of the environment and materially contributes to the conservation of energy resources. Applicants' invention relates to a process for generating at least one polyol from a feedstock comprising at least one saccharide using a specific catalyst system. As stated in paragraph [0002] of applicants' specification, polyols are valuable materials that find use in the manufacture of cold weather fluids, cosmetics, polyesters and many other synthetic products, and generating polyols from saccharides instead of fossil fuel-derived olefins can be a more environmentally friendly process. Furthermore, using a renewable feedstock source instead of fossil fuel-derived olefins conserves fossil fuel resources thereby conserving energy resources.

In light of the above statements, applicants respectfully request that their Petition to Make Special Under the Green Technology Program be granted. If the Examiner believes it would expedite the granting of the petition, they are cordially invited to contact applicants' attorney at the below listed telephone number.

Respectfully submitted,

/Maryann Maas/

Maryann Maas
Attorney for Applicant
Reg. No. 38,954
(847) 391-2137 (phone)
(847) 391-2387 (fax)

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,970	07/28/2011	Tom N. Kalnes	H0030890-01	7029

23490 7590 11/09/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1621	

NOTIFICATION DATE	DELIVERY MODE
11/09/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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P O Box 2245 Mail Stop AB/2B
Morristown NJ 07962

11/9/11

In re Application of	:	
Kalnes et al.	:	DECISION ON PETITION
Application No. 13/192,970	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0030890-01**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 10/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1621 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: 123016-0005	Application Number (if known): 13/192,985	Filing date: July 28, 2011

First Named Inventor: Dae Seob HAN

Title: LIGHT EMITTING DEVICE AND METHOD FOR FABRICATING THE LIGHT EMITTING DEVICE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yoon S. Ham/	Date July 28, 2011
Name (Print/Typed) Yoon S. Ham	Registration Number 45,307

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/192,985	07/28/2011	Dae Seob HAN	123016-0005	7052

22429 7590 09/12/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
09/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

SEP 12 2011

In re Application of	:	
HAN et al.	:	DECISION ON PETITION
Application No. 13/192985	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 123016-0005	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on July 28, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/193,001	Filing date:	July 28, 2011
First Named Inventor:	Alexander Zheludkov		
Title of the Invention:	REAL TIME VIDEO CODING/DECODING		

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/US2008/075586

The international filing date of the corresponding PCT application(s) is/are: September 8, 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.

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U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/193,001
First Named Inventor:	Alexander Zheludkov

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 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 July 28, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	
5	5	
6	15	
7	16	
8	17	

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Steven G. Parmelee/	Date July 28, 2011
Name (Print/Typed) Steven G. Parmelee	Registration Number 28,790

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.
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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.
13/193,001	07/28/2011	Alexander Zheludkov	7583-100360-US	7084

22242 7590 09/13/2011
FITCH EVEN TABIN & FLANNERY
120 SOUTH LASALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER

ART UNIT	PAPER NUMBER
2483	

MAIL DATE	DELIVERY MODE
09/13/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Fitch Even Tabin & Flannery
120 South Lasalle Street
Suite 1600
Chicago, Il 60603-3406

In re Application of: Zheludkov
Application No. 13/193001
Filed: July 28, 2011
For: Real-Time Video Coding/Decoding

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 (PPH) pilot program and the petition under 37 CFR 1.102(a), filed July 28, 2011, to make the above-identified application special.

The petition is **GRANTED.**

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application is
(a) a national stage entry of the corresponding PCT application

Or

(b) a national application which forms the basis for the priority claim in the corresponding PCT application

Or

(c) *a* national stage entry of another PCT application (which can be filed in any competent receiving office) which claims priority to the corresponding PCT application

Or

(d) a national application claiming foreign domestic priority to the corresponding PCT application.
Applications subject to a secrecy order (35U.S.C.181) are excluded and not subject to participation in the PCT-PPH pilot program.

Or

(e) a continuing application (continuation, divisional, or continuation-in-part) of the U.S. application which satisfies one of the above (a) to (d) scenarios.

(2) The latest work product in the international phase of the PCT application corresponding to the U.S. application, namely the WO/ISA, or the WO/IPEA, or the IPER, indicates at least one claim in the PCT application has novelty, inventive step and industrial applicability. In case any observation is described in Box VIII of the WO/ISA, or the WO/IPEA, or the IPER which forms the basis for the PCT-PPH request, applicant must identify and explain why the claim(s) is/are not subject to any observation described in Box VIII irrespective of whether an amendment is submitted to correct the observation described in Box VIII. The U.S. application will not be eligible to participate in the PCT-PPH pilot program if applicant does not identify and explain why the claim(s) is/are not subject to the observation described in Box VIII.

Applicant may not file a request to participate in the PCT-PPH pilot program on the basis of an International Search Report (ISR) only.

(3) Applicant must:

a. Ensure all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to one or more of those claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application and

b. Submit a claims correspondence table in English;

The USPTO will accept claims written in dependent form in the U.S. application which are narrower in scope than the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application.

(4) Substantive Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of:

a. the latest international work product, WO/ISA, or WO/IPEA or PER, which indicated that the claim(s) has/have novelty, inventive step and industrial applicability along with an English translation thereof if the copy of the latest international work product is not in the English language, unless the U.S. application and the corresponding PCT application satisfy the relationship noted in (l)(a) above.

(6) Applicant must submit a copy of:

a. the claims from the corresponding PCT application which were indicated as having novelty, inventive step and industrial applicability in the latest work product of the PCT application,
b. an English translation of the claims and
c. a statement that the English translation is accurate.

If the claims in the U.S. application are identical to the claims from the corresponding PCT application, and are in the English language, applicant may just indicate such in the PCT-PPH

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

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: H0031483	Application Number (if known): 13/193,007	Filing date: 2011-07-28

First Named Inventor: John Q. Chen

Title: CATALYST SYSTEM FOR GENERATION OF POLYOLS FROM SACCHARIDE CONTAINING FEEDSTOCK

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

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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.
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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 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.
13/193,007	07/28/2011	John Q. Chen	H0031483	7098

23490 7590 09/20/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1736	

NOTIFICATION DATE	DELIVERY MODE
09/20/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown NJ 07962

In re Application of	:	
Chen et al.	:	DECISION ON PETITION
Application No. 13/193,007	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0031483**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1736 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: H0031483-01	Application Number (if known): 13/193,072	Filing date: 2011-07-28

First Named Inventor: Tom N. Kalnes

Title: PROCESS FOR GENERATION OF POLYOLS FROM SACCHARIDE CONTAINING FEEDSTOCK

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

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Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

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(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/193,072	07/28/2011	Tom A. Kalnes	H0031483-01	7211

23490 7590 09/16/2011
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Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
09/16/2011	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):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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SEP 1 6 2011

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P O Box 2245 Mail Stop AB/2B
Morristown NJ 07962

In re Application of	:	
KALNES, Tom *et al.*	:	DECISION ON PETITION
Application No. 13/193072	:	TO MAKE SPECIAL UNDER
Filed: July 28, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 31, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2)The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure

is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 6) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 7) The petition to make special must be filed electronically. 8) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4 and 5.
In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.
In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1652 for action in its regular turn.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner
Technology Center 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	13/193,072	Confirmation No.: 7211
First Named Inventor	:	Tom A. Kalnes	
Filed	:	07/28/2011	
Art Unit	:	1652	
Examiner	:	Rao, Manjunath	
Docket No.	:	H0031483-01	

REQUEST FOR RECONSIDERATION OF DECISION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 17, 2011

Sir:

Applicants' Petition to Make Special Under the Green Technology Pilot Program has been dismissed, and applicants hereby request reconsideration of that dismissal. The basis for the special status of applicants' invention is that their claimed process both materially enhances the quality of the environment and materially contributes to the conservation of energy resources. Applicants' invention relates to a process for generating at least one polyol from a feedstock comprising at least one saccharide using a specific catalyst system. As stated in paragraph [0002] of applicants' specification, polyols are valuable materials that find use in the manufacture of cold weather fluids, cosmetics, polyesters and many other synthetic products, and generating polyols from saccharides instead of fossil fuel-derived olefins can be a more environmentally friendly process. Furthermore, using a renewable feedstock source instead of fossil fuel-derived olefins conserves fossil fuel resources thereby conserving energy resources.

In light of the above statements, applicants respectfully request that their Petition to Make Special Under the Green Technology Program be granted. If the Examiner believes it would expedite the granting of the petition, they are cordially invited to contact applicants' attorney at the below listed telephone number.

Respectfully submitted,

/Maryann Maas/

Maryann Maas
Attorney for Applicant
Reg. No. 38,954
(847) 391-2137 (phone)
(847) 391-2387 (fax)

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/193,072	07/28/2011	Tom A. Kalnes	H0031483-01	7211

23490 7590 11/09/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1652	

NOTIFICATION DATE	DELIVERY MODE
11/09/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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11/9/11

In re Application of	:	
Kalnes et al.	:	DECISION ON PETITION
Application No. 13/193,072	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0031483-01**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 10/17/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1652 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: H0026994	Application Number (if known): 13/193,200	Filing date: 2011-07-28

First Named Inventor: Tom N. Kalnes

Title: CATALYTIC PROCESS FOR CONTINUOUSLY GENERATING POLYOLS

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/193,200	07/28/2011	Tom N. Kalnes	H0026994	7471

23490 7590 09/20/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1621	

NOTIFICATION DATE	DELIVERY MODE
09/20/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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Morristown NJ 07962

SEP 20 2011

In re Application of	:	
Kalnes et al.	:	DECISION ON PETITION
Application No. 13/193,200	:	TO MAKE SPECIAL UNDER
Filed: 7/28/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **H0026994**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1621 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: H0026995	Application Number (if known): 13/193,227	Filing date: 2011-07-28

First Named Inventor: Tom N. Kalnes

Title: CATALYTIC PROCESS FOR CONTINUOUSLY GENERATING POLYOLS

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 /Maryann Maas/	Date August 31, 2011
Name (Print/Typed) Maryann Maas	Registration Number 38,954

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/193,227	07/28/2011	Tom N. Kalnes	H0026995	7532

23490 7590 09/20/2011
HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown, NJ 07962

EXAMINER

ART UNIT	PAPER NUMBER
1621	

NOTIFICATION DATE	DELIVERY MODE
09/20/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.docketclerk@uop.com
Elizabeth.Tarver@uop.com
patentservices-us@honeywell.com

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HONEYWELL/UOP
Patent Services
101 Columbia Road
P O Box 2245 Mail Stop AB/2B
Morristown NJ 07962

SEP 2 0 2011

In re Application of
Kalnes et al.
Application No. 13/193,227
Filed: 7/28/2011
Attorney Docket No. **H0026995**

DECISION ON PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 8/31/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1621 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

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MAILED
NOV 02 2011
OFFICE OF PETITIONS

ENTROPY MATTERS LLP
P.O. BOX 2250
NEW YORK, NY 10021

In re Application of	:	
Lu Chen et al	:	DECISION GRANTING STATUS
Application No. 13/193,492	:	UNDER 37 CFR 1.47(a)
Filed: July 28, 2011	:	
Attorney Docket No. 5222-22200/P3369	:	

This is a decision on the petition filed October 17, 2011, under 37 CFR 1.47(a).

The petition is **GRANTED.**

Petitioner has shown that the non-signing inventor, Lu Chen, cannot be located to join in the filing of the above-identified application.

The application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This matter is being referred to the Office of Patent Application Processing.

Telephone inquiries regarding this decision should be directed to Irvin Dingle at (571) 272-3210.

David Bucci
Petitions Examiner
Office of Petitions

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Lu Chen
1010 W. Iowa Avenue, Apt. #3
Sunnyvale, CA 94086

MAILED
NOV 02 2011
OFFICE OF PETITIONS

In re Application of
Lu Chen; Qiang Zhang
Application No. 13/193,492
Filed: July 28, 2011
For: DETECTING DEFECTS ON A WAFER

Dear Mr. Chen:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (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 Irvin Dingle at (571) 272-3210. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (571) 272-3150 or 1 (800) 972-6382 (outside the Washington D.C. area).

David Bucci
Petitions Examiner
Office of Petitions

cc: Entropy Matters LLP
P.O. Box 2250
New York, NY 10021

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	13193495	Confirmation Number	8069	Filing Date	2011-07-28
Attorney Docket Number (optional)	GREATB-53199	Art Unit		Examiner	
First Named Inventor	Kishore Kumar Kondabatni				
Title of Invention	MULTILAYER HELICAL WAVE FILTER FOR MRI APPLICATIONS				

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	A.	Stevenson	

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	/Scott W. Kelley, Reg. No. 30,762/	Date (YYYY-MM-DD)	2011-08-10
Name	Scott W. Kelley	Registration Number	30762

PTO/SB/130 (07-09)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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In re Application of
Kishore Kumar Kondabatni

Application No. 13193495

Filed: July 28,2011

Attorney Docket No. GREATB-53199

: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 10-AUG-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13193501	Confirmation Number	8084	Filing Date	2011-07-28
Attorney Docket Number (optional)	GREATB-53930	Art Unit		Examiner	
First Named Inventor	Kishore Kumar Kondabatni				
Title of Invention	MULTILAYER HELICAL WAVE FILTER FOR MEDICAL THERAPEUTIC OR DIAGNOSTIC APPLICATIONS				

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	A.	Stevenson	

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	/Scott W. Kelley, Reg. No. 30,762/	Date (YYYY-MM-DD)	2011-08-10
Name	Scott W. Kelley	Registration Number	30762

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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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Fr eedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about indivi duals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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In re Application of
Kishore Kumar Kondabatni

Application No. 13193501

Filed: July 28,2011

Attorney Docket No. GREATB-53930

: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 10-AUG-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

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PATTERSON & SHERIDAN, L.L.P.
3040 POST OAK BOULEVARD
SUITE 1500
HOUSTON TX 77056

MAILED

AUG 26 2011

OFFICE OF PETITIONS

In re Application of	:	
Belcher	:	
Application Number: 13/193,568	:	
Filing Date: 28 July, 2011	:	ON PETITION
Attorney Docket No.: VIPO/0002	:	

This is a decision on the petition filed on 18 August, 2011, improvidently without reference to the basis for the relief sought, considered pursuant to 37 C.F.R §1.182; the petition seeks refund of fees improvidently paid on deposit of the application, but apparently without consideration of the actual fees history herein and/or to the need to properly chart fees paid, due and the total(s) thereof.

NOTE:

Petitioner will wish to review his records, to include but not limited to deposit account and/or credit card(s).

Office records suggest that fee(s) adjustment(s) occurred prior to Petitioner's submission of his petition, and that search and examination fees were charged at small entity amounts and the filing fee for electronic filing was charged. Refund(s) occurred either as credit(s) to account(s) or *via* Treasury check.

The petition as considered pursuant to 37 C.F.R §1.182 is **DISMISSED**.

A 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 C.F.R. §1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 C.F.R. §1.182."

This is **not** a final agency action within the meaning of 5 U.S.C. §704.

Petitioner has failed to identify the route for his remedy and to satisfy the showing requirements under the Rule by which relief is properly sought.

It is noted that Petitioner did not include with the petition the required documentary showing, along with the required statement/declaration by person(s) having first-hand knowledge of the facts averred.

BACKGROUND

Petitioner alleged that his office paid filing fees at the amount(s) for not-small-entity status, however, it appears from Office records that Petitioner may have improvidently paid fees on deposit in the amounts associated with the not-small-entity status, the Office properly adjusted those fees on 9 August, 2011.

Should Petitioner later be able to evidence that the adjustment did not take place, Petitioner may wish to properly filed a petition pursuant to the regulations at 37 C.F.R. §1.28. (Petitioner will wish to note the limitations under the Rule.)

The availability of applications and application papers online to applicants/practitioners who diligently associate their Customer Number with the respective application(s) now provides an applicant/practitioner on-demand information as to events/transactions in an application.

Out of an abundance of caution, Petitioners always are reminded that those registered to practice and all others who make representations before the Office **must** inquire into the underlying facts of representations made to the Office and support averments with the appropriate documentation–since all owe to the Office the continuing duty to disclose.[1]

CONCLUSION

It appears that the matter herein is moot.

Accordingly, the petition pursuant to 37 C.F.R §1.182 is **dismissed as moot**.

---

[1] See supplement of 17 June, 1999. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting a statement made by Petitioner. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178, 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109)(applicant obligated under 37 C.F.R. §10.18 to inquire into the underlying facts and circumstances when providing statements to the Patent and Trademark Office).

Application Number: 13/193,568

The instant matter is released to the Office of Patent Application Processing (OPAP) for further processing in due course.

While telephone inquiries regarding this decision may be directed to the undersigned at (571) 272-3214, it is noted that all practice before the Office is in writing (see: 37 C.F.R. §1.2[2]) and the proper authority for action on any matter in this regard are the statutes (35 U.S.C.), regulations (37 C.F.R.) and the commentary on policy (MPEP). Therefore, no telephone discussion may be controlling or considered authority for Petitioner's action(s).

/ John J. Gillon, Jr /
John J. Gillon, Jr.
Senior Attorney
Office of Petitions

[2] The regulations at 37 C.F.R. §1.2 provide:

§1.2 Business to be transacted in writing.

All business with the Patent and Trademark Office should be transacted in writing.The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation,or understanding in relation to which there is disagreement or doubt.

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: 240881	Application Number (if known): 13/193,663	Filing date: 07-29-2011

First Named Inventor: Juntao Wu

Title: SYSTEM AND METHOD FOR MONITORING AND CONTROLLING PHYSICAL STRUCTURES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date November 2, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Juntao Wu	)
Confirmation No.: 8381	)
	)
Serial No.: 13/193,663	)
	)
Filing Date: July 29, 2011	)
	)
Atty Docket No.: 240881	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

Certain embodiments relate generally to monitoring and controlling systems, and more specifically to a system for monitoring and controlling a physical structure. (See [0001]).

Physical structures such as wind turbines are known as an important source for renewable energy. Wind turbines convert wind energy into electrical energy. Specifically, wind blowing over the blades causes the blades to produce 'lift' and thus rotate about a shaft. Further, the shaft drives a generator which produces electrical energy. Typically, the wind turbines are exposed to variable aerodynamic load due to varying wind conditions. Moreover, the wind turbines are also exposed to unpredictable harsh weather conditions. In such instances, it is desirable to know the wind turbine components' spatial behavior, such as overall bending and twisting along the blades length, tower top displacement and vibration, yaw angle, and the like. These sensing feedbacks may be used for

monitoring the physical health of the wind turbine components, which upon going unnoticed may lead to catastrophic failure of the wind turbine. Also, these sensing feedbacks may be used for controlling the wind turbine's operating parameters for achieving better efficiency (energy production) of the wind turbines. (See [0002]).

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 2, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/193,663	07/29/2011	Juntao Wu	240881-1	8381

6147 7590 11/25/2011
GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA, NY 12309

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
11/25/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ldocket@crd.ge.com
wahld@ge.com
haeckl@ge.com

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GENERAL ELECTRIC COMPANY
GLOBAL RESEARCH
ONE RESEARCH CIRCLE
BLDG. K1-3A59
NISKAYUNA NY 12309

In re Application of	:	
WU, JUNTAO et. al.	:	DECISION ON PETITION
Application No. 13/193,663	:	TO MAKE SPECIAL UNDER
Filed: July 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 240881-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 2, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed

invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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:	13/193,680	Filing date:	July 29, 2011
First Named Inventor:	Robert W. Vitale		
Title of the Invention:	Dust Suppression Agent		

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/US2010/034812

The international filing date of the corresponding PCT application(s) is/are: May 13, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

- [x] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- [x] Is attached.
- [ ] Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/193,680
First Named Inventor:	Robert W. Vitale

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 5, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on August 5, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1 - 18	1 - 14	The claims are substantially similar,
		with a narrower scope than the PCT claims.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	/daniel a thomson/	Date	August 5, 2011
Name (Print/Typed)	Daniel A. Thomson	Registration Number	43,189

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.
13/193,680	07/29/2011	ROBERT W. VITALE	40045.50080	8418

78340 7590 10/14/2011
Emerson, Thomson & Bennett, LLC
1914 Akron-Peninsula Road
Akron, OH 44313

EXAMINER
ADDIE, RAYMOND W

ART UNIT	PAPER NUMBER
3671	

NOTIFICATION DATE	DELIVERY MODE
10/14/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

iplaw@etblaw.com
dlm@etblaw.com

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WG OCT 14 2011

In re application of	:	DECISION ON REQUEST TO
Robert Vitale et al.	:	PARTICIPATE IN PATENT
Serial No. 13/193,680	:	PROSECUTION HIGHWAY
Filed: July 29, 2011	:	PROGRAM AND
For: DUST SUPPRESSION AGENT	:	PETITION TO MAKE SPECIAL
	:	UNDER 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed August 5, 2011, to make the above-identified application special.

The request and petition are **DENIED**.

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must disclose an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial

applicability along with an English translation thereof if the latest international work product is not in the English language; and

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PPH program and petition fail because examination has begun. Note the Office Action mailed on 11 October 2011.

Any inquiry regarding this decision should be directed to Walter D. Griffin, Supervisory Patent Examiner, at (571) 272-1447.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Walter D. Griffin/

Walter D. Griffin
Supervisory Patent Examiner
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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Emerson, Thomson & Bennett, LLC
1914 Akron-Peninsula Road
Akron OH 44313

MAILED
SEP 29 2011
OFFICE OF PETITIONS

In re Application of
CHO, et al.
Application No. 13/193,709
Date of Deposit: July 29, 2011
Filing Date to be Accorded: September 19, 2011
Attorney Docket No.: 40520.50003

DECISION ON PETITION

This is a decision on the "PETITION - 37 CFR § 1.182", filed September 19, 2011, for which payment of the requisite $400.00 Petition Fee has been submitted.

The petition is **GRANTED** to the extent indicated below.

On July 29, 2011, the above-identified non-provisional application was deposited with the United States Patent and Trademark Office (USPTO). The deposited application papers included claims to two earlier filed Korean (KR) applications pursuant to 35 U.S.C. 119, the earliest of which was filed on September 20, 2010.

On August 15, 2011, the USPTO mailed A Notice to Omitted Item(s) in a Non-provisional Application Filed under 37 CFR 1.53(b), which notified applicants that "Figure(s) 7 described in the specification" appears to have been omitted from the application. The Notice further stated, in part, that:

> "Applicant must reply to this notice within the time period set forth in this notice to avoid abandonment of this application. Applicant must select one of the three following options and the reply must comply with the requirements set forth in the selected option and any other requirements set forth in this notice. The reply should also indicate which option applicant has selected."

The time period for each of the selectable three options, set forth in the Notice, was an extendible time period of two months from the August 15, 2011 mailing date of the Notice.

On September 19, 2011, applicants timely filed the present and did so within: (1) the initial two month time period set forth in the Notice and (2) within the one year time period from the September 20, 2010 filing date of the earliest filed KR application on which priority under 35 U.S.C. 119 was claimed. The present petition was accompanied by: (i) a supplemental declaration and power of attorney, (ii) a Figure 7, and (iii) a copy of the August 15, 2011 Notice.

Applicants' submission of the present petition within the above one year time period of Item (2) along with above Items (i)-(iii) constitutes a sufficient indication that applicants have selected to proceed in accordance with Option "**II. Petition for later filing date**". On these bases, it is appropriate to accord the above-identified application a filing date of September 19, 2011, in accordance with such Option II.

The application is being referred to the Office of Patent Application Processing (OPAP) for treatment in accordance with this decision, that is for (1) processing and entry of the newly submitted drawing Figure 7 on September 19, 2011, (2) according the application a filing date of **September 19, 2011**, or/and other appropriate action, if any.

Any additional fees that may be due should be charged to Deposit Account No. 50-4530 pursuant to the deposit account authorization set forth in the present petition.

Telephone inquiries related to OPAP processing should be directed to their hotline at (571) 272-4100.

Telephone inquiries relating to this decision should be directed Brian W. Brown at (571) 272-5338.

Brian W. Brown
Petitions Examiner
Office of Petitions

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OLIFF & BERRIDGE, PLC
P.O. BOX 320850
ALEXANDRIA VA 22320-4850

MAILED
OCT 07 2011
OFFICE OF PETITIONS

In re Application of	:	
Joseph Eugene Buchan	:	
Application No. 13/193,742	:	DECISION ON PETITION
Filed: July 29, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 203909	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed September 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by an attorney on behalf of inventor Joseph Eugene Buchan attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Technology Center Art Unit 3724 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 11-0679.01	Application Number (if known): 13/193954	Filing date: July 29, 2011

First Named Inventor: Vladimir Moldovanu

Title: Submarine Renewable Energy Generation System Using Ocean Currents

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 8 AUG 2011
Name (Print/Typed) George P. Kobler	Registration Number 46837

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Moldovanu, et al	Examiner: Not Assigned
App. Serial No.: 13/193,954	Art Unit: 3617
Filed: July 29, 2011	Confirmation No.: 8956
Title: ***Submarine Renewable Energy Generation System Using Ocean Currents***	

STATEMENT REGARDING ELIGIBILITY FOR PETITION TO MAKE SPECIALUNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Applicants in the above-styled case hereby respectfully assert that the present application is eligible for special status under the Green Technology Pilot Program on the grounds that the claims therein are directed to a single invention that materially contributes to development of a renewable energy source and that results in a more efficient utilization of energy resources, namely, the generation of electrical energy for submarines utilizing ocean currents. The application has been submitted with only four claims of which one is an independent claim. Accordingly, it is believed that the application is directed to only one invention and that a restriction election requirement will not be necessary. Nonetheless, Applicants acknowledge and agree to the requirement to elect an eligible invention, without traverse.

Respectfully submitted,

August 9, 2011

George P. Kobler
Reg. No. 46,837

LANIER FORD SHAVER & PAYNE P.C.
Customer Number 021491
P.O. Box 2087
Huntsville, Alabama 35804-2087
Phone: (256) 535-1100
Fax: (256) 533-9322

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/193,954	07/29/2011	Vladimir Moldovanu	11-0679.01	8956

21491 7590 08/29/2011
LANIER FORD SHAVER & PAYNE P.C.
P O BOX 2087
HUNTSVILLE, AL 35804-2087

EXAMINER

ART UNIT	PAPER NUMBER
3617	

MAIL DATE	DELIVERY MODE
08/29/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 2 6 2011

LANIER FORD SHAVER & PAYNE P.C.
P O BOX 2087
HUNTSVILLE AL 35804-2087

In re Application of	:	
VLADIMIR MOLDOVANU et al.	:	DECISION ON PETITION
Application No. 13/193,954	:	TO MAKE SPECIAL UNDER
Filed: July 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 11-0679.01	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on August 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **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 Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3617 for action on the merits commensurate with this decision.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

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
HALBERT FISCHEL

Application No. 13194049

Filed: July 29,2011

Attorney Docket No. 11109-P-A1

: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 02-OCT-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/194,049	Confirmation Number	9149	Filing Date	2011-07-29
Attorney Docket Number (optional)	11109-P-A1	Art Unit	1726	Examiner	
First Named Inventor	HALBERT FISCHEL				
Title of Invention	ELECTROCHEMICAL CELLS UTILIZING TAYLOR VORTEX FLOWS				

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
HALBERT		FISCHEL	

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	/Sheldon L. Epstein/	Date (YYYY-MM-DD)	2011-10-02
Name	Sheldon L. Epstein	Registration Number	22343

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Peter James FRITZ	)
Confirmation No.: 9165	)
	)
Serial No.: 13/194,058	)
	)
Filing Date: 07-29-2011	)
	)
Atty Docket No.: 231473-4	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The disclosure relates generally to a wind turbine blade, and more particularly to a trailing edge geometry of a wind turbine blade. (See [0001]).

Wind turbine blades can be manufactured to include a large width or airfoil chord length. Larger and wider blades can be more efficient, but the excess width makes it difficult to form the blade into a cylinder at the root connection. Chord length distance can be truncated by removal of a part or all of the trailing edge of a blade. Typically, this truncation is performed via a straight "chop" or a small fillet to the trailing edge, leading to one or more convex or flat areas. Unfortunately, flat or convex truncation of this kind can lead to difficulties in manufacturing a wind turbine blade. (See [0002]).

Accordingly, a blade geometry that could reduce chord length while reducing difficulty of blade manufacture and maintaining blade strength would be desirable. (See [0003]).

A blade according to an embodiment of the invention comprises a blade body including a leading edge and a trailing edge, and at least one trailing edge cavity. The at least one trailing edge cavity is defined by a blade area disposed in at least partial alignment with the trailing edge, and extends a desired depth into the blade body in a direction of the leading edge. (See [0004]).

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 9, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 231473-4	Application Number (if known): 13/194,058	Filing date: 07-29-2011

First Named Inventor: Peter James FRITZ

Title: WIND TURBINE BLADE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date November 9, 2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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.
13/194,058	07/29/2011	Peter James Fritz	231473-4	9165

13876 7590 12/12/2011
Cantor Colburn LLP - General Electric
20 Church Street
Hartford, CT 06103-3207

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
12/12/2011	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):

USPTOPatentMail@cantorcolburn.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Cantor Colburn LLP - General Electric
20 Church Street
Hartford CT 06103-3207

In re Application of
FRITZ, PETER JAMES
Application No. 13/194,058
Filed: July 29, 2011
Attorney Docket No. 231473-4

DECISION ON PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Nov. 9, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to energy conservation or greenhouse gas reduction. This is not convincing. For example, it is not clear how the claimed blade body has anything to do with the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. Claim 1 reads on a lawn mower blade.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. e application will be forwarded to the Technology Center Art Unit 3752 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center 3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Peter James FRITZ	)
Confirmation No.: 9165	)
	)
Serial No.: 13/194,058	)
	)
Filing Date: 07-29-2011	)
	)
Atty Docket No.: 231473-4	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 12 December 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") states that it is not agreed that the application on its face meets the materiality standard. The Decision alleges that Applicant's statement that the claimed invention relates to energy conservation or greenhouse gas reduction is not convincing. The Decision states that it is not clear how the claimed blade body has anything to do with the quality of the environment or contribute to the development of renewable energy resources or energy conservation or greenhouse gas reduction. The Decision also alleges that Claim 1 reads on a lawn mower blade. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the present invention is generally directed to a wind turbine blade and, more particularly, to a trailing edge geometry of a wind turbine blade. (see at least paragraph [0001]).

While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends on the cost/benefit economics of wind energy. As such, it is important that the cost of producing the energy, including the efficiency and costs of operation of the wind turbine, as well as its manufacturing and maintenance costs, cannot outweigh the benefits.

Every wind turbine requires wind turbine blades to convert the kinetic energy of the wind into electricity. Wind turbine blades can be manufactured to include a large width or airfoil chord length. Larger and wider blades can be more efficient, but the excess width makes it difficult to form the blade into a cylinder at the root connection. Chord length distance can be truncated by removal of a part or all of the trailing edge of a blade. Typically, this truncation is performed via a straight "chop" or a small fillet to the trailing edge, leading to one or more convex or flat areas. Unfortunately, flat or convex truncation of this kind can lead to difficulties in manufacturing a wind turbine blade (see paragraph 0002). Accordingly, a blade geometry that could reduce chord length while reducing difficulty of blade manufacture and maintaining blade strength would be desirable. (see paragraph 0003).

Disclosed is a blade including a blade body including a leading edge and a trailing edge, and at least one trailing edge cavity defined by a blade area disposed in at least partial alignment with the trailing edge, the at least one cavity extending a desired depth into said blade body in a direction of the leading edge. (see paragraph 0004).

Disposal of the concavity along the trailing edge in the manner disclosed effectively creates two trailing edges (which are best illustrated in Figure 3), which, during blade operation, allows for separation of eddy currents from both sides of the blade, resulting in reduced drag and higher turbine output efficiency (see paragraph 0021). In addition to increasing efficiency, the disclosed trailing edge cavity also allows for larger, wider, and more efficient wind turbine blades that are less difficult to manufacture than truncated wind turbines known in the art. Therefore, embodiments of the present invention are less costly to manufacture, while still providing a blade geometry that reduces chord length.

Embodiments of the present invention may provide many benefits to the cost/benefit economics of wind energy by providing a wind turbine with a wind turbine blade that is both less expensive to manufacture. By reducing the overall costs of manufacturing the wind turbine blades, embodiments of the present invention increase the availability of wind energy as a viable power generating option. Embodiments disclosed in the present application also provide higher turbine output efficiency. As such, embodiments of the present invention materially contribute to the development of renewable energy by positively impacting the cost/benefit economics of wind energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: January 11, 2012

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,058	07/29/2011	Peter James Fritz	231473-4	9165

13876 7590 01/31/2012
Cantor Colburn LLP - General Electric
20 Church Street
Hartford, CT 06103-3207

EXAMINER

ART UNIT	PAPER NUMBER
3745	

NOTIFICATION DATE	DELIVERY MODE
01/31/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTOPatentMail@cantorcolburn.com

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Cantor Colburn LLP - General Electric
20 Church Street
Hartford CT 06103-3207

JAN 3 1 2012

In re Application of	:	
Fritz	:	DECISION ON PETITION
Application No. 13/194,058	:	TO MAKE SPECIAL UNDER
Filed: 7/29/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **231473-4**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 1/11/2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009).

The petition is **DENIED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. It is not agreed that the application on its face meets that materiality standard.

Applicants argue that embodiments of the present invention relate generally to a wind turbine blade. It is noted however, that the claims are directed to "blades."

Applicant is directed to the original Federal Register Notice (12/8/2009) which states in part under Section I (Requirements): (4) The **claims** must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to : (1) The discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) greenhouse gas emission reduction... (emphasis added)

Applicants are correct that the specification discloses wind turbine blades, however as stated above the **claims** are silent with respect to wind turbine blades. The claims are therefore open to other embodiments including other types of blades. The materiality standard does not permit an applicant to speculate how an end user might specifically apply the invention in a manner that could materially contribute to (1) materially enhancing the quality of the environment or materially contributing to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3745 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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K&L GATES LLP
210 SIXTH AVENUE
PITTSBURGH, PA 15222-2613

MAILED
AUG 11 2011
OFFICE OF PETITIONS

In re Application of
Harvey et al.
Application No. 13/194,087
Filed: July 29, 2011
Attorney Docket No. 080111CIP2

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed July 29, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that the applicant is 65 years of age or more. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-6059.

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

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:	VWS-468US	Application Number (if known):	13/194,108	Filing date: July 29, 2011	
First Named Inventor:	Bo Lovmand				
Title:	CONTROL OF A WIND POWER PLANT				

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	/William R. Allen, Ph.D./	Date	August 1, 2011
Name (Print/Typed)	William R. Allen, Ph.D.	Registration Number	48,389

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

Certificate of Electronic Transmission

I hereby certify that this correspondence is being electronically transmitted to the U.S. Patent and Trademark Office via EFS-WEB on August 1, 2011.

/William R. Allen/ August 1, 2011
William R. Allen Date
Reg. No. 48,389

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bo Lovmand
Serial No.:	13/194,108
Filed:	July 29, 2011
Group Art Unit:	Unknown
Examiner:	Not yet assigned
Confirmation No.:	9265
Title:	CONTROL OF A WIND POWER PLANT
Attorney Docket:	VWS-468US

Cincinnati, Ohio 45202 August 1, 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Applicant hereby submits a statement to support Applicant's petition for the Green Technology Pilot Program, which is filed on even date herewith. The Applicant seeks special status because the invention disclosed and claimed in the present application materially enhances the quality of the environment by contributing to the restoration or maintenance of basic life-sustaining natural elements. The materiality standard is satisfied because the claimed invention materially enhances the quality of the environment by contributing to the restoration or maintenance of one of the basic life-sustaining natural elements and/or the claimed invention materially contributes to the development of renewable energy or energy conservation and

greenhouse gas emission reduction. Specifically, the claimed invention relates to wind turbines that operate using a renewable natural resource (wind) rather than fossil fuels and, more specifically, to control methods, wind power plants, and computer program products for controlling a wind power plant that reduce delay and mitigate lost power production when reacting to derate instructions. Wind turbine operation without the consumption of fossil fuels enhances the quality of the environment, contributes to the development of renewable energy, and reduces greenhouse gas emission.

Early and favorable consideration of Applicant's petition and the claims contained in this application are respectfully requested.

Applicant does not believe that any fees are due in connection with this communication other than the publication fee. If, however, any fees are necessary as a result of this communication, the Commissioner is hereby authorized to charge any under-payment of fees associated with this communication or credit any over-payment to Deposit Account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

/William R. Allen/

William R. Allen
Reg. No. 48,389

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 421-7269 (facsimile)

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.
13/194,108	07/29/2011	Bo Lovmand	VWS-468US	9265

83583 7590 09/30/2011
Wood, Herron & Evans, LLP (Vestas Wind Systems)
441 Vine Street
2700 Carew Tower
Cincinnati, OH 45202

EXAMINER

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
09/30/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

amalik@whepatent.com
eobrien@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	:	
LOVMAND et al.	:	DECISION ON PETITION
Application No. 13/194108	:	TO MAKE SPECIAL UNDER
Filed: July 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. VWS-468US	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on August 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 **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

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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.
13/194,111	07/29/2011	Albert Kadosh	20100111-59449	9268

88116 7590 03/28/2012
Lyman H. Moulton III, Esq.
11021 Woodfield Rd
South Jordan, UT 84095

EXAMINER
DUNHAM, JASON B

ART UNIT	PAPER NUMBER
3684	

MAIL DATE	DELIVERY MODE
03/28/2012	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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Alexandria, VA 22313-1450
www.uspto.gov

MAR 28 2012

Lyman H. Moulton III, Esq.
11021 Woodfield Rd
South Jordan UT 84095

In re application of: KADOSH, Albert Application No. 13/194,111 Filed: July 29, 2011 For: METHOD AND SYSTEM FOR INTELLIGENT JOB ASSIGNMENT THROUGH AN ELECTRONIC COMMUNICATIONS NETWORK	**DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 CFR 1.102**

This decision is regarding the petition filed on July 29, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims is patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts

in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition in this case fails to comply with Condition II.6.5.

As to Condition II.6.5, this section requires a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in not only the instant application but also in benefit applications. Here, this application claims benefit to nonprovisional application 12/559,968 as a CIP, thus support for each limitation of the claims must also be shown for the '968 application as well.

DECISION

For the above stated reasons, the petition is **DISMISSED**.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Robert Weinhardt, Business Practice Specialist, at (571) 272-6633.

Robert A. Weinhardt,
Business Practice Specialist
Technology Center 3600

RW/3/26/12

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: 226283-5	Application Number (if known): 13/194,233	Filing date: 07-29-2011

First Named Inventor: Thomas EDENFELD

Title: USE OF PITCH BATTERY POWER TO START WIND TURBINE DURING GRID LOSS/BLACK START CAPABILITY

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 11-07-2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Thomas Edenfeld	)
Confirmation No.: 9494	)
	)
Serial No.: 13/194,233	)
	)
Filing Date: 07-29-2011	)
	)
Atty Docket No.: 226283-5	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present application relates to wind turbines and wind power plants and, more particularly, to a wind power plant and a method of operating a wind power plant during a grid loss. (See [0002]).

Wind power plants and farms of wind power plants have to cope with high dynamics of wind speeds and, therefore, must be capable of handling a fault situation such as a grid loss. Usually when a grid loss occurs, the wind power plant immediately enters an emergency exit power down mode, which causes the wind power plant to rotate its rotor blade out of the wind such that the rotor decelerates and comes to a halt in a controlled way. The energy for actuating the rotor blades is taken from so called pitch batteries or pitch accumulators, which are large enough to enter the safe standstill and complete the power down maneuver. (See [0003]).

In view of the above, an embodiment of the invention relates to a method of operating a wind power plant during a grid loss, wherein the wind power plant comprises a plurality of rotor blades, a blade pitch drive, a rotor shaft, an electric generator and an energy storing unit for powering the blade pitch drive. The rotor blades are rotatably connected to the rotor shaft and the rotor shaft drives the electric generator. During a grid loss, the method comprises the steps of powering the blade pitch drive with the energy storing unit and adjusting the pitch of the rotor blades such that the rotor shaft of the wind power plant starts rotating upon adjustment of the pitch of the blades. (See [00039]).

The steps of powering the blade pitch drive with the energy storing unit and adjusting the pitch of the rotor blades such that the rotor shaft starts rotating make it possible to perform a so-called black start during a grid loss. By performing the black start, the wind power plant resumes its power generating function without the support of the external grid. The black start helps the wind power plant to enter a self-sustaining mode so that the wind power plant has enough power to sustain as many basic functions as possible, such as security and safety functions for example. Furthermore, the purpose of the black start is to let the wind power plant resume its rotating movement so that the bearings are continuously provided with sufficient lubrication. (See [00040]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 7, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,233	07/29/2011	Thomas EDENFELD	226283-5	9494

52082 7590 01/11/2012
General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER
PATEL, TULSIDAS C

ART UNIT	PAPER NUMBER
2839	

NOTIFICATION DATE	DELIVERY MODE
01/11/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.carnaroli@ge.com

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P.O. Box 1450
Alexandria, VA 22313-1450
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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
EDENFELD, Thomas	:	DECISION ON PETITION
Application No. 13/194,233	:	TO MAKE SPECIAL UNDER
Filed: July 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 226283-5	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 7, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,298	07/29/2011	John R. Wilson	3003.02US06AE	9631

24113 7590 08/18/2011
PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
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EXAMINER
BEISNER, WILLIAM H

ART UNIT	PAPER NUMBER
1775	

MAIL DATE	DELIVERY MODE
08/18/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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AUG 18 2011

CST

In re application of John R. Wilson et al Serial No. 13/194,298 Filed: July 29, 2011 For: CELL CULTURE METHODS AND DEVICES UTILIZING GAS PERMEABLE MATERIALS	: : : : : : :	DECISION ON PETITION TO MAKE SPECIAL

This is a decision on the petition filed on July 29, 2011 to make the above-identified application special under the accelerated examination program.

The petition to make the application special is **GRANTED.**

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,363	07/29/2011	John R. Wilson	3003.02US07AE	9757

24113 7590 08/19/2011
PATTERSON THUENTE CHRISTENSEN PEDERSEN, P.A.
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MINNEAPOLIS, MN 55402-2100

EXAMINER
BEISNER, WILLIAM H

ART UNIT	PAPER NUMBER
1775	

MAIL DATE	DELIVERY MODE
08/19/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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CST

AUG 19 2011

In re application of	:	
John R. Wilson et al	:	
Serial No. 13/194,363	:	DECISION ON PETITION
Filed: July 29, 2011	:	TO MAKE SPECIAL
For: CELL CULTURE METHODS AND DEVICES	:	
UTILIZING GAS PERMEABLE MATERIALS	:	

This is a decision on the petition filed on July 29, 2011 to make the above-identified application special under the accelerated examination program.

The petition to make the application special is **GRANTED.**

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance; or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
   Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Christine Tierney, Quality Assurance Specialist, at (571) 272-1055.

/Christine Tierney/

Christine Tierney
Quality Assurance Specialist
Technology Center 1700

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JONATHAN P. O'BRIEN, PH.D.
HONIGMAN MILLER SCHWARTZ AND COHN LLP
350 EAST MICHIGAN AVENUE
SUITE 300
KALAMAZOO MI 49007

MAILED

SEP 02 2011

OFFICE OF PETITIONS

In re Application of	:	
Landini, et al.	:	
Application No. 13/194,564	:	DECISION
Filed/Deposited: 29 July, 2011	:	
Attorney Docket No. 231444-315383	:	

This is a decision on the petition filed on 19 August, 2011, properly considered pursuant to 37 C.F.R. §1.57, seeking to have accorded a filing date of 29 July, 2011, for the above-identified application based upon a showing that the omitted drawing/figures were present in the prior-filed application to which this application claimed benefit (pursuant to 37 C.F.R. §1.78 and/or §1.55) on deposit.

The petition is **DISMISSED**.

The instant application was deposited on 29 July, 2011.

On 15 August, 2011, the Office of Patent Application Processing (OPAP) mailed a Notice of Incomplete Nonprovisional Application, stating that the application had not been accorded a filing date because it had been deposited without drawings as required under 35 U.S.C. §113 (first sentence).

The Office indicated that Petitioner could:

- demonstrate on petition the presence of the drawings/figures by presentation of evidence of deposit (e.g., date-stamped receipt card, EFS Acknowledgement Receipt); or
- submit the drawings/figures and accept the date of submission as the filing date.

The Office gave Petitioner two (2) months within which to reply.

On 19 August, 2011, Petitioner filed, *inter alia*, a petition pursuant to 37 C.F.R. §1.57, seeking a filing date of 29 July, 2011, for the application.

Petitioner appears to have filed drawings but no amendment under the rule—an amendment is to be filed and any determination as to that amendment will be made by the Examiner.

Consideration turns to the merits of the §1.57 petition.

The regulations at 37 C.F.R. §1.57 provide that:

> (a) Subject to the conditions and requirements of this paragraph, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains a claim under §1.55 for priority of a prior-filed foreign application, or a claim under §1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under §1.55 or §1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s).
>
> > (1) The application must be amended to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by §1.114(b), or abandonment of the application, whichever occurs earlier. The applicant is also required to:
> >
> > (i) Supply a copy of the prior-filed application, except where the prior-filed application is an application filed under 35 U.S.C. §111;
> >
> > (ii) Supply an English language translation of any prior-filed application that is in a language other than English; and
> >
> > (iii) Identify where the inadvertently omitted portion of the specification or drawings can be found in the prior-filed application.
> >
> > ***
> >
> > (3) If an application is not otherwise entitled to a filing date under §1.53(b), the amendment must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in §1.17(f).

The instant application was filed after September 21, 2004, and thus, the provisions of 37 C.F.R. §1.57(a) are applicable.

Thus, as indicated above, the petition cannot be granted because, *inter alia*, Petitioner has not has not satisfied the requirements of the regulation, to wit: those at 37 C.F.R. §1.57(a)(1) as to the requirement for an amendment and identification as to where the omitted portion of the application might be found in its parent.

In view the above-identified omission, the petition must be **dismissed**.

Petitioner is entitled to submit an amendment in accordance with 37 C.F.R. §1.57(b). (*See*: MPEP 201.06(c)(IV).) No fee is necessary for such an amendment, which will be considered by the Examiner.

Alternatively, further correspondence with respect to this decision should be addressed as follows:

By mail:	Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
By FAX:	(571) 273-8300 Attn: Office of Petitions
By hand:	Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Registered users of EFS-Web may alternatively submit their response to this decision via EFS-Web.

Telephone inquiries concerning this decision should be directed to John J. Gilllon, Jr., attorney, at (571) 272-3214; telephone inquiries concerning the processing of the application should be directed to the Technology Center.

Chris Bottorff
Supervisory Petitions Examiner
Office of Petitions

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P.O. Box 1450
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JONATHAN P. O'BRIEN, PH.D.
HONIGMAN MILLER SCHWARTZ AND COHN LLP
350 EAST MICHIGAN AVENUE
SUITE 300
KALAMAZOO MI 49007

MAILED

DEC 01 2011

OFFICE OF PETITIONS

In re Application of	:	
Landini, et al.	:	
Application No. 13/194,564	:	DECISION
Filed/Deposited: 29 July, 2011	:	
Attorney Docket No. 231444-315383	:	

This is a decision on the petition filed on 16 September, 2011, and supplemented on 14 October, 2011, properly considered pursuant to 37 C.F.R. §1.57, seeking to have accorded a filing date of 29 July, 2011, for the above-identified application based upon a showing that the omitted drawing/figures were present in the prior-filed application to which this application claimed benefit (pursuant to 37 C.F.R. §1.78 and/or §1.55) on deposit.

The petition is **GRANTED**.

The instant application was deposited on 29 July, 2011.

On 15 August, 2011, the Office of Patent Application Processing (OPAP) mailed a Notice of Incomplete Nonprovisional Application, stating that the application had not been accorded a filing date because it had been deposited without drawings as required under 35 U.S.C. §113 (first sentence).

The Office indicated that Petitioner could:

- demonstrate on petition the presence of the drawings/figures by presentation of evidence of deposit (e.g., date-stamped receipt card, EFS Acknowledgement Receipt); or
- submit the drawings/figures and accept the date of submission as the filing date.

The Office gave Petitioner two (2) months within which to reply.

On 19 August, 2011, Petitioner filed, *inter alia*, a petition pursuant to 37 C.F.R. §1.57, seeking a filing date of 29 July, 2011, for the application. The petition failed to satisfy the requirements under the rule (e.g., inclusion of an amendment), and was dismissed on 2 September, 2011.

On16 September, 2011, Petitioner sought to re-advance his petition, and on 14 October, Petitioner supplemented the 16 September, 2011, submission.

Petitioner appears to have filed drawings and now an amendment under the rule—any determination as to entry of that amendment will be made by the Examiner.

Consideration turns to the merits of the §1.57 petition.

The regulations at 37 C.F.R. §1.57 provide that:

> (a) Subject to the conditions and requirements of this paragraph, if all or a portion of the specification or drawing(s) is inadvertently omitted from an application, but the application contains a claim under §1.55 for priority of a prior-filed foreign application, or a claim under §1.78 for the benefit of a prior-filed provisional, nonprovisional, or international application, that was present on the filing date of the application, and the inadvertently omitted portion of the specification or drawing(s) is completely contained in the prior-filed application, the claim under §1.55 or §1.78 shall also be considered an incorporation by reference of the prior-filed application as to the inadvertently omitted portion of the specification or drawing(s).
>
> > (1) The application must be amended to include the inadvertently omitted portion of the specification or drawing(s) within any time period set by the Office, but in no case later than the close of prosecution as defined by §1.114(b), or abandonment of the application, whichever occurs earlier. The applicant is also required to:
> >
> > (i) Supply a copy of the prior-filed application, except where the prior-filed application is an application filed under 35 U.S.C. §111;
> >
> > (ii) Supply an English language translation of any prior-filed application that is in a language other than English; and
> >
> > (iii) Identify where the inadvertently omitted portion of the specification or drawings can be found in the prior-filed application.
> >
> > ***
> >
> > (3) If an application is not otherwise entitled to a filing date under §1.53(b), the amendment must be by way of a petition pursuant to this paragraph accompanied by the fee set forth in §1.17(f).

The instant application was filed after September 21, 2004, and thus, the provisions of 37 C.F.R. §1.57(a) are applicable.

Petitioner appears now to have satisfied the requirements of the regulation, to wit: those at 37 C.F.R. §1.57(a)(1) as to the requirement for an amendment and identification as to where the omitted portion of the application might be found in its parent.

CONCLUSION

Accordingly, the petition is **granted**.

This application is being forwarded to the Office of Patent Application Processing (OPAP) formerly Office of Initial Patent Examination (OIPE), for further processing, with the filing date of 29 July, 2011, using the application papers present on that date, and preliminary amendment submitted on 16 September (supplemented on 14 October), 2011.

Any questions concerning this matter may be directed to John Gillon at (571) 272-3214.

Christopher Bottorff
Petitions Examiner
Office of Petitions

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JONATHAN P. O'BRIEN
HONIGMAN MILLER SCHWARTZ AND COHN LLP
350 EAST MICHIGAN AVENUE, SUITE 300
KALAMAZOO MI 49007

In re Application of	:	
Barbara E. Landini et al	:	
Application No. 13/194,564	:	DECISION ON PETITION
Filed: July 29, 2011	:	TO WITHDRAW
Attorney Docket No. 231444-315383	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed December 15, 2011.

The request is **NOT APPROVED**.

The request cannot be approved because the requested change in the correspondence address is improper.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71,* or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

> ***An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.***

Therefore, as there is currently no Statement under 37 CFR 3.73(b) with the current assignee information of record in the instant application, the Office cannot change the correspondence address to the address on the Request to Withdraw at this present time.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant. Telephone inquires concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Noel E. Day
222 N. Washington Square, Suite 400
Lansing, MI 48933

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JONATHAN P. O'BRIEN
HONIGMAN MILLER SCHWARTZ AND COHN LLP
350 EAST MICHIGAN AVENUE, SUITE 300
KALAMAZOO MI 49007

MAILED
JAN 23 2012
OFFICE OF PETITIONS

In re Application of	:	
Barbara E. Landini et al	:	
Application No. 13/194,564	:	DECISION ON PETITION
Filed: July 29, 2011	:	TO WITHDRAW
Attorney Docket No. 231444-315383	:	FROM RECORD
	:	

This is a supplemental decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed January 17, 2012.

The request is **NOT APPROVED**.

The request cannot be approved because the requested change in the correspondence address is improper.

The Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest *who properly became of record under 37 CFR 3.71,* or, if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71(c) states:

> ***An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73(b) that is signed by a party who is authorized to act on behalf of the assignee.***

Therefore, as there is currently no Statement under 37 CFR 3.73(b) with the current assignee information of record in the instant application, the Office cannot change the correspondence address to the address on the Request to Withdraw at this present time.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant. Telephone inquires concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

Irvin Dingle
Petitions Examiner
Office of Petitions

cc: Noel E. Day
222 N. Washington Square, Suite 400
Lansing, MI 48933

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: 250504-1	Application Number (if known): 13/194,647	Filing date: 07-29-2011

First Named Inventor: Andreas KIRCHNER

Title: POWER PLANT CONTROL SYSTEM AND METHOD FOR INFLUENCING HIGH VOLTAGE CHARACTERISTICS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 11/16/11
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Andreas KIRCHNER	)
Confirmation No.: 1327	)
	)
Serial No.: 13/194,647	)
	)
Filing Date: 07-29-2011	)
	)
Atty Docket No.: 250504-1	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The subject matter described herein relates generally to methods and systems for controlling power plants to influence the characteristics of high voltage (HV) power lines at points-of-interconnection to a grid, and more particularly, to methods and systems for controlling renewable-power plants such as wind energy power plants. (See [0001]).

A power plant has to meet the characteristics, i.e., the operating parameters, defined by the grid code to ensure proper functioning of the electrical grid. Power producers like photovoltaic power stations or wind farms have to comply with the grid code. In particular, compliance with the grid code requires that the electrical characteristics meet those prescribed by the grid code at the point-of-interconnection (POI) to the grid. The POI is typically at the high-voltage (HV) side. The HV side is separated from the medium voltage (MV) side

by a transformer which transforms medium voltage at the MV side to high voltage at the HV side. (See [0002]).

For conformance with the grid code voltage and current may be measured on an HV power line, and the measurement values may be used to control the power plant in order to influence or regulate the electrical characteristics of the HV power line at the HV side before the POI. However, special voltage and current transformers are needed for these measurements which are technically demanding since they have to cope with the high voltages at the HV side and are therefore expensive. (See [0003]).

Therefore, there is a need for a less expensive method and system to influence the HV characteristics at the POI for compliance with the grid code. (See [0004]).

In one aspect, a control system for a power plant is provided, wherein the power plant includes a medium voltage (MV) power line. The control system is configured to influence actual high voltage (HV) characteristics of an HV power line at a point-of-interconnection to a grid. The control system includes an MV-compliant measurement system configured for connection with the MV power line of the power plant. The MV-compliant measurement system includes at least one of a voltage measurement device configured for measuring the voltage on the MV power line and a current measurement device configured for measuring the current on the MV power line. The control system further includes an evaluation unit. The evaluation unit is connected to the MV-compliant measurement system and is configured to determine calculated HV characteristics of the HV power line

based on measurement values received from the MV-compliant measurement system at the MV power line and based on a model of a transformer. The transformer transforms from medium voltage on the MV power line to high voltage on the HV power line. The evaluation unit is configured to generate a control signal based on the calculated HV characteristics in order to control the power plant for influencing the actual HV characteristics of the HV power line. (See [0005]).

In another aspect, a power plant is provided. The power plant includes an MV power line and a control system. The control system is configured to influence actual HV characteristics of an HV power line at a point-of-interconnection to a grid. The control system includes an MV-compliant measurement system connected to the MV power line of the power plant. The MV-compliant measurement system includes at least one of a voltage measurement device configured for measuring the voltage on the MV power line and a current measurement device configured for measuring the current on the MV power line. The control system further includes an evaluation unit connected to the MV-compliant measurement system and configured to determine calculated HV characteristics of the HV power line based on measurement values received from the MV-compliant measurement system at the MV power line and based on a model of a transformer. The transformer transforms from medium voltage on the MV power line to high voltage on the HV power line. The evaluation unit is configured to generate a control signal based on the calculated

HV characteristics in order to control the power plant for influencing the actual HV characteristics of the HV power line. (See [0006]).

In yet another aspect, a method of influencing the actual HV characteristics of an HV power line is provided. The HV power line is connected to an MV power line of a power plant via a transformer for transforming from medium voltage on the MV power line to high voltage on the HV power line. The method includes measuring at least one of voltage and current on the MV power line, calculating HV characteristics of the HW power line based on the measured values and based on a model of the transformer, generating a control signal based on the calculated HV characteristics, and controlling the power plant by the control signal for influencing the actual HV characteristics of the HV power line. (See [0007]).

Accordingly, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 16, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,647	07/29/2011	Andreas KIRCHNER	250504-1	1327

52082 7590 12/21/2011
General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484

EXAMINER
PATEL, TULSIDAS C

ART UNIT	PAPER NUMBER
2839	

NOTIFICATION DATE	DELIVERY MODE
12/21/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gpo.mail@ge.com
allyson.carnaroli@ge.com

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General Electric Company
GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton CT 06484

In re Application of	:	
KIRCHNER, ANDREAS	:	DECISION ON PETITION
Application No. 13/194,647	:	TO MAKE SPECIAL UNDER
Filed: July 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 250504-1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 16, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

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: 6589-87708-01	Application Number (if known): 13/194,778	Filing date: July 29, 2011

First Named Inventor: Alexander Falber

Title: METHOD AND APPARATUS FOR CULTIVATION OF ALGAE AND CYANOBACTERIA

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 *Wayne W. Rupert*	Date October 12, 2011
Name (Print/Typed) Wayne W. Rupert	Registration Number 34,420

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of_____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,778	07/29/2011	Alexander Falber	6589-87708-01	1597

24197 7590 11/09/2011
KLARQUIST SPARKMAN, LLP
121 SW SALMON STREET
SUITE 1600
PORTLAND, OR 97204

EXAMINER

ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
11/09/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

tanya.harding@klarquist.com
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NOV - 9 2011

KLARQUIST SPARKMAN, LLP
121 SW SALMON STREET
SUITE 1600
PORTLAND OR 97204

In re Application of	:	
FALBER, Alexander *et al.*	:	DECISION ON PETITION
Application No. 13/194778	:	TO MAKE SPECIAL UNDER
Filed: July 29, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 6589-87708-01	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 12, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1653 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,871	07/29/2011	W. Lynn Frazier	MOTI-018	1776

60935 7590 08/25/2011
Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON, TX 77058

EXAMINER
BOMAR, THOMAS S

ART UNIT	PAPER NUMBER
3676	

NOTIFICATION DATE	DELIVERY MODE
08/25/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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docketing@edmondsnolte.com

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AUG 24 2011

Edmonds Nolte, PC
16815 Royal Crest Drive
Suite 130
Houston, TX 77058

In re application of	:	**DECISION ON PETITION**
Lynn W. Frazier	:	**TO MAKE SPECIAL FOR**
Application No. 13/194,871	:	**NEW APPLICATION**
Filed: July 29, 2011	:	**UNDER 37 CFR 1.102**
For: BOTTOM SET DOWNHOLE PLUG		

This is a decision on the petition filed on July 29, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search. The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; and (2) the

structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition in this case fails to comply with conditions II.5.2, II.6.3, and II.6.5.

As to condition II.5.2, the petition lacks an indication of a preexamination search that encompasses all of the features of the claims. Specifically, there does not appear to be an adequate classification search. A proper classification search for this invention needs to additionally include a search of 166/135 (where the case is classified) and 166/138. Furthermore, it does not appear that an adequate text search has been completed. The search appears to be misdirected and lacks some claimed elements. Search logic encompassing the "broadest reasonable interpretation" of the claimed invention is required. The USPTO website has an example of the proper manner of performing and documenting a preexamination search for Accelerated Examination petitions at: http://www.uspto.gov/web/patents/accelerated/. Additionally, an example of sample search logic is provided below:

(plug packer) same (drillable adj material) same composite
(packer) same (ball near3 (disappear$3 degradable degrad$3))
(packer near set) same (slip wedge) same flapper
(packer plug) and ((drill$3 adj out) same (anti?rotat$3))
(frac adj (plug packer)).ti.

The sample search logic is not meant to be the sole search logic that can or should be employed in this application, but is meant solely as an example for applicant's assistance. The same examples shown above for the text search can also be used in the search of foreign databases and any NPL search.

Many of the more common limitations present in the claims are apparently not found in any of the cited references. Some of the claims or portions thereof, for example, but not limited to, the third limitation in claim 1, the second limitation in claim 12, claims 3-8, 10, 14, 15, 17 and 20, appear to contain limitations that are quite common and it strains credulity to assert that nowhere in the prior art are located these additional claimed limitations. The lack of finding art on what appears to be limitations quite common in the art is an indication that a search of the 'broadest reasonable interpretation" of the invention has not been properly completed. While a reference containing a specific

limitation of any one claim may not result in a rejection of the claim, not finding the structure at all calls into question the sufficiency of the search. It appears that the search may have been completed on the concept of the disclosed invention of the independent claims rather than the specifics of the "claimed invention" as is required.

The general requirement is that applicant is required to submit an accelerated examination support document (AESD) that includes an IDS in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims (whether in independent or dependent form). Specifically:

> **(1)** Applicant **is not** required to cite the references that are only relevant to the general subject matter of the claims because there are references that are more closely related to the subject matter of the claims. Applicant is also not required to cite a reference that is cumulative to any other reference cited in the IDS.
> **(2)** Applicant **is** required to cite any reference that establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim (see 37 CFR 1.56(b)) in the IDS of the AESD.
> **(3)** Applicant **is** required to cite the reference that discloses the most limitations in the independent claim.
> **(4)** Applicant **is** required to cite any reference that discloses a limitation of an independent claim that is not shown in the other references.
> **(5)** Applicant **is** required to cite any reference that discloses a limitation of a dependent claim that is not shown in the other references.

As to item II.6.3, there is not a satisfactory detailed explanation of claim patentability over each of the references. The explanation needs to specify how each of the claims are patentable over each of the cited references, which includes the need to specify whether each of the dependent claims are separately patentable beyond the limitations contained in the independent claims, and if so how, or a statement made that the dependent claims are not separately patentable. This is certainly not clear for dependent claims 3-4, 8, 11, 15 and 16 because these claims are indicated as being allowable because of the claims upon which they are dependent and silent on whether they are separately allowable over the cited art for what they are claiming. This needs to be made clear. In addition, any indication of patentability over the prior art references needs to take in to account any distinctions seen as being obvious over any single or a combination of cited references.

As to condition to II.6.5, the showing of where each limitation of each of the claims finds support under 35 USC 112 in the written description of the application is sufficient. However, similar support (if any) for the claimed invention must additionally be shown in the parent application upon which priority is claimed under 35 USC 120. Specifically, for parent application 12/317,497, a listing of where the limitations of the claims find support is necessary.

The petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

DECISION

For the above stated reasons, the petition is **DISMISSED**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within one (1) month or thirty (30) days, whichever is longer, from the date of this decision. No extensions of time will be granted under 37 CFR 1.136(a) if the request is to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Steven N. Meyers at (571) 272-6611.

Steven N. Meyers
Quality Assurance Specialist
Technology Center 3600

Snm: 8/24/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,871	07/29/2011	W. Lynn Frazier	MOTI-018	1776

60935 7590 09/30/2011
Edmonds Nolte, PC
16815 ROYAL CREST DRIVE
SUITE 130
HOUSTON, TX 77058

EXAMINER
FULLER, ROBERT EDWARD

ART UNIT	PAPER NUMBER
3676	

NOTIFICATION DATE	DELIVERY MODE
09/30/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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docketing@edmondsnolte.com

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SEP 29 2011

Edmonds Nolte, PC
16815 Royal Crest Drive
Suite 130
Houston, TX 77058

In re application of	:	**DECISION ON PETITION**
Lynn W. Frazier	:	**TO MAKE SPECIAL FOR**
Application No. 13/194,871	:	**NEW APPLICATION**
Filed: July 29, 2011	:	**UNDER 37 CFR 1.102**
For: BOTTOM SET DOWNHOLE PLUG		

This is a decision on the renewed petition filed on September 21, 2011, to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The renewed petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed to a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of

Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Quality Assurance Specialist Steven N. Meyers, at (571) 272-6611.

Steven N. Meyers,
Quality Assurance Specialist
Technology Center 3600

Sm/sm: 9/28/11

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/194,877	07/29/2011	W. Lynn Frazier	MOTI-014	1786

60935 7590 09/13/2011
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EXAMINER

ART UNIT	PAPER NUMBER
2833	

NOTIFICATION DATE	DELIVERY MODE
09/13/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@edmondsnolte.com

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HOUSTON TX 77058

In re Application of: Lynn FRAZIER Serial No.: 13/194877 Filed: 29 July 2011 Title: **CONFIGURABLE INSERTS FOR DOWNHOLE PLUGS**	: : : : : :	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.2

This is a decision on the renewed petition filed on 29 July 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DENIED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:
1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview;

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner; and

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable expectation; and

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document. An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

Regarding the conditions set forth in section I, subsection 3, the application must be in condition for examination at the time of filing. A Notice to File Corrected Application Papers, mailed 8/9/2011, indicated that the application had been filed with an unsigned oath or declaration, and without the filing fee, search fee, and examination fee. This notice provides evidence that the application was not in condition for examination at the time of filing. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

A copy of the Federal Register on June 26, 2006 (71 Fed. Reg. 36323) is attached to the mailed decision for petitioner's review. See especially, Part VIII, Conditions for Examination. Further guidance may be found at www.UPTO.gov under the accelerated examination link.

DECISION

For the above-stated reasons, the petition is **denied**. The application will remain in its regular status, and will be taken up by the examiner for action in its regular turn.

Any inquiries regarding this decision should be directed to Quality Assurance Specialist (QAS) Michael Day at (571) 272-1568.

/Michael Day/

Michael Day, QAS
Technology Center 2800
Semiconductors, Electrical and Optical
Systems and Components

(2) Activities will be initiated before dusk;

(3) Construction noises must be kept constant (i.e., not interrupted by periods of quiet in excess of 30 minutes) while pinnipeds are present;

(4) If activities cease for longer than 30 minutes and pinnipeds are in the area, start-up of activities will include a gradual increase in noise levels;

(5) A NMFS-approved marine mammal observer will visually monitor the pinnipeds on the beach adjacent to the harbor and on rocks for any flushing or other behaviors as a result of Boeing's activities (see Monitoring); and

(6) To the extent possible, the *Delta Mariner* and accompanying vessels will enter the harbor only when the tide is too high for harbor seals to haul-out on the rocks. The vessel will reduce speed 1.5 to 2 knots (2.8–3.7 km/hr) once the vessel is within 3 mi (4.83 km) of the harbor. The vessel will enter the harbor stern first, approaching the wharf and mooring dolphins at less than 0.75 knot (1.4 km/hr).

Monitoring

As part of its 2002 application, Boeing provided a proposed monitoring plan for assessing impacts to harbor seals from the activities at south VAFB harbor and for determining when mitigation measures should be employed. NMFS proposes the same plan for this IHA.

A NMFS-approved and VAFB-designated biologically trained observer will monitor the area for pinnipeds during all harbor activities. During nighttime activities, the harbor area will be illuminated, and the monitor will use a night vision scope. Monitoring activities will consist of:

(1) Conducting baseline observation of pinnipeds in the project area prior to initiating project activities;

(2) Conducting and recording observations on pinnipeds in the vicinity of the harbor for the duration of the activity occurring when tides are low enough for pinnipeds to haul out (2 ft, 0.61 m, or less); and

(3) Conducting post-construction observations of pinniped haul-outs in the project area to determine whether animals disturbed by the project activities return to the haul-out.

Monitoring results from previous years of these activities have been reviewed and incorporated into the analysis of potential effects in this document, as well as the take estimates.

Reporting

Boeing will notify NMFS 2 weeks prior to initiation of each activity. After each activity is completed, Boeing will provide a report to NMFS within 90 days. This report will provide dates and locations of specific activities, details of seal behavioral observations, and estimates of the amount and nature of all takes of seals by harassment or in other ways. In addition, the report will include information on the weather, the tidal state, the horizontal visibility, and the composition (species, gender, and age class) and locations of haul-out group(s). In the unanticipated event that any marine mammal is injured or killed as a result of these activities, Boeing or its designee shall report the incident to NMFS immediately.

Endangered Species Act

This action will not affect species listed under the Endangered Species Act (ESA) that are under the jurisdiction of NMFS. VAFB formally consulted with U.S. Fish and Wildlife Service (FWS) in 1998 on the possible take of southern sea otters during Boeing's harbor activities at south VAFB. A Biological Opinion was issued in August 2001, which concluded that the proposed activities were not likely to jeopardize the continued existence of the southern sea otter. The activities covered by this IHA are analyzed in that Biological Opinion, and this IHA does not modify the action in a manner that was not previously analyzed.

National Environmental Policy Act

In 2001, the USAF prepared an Environmental Assessment (EA) for Harbor Activities Associated with the Delta IV Program at Vandenberg Air Force Base. In 2005, NMFS prepared an EA supplementing the information contained in the USAF EA and issued a Finding of No Significant Impact (FONSI) on the issuance of an IHA for Boeing's harbor activities in accordance with section 6.01 of the National Oceanic and Atmospheric Administration Administrative Order (NAO) 216–6 (Environmental Review Procedures for Implementing the National Environmental Policy Act, May 20, 1999). The proposed activity is within the scope of NMFS'2005 EA and FONSI.

Conclusions

NMFS has issued an IHA to Boeing for harbor activities related to the Delta IV/EELV to take place at south VAFB over a 1-year period, contingent upon adherence to the previously mentioned mitigation, monitoring, and reporting requirements. NMFS has determined that the impact of harbor activities related to the Delta IV/EELV at VAFB (transport vessel operations, cargo movement activities, harbor maintenance dredging, and kelp habitat mitigation) will result in the Level B Harassment of small numbers of Pacific harbor seals, California sea lions, and northern elephant seals. The effects of Boeing's harbor activities are expected to be in the form of short-term and localized behavioral changes and no take by injury or death is anticipated or authorized. NMFS has further determined that these takes will have a negligible impact on the affected marine mammal species and stocks and will not have an unmitigable adverse impact on the availability of such marine mammal species and stocks for subsistence uses.

Authorization

NMFS has issued an IHA to take marine mammals, by Level B harassment, incidental to conducting harbor activities at VAFB to Boeing for a 1-year period, provided the mitigation, monitoring, and reporting requirements are undertaken.

Dated: June 19, 2006.

James H. Lecky,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E6–10044 Filed 6–23–06; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO–P–2006–0014]

Changes to Practice for Petitions in Patent Applications To Make Special and for Accelerated Examination

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO) has established procedures under which the examination of a patent application may be accelerated. Under one of these procedures, the USPTO will advance an application out of turn for examination if the applicant files a grantable petition to make special under the accelerated examination program. The USPTO is revising its procedures for applications made special under the accelerated examination program with the goal of completing examination within twelve months of the filing date of the application. The USPTO is similarly revising the procedures for other petitions to make special, except those based on applicant's health or age or the recently announced Patent Prosecution Highway (PPH) pilot program between the USPTO and the Japan Patent Office.

DATES: *Effective Date:* The change in practice in this notice applies to

petitions to make special filed on or after August 25, 2006.

FOR FURTHER INFORMATION CONTACT: Pinchus Laufer, Detailee, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patent Examination Policy, by telephone at (571) 272–7726, or by facsimile at (571) 273–7726. Comments concerning petition to make special practice may be sent by electronic mail message over the Internet addressed to *MPEPFeedback@uspto.gov*, or submitted by mail addressed to: Mail Stop Comments—Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313–1450.

Any inquiries concerning electronic filing of the application should be directed to the Electronic Business Center (EBC) at (866) 217–9197. Any inquiries concerning a specific petition to make special should be directed to the appropriate Technology Center Special Program Examiner.

SUPPLEMENTARY INFORMATION: New patent applications are normally taken up for examination in the order of their United States filing date. The USPTO has a procedure for requesting accelerated examination under which an application will be advanced out of turn for examination if the applicant files a petition to make special with the appropriate showing. *See* 37 CFR 1.102 and *Manual of Patent Examining Procedure* § 708.02 (VIII) (8th ed. 2001) (Rev. 3, August 2005) (MPEP). The USPTO is revising its procedures for applications made special under the accelerated examination program with the goal of completing examination within twelve months of the filing date of the application. *See* Part VIII (subsection The Twelve-Month Goal) for more information.

The USPTO is similarly revising the procedures for other petitions to make special, except those based on applicant's health or age or the PPH pilot program. Specifically, other petitions to make special (*i.e.*, petitions based on: manufacture, infringement, environmental quality, energy, recombinant DNA, superconductivity materials, HIV/AIDS and cancer, countering terrorism, and biotechnology applications filed by small entities (*see* MPEP § 708.02)) will be processed and examined using the revised procedure for accelerated examination. Thus, all petitions to make special, except those based on applicant's health or age or the PPH pilot program, will be required to comply with the requirements of petitions to make special under the accelerated examination program that are set forth in this notice.

Any petition to make special, other than those based on applicant's health or age or the PPH pilot program, filed on or after the effective date must meet the requirements set forth in this notice. Applications filed before the effective date will not be eligible for the revised accelerated examination program. Until the effective date, applicant may file a petition to make special in an application filed before the effective date by complying with the previous guidelines and requirements in MPEP § 708.02 (I–II, and V–XII). A petition to make special filed after the effective date will only be granted if it is based upon applicant's health or age or is under the PPH pilot program, or if it complies with the requirements set forth in this notice. See Part VIII, for more information on eligibility.

Part I. Requirements for Petitions to Make Special under Accelerated Examination: A new application may be granted accelerated examination status under the following conditions:

(1) The application must be filed with a petition to make special under the accelerated examination program accompanied by either the fee set forth in 37 CFR 1.17(h) or a statement that the claimed subject matter is directed to environmental quality, energy, or countering terrorism. *See* 37 CFR 1.102(c)(2). Applicant should use form PTO/SB/28 for filing the petition.

(2) The application must be a non-reissue utility or design application filed under 35 U.S.C. 111(a).

(3) The application, petition, and required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-Web. If the USPTO's EFS and EFS-Web are not available to the public during the normal business hours for these systems at the time of filing the application, applicant may file the application, other papers and fees by mail accompanied by a statement that EFS and EFS-Web were not available during the normal business hours, but the final disposition of the application may occur later than twelve months from the filing of the application. *See* Part VIII (subsection The Twelve-Month Goal) for more information.

(4) At the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination. For example, the application must be filed together with the basic filing fee, search fee, examination fee, and application size fee (if applicable), and an executed oath or declaration under 37 CFR 1.63. *See* Part VIII (subsection Conditions for Examination) for more information.

(5) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must also not contain any multiple dependent claims. By filing a petition to make special under the accelerated examination program the applicant is agreeing not to separately argue the patentability of any dependent claim during any appeal in the application. Specifically, the applicant is agreeing that the dependent claims will be grouped together with and not argued separately from the independent claim from which they depend in any appeal brief filed in the application (37 CFR 41.37(c)(1)(vii)). The petition must include a statement that applicant will agree not to separately argue the patentability of any dependent claim during any appeal in the application. See form PTO/SB/28.

(6) The claims must be directed to a single invention. If the USPTO determines that all the claims presented are not directed to a single invention, applicant must make an election without traverse in a telephonic interview. The petition must include a statement that applicant will agree to make an election without traverse in a telephonic interview. See form PTO/SB/28.

(7) The applicant must be willing to have an interview (including an interview before a first Office action) to discuss the prior art and any potential rejections or objections with the intention of clarifying and possibly resolving all issues with respect to patentability at that time. The petition must include a statement that applicant will agree to have such an interview when requested by the examiner. See form PTO/SB/28.

(8) At the time of filing, applicant must provide a statement that a preexamination search was conducted, including an identification of the field of search by United States class and subclass and the date of the search, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file or files searched and the database service, and the date of the search.

(A) This preexamination search must involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated source and includes such a justification with this statement.

(B) This preexamination search must be directed to the claimed invention and

encompass all of the features of the claims, giving the claims the broadest reasonable interpretation.

(C) The preexamination search must also encompass the disclosed features that may be claimed. An amendment to the claims (including any new claim) that is not encompassed by the preexamination search or an updated accelerated examination support document (*see* item 9) will be treated as not fully responsive and will not be entered. *See* Part IV (Reply by Applicant) for more information.

(D) A search report from a foreign patent office will not satisfy this preexamination search requirement unless the search report satisfies the requirements set forth in this notice for a preexamination search.

(E) Any statement in support of a petition to make special must be based on a good faith belief that the preexamination search was conducted in compliance with these requirements. *See* 37 CFR 1.56 and 10.18.

(9) At the time of filing, applicant must provide in support of the petition an accelerated examination support document.

(A) An accelerated examination support document must include an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims.

(B) For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference.

(C) The accelerated examination support document must include a detailed explanation of how each of the claims are patentable over the references cited with the particularity required by 37 CFR 1.111(b) and (c).

(D) The accelerated examination support document must include a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application).

(E) The accelerated examination support document must include a showing of where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112 in the written description of the specification. If applicable, the showing must also identify: (1) Each means- (or step-) plus-function claim element that invokes consideration under 35 U.S.C. 112, ¶ 6; and (2) the structure, material, or acts in the specification that correspond to each means- (or step-) plus-function claim element that invokes consideration under 35 U.S.C. 112, ¶ 6. If the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under the first paragraph of 35 U.S.C. 112 in each such application in which such support exists.

(F) The accelerated examination support document must identify any cited references that may be disqualified as prior art under 35 U.S.C. 103(c) as amended by the Cooperative Research and Technology Enhancement (CREATE) Act (Pub. L. 108–453, 118 Stat. 3596 (2004)).

Part II. Decision on Petition To Make Special: Applicant will be notified of the decision by the deciding official. If the application and/or petition does not meet all the prerequisites set forth in this notice for the application to be granted special status (including a determination that the search is deemed to be insufficient), the applicant will be notified of the defects and the application will remain in the status of a new application awaiting action in its regular turn. In those instances in which the petition or accelerated examination support document is defective in one or more requirements, applicant will be given a single opportunity to perfect the petition or accelerated examination support document within a time period of one month (no extensions under 37 CFR 1.136(a)). This opportunity to perfect a petition does not apply to applications that are not in condition for examination on filing. *See* Part VIII (subsection Condition for Examination). If the document is satisfactorily corrected in a timely manner, the petition will then be granted, but the final disposition of the application may occur later than twelve months from the filing date of the application. Once a petition has been granted, prosecution will proceed according to the procedure set forth below.

Part III. The Initial Action on the Application by the Examiner: Once the application is granted special status, the application will be docketed and taken up for action expeditiously (*e.g.*, within two weeks of the granting of special status). If it is determined that all the claims presented are not directed to a single invention, the telephone restriction practice set forth in MPEP § 812.01 will be followed. Applicant must make an election without traverse during the telephonic interview. If applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (the invention of claim 1) as constructively elected without traverse for examination. Continuing applications (*e.g.*, a divisional application directed to the non-elected inventions) will not automatically be given special status based on papers filed with the petition in the parent application. Each continuing application must on its own meet all requirements for special status.

If the USPTO determines that a possible rejection or other issue must be addressed, the examiner will telephone the applicant to discuss the issue and any possible amendment or submission to resolve such issue. The USPTO will not issue an Office action (other than a notice of allowance) unless either: (1) An interview was conducted but did not result in the application being placed in condition for allowance; or (2) there is a determination that an interview is unlikely to result in the application being placed in condition for allowance. Furthermore, prior to the mailing of any Office action rejecting the claims, the USPTO will conduct a conference to review the rejections set forth in the Office action.

If an Office action other than a notice of allowance or a final Office action is mailed, the Office action will set a shortened statutory period of one-month or thirty-days, whichever is longer. No extensions of this shortened statutory period under 37 CFR 1.136(a) will be permitted. Failure to timely file a reply will result in abandonment of the application. *See* Parts V and VI for more information on post-allowance and after-final procedures.

Part IV. Reply by Applicant: A reply to an Office action must be limited to the rejections, objections, and requirements made. Any amendment that attempts to: (1) Add claims which would result in more than three independent claims, or more than twenty total claims, pending in the application; (2) present claims not encompassed by the preexamination search (*see* item 8 of Part I) or an updated accelerated examination support document (*see* next paragraph); or (3) present claims that are directed to a nonelected invention or an invention other than previously claimed in the application, will be treated as not fully responsive and will not be entered. *See* Part VIII (subsection Reply Not Fully responsive) for more information.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document in Part I, item 9, applicant is required to provide an updated accelerated examination

support document that encompasses the amended or new claims at the time of filing the amendment. Failure to provide such updated accelerated examination support document at the time of filing the amendment will cause the amendment to be treated as not fully responsive and not to be entered. *See* Part VIII (subsection Reply Not Fully Responsive) for more information. Any IDS filed with an updated accelerated examination support document must also comply with the requirements of 37 CFR 1.97 and 1.98.

Any reply or other papers must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the papers are not filed electronically via EFS-Web, or the reply is not fully responsive, the final disposition of the application may occur later than twelve months from the filing of the application.

Part V. Post-Allowance Processing: The mailing of a notice of allowance is the final disposition for purposes of the twelve-month goal for the program. In response to a notice of allowance, applicant must pay the issue fee within three months from the date of mailing of the Notice of Allowance and Fee(s) Due (form PTOL–85) to avoid abandonment of the application. In order for the application to be expeditiously issued as a patent, the applicant must also: (1) Pay the issue fee (and any outstanding fees due) within one month from the mailing date of the form PTOL–85; and (2) not file any post-allowance papers that are not required by the USPTO (*e.g.*, an amendment under 37 CFR 1.312 that was not requested by the USPTO).

Part VI. After-Final and Appeal Procedures: The mailing of a final Office action or the filing of a notice of appeal, whichever is earlier, is the final disposition for purposes of the twelve-month goal for the program. Prior to the mailing of a final Office action, the USPTO will conduct a conference to review the rejections set forth in the final Office action (*i.e.*, the type of conference conducted in an application on appeal when the applicant requests a pre-appeal brief conference). In order for the application to be expeditiously forwarded to the Board of Patent Appeals and Interferences (BPAI) for a decision, applicant must: (1) Promptly file the notice of appeal, appeal brief, and appeal fees; and (2) not request a pre-appeal brief conference. A pre-appeal brief conference would not be of value in an application under a final Office action because the examiner will have already conducted such a conference prior to mailing the final Office action. During the appeal process, the application will be treated in accordance with the normal appeal procedures. The USPTO will continue to treat the application special under the accelerated examination program after the decision by the BPAI.

Any after-final amendment, affidavit, or other evidence filed under 37 CFR 1.116 or 41.33 must also meet the requirements set forth in Part IV (Reply by Applicant). If applicant files a request for continued examination (RCE) under 37 CFR 1.114 with a submission and fee, the submission must meet the reply requirements under 37 CFR 1.111 (*see* 37 CFR 1.114(c)) and the requirements set forth in Part IV (Reply by Applicant). The filing of the RCE is a final disposition for purposes of the twelve-month goal for the program. The application will retain its special status and remain in the accelerated examination program. Thus, the examiner will continue to examine the application in accordance with the procedures set forth in Part III and any subsequent replies filed by applicant must meet the requirements of Part IV. The goal of the program will then be to reach a final disposition of the application within twelve months from the filing of the RCE.

Part VII. Proceedings Outside the Normal Examination Process: If an application becomes involved in proceedings outside the normal examination process (*e.g.*, a secrecy order, national security review, interference, or petitions under 37 CFR 1.181–1.183), the USPTO will treat the application special under the accelerated examination program before and after such proceedings. During those proceedings, however, the application will not be accelerated. For example, during an interference proceeding, the application will be treated in accordance with the normal interference procedures and will not be treated under the accelerated examination program. Once any one of these proceedings is completed, the USPTO will process the application expeditiously under the accelerated examination program until it reaches final disposition, but that may occur later than twelve months from the filing of the application.

Part VIII. More Information: Eligibility: Any non-reissue utility or design application filed under 35 U.S.C. 111(a) on or after the effective date of this program is eligible for the revised accelerated examination program. The following types of filings are not eligible for this revised accelerated examination program: Plant applications, reissue applications, applications entering the national stage from an international application after compliance with 35 U.S.C. 371, reexamination proceedings, RCEs under 37 CFR 1.114 (unless the application was previously granted special status under the program), and petitions to make special based on applicant's health or age or under the PPH pilot program. Rather than participating in this revised accelerated examination program, applicants for a design patent may participate in the expedited examination program by filing a request in compliance with the guidelines set forth in MPEP § 1504.30. *See* 37 CFR 1.155.

Form: Applicant should use form PTO/SB/28 for filing a petition to make special, other than those based on applicant's health or age or the PPH pilot program. The form is available on EFS-Web and on the USPTO's Internet Web site at *http://www.uspto.gov/web/forms/index.html.*

Conditions for Examination: The application must be in condition for examination at the time of filing. This means the application must include the following:

(A) Basic filing fee, search fee, and examination fee, under 37 CFR 1.16 (*see* MPEP section 607(I)),

(B) Application size fee under 37 CFR 1.16(s) (if the specification and drawings exceed 100 sheets of paper) (*see* MPEP section 607(II));

(C) An executed oath or declaration in compliance with 37 CFR 1.63;

(D) A specification (in compliance with 37 CFR 1.52) containing a description (37 CFR 1.71) and claims in compliance with 37 CFR 1.75;

(E) A title and an abstract in compliance with 37 CFR 1.72;

(F) Drawings in compliance with 37 CFR 1.84;

(G) Electronic submissions of sequence listings in compliance with 37 CFR 1.821(c) or (e), large tables, or computer listings in compliance with 37 CFR 1.96, submitted via the USPTO's electronic filing system (EFS) in ASCII text as part of an associated file (if applicable);

(H) Foreign priority claim under 35 U.S.C. 119(a)–(d) identified in the executed oath or declaration or an application data sheet (if applicable);

(I) Domestic benefit claims under 35 U.S.C. 119(e), 120, 121, or 365(c) in compliance with 37 CFR 1.78 (*e.g.*, the specific reference to the prior application must be submitted in the first sentence(s) of the specification or in an application data sheet, and for any benefit claim to a non-English language provisional application, the application must include a statement that: (a) An English language translation, and (b) a statement that the translation is

accurate, have been filed in the provisional application) (if applicable);

(J) English language translation under 37 CFR 1.52(d), a statement that the translation is accurate, and the processing fee under 37 CFR 1.17(i) (if the specification is in a non-English language);

(K) No preliminary amendments present on the filing date of the application; and

(L) No petition under 37 CFR 1.47 for a non-signing inventor.

Furthermore, if the application is a design application, the application must also comply with the requirements set forth in 37 CFR 1.151–1.154.

Applicant should also provide a suggested classification, by class and subclass, for the application on the transmittal letter, petition, or an application data sheet as set forth in 37 CFR 1.76(b)(3) so that the application can be expeditiously processed.

The petition to make special will be dismissed if the application omits an item or includes a paper that causes the Office of Initial Patent Examination (OIPE) to mail a notice during the formality review (*e.g.*, a notice of incomplete application, notice to file missing parts, notice to file corrected application papers, notice of omitted items, or notice of informal application). The opportunity to perfect a petition (Part II) does not apply to applications that are not in condition for examination on filing.

Reply Not Fully Responsive: If a reply to a non-final Office action is not fully responsive, but a *bona fide* attempt to advance the application to final action, the examiner may provide one month or thirty-days, whichever is longer, for applicant to supply the omission or a fully responsive reply. No extensions of this time period under 37 CFR 1.136(a) will be permitted. Failure to timely file the omission or a fully responsive reply will result in abandonment of the application. If the reply is not a *bona fide* attempt or it is a reply to a final Office action, no additional time period will be given. The time period set forth in the previous Office action will continue to run.

Withdrawal From Accelerated Examination: There is no provision for "withdrawal" from special status under the accelerated examination program. An applicant may abandon the application that has been granted special status under the accelerated examination program in favor of a continuing application, and the continuing application will not be given special status under the accelerated examination program unless the continuing application is filed with a petition to make special under the accelerated examination program. The filing of an RCE under 37 CFR 1.114, however, will not result in an application being withdrawn from special status under the accelerated examination program.

The Twelve-Month Goal: The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. The twelve-month goal is successfully achieved when one of the following final dispositions occurs: (1) The mailing of a notice of allowance; (2) the mailing of a final Office action; (3) the filing of an RCE; or (4) the abandonment of the application. The final disposition of an application, however, may occur later than the twelve-month timeframe in certain situations (*e.g.*, an IDS citing new prior art after the mailing of a first Office action). *See* Part VII for more information on other events that may cause examination to extend beyond this twelve-month time frame. In any event, however, this twelve-month timeframe is simply a goal. Any failure to meet the twelve-month goal or other issues relating to this twelve-month goal are neither petitionable nor appealable matters.

Paperwork Reduction Act: This notice involves information collection requirements which are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). The collection of information involved in this notice has been reviewed and previously approved by OMB under OMB control number 0651–0031. The Office has submitted a Change Worksheet to OMB for review of form PTO/SB/28 Petition to Make Special Under the Accelerated Examination.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB control number.

Section 708.02 of the *Manual of Patent Examining Procedure* will be revised in due course to reflect this change in practice.

Dated: June 20, 2006.

Jon W. Dudas,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. E6–10022 Filed 6–23–06; 8:45 am]

BILLING CODE 3510–16–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Designation under the Textile and Apparel Commercial Availability Provisions of the United States Caribbean Basin Trade Partnership Act (CBTPA)

June 21, 2006.

AGENCY: The Committee for the Implementation of Textile Agreements (CITA)

ACTION: Designation.

EFFECTIVE DATE: June 26, 2006.

SUMMARY: The Committee for the Implementation of Textile Agreements (CITA) has determined that certain 100 percent cotton, yarn-dyed, 3- or 4-thread twill weave, flannel fabrics, of combed, ring spun single yarns, of the specifications detailed below, classified in subheading 5208.43.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in products in Categories 340, 341, and 350, cannot be supplied by the domestic industry in commercial quantities in a timely manner. The CITA hereby designates products in Categories 340, 341, and 350 that are both cut and sewn or otherwise assembled in one or more eligible CBTPA beneficiary countries from such fabrics, as eligible for quota free and duty free treatment under the textile and apparel commercial availability provisions of the CBTPA and eligible under HTSUS subheading 9820.11.27 to enter free of quota and duties, provided that all other fabrics in the referenced apparel articles are wholly formed in the United States from yarns wholly formed in the United States.

FOR FURTHER INFORMATION CONTACT: Maria K. Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482 3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 213(b)(2)(A)(v)(II) of CBERA, as added by Section 211(a) of the CBTPA; Presidential Proclamation 7351 of October 2, 2000; Section 6 of Executive Order No. 13191 of January 17, 2001.

BACKGROUND:

The commercial availability provision of the CBTPA provides for duty free and quota free treatment for apparel articles that are both cut (or knit to shape) and sewn or otherwise assembled in one or more beneficiary CBTPA country from fabric or yarn that is not formed in the United States if it has been determined that such yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely

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.
13/194,896	07/29/2011	Eric Sonnabend	PM-002	1819

65513 7590 08/19/2011
American Patent Agency PC
Dan Hussain
119 Luna Lane
Johnstown, PA 15904

EXAMINER
WU, DANIEL J

ART UNIT	PAPER NUMBER
2612	

NOTIFICATION DATE	DELIVERY MODE
08/19/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

company@american-patent-agency.com
dan@apvusa.com
albert@apvusa.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

American Patent Agency PC
Dan Hussain
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Johnstown PA 15904

In re Application of: **SONNABEND, ERIC** et al. Serial No.: **13/194,896** Filed: **July 29, 2011** Attorney Docket Number: **PM-002** Title: **PARKING INFORMATION COLLECTION SYSTEM AND METHOD**	DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on July 29, 2011 requesting to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **GRANTED**.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an

interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:
To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Daniel Swerdlow, Quality Assurance Specialist, at (571) 272-7531.

/Daniel Swerdlow/

Daniel Swerdlow
Quality Assurance Specialist
Technology Center 2600
Communications

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.
13/194,905	07/29/2011	Joseph Shohfi	66867/G492	1838

23363 7590 02/27/2012
CHRISTIE, PARKER & HALE, LLP
PO BOX 29001
Glendale, CA 91209-9001

EXAMINER
CHOW, DOON Y

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
02/27/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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CHRISTIE, PARKER & HALE, LLP
PO BOX 29001
Glendale CA 91209-9001

In re Application of:
SHOHFI, Joseph et al.
Application No. 13/194,905
Filed: July 29, 2011
For: **SYSTEM AND METHOD FOR VISUAL COMMUNICATION BETWEEN BUYERS AND SELLERS**

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 November 15, 2011, requesting acceptance of color drawings.

The petition requests that the color drawings of Figures 15-44, 47A and 47B 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 one (1) set of color drawings (Figures 15-44, 47A and 47B) via EFS-Web, which is acceptable. However, the petition was not accompanied with the required fee and the specification does not contain the required notification described above.

Accordingly, the petition is **DISMISSED**.

A renewed petition under 37 CFR § 1.84(a)(2) must be filed within TWO (2) MONTHS of this decision. If applicant fails to file a renewed petition within TWO (2) MONTHS, the drawings will be printed in black and white.

Best Available Copy

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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United States Patent and Trademark Office
P.O. Box 1450
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LAMORTE & ASSOCIATES P.C.
P.O. BOX 434
YARDLEY PA 19067

MAILED

SEP 07 2011

OFFICE OF PETITIONS

In re Application of	:	
Edward M. Sioma	:	
Application No. 13/194,959	:	DECISION ON PETITION
Filed: July 31, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. **Sioma-2**	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 15, 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 AU 2878 for action on the merits commensurate with this decision.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
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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HUNTON & WILLIAMS, LLP
INTELLECTUAL PROPERTY DEPARTMENT
2200 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20037

MAILED
MAR 05 2012
OFFICE OF PETITIONS

In re Application of
Shraga Rottem
Application No. 13/195,081
Filed: August 1, 2011
Attorney Docket No. 68018.000034

DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 26, 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.

Petitioner should note that the Office will no longer accept address changes to a new practitioner of law firm filed with a Request, absent the filing of a power of attorney to the new representative. The Office will either change the correspondence address of record to the most current address information provided for the assignee of the entire interest who properly became of record under 37 CFR 3.71 or, the most current address information provided for the first named inventor.

In order to request or take action in a patent matter, the assignee must establish its ownership of the patent to the satisfaction of the Director. In this regard, a Statement under 37 CFR 3.73(b) must have either: (i) documentary evidence of a chain of title from the original owner to the assignee (*e.g.*, copy of an executed assignment), and a statement affirming that the documentary evidence of the chain of title from the original owner to the assignee was or concurrently is being submitted for recordation pursuant to § 3.11; or (ii) a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (*e.g.*, reel and frame number).

Accordingly, since the request to withdraw from record does not include an acceptable current correspondence address for future communications from the Office, the request cannot be granted at the present time.

All future communications from the Office will continue to be directed to the address of record until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642. All other inquiries concerning the examination or status of this application should be directed to the Technology Center.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

cc: DR. SHRAGA ROTTEM
INTELLISON, AUDUBON BIOMEDICAL
SCIENCE & TECHNOLOGY PARK OF
COLUMBIA UNIVERSITY
3960 BROADWAY
NEW YORK NY 10032

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Paper No.

MAILED
OCT 20 2011
OFFICE OF PETITIONS

COX SMITH MATTHEWS INCORPORATED
112 EAST PECAN STREET, SUITE 1800
SAN ANTONIO TX 78205-1521

In re Application of	:	
Sonzala	:	
Application No. 13/195,140	:	DECISION ON PETITION
Filed: August 1, 2011	:	PURSUANT TO
Attorney Docket No.: 30610.110	:	37 C.F.R. § 1.28(c)
Title: VISUAL WHEEL END	:	
ASSEMBLY HIGH-TEMPERATURE	:	
WARNING SYSTEM	:	

This is a notice regarding your request for acceptance of a fee deficiency submission pursuant to 37 C.F.R. § 1.28, received on September 22, 2011. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 C.F.R. § 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 C.F.R. § 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.

Petitioner has identified the particular type of fees that were erroneously paid as a small entity, when the small entity fees were actually paid, the small entity fees that were actually paid, the deficiency owed amounts, and the total deficiency payment owed.

Your fee deficiency submission pursuant to 37 C.F.R. § 1.28(c) is hereby accepted. The petition is **GRANTED** accordingly.

The deficiency payment of $380 has been received.

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.

The Office of Patent Application Processing (OPAP) will be notified of this decision, and jurisdiction over the application is transferred to OPAP, so that the application may receive further processing.

Petitioner will receive appropriate notifications regarding the fees owed, if any, and other information in due course from OPAP.

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
Senior Attorney
Office of Petitions

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

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/195,302		Atsushi Koshiyama	450100-06040.1	1685

20999 7590 08/04/2011
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

ART UNIT	PAPER NUMBER
2629	

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

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FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK NY 10151

In re Application of
Atsushi KOSHIYAMA
Application No.: 13/195,302
Filed: 01 August 2011
Attorney Docket No.: 450100-06040.1
For: INFORMATION DISPLAY APPARATUS WITH PROXIMITY DETECTION PERFORMANCE AND INFORMATION DISPLAY METHOD USING THE SAME

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 01 August 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is
    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        i. validly claims priority to an application filed in the JPO, or

ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

Lee W. Young
TQAS, Technology Center 2600

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

Guy Kevin Townsend
11750 Carmel Drive
Lakewood CO 80215

MAILED

JAN 03 2012

OFFICE OF PETITIONS

In re Application of	:	
Andrew Ziegler	:	
Application No. 13/195,398	:	DECISION ON PETITION
Filed: August 1, 2011	:	TO WITHDRAW
Attorney Docket No. **Ziegler 1.2 Tag-QR-Sample**	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed December 4, 2011.

The request is **NOT APPROVED**.

A review of the file record indicates that Guy Kevin Townsend or any attorneys/agents associated with Customer Number 77079 does not have power of attorney or was ever given power of attorney in this patent application. Accordingly, the request to withdraw under 37 CFR § 1.36(b) is not applicable.

All future communications from the Office will continue to be directed to the address of record until otherwise properly notified by the applicant.

Telephone inquires concerning this decision should be directed to JoAnne Burke at 571-272-4584.

/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
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GUY KEVIN TOWNSEND
11750 CARMEL DRIVE
LAKEWOOD CO 80215

MAILED

JAN 17 2012

OFFICE OF PETITIONS

In re Application of Andrew Ziegler Application No. 13/195,422 Filed: August 1, 2011 Attorney Docket No. Ziegler1.3Stand-QR-Sample	: : : : :	DECISION ON PETITION TO WITHDRAW FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b) filed December 4, 2011, which is being treated as a request to withdraw from employment in a proceeding before the Office under 37 C.F.R. § 10.40.

The request is **DISMISSED**.

A review of the file record indicates that Guy Kevin Townsend does not have power of attorney in this patent application. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

Further, a review of USPTO records reveals that the correspondence address associated with Customer Number 77079 filed August 3, 2011 on the Declaration was improperly recorded as a Power of Attorney by the USPTO and the Filing Receipts mailed August 16, 2011 and September 20, 2011 are hereby withdrawn. A corrected filing receipt is enclosed. Currently, there is no Power of Attorney in the above-identified application. As such, all future communications from the Office will be directed to the above-listed address until otherwise properly notified by the applicant or a proper change of correspondence address has been submitted.

Currently, there is no outstanding Office action that requires a reply.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

/Joan Olszewski/
Joan Olszewski
Petitions Examiner
Office of Petitions

Enclosure: Corrected Filing Receipt

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/195,422	08/01/2011	2876	462	Ziegler1.3Stand-QR-Sample	20	2

CONFIRMATION NO. 1889

CORRECTED FILING RECEIPT

77079
Guy Kevin Townsend
11750 Carmel Drive
Lakewood, CO 80215

OC000000051968166

Date Mailed: 01/13/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Andrew Ziegler, River Vale, NJ;

Power of Attorney: None

Domestic Priority data as claimed by applicant

This appln claims benefit of 61/391,809 10/11/2010

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.)

Permission to Access - A proper **Authorization to Permit Access to Application by Participating Offices** (PTO/SB/39 or its equivalent) has been received by the USPTO.

If Required, Foreign Filing License Granted: 08/10/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/195,422**

Projected Publication Date: 04/12/2012

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

STAND ALONE PRODUCT, PROMOTIONAL PRODUCT SAMPLE, CONTAINER, OR PACKAGING COMPRISED OF INTERACTIVE QUICK RESPONSE (QR CODE, MS TAG) OR OTHER SCAN-ABLE INTERACTIVE CODE LINKED TO ONE OR MORE INTERNET UNIFORM RESOURCE LOCATORS (URLs) FOR INSTANTLY DELIVERING WIDE BAND DIGITAL

CONTENT, PROMOTIONS AND INFOTAINMENT BRAND ENGAGEMENT FEATURES BETWEEN CONSUMERS AND MARKETERS

Preliminary Class

235

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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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: 15807.0079FPU1	Application Number (if known): Unknown	Filing date: 2011-08-01

First Named Inventor: Fernando FISCHMANN T.

Title: METHOD AND SYSTEM FOR THE SUSTAINABLE COOLING OF INDUSTRIAL PROCESSES

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.:	15807.0079FPU1
Title:	METHOD AND SYSTEM FOR THE SUSTAINABLE COOLING OF INDUSTRIAL PROCESSES		

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 and the reduction of green house gas emissions. The invention relates to a method and system for treating water, and using the treated water for the cooling of industrial processes. The water is treated and stored in a large artificial container or lagoon that acts as a heat sink, absorbing waste heat from the industrial cooling process to provide a thermal energy reservoir that can be used in other processes, such as for residential heating, producing hot water, thermal desalinization, and other industrial and residential uses. The artificial container or lagoon is 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, etc. 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 treatment process provided by the invention therefore 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 as a heat transfer fluid for cooling various industrial processes. In heat exchangers, for example, the high quality water of the invention improves the efficiency of the heat exchanger by minimizing biofouling and preventing the formation of build-in in the pipes of the heat exchanger that reduce heat transfer, thereby reducing energy consumption and CO_2 emissions.

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 air and water. As discussed above, the method and system of the present invention reduces CO_2 emissions associated with industrial cooling processes. The method and system of the invention also reduces thermal pollution by utilizing the artificial container or lagoon as a heat sink, absorbing waste heat from the industrial cooling process thereby reducing the temperature of the water before the water is released into the natural environment, such as a lake, river, or ocean, to reduce or eliminate thermal damage to the marine ecosystem.

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.
13/195,695	08/01/2011	Fernando Benjamin Fischmann T.	15807.0079FPU1	2402

23552 7590 01/23/2012
MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

ART UNIT	PAPER NUMBER
3744	

MAIL DATE	DELIVERY MODE
01/23/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MERCHANT & GOULD PC
P.O. BOX 2903
MINNEAPOLIS MN 55402-0903

In re Application of		
FISCHMANN T., FERNANDO BENJAMIN	:	DECISION ON PETITION
Application No. 13/195,695	:	TO MAKE SPECIAL UNDER
Filed: August 1, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 15807.0079FPU1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed August 1, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3744 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 05/31/2010. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 30020-244002	Application Number (if known): 13/195,950	Filing date: August 2, 2011

First Named Inventor: Douglas C. Folts et al.

Title: POWER CONVERSION SYSTEMS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature	Date December 6, 2011
Name (Print/Typed) Faustino A. Lichauco	Registration Number 41,942

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☑ *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: 30020-244002
Client Ref. No.: AMSC-907US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Douglas C. Folts et al.	Art Unit	: Not yet assigned
Serial No.	: 13/195,950	Examiner	: Not yet assigned
Filed	: August 2, 2011	Conf. No.	: 2901
Title	: POWER CONVERSION SYSTEMS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY REQUIREMENT

Applicant requests that this application be made special pursuant to the Pilot Program for Green Technologies as set forth in the Federal Register.[1] The invention is believed to be eligible for the Pilot Program because of its material contribution to the development of renewable energy resources, specifically to the delivery of power generated by solar energy.

Photovoltaic cells produce DC voltages. These must be converted to AC voltages before being placed on a utility grid. A difficulty arises because the DC voltages fluctuate with passing clouds, temperature, and other factors. The subject matter of the disclosure pertains to an apparatus for converting the time-varying DC voltage from the photovoltaic cell into AC voltage that can be delivered to homes and businesses over the existing electric power grid.

The subject matter of the disclosure and the claims thus plays a material role in the development of renewable energy resources, and specifically in the delivery of electricity generated by solar energy . Accordingly, Applicant requests that examination be accelerated under the Pilot Program.

Pursuant to the requirements of the Pilot Program, please apply the $300 publication fee to Deposit Account No. 50-4189, referencing attorney docket no. 30020-244002.

Respectfully submitted,

Date: December 6, 2011

Faustino A. Lichauco
Reg. No. 41,942

Customer No. 80841
Occhiuti Rohlicek & Tsao LLP, 10 Fawcett Street, Cambridge, MA 02138
Telephone: (617) 500-2533, Facsimile: (617) 500-2499

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

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
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/195,950	08/02/2011	Douglas C. Folts	30020-244002	2901

80841 7590 12/21/2011
Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge, MA 02138

EXAMINER

ART UNIT	PAPER NUMBER
2836	

NOTIFICATION DATE	DELIVERY MODE
12/21/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

info@ORTPATENT.COM

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Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge MA 02138

In re Application of	:	
FOLTS et al.	:	DECISION ON PETITION
Application No. 13/195,950	:	TO MAKE SPECIAL UNDER
Filed: August 2, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 30020-244002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
TQAS, TC 2800

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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SUMMA, ADDITON & ASHE, P.A.
11610 NORTH COMMUNITY HOUSE ROAD
SUITE 200
CHARLOTTE NC 28277

MAILED

DEC 19 2011

OFFICE OF PETITIONS

In re Application of	:	
FELCHNER, et al	:	
Application No. 13/196,015	:	DECISION ON PETITION
Filed: August 2, 2011	:	
Attorney Docket No. 1011.041	:	

This is a decision on the petition under 37 CFR 1.182, filed, October 25, 2011, to change the name of inventor "Uwe Neunzig" to – Uwe Thiele --.

The petition is **DISMISSED as moot**.

A review of the Office record indicates the inventor's name has been changed previously from – Uwe Neunzig— to --Uwe Thiele--.

In view of the above, the petition under § 1.182 is dismissed as moot.

A copy of the corrected filing receipt mailed on November 7, 2011, is attached.

Any questions concerning this matter may be directed to Diane Goodwyn at (571) 272-6735.

Thurman K. Page
Petitions Examiner
Office of Petitions

Attachment: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/196,015	08/02/2011	3679	1220	1011.041	20	1

CONFIRMATION NO. 3054

UPDATED FILING RECEIPT

21176
SUMMA, ADDITON & ASHE, P.A.
11610 NORTH COMMUNITY HOUSE ROAD
SUITE 200
CHARLOTTE, NC 28277

OC000000050771461

Date Mailed: 11/07/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Christian FELCHNER, Wuppertal, GERMANY;
Uwe Thiele, Kreuzau, GERMANY;
Karl-Heinz Simons, Merzenich, GERMANY;

Assignment For Published Patent Application

NEAPCO EUROPE GMBH, Duren, GERMANY

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of PCT/EP10/51149 02/01/2010

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.)
GERMANY 102009000561.7 02/02/2009
EUROPEAN PATENT OFFICE (EPO) PCT/EP10/51149 02/01/2010

If Required, Foreign Filing License Granted: 08/10/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/196,015**

Projected Publication Date: 02/16/2012

Non-Publication Request: No

Early Publication Request: No

Title

CV JOINT WITH IMPROVED ASSEMBLY PROPERTIES

Preliminary Class

285

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).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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The United States represents the largest, most dynamic marketplace in the world; an unparalleled location for innovation and commercialization of new technologies. Through SelectUSA, our nation works to encourage, facilitate, and accelerate business investment. Go to www.SelectUSA.gov for more information. Whether you choose to visit www.SelectUSA.gov will have no effect on the examination of your patent application.

PETITION TO MAKE SPECIAL UNDER GREEN TECHNOLOGY

Re: Application for United States Patent

Title: MOORING STRUCTURE WITH HABITAT FEATURES FOR MARINE ANIMALS

Inventor: Stewart Hardison

The invention described in the above application materially enhances the environment by providing habitat chambers, tunnels and cavities for marine animals. While the invention can be used in fresh or salt water wherever vessels or floating platforms are moored, it is particularly suitable in North Atlantic waters where there are populations of *Homarus americanus*, or American lobsters. Research has shown that 15% of Maine's lobsters have no home shelter and are therefore constantly ranging in search of protected habitat, exposing them to predators and disrupting vital life cycle behavior. (Wahle, 1990; Wahle and Steneck, 1991) The invention provides a plurality of habitat shelters for these and other lobsters of various sizes, thus providing an important enhancement to lobster population and health over time.

Additionally, the invention described in the above application materially contributes to the development of marine based renewable energy by providing secure moorings that are scalable for tidal stream power generators and floating offshore wind turbines.

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: H-832C2	Application Number (if known):	Filing date:

First Named Inventor: Stewart Hardison

Title: MOORING STRUCTURE WITH HABITAT FEATURES FOR MARINE ANIMALS

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 /Mark Levy/	Date 2011-08-02
Name (Print/Typed) Mark Levy	Registration Number 29188

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/196,027	08/02/2011	Stewart Hardison	H-832C2	3075

41245 7590 09/21/2011
Mark Levy
HINMAN, HOWARD & KATTELL, LLP
80 Exchange Street
P.O. Box 5250
BINGHAMTON, NY 13901

EXAMINER
POON, PETER M

ART UNIT	PAPER NUMBER
3643	

MAIL DATE	DELIVERY MODE
09/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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SEP 21 2011

Mark Levy
HINMAN, HOWARD & KATTELL, LLP
80 Exchange Street
P.O. Box 5250
BINGHAMTON NY 13901

In re Application of	:	
STEWART HARDISON	:	DECISION ON PETITION
Application No. 13/196,027	:	TO MAKE SPECIAL UNDER
Filed: August 2, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. H-832C2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on August 2, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 8.

As set forth at numeral 8 in the Requirements section of the Notice, 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). Payment is needed even if the application is already published. Petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3643 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	13/196,027	Conf. No.: 3075
Applicant	:	Stewart Hardison	
Filed	:	August 2, 2011	
Art Unit	:	3643	
Examiner	:	Peter M. Poon	
Atty. Docket No.	:	H-832C2	
Title	:	MOORING STRUCTURE WITH HABITAT FEATURES FOR	
	:	MARINE ANIMALS	
Customer No.	:	41245	

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

PETITION FOR RECONSIDERATION

S I R:

This is a Petition in response to the Decision on Petition dated September 21, 2011 for the above-identified patent application. Applicant respectfully requests reconsideration of the Petition To Make Special Under the Green Technology Pilot Program for the above-identified patent application.

Application No. 13/196,027
Petition dated September 29, 2011

Applicant hereby requests early publication. The Director is authorized to charge the publication fee of $300, and to charge any fee deficiency or credit any overpayment to the undersigned's deposit account no. 503721.

Applicant believes that the Application is deemed in condition for allowance and such action is respectfully requested.

Respectfully submitted,

HINMAN, HOWARD & KATTELL, LLP

Dated: September 30, 2011

By:

Mark Levy
Registration No. 29188
Attorney for Applicant
80 Exchange Street
P.O. Box 5250
Binghamton, NY 13901
Phone: (607) 231-6991

UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/196,027	08/02/2011	Stewart Hardison	H-832C2	3075

41245 7590 10/21/2011
Mark Levy
HINMAN, HOWARD & KATTELL, LLP
80 Exchange Street
P.O. Box 5250
BINGHAMTON, NY 13901

EXAMINER
POON, PETER M

ART UNIT	PAPER NUMBER
3643	

MAIL DATE	DELIVERY MODE
10/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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Mark Levy
HINMAN, HOWARD & KATTELL, LLP
80 Exchange Street
P.O. Box 5250
BINGHAMTON NY 13901

OCT 21 2011

In re Application of	:	
Stewart Hardison	:	DECISION ON PETITION
Application No. 13/196,027	:	TO MAKE SPECIAL UNDER
Filed: August 02, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. H-832C2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed September 30, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to 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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SUMMA, ADDITON & ASHE, P.A.
11610 NORTH COMMUNITY HOUSE ROAD
SUITE 200
CHARLOTTE NC 28277

MAILED

JAN 03 2012

OFFICE OF PETITIONS

In re Application of	:	
FELCHNER, et al	:	
Application No. 13/196,038	:	DECISION ON PETITION
Filed: August 2, 2011	:	
Attorney Docket No. 1011.042	:	

This is a decision on the petition under 37 CFR 1.182, filed, October 25, 2011, to change the name of inventor "Uwe Neunzig" to – Uwe Thiele --.

The petition is **DISMISSED as moot**.

A review of the Office record indicates the inventor's name has been changed previously from – Uwe Neunzig— to --Uwe Thiele--.

In view of the above, the petition under § 1.182 is dismissed as moot.

A copy of the corrected filing receipt mailed on November 1, 2011, is attached.

Any questions concerning this matter may be directed to Diane Goodwyn at (571) 272-6735.

Thurman K. Page
Petitions Examiner
Office of Petitions

Attachment: Corrected Filing Receipt

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
13/196,038	08/02/2011	3679	1324	1011.042	22	1

CONFIRMATION NO. 3094

UPDATED FILING RECEIPT

21176
SUMMA, ADDITON & ASHE, P.A.
11610 NORTH COMMUNITY HOUSE ROAD
SUITE 200
CHARLOTTE, NC 28277

OC000000050709304

Date Mailed: 11/01/2011

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Christian FELCHNER, Wuppertal, GERMANY;
Uwe Thiele, Kreuzau, GERMANY;
Karl-Heinz SIMONS, Merzenich, GERMANY;

Assignment For Published Patent Application

NEAPCO EUROPE GMBH, Düren, GERMANY

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of PCT/EP10/51159 02/01/2010

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.)
GERMANY 102009000560.9 02/02/2009

If Required, Foreign Filing License Granted: 08/10/2011

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 13/196,038**

Projected Publication Date: 02/09/2012

Non-Publication Request: No

Early Publication Request: No

Title

CV JOINT WITH IMPROVED ASSEMBLY PROPERTIES

Preliminary Class

285

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).

PATENT
Attorney Docket No.: 800KT-000276US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Danielle A. FONG et al.

Application No.: Unassigned
Continuation of Appl. No.: 12/823,944

Filed: Unassigned

For: COMPRESSED AIR ENERGY STORAGE SYSTEM UTILIZING TWO-PHASE FLOW TO FACILITATE HEAT EXCHANGE

Customer No.: 83274

Confirmation No.: Unassigned

Examiner: Unassigned

Technology Center/Art Unit: Unassigned

STATEMENT IN SUPPORT OF GREEN TECHNOLOGY PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request participation in the Green Technology Pilot Program for the above-identified application, pursuant to 37 C.F.R. 1.102.

The application is a non-reissue, non-provisional utility application filed under 35 USC 111(a). As submitted herewith, the application contains no more than three independent claims, twenty or fewer total claims, and no multiple dependent claims.

Early publication is requested under 37 CFR 1.219. The publication fee of $300 set forth in CFR 1.18(d) accompanies this petition request.

The claims of this patent application materially contribute to: (1) the discovery or development of renewable energy resources. Specifically, independent apparatus claim 21 recites "a cylinder in selective fluid communication with a compressed gas storage unit", and "a piston moveable within the cylinder to transmit power of expanding gas, out of the cylinder". An energy storage and recovery system utilizing compressed gas as a storage medium, can enhance the quality of the environment and reduce greenhouse gases, by allowing energy from intermittent renewable energy resources (such as wind and solar) to be accessible for

consumption at times other than when provided by nature. For example, absent some sort of energy storage, wind energy provided by nature during times of low demand (such as at night or on weekends) or at times of ready availability of other energy resources, may be wasted.

By contrast, energy storage and recovery systems may allow renewable energy to be stored and then recovered at some later time in order to meet peak demand (such as occurs Mon-Friday between 7AM-5PM). Making energy from intermittent renewable energy resources accessible reduces the burden on fossil fuel-burning/greenhouse gas-emitting "peaker" power plants to otherwise meet peak demand. This promotes the development of renewable energy resources.

It is noted that particular embodiments may rely upon "green" materials such as compressed air. By contrast, other approaches to energy storage (for example electrochemical cells), can utilize less environmentally-friendly materials.

By filing this petition, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Programs if the Office determines that the claims are not obviously directed to a single invention.

CONCLUSION

The Commissioner is authorized to charge any deficiency in any fees required under 37 C.F.R. 1.16 and/or 1.17, including extension of time fees, and credit any overpayment to Deposit Account No. 50-4713.

If a telephone conference would expedite prosecution of this application, please telephone the undersigned at 425-348-3500.

Respectfully submitted,

/Kent J. Tobin/

Kent J. Tobin
Reg. No. 39,496

AMPACC Law Group, PLLC
6100 219th St. SW, Suite 580
Mountlake Terrace, WA 98043
Tel: 425-348-3500
Fax: 425-968-9795

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: 800KT-000276US	Application Number (if known): Unassigned	Filing date: Unassigned

First Named Inventor: Danielle A. FONG

Title: COMPRESSED AIR ENERGY STORAGE SYSTEM UTILIZING TWO-PHASE FLOW TO FACILITATE HEAT EXCHANGE

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: (1) Statement in Support of Green Tech. Petition; (2) Preliminary Amendment Before First Office Action

Signature /Kent J. Tobin/	Date July 28, 2011
Name (Print/Typed) Kent J. Tobin	Registration Number 39,496

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 3 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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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.
13/196,069	08/02/2011	Danielle A. FONG	800KT-000276US	3148

83274 7590 09/28/2011
AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace, WA 98043

EXAMINER

ART UNIT	PAPER NUMBER
3745	

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):

DOCKETING@AMPACC.COM
email@ampacc.com

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AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace WA 98043

In re Application of	:	
FONG, DANIELLE A. et al	:	DECISION ON PETITION
Application No. 13/196,069	:	TO MAKE SPECIAL UNDER
Filed: August 02, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 800KT-000276US	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed August 02, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

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AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace WA 98043

MAILED
MAR 07 2012
OFFICE OF PETITIONS

In re Application of:
FONG, et al.
Application No.: 13/196,069
Filing Date: August 2, 2011
Attorney Docket No.: 800KT-000276US

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 15, 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 **DISMISSED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. Applicant may also submit a statement from a registered practitioner that he or she has evidence that the applicant is 65 years of age or older. No fee is required

The instant petition includes a statement from a registered practitioner certifying that he is in possession of evidence that the, Karl E. Stahlkopf, is 65 years of age or older as required under MPEP § 708.02. However, Karl E. Stahlkopf, is not a named inventor in the above-identified application. Accordingly, the present petition to make special based on age must be dismissed.

It is noted that an earlier petition to make special, filed August 2, 2011, under the Green Technology Pilot Program, was previously granted on September 28, 2011. On this basis, the above-identified application has already been accorded special status that remains in effect.

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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JEFFERSON IP LAW, LLP
1130 CONNECTICUT AVE., NW
SUITE 420
WASHINGTON DC 20036

MAILED

SEP 23 2011

OFFICE OF PETITIONS

In re Application of	:	
Shuangfeng Han	:	
Application No. 13/196,295	:	DECISION ON REQUEST FOR REFUND
Filed: August 2, 2011	:	
Attorney Docket No. 0202-0608	:	

This is a decision on the Request For Refund filed August 30, 2011.

The request is **GRANTED**.

Applicant files the above request for refund and states that "The above-identified application was filed on August 2, 2011 and a Notice of Omitted Items was issued on August 12, 2011. A response to the Notice was submitted on August 22, 2011 based on option III.(B)2 of the Notice. No petition or fee is required."

Petitioner further states that "In error on August 22, 2011 at the time of submitting the Response to Notice of Omitted Items in a Non-Provisional Application, Applicants paid $400, the petition amount even though no petition is required."

In view of the above, the petition fee ($400.00) paid on August 22, 2011, is being credited to petitioner's credit card account 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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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MAILED

SEP 07 2011

OFFICE OF PETITIONS

HOFFMANN & BARON, LLP
6900 JERICHO TURNPIKE
SYOSSET NY 11791

In re Application of :
J. DeJovin and I. DeJovin :
Application No. 13/196,333 : DECISION REFUSING STATUS
Filed: August 2, 2011 : UNDER 37 CFR 1.47(a)
Attorney Docket No. 512-165CON :
For: COMPOUNDS, FORMULATIONS AND METHODS FOR REDUCING SKIN WRINKLES, CREASING AND SAGGING

This is a decision on the petition under 37 CFR 1.47(a), filed August 2, 2011.

The petition under 37 CFR 1.47(a) is **dismissed.**

Any request for reconsideration under 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. Failure to respond will result in the abandonment of this application. Any response should be titled "Request for Reconsideration of Petition Under 37 CFR 1.47(a).

The above-identified application was filed on August 2, 2011, and was not accompanied by a properly executed oath or declaration. The instant petition was filed August 2, 2011.

(1) proof that the non-signing inventor(s) 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,

(4) a statement of the last known address of the non-signing inventor,

The instant petition lacks items (1) and (2) as set forth above.

It is noted that a petition noting the joinder of the previously non-signing inventor was filed in the parent application serial number 12/180,790. The petition was accompanied by a declaration executed by

Isabelle Jean DeJovin, the previously non-signing inventor. It is inappropriate to grant the subject application status under 37 CFR 1.47(a) since the joinder of the previously non-signing inventor is noted in the parent application. Petitioner must filed a renewed petition under 37 CFR 1.47(a) along with executed declaration of Ms. DeJovin so that the joinder of this previously non-signing inventor can be noted.

NO ADDITIONAL FEES ARE DUE.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

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SEP 26 2011

OFFICE OF PETITIONS

HOFFMANN & BARON, LLP
6900 JERICHO TURNPIKE
SYOSSET NY 11791

In re Application of
J. DeJovin and I. DeJovin
Application No. 13/196,333
Filed: August 2, 2011
Attorney Docket No. 512-165CON
For: COMPOUNDS, FORMULATIONS AND METHODS FOR REDUCING SKIN WRINKLES, CREASING AND SAGGING

: ON PETITION

This is in response to the renewed petition under 37 CFR 1.47(a) filed September 15, 2011, noting the joinder of inventor Isabelle DeJovin in the above-cited application.

In view of the joinder of the inventor, further consideration under 37 CFR 1.47(a) is not necessary. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 CFR 1.47(a).

The Manual of Patent Examining Procedure ("MPEP"), § 409.03(j) provides that "[i]n the event the previously non-signing inventor decides to join the application by filing an executed oath or declaration complying with 37 CFR 1.63, the oath or declaration will be placed in the application file."

Accordingly, the declaration filed September 15, 2011, executed by the joint inventors is noted and made of record.

This application is being directed to the Office of Patent Application Processing for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

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Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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HAZEN PATENT GROUP, LLC
1534 W. ISLANDIA DR.
GILLBERT AZ 85223

MAILED

AUG 22 2011

OFFICE OF PETITIONS

In re Application of	:	
BALAKIN	:	
Application No. 13/196,395	:	DECISION ON PETITION
Filed: August 2, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. ZAOP0101	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 3, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Kevin Hazen, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2800.

The application is being forwarded to Technology Center Art Unit 2881 for action on the merits commensurate with this decision.

/Diane C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

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P.O. Box 1450
Alexandria, VA 22313-1450
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Mossman, Kumar and Tyler, PC
P.O. Box 421239
Houston TX 77242

MAILED
MAR 19 2012
OFFICE OF PETITIONS

In re Application of :
Pedro Antonio Romero :
Application No. 13/196,443 : ON PETITION
Filed: 08/02/2011 :
Attorney Docket No. :
NMR4-50821-US :

This is in response to the Petition for Inclusion of Color Drawings 37 C.F.R. 1.84, filed in the United States Patent and Trademark Office (USPTO) on December 2, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners assert that color drawings are necessary for a proper understanding of the 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. 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 2857.

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.

José G. Dees
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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HAZEN PATENT GROUP, LLC
1534 W. ISLANDIA DR.
GILLBERT AZ 85233

MAILED

AUG 18 2011

OFFICE OF PETITIONS

In re Application of	:	
BALAKIN	:	
Application No. 13/196,720	:	DECISION ON PETITION
Filed: August 2, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. ZAOP0102	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed August 3, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement made by registered attorney Kevin Hazen, which will be treated as the result of the attorney having evidence that at least one of the applicants is 65 years of age or more. In the event that such evidence is not with the attorney, the Office should be notified immediately. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-2800.

The application is being forwarded to Technology Center Art Unit 2881 for action on the merits commensurate with this decision.

/Diand C. Goodwyn/
Diane C. Goodwyn
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 250169	Application Number (if known): 13/196,999	Filing date: August 3, 2011

First Named Inventor: : Sameer Vittal

Title: RISK MANAGEMENT SYSTEM FOR USE WITH SERVICE AGREEMENTS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 10/26/11
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Sameer Vittal	)
Confirmation No.: 4890	)
	)
Serial No.: 13/196,999	)
	)
Filing Date: August 3, 2011	)
	)
Atty Docket No.: 250169	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to a risk management system and, more particularly, to a risk management system for wind turbine warrantees and/or service agreements. (See [0001]).

At least some known costs of generating energy from the wind using wind turbines include fixed capital expenses (CAPEX) and operating expenses (OPEX). The OPEX component is critical in determining the profitability of a farm or a fleet of wind turbines, as unplanned maintenance events can drive costs and downtime to a point where the wind farm becomes economically unsustainable. As a result, customers and developers often require that the original equipment manufacturer (OEM) of the wind turbine provide an extended warranty and/or a service agreement. As such, the OEM assumes costs of planned and unplanned maintenance activities in exchange for a pre-negotiated fee. These maintenance costs could be due to, for example, equipment wear-and-tear from usage, sudden transient events, manufacturing or quality issues, and/or a combination of repairs

and inspections, which can add significant costs when repeated over a period of time. For the OEM, the challenge is to accurately estimate the costs and risks of these warranties and agreements. However, the OEMs often use limited or short-term data to forecast maintenance costs and events that are likely to occur over an extended operating period. (See [0002])

Although warranty analysis and/or risk analysis are known, such known analyses do not cover conditions unique to wind turbines. Further, statistical models to predict the risk and life of engineering equipment are known. For example, many commercial software programs have proprietary implementations of known statistical algorithms. The actuarial community has also been working on the problem of predicting the long-term costs of engineering equipment and have produced known actuarial methods. (See [0003])

In one aspect of the invention, a system for managing risk associated with a full-service agreement (FSA) for at least one wind turbine is provided. The system includes a memory device configured to store data including at least a plurality of service reports regarding the at least one wind turbine and a processor unit coupled to the memory device. The processor unit includes a programmable hardware component that is programmed. The processor unit is configured to analyze, by a text-mining system, text in the plurality of service reports to output failure information regarding the at least one wind turbine, receive, by a top-down simulator, the failure information from the text-mining system to perform a simulation that generates a distribution model, and receive, by a bottom-up simulator, the failure information from the text-mining system to perform a simulation that generates an extrapolation model. (See [0005])

In another aspect of the invention, a method for managing risk associated with a full-service agreement (FSA) for at least one wind turbine is provided. The method includes analyzing text in a plurality of service reports regarding the at least one wind turbine to generate failure data using a text-mining system, performing a simulation that generates a distribution model based on the failure information using a top-down simulator, and performing a simulation that generates an extrapolation model based on the failure information using a bottom-up simulator. (See [0006])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/196,999	08/03/2011	Sameer Vittal	250169 (22402-275)	4890

45432 7590 11/17/2011
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER
JACKSON, ERNEST ADEYEMI

ART UNIT	PAPER NUMBER
3623	

NOTIFICATION DATE	DELIVERY MODE
11/17/2011	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):

uspatents@armstrongteasdale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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NOV 17 2011

PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
SAMEER VITTAL et al.	:	DECISION ON PETITION
Application No. 13/196,999	:	TO MAKE SPECIAL UNDER
Filed: August 3 , 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 250169 (22402-275)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 26, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an

attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, the claimed system and method for managing risk associated with a full-service agreement for a wind turbine appears to be a computer that analyzes service reports for failure information on a wind turbine. Failure information of a wind turbine may allow developers to assess the maintenance requirement and the associated costs for a wind turbine. However, failure information of a wind turbine and risk management system for wind turbine warrantees/service agreement do not generate energy, convert the mechanical energy into electrical energy, or play any role in the operation of a wind turbine. Therefore, petitioner's assertion of claimed invention's contribution to the discovery or development of renewable energy resources is entirely speculative. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI).* Accordingly, it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3623 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Sameer VITTAL	)
Confirmation No.: 4890	)
	)
Serial No.: 13/196,999	)
	)
Filing Date: 08-03-2011	)
	)
Atty Docket No.: 250169-1 (22402-275)	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 17 November 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that failure information of a wind turbine and risk management system for a wind turbine warrantees/service agreement do not generate energy, convert the mechanical energy into electrical energy, or play any role in the operation of a wind turbine. The Decision states that Applicant's assertion of the claimed invention's contribution to the discovery or development of renewable energy resources is entirely speculative. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the Federal Register states that patent applications are eligible for the Green Technology Pilot Program if the

applications are for inventions that materially contribute to: (1) The discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) the reduction of greenhouse gas emissions. The requirements as set forth in the Federal Register Notice do not require that an invention generate energy or convert kinetic energy from the wind into the mechanical energy into electrical energy in order to be eligible for the Green Technology Pilot Program. As such, applicant does not agree that embodiments of the invention do not contribute to the development of renewable energy resources, or energy conservation because they do not generate energy or convert the mechanical energy into electrical energy.

Applicant respectfully submits that the present invention relates generally to a risk management system and, more particularly, to a risk management system for wind turbine warrantees and/or service agreements. (see at least paragraph [0002]).

Wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, and wind turbines have gained increased attention in this regard. While wind power is considered one of the cleanest, most environmentally friendly energy sources presently available, the availability of wind energy as a viable power generating option heavily depends on the cost/benefit economics of wind energy. As such, it is important that the cost of producing the energy, including maintenance and repair of the wind turbine components, cannot outweigh the benefits.

At least some known costs of generating energy from the wind using wind turbines include fixed capital expenses (CAPEX) and operating expenses (OPEX). The OPEX component is critical in determining the profitability of a farm or a fleet of wind turbines, as unplanned maintenance events can drive costs and downtime to a point where the wind farm becomes economically unsustainable. As a result, customers and developers often require that the original equipment manufacturer (OEM) of the wind turbine provide an extended warranty and/or a service agreement. As such, the OEM assumes costs of planned and unplanned maintenance activities in exchange for a pre-negotiated fee. These maintenance costs could be due to, for example, equipment wear-and-tear from usage, sudden transient events, manufacturing or quality issues, and/or a combination of repairs and inspections, which can add significant costs when repeated over a period of time. For the OEM, the challenge is to accurately estimate the costs and risks of these warranties and agreements. However, the OEMs often use limited or short-term data to forecast maintenance costs and events that are likely to occur over an extended operating period. (see at least paragraph [0002]).

Known actuarial engineering methods use a combination of engineering, operations research, and actuarial science techniques to model long term service agreements, but such articles discussing actuarial engineering have omitted mathematical details. Additionally, published articles have discussed modeling extended warranties using probabilistic design based on known methods, analyzing performance and reliability of wind turbines using system transport

theory, and methods for combining sensors alarms with reliability data. However, these articles did not extend to financial engineering. Furthermore, published papers on wind turbine reliability have an applied focus. For example, these published papers mainly focus on examples where industry-standard reliability analysis techniques, such as Weibull analysis, are applied to failure data. These articles and papers have not focused on the fusion of reliability analysis methods with condition monitoring and financial/actuarial risk models. However, at least one known condition monitoring system fuses reliability and historical field data with operational information. (see at least paragraph [0004]).

The embodiments described herein provide approaches for integrated risk, reliability, and financial risk management of wind turbine extended warranties and long-term full-service agreements (FSA's). As discussed herein, several novel statistical, engineering, and actuarial methods are combined to create a system that estimates planned and unplanned costs probabilistically. Further, the embodiments described herein include hardware and software architectures for decision support and risk management of a portfolio of wind turbine extended warranties and service agreements. The herein-described methods are designed to exploit and statistically fuse information being collected about a wind turbine fleet, which includes, but is not limited to including, configuration and supplier data, supplier quality data, geospatial variables, seasonality impacts, turbine condition and performance data, operational variables, usage data, historical databases of services events, task duration, costs, and/or engineering/design based life calculations for existing and new

wind turbine designs. The methods described herein are applicable to land-based, near-shore, and offshore wind turbines, alone, in a wind farm, or in a wind fleet. However, it should be understood that components of the systems and/or steps of the methods can be used with other risk management systems. For example, the text-mining system described herein can be used to create model to be used with any suitable simulator and/or system. (see at least paragraph [0022]).

The embodiments described herein facilitate integrating risk, reliability, and financial risk management of wind turbine extended warranties and long-term full-service agreements. More specifically, the above-described systems can estimate planned and unplanned costs probabilistically based on a plurality of variables related to a single wind turbine or a group of wind turbines. (see at least paragraph [0096]). Embodiments of the present invention provide a reliable risk management system for a wind turbine which enables reductions in costs associated with the repair and maintenance of wind turbines. This reduces the overall costs of wind turbines, which increases the availability of wind energy as a viable power generating option, and, in turn, promotes increased production of renewable energy resources and renewable energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: December 17, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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.
13/196,999	08/03/2011	Sameer Vittal	250169 (22402-275)	4890

45432 7590 01/09/2012
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER
JACKSON, ERNEST ADEYEMI

ART UNIT	PAPER NUMBER
3623	

NOTIFICATION DATE	DELIVERY MODE
01/09/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@armstrongteasdale.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

1/9/12

PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
Vittal et al.	:	DECISION ON PETITION
Application No. 13/196,999	:	TO MAKE SPECIAL UNDER
Filed: 8/3/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **250169 (22402-275)**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 12/16/2011, 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 3623 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: 250076	Application Number (if known): 13/197,008	Filing date: August 3, 2011

First Named Inventor: : Kamal Mannar

Title: RISK MANAGEMENT SYSTEM FOR USE WITH SERVICE AGREEMENTS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 10/26/11
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Kamal Mannar	)
Confirmation No.: 4905	)
	)
Serial No.: 13/197,008	)
	)
Filing Date: August 3, 2011	)
	)
Atty Docket No.: 250076	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The application relates generally to a risk management system and, more particularly, to a risk management system for wind turbine warrantees and/or service agreements. (See [0001]).

At least some known costs of generating energy from the wind using wind turbines include fixed capital expenses (CAPEX) and operating expenses (OPEX). The OPEX component is critical in determining the profitability of a farm or a fleet of wind turbines, as unplanned maintenance events can drive costs and downtime to a point where the wind farm becomes economically unsustainable. As a result, customers and developers often require that the original equipment manufacturer (OEM) of the wind turbine provide an extended warranty and/or a service agreement. As such, the OEM assumes costs of planned and unplanned maintenance activities in exchange for a pre-negotiated fee. These maintenance costs could be due to, for example, equipment wear-and-tear from usage, sudden transient events, manufacturing or quality issues, and/or a combination of repairs

and inspections, which can add significant costs when repeated over a period of time. For the OEM, the challenge is to accurately estimate the costs and risks of these warranties and agreements. However, the OEMs often use limited or short-term data to forecast maintenance costs and events that are likely to occur over an extended operating period. (See [0002])

Although warranty analysis and/or risk analysis are known, such known analyses do not cover conditions unique to wind turbines. Further, statistical models to predict the risk and life of engineering equipment are known. For example, many commercial software programs have proprietary implementations of known statistical algorithms. The actuarial community has also been working on the problem of predicting the long-term costs of engineering equipment and have produced known actuarial methods. (See [0003])

In one aspect, a system for use with a risk management system is provided. The system includes a memory device configured to store data including at least historical service records of at least one wind turbine and new service records of the at least one wind turbine and a processor unit coupled to the memory device. The processor unit includes a programmable hardware component that is programmed. The processor unit is configured to analyze, by a processing system, text of the historical service records to generate a prediction model including a plurality of failure categories; and analyze, by a monitoring system, text of the new service records to classify each new service record based on the prediction model. (See [0005])

In another aspect, a method for use with a risk management system is provided. The method includes analyzing, by a processing system, text of historical service records of at least one wind turbine using a system; generating, by the processing system, a prediction

model of the system based on the analysis of the text, wherein the prediction model includes a plurality of failure categories; analyzing, by a monitoring system, text of new service records of the at least one wind turbine; and classifying, by the monitoring system, each new service record based on the text analysis of the new service records and the prediction model. (See [0006])

Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: October 26, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,008	08/03/2011	Kamal Mannar	250076 (22402-281)	4905

45432 7590 11/17/2011
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER
DUNHAM, JASON B

ART UNIT	PAPER NUMBER
3684	

NOTIFICATION DATE	DELIVERY MODE
11/17/2011	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):

uspatents@armstrongteasdale.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

NOV 17 2011

PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

In re Application of	:	
KAMAL MANNAR et al.	:	DECISION ON PETITION
Application No. 13/197,008	:	TO MAKE SPECIAL UNDER
Filed: August 3 , 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 250076 (22402-281)	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 26, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an

attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item 4.

In regard to item 4, the claimed system and method for managing risk associated with a full-service agreement for a wind turbine appears to be a computer that analyzes service reports for failure information on a wind turbine to form a prediction model. Failure information/prediction model of a wind turbine may allow developers to assess the maintenance requirement and the associated costs for a wind turbine. However, failure information/prediction model of a wind turbine and risk management system for wind turbine warrantees/service agreement do not generate energy, convert the mechanical energy into electrical energy, or play any role in the operation of a wind turbine. Therefore, petitioner's assertion of claimed invention's contribution to the discovery or development of renewable energy resources is entirely speculative. As stated in the notice, the materiality standard does not permit an applicant to speculate as to how a hypothetical end-user might specially apply the invention in a manner than could materially contribute to category (A) or (B). *Also see MPEP § 708.02 (VI).* Accordingly, it is not agreed that the application on its face meets that materiality standard.

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Telephone inquiries concerning this decision should be directed to Lanna Mai at 571-272-6867.

The application is being forwarded to the Technology Center Art Unit 3684 for action in its regular turn.

/Lanna Mai/

Lanna Mai
Quality Assurance Specialist
Technology Center 3600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Kamal MANNAR	)
Confirmation No.: 4905	)
	)
Serial No.: 13/197,008	)
	)
Filing Date: 08-03-2011	)
	)
Atty Docket No.: 250076-1 (2242-281)	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 17 November 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") alleges that failure information/prediction model of a wind turbine and risk management system for a wind turbine warrantees/service agreement do not generate energy, convert the mechanical energy into electrical energy, or play any role in the operation of a wind turbine. The Decision states that Applicant's assertion of the claimed invention's contribution to the discovery or development of renewable energy resources is entirely speculative. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that the Federal Register states that patent applications are eligible for the Green Technology Pilot Program if the

applications are for inventions that materially contribute to: (1) The discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) the reduction of greenhouse gas emissions. The requirements as set forth in the Federal Register Notice do not require that an invention generate energy or convert kinetic energy from the wind into the mechanical energy into electrical energy in order to be eligible for the Green Technology Pilot Program. As such, applicant does not agree that embodiments of the invention do not contribute to the development of renewable energy resources, or energy conservation because they do not generate energy or convert the mechanical energy into electrical energy.

Applicant respectfully submits that the present invention relates generally to a risk management system and, more particularly, to a risk management system for wind turbine warrantees and/or service agreements. (see at least paragraph [0002]).

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At least some known costs of generating energy from the wind using wind turbines include fixed capital expenses (CAPEX) and operating expenses (OPEX). The OPEX component is critical in determining the profitability of a farm or a fleet of wind turbines, as unplanned maintenance events can drive costs and downtime to a point where the wind farm becomes economically unsustainable. As a result, customers and developers often require that the original equipment manufacturer (OEM) of the wind turbine provide an extended warranty and/or a service agreement. As such, the OEM assumes costs of planned and unplanned maintenance activities in exchange for a pre-negotiated fee. These maintenance costs could be due to, for example, equipment wear-and-tear from usage, sudden transient events, manufacturing or quality issues, and/or a combination of repairs and inspections, which can add significant costs when repeated over a period of time. For the OEM, the challenge is to accurately estimate the costs and risks of these warranties and agreements. However, the OEMs often use limited or short-term data to forecast maintenance costs and events that are likely to occur over an extended operating period. (see at least paragraph [0002]).

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theory, and methods for combining sensors alarms with reliability data. However, these articles did not extend to financial engineering. Furthermore, published papers on wind turbine reliability have an applied focus. For example, these published papers mainly focus on examples where industry-standard reliability analysis techniques, such as Weibull analysis, are applied to failure data. These articles and papers have not focused on the fusion of reliability analysis methods with condition monitoring and financial/actuarial risk models. However, at least one known condition monitoring system fuses reliability and historical field data with operational information. (see at least paragraph [0004]).

The embodiments described herein provide approaches for integrated risk, reliability, and financial risk management of wind turbine extended warranties and long-term full-service agreements (FSA's). As discussed in the application, several novel statistical, engineering, and actuarial methods are combined to create a system that estimates planned and unplanned costs probabilistically. Further, the embodiments described herein include hardware and software architectures for decision support and risk management of a portfolio of wind turbine extended warranties and service agreements. The described methods are designed to exploit and statistically fuse information being collected about a wind turbine fleet, which includes, but is not limited to including, configuration and supplier data, supplier quality data, geospatial variables, seasonality impacts, turbine condition and performance data, operational variables, usage data, historical databases of services events, task duration, costs, and/or engineering/design based life calculations for existing and new

wind turbine designs. The methods described are applicable to land-based, near-shore, and offshore wind turbines, alone, in a wind farm, or in a wind fleet. However, it should be understood that components of the systems and/or steps of the methods can be used with other risk management systems. For example, the text-mining system described herein can be used to create model to be used with any suitable simulator and/or system. (see at least paragraph [0022]).

The embodiments described herein facilitate integrating risk, reliability, and financial risk management of wind turbine extended warranties and long-term full-service agreements. More specifically, the above-described systems can estimate planned and unplanned costs probabilistically based on a plurality of variables related to a single wind turbine or a group of wind turbines. (see at least paragraph [0096]). Embodiments of the present invention provide a reliable risk management system for wind turbine which enables reductions in costs associated with the repair and maintenance of wind turbines. This reduces the overall costs of wind turbines, which increases the availability of wind energy as a viable power generating option, and, in turn, promotes increased production of renewable energy resources and renewable energy.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: December 17, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,008	08/03/2011	Kamal Mannar	250076 (22402-281)	4905

45432 7590 01/09/2012
PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis, MO 63105

EXAMINER
DUNHAM, JASON B

ART UNIT	PAPER NUMBER
3684	

NOTIFICATION DATE	DELIVERY MODE
01/09/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspatents@armstrongteasdale.com

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PATRICK W. RASCHE (22402)
ARMSTRONG TEASDALE LLP
7700 Forsyth Boulevard
Suite 1800
St. Louis MO 63105

JAN 09 2012

In re Application of	:	
Mannar et al.	:	DECISION ON PETITION
Application No. 13/197,008	:	TO MAKE SPECIAL UNDER
Filed: 8/3/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **250076 (22402-281)**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 12/16/2011, 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 3684 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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In re Application of
H. H. Schmidgall

Application No. 13197087

Filed:

Attorney Docket No. SchmidgallH-P0840

: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-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 (04-09)
Approved for use through 05/31/2009. 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	13197087	Confirmation Number	5068	Filing Date	2011-08-03
Attorney Docket Number (optional)	SchmidgallH-P0840	Art Unit	NA	Examiner	NA
First Named Inventor	H.H. Schmidgall				
Title of Invention	Trailer and Unloading Device				

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
H.	H.	Schmidgall	

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	/jayrhamilton50644/	Date (YYYY-MM-DD)	2011-08-08
Name	Jay R. Hamilton	Registration Number	50644

PTO/SB/130 (04-09)
Approved for use through 05/31/2009. 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.

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: DP-319442	Application Number (if known): 13/197,130	Filing date: August 3, 2011

First Named Inventor: Fenglian Chang et al.

Title: Composite Glass Seal For Fuel Cell Stack

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 Accompanying Petition to Make Special Under Green-Technology Pilot Program

Signature /Patrick M. Griffin/	Date 15 DEC 2011
Name (Print/Typed) Patrick M. Griffin	Registration Number 29716

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☒ *Total of 2 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,130	08/03/2011	FENGLIAN CHANG	DP-319442	5150

22851 7590 12/23/2011
Delphi Technologies, Inc.
M/C 480-410-202
P.O. Box 5052
Troy, MI 48007

EXAMINER
DOVE, TRACY MAE

ART UNIT	PAPER NUMBER
1726	

MAIL DATE	DELIVERY MODE
12/23/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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Delphi Technologies, Inc.
M/C 480-410-202
P.O. Box 5052
Troy MI 48007

12/23/2011

In re Application of	:	
Fenglian Chang et al.	:	DECISION ON PETITION
Application No. 13/197,130	:	TO MAKE SPECIAL UNDER
Filed: August 03, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. DP-319442	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 15, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

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WOLF GREENFIELD & SACKS, P.C.
600 ATLANTIC AVENUE
BOSTON MA 02210-2206

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OFFICE OF PETITIONS

In re Application of :
Yuichi Inoue :
Application No. 13/197,143 : ON PETITION
Filed: 08/03/2011 :
Attorney Docket No. :
S1459.71047US00 :

This is in response to the Petition to Accept Color Drawings, filed in the United States Patent and Trademark Office (USPTO) on August 3, 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 colored drawings are necessary to represent contents of the Figures accurately.

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2882.

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.

Jose' G. Dees
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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RICHARD A. FAGIN
P.O. BOX 1247
RICHMOND TX 77406-1247

MAILED
FEB 06 2012
OFFICE OF PETITIONS

In re Application of
Derek F. Herrera
Application No. 13/197,217
Filed: August 3, 2011
Attorney Docket No: DH-11-01

ON PETITION

This is a decision on the petition under 37 CFR 1.102(c)(1), filed January 16, 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. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3679 for action on the merits commensurate with this decision.

/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: 249791-1	Application Number (if known): 13/197,233	Filing date: 08-03-2011

First Named Inventor: Edwin Jackson Little

Title: APPARATUS FOR METERING GRANULAR SOURCE MATERIAL IN A THIN FILM VAPOR DEPOSITION APPARATUS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 11-10-2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Edwin Jackson Little	)
Confirmation No.: 5357	)
	)
Serial No.: 13/197,233	)
	)
Filing Date: 08-03-2011	)
	)
Atty Docket No.: 249791-1 (US)	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present invention relates generally to the field of thin film deposition systems wherein a thin film layer, such as a semiconductor layer, is deposited on a substrate conveyed through the system. More particularly, the invention is related to a metering device in a feed system configured to automatically introduce granular source material into a vapor deposition apparatus without disruption of the vacuum process. (See [0001])

Thin film photovoltaic (PV) modules (also referred to as "solar panels") based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photo-reactive components are gaining wide acceptance and interest in the industry. CdTe is a semiconductor material having characteristics particularly suited for conversion of sunlight (solar energy) to electricity. Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power

generated. However, the advantages of CdTe not withstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. (See [0002])

Certain factors greatly affect the efficiency of CdTe PV modules in terms of cost and power generation capacity of the modules. For example, CdTe is relatively expensive and, thus, efficient utilization (i.e., minimal waste) of the material is a primary cost factor. In addition, the ability to process relatively large substrates on an economically sensible commercial scale is a crucial consideration. (See [0003])

An inherent problem of feeding granular CdTe material into a heated vapor deposition head under vacuum is that dose irregularities can result in non-uniformities in the subsequently formed thin film layer on the glass substrate. For example, dose quantities that are too large may cause the sublimation and resultant diffusion of the CdTe vapors onto the substrate to fluctuate to such an extent that film irregularities are produced. (See [0004])

Accordingly, there exists an ongoing need in the industry for improvement in the apparatus and method for feeding granular source material to a vapor deposition apparatus in the large-scale production of PV modules, particularly CdTe modules. The present invention relates to a feed system and that serves this purpose. (See [0005])

In accordance with aspects of the invention, an embodiment of a feed system is provided for continuously feeding measured doses of source material to a deposition head in a vapor deposition apparatus wherein the source material is sublimated and deposited as a thin film on a substrate, such as a photovoltaic (PV) module substrate. The feed system includes a refillable bulk material hopper, and an upper dose receptacle disposed to receive source material from the hopper and transfer the source material into a vacuum lock chamber. A transfer mechanism is disposed downstream of the vacuum lock chamber and is configured to transfer the source material to a downstream deposition head while isolating the deposition conditions within the deposition head and blocking upstream diffusion of sublimated source material to the feed system. A metering mechanism is operatively disposed between the vacuum lock chamber and the transfer mechanism and includes a receiver disposed to receive source material from the lower dose receptacle, with the receiver having an outlet. A stationary discharge port in the metering mechanism is axially offset from the receiver outlet. A reciprocating delivery member having a passage defined therethrough is disposed below the receiver and a controllable drive device is configured to move the delivery member in a reciprocating path between a load position wherein the passage is aligned with the receiver outlet and a discharge position wherein the passage is aligned with the discharge port. In this manner, the amount of source material transferred from the lower dose receptacles to the transfer mechanism via the metering mechanism is a function of the volume of the passage and the reciprocating rate of the delivery member. (See [0007])

The present invention also encompasses a stand-alone metering mechanism configured for transferring measured doses of a granular material from a first location to a second location. This metering mechanism may have utility in any application or processing line wherein it is desired to transfer metered doses of a source material, and is not limited to application in a vapor deposition system. The metering mechanism includes a receiver with an outlet disposed to receive granular material from the first location. A discharge port is axially offset from the receiver outlet. A reciprocating delivery member having a passage defined therethrough is driven by a controllable drive device (e.g. a pneumatic drive) in a reciprocating fashion between a load position wherein the passage is aligned with the receiver outlet and a discharge position wherein the passage is aligned with the discharge port. With this configuration, the amount of granular material transferred from the first location to the second location is a function of the volume of the passage and the reciprocating rate of the delivery member. (See [0013])

The present invention also encompasses a vapor deposition apparatus for vacuum deposition of a sublimated source material as a thin film on a substrate conveyed through the apparatus. The apparatus includes a deposition head defining a deposition chamber in which source material supplied thereto is sublimated, and a conveyor assembly operably disposed below the deposition head to convey a substrate through the apparatus while a thin film of the sublimated source material is deposited onto an upper surface of the substrate. A

feed system is provided for metering the source material to the deposition head. (See [0015]).

Therefore, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources or materially contributes to the more efficient utilization and conservation of energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,233	08/03/2011	Edwin Jackson Little	249791-1/PRSS-69A	5357

93081 7590 11/17/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
1713	

MAIL DATE	DELIVERY MODE
11/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
www.uspto.gov

Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

11/17/11

In re Application of	:	
Little	:	DECISION ON PETITION
Application No. 13/197,233	:	TO MAKE SPECIAL UNDER
Filed: 8/3/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **249791-1/PRSS-69A**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/10/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to

make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. It is not agreed that the application on its face meets that materiality standard.

Applicants argue that the instant invention facilitates the manufacture of solar panels. The instant claims however are merely directed to a feed system and metering mechanism. There is no mention of solar panels in the instant claims invention. The materiality standard does not permit an applicant to speculate how an end user might specifically apply the invention in a manner that could materially contribute to (1) materially enhancing the quality of the environment or materially contributing to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1713 for action in its regular turn.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Edwin Jackson LITTLE	)
Confirmation No.: 5357	)
	)
Serial No.: 13/197,233	)
	)
Filing Date: 08-03-2011	)
	)
Atty Docket No.: 249791-1 (PRSS-69A)	)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Reconsideration

SIR:

This is responsive to the Decision on Petition, dated as mailed 17 November 2011, in the above-referenced application.

Applicant respectfully requests reconsideration of Applicant's Petition to Make Special on the basis that the present invention materially contributes to the development of renewable energy resources.

The Decision to Make Special Under the Green Technology Pilot Program (hereinafter "the Decision") states that the instant claims are merely directed to a feed system and metering mechanism. The Decision states that there is no mention of solar panels in the claims. The Decision further implies that Applicant speculates as to how an end user might specially apply the invention in a manner that could materially contribute to materially enhancing the quality of the environment or materially contributing to development of renewable energy resources or energy conservation or greenhouse gas reduction. Applicant does not agree with the comments made in the Decision.

Applicant respectfully submits that embodiments of the present invention relate generally to the field of thin film deposition systems wherein a thin film layer, such as a semiconductor layer, is deposited on a substrate conveyed through the system. More particularly, the invention is related to a metering device in a feed system configured to automatically introduce granular source material into a vapor deposition apparatus without disruption of the vacuum process. (see at least paragraph [0001]). As noted in the present application, embodiments of the present invention are particularly associated with the production of thin film photovoltaic (PV) modules, also referred to as "solar panels". (see at least paragraph [0002]).

Thin film photovoltaic (PV) modules (also referred to as "solar panels") based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photo-reactive components are gaining wide acceptance and interest in the industry. CdTe is a semiconductor material having characteristics particularly suited for conversion of sunlight (solar energy) to electricity. Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power generated. However, the advantages of CdTe not withstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. (see at least paragraph [0002]).

Certain factors greatly affect the efficiency of CdTe PV modules in terms of cost and power generation capacity of the modules. For example, CdTe is relatively expensive and, thus, efficient utilization (i.e., minimal waste) of the material is a primary cost factor. In addition, the ability to process relatively large substrates on an economically sensible commercial scale is a crucial consideration. (see at least paragraph [0003]).

An inherent problem of feeding granular CdTe material into a heated vapor deposition head under vacuum is that dose irregularities can result in non-uniformities in the subsequently formed thin film layer on the glass substrate. For example, dose quantities that are too large may cause the sublimation and resultant diffusion of the CdTe vapors onto the substrate to fluctuate to such an extent that film irregularities are produced. (see at least paragraph [0004]).

Embodiments of the present invention provide a feed system for continuously feeding measured doses of source material to a deposition head in a vapor deposition apparatus wherein the source material is sublimated and deposited as a thin film on a substrate, such as a photovoltaic (PV) module substrate. A "thin" film is generally recognized in the art as less than 10 microns (μm) in thickness. The feed system includes a refillable bulk material hopper, and an upper dose receptacle disposed to receive source material from the hopper and transfer the source material into a vacuum lock chamber. A transfer mechanism is disposed downstream of the vacuum lock chamber and is configured to transfer the source material to a downstream deposition head while isolating the deposition conditions within the deposition head and blocking

upstream diffusion of sublimated source material to the feed system. A metering mechanism is operatively disposed between the vacuum lock chamber and the transfer mechanism and includes a receiver disposed to receive source material from the lower dose receptacle, with the receiver having an outlet. A stationary discharge port in the metering mechanism is axially offset from the receiver outlet. A reciprocating delivery member having a passage defined therethrough is disposed below the receiver and a controllable drive device is configured to move the delivery member in a reciprocating path between a load position wherein the passage is aligned with the receiver outlet and a discharge position wherein the passage is aligned with the discharge port. In this manner, the amount of source material transferred from the lower dose receptacles to the transfer mechanism via the metering mechanism is a function of the volume of the passage and the reciprocating rate of the delivery member. (see at least paragraph [0007]).

Because dose irregularities can result in non-uniformities in the subsequently formed substrate, providing measured doses of source material in accordance with embodiments of the present invention avoids such non-uniformities. As such, embodiments of the present invention provide for feeding granular source material to a vapor deposition apparatus in the large-scale production of PV modules, particularly CdTe modules, and promote efficient production of PV modules on a large scale and in a cost effective manner. As a result, embodiments of the present invention incentivize the creation and

adoption of solar energy resources, and contribute to the development of renewable energy resources.

The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W Mages/
Allison Weiner Mages
Reg. No. 57,275

Dated: December 17, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,233	08/03/2011	Edwin Jackson Little	249791-1/PRSS-69A	5357

93081 7590 02/01/2012
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
1713	

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

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United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

2/1/12

In re Application of	:	
Little	:	DECISION ON PETITION
Application No. 13/197,233	:	TO MAKE SPECIAL UNDER
Filed: 8/3/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **249791-1/PRSS-69A**	:	PILOT PROGRAM

This is a decision on the request for reconsideration, filed 1/24/2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009).

The petition is **DENIED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications and be filed prior to the date of the notice, December 8, 2009.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. It is not agreed that the application on its face meets that materiality standard.

Applicants argue that embodiments of the present invention relate generally to thin film deposition systems. Applicant continues to point out that the specification discloses embodiments that are associated with the production of thin film photovoltaic modules.

Applicant is directed to the original Federal Register Notice (12/8/2009) which states in part under Section I (Requirements): (4) The **claims** must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to : (1) The discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) greenhouse gas emission reduction... (emphasis added)

Applicants are correct that the specification discloses embodiments relating to photovoltaic modules, however as stated above the **claims** are silent with respect to photovoltaic modules. The claims are therefore open to other embodiments including those that are not photovoltaic related. The materiality standard does not permit an applicant to speculate how an end user might specifically apply the invention in a manner that could materially contribute to (1) materially enhancing the quality of the environment or materially contributing to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1713 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: 249791-2	Application Number (if known): 13/197,251	Filing date: 08-03-2011

First Named Inventor: Edwin Jackson Little

Title: METHOD FOR METERING GRANULAR SOURCE MATERIAL IN A THIN FILM VAPOR DEPOSITION APPARATUS

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 11-10-2011
Name (Print/Typed) Allison W. Mages	Registration Number 57,275

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Edwin Jackson Little	)
Confirmation No.: 5400	)
	)
Serial No.: 13/197,251	)
	)
Filing Date: 08-03-2011	)
	)
Atty Docket No.: 249791-2 (US)	)

VIA EFS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Concerning the Basis for the Special Status

SIR:

The present invention relates generally to the field of thin film deposition systems wherein a thin film layer, such as a semiconductor layer, is deposited on a substrate conveyed through the system. More particularly, the invention is related to a metering device in a feed system configured to automatically introduce granular source material into a vapor deposition apparatus without disruption of the vacuum process. (See [0001])

Thin film photovoltaic (PV) modules (also referred to as "solar panels") based on cadmium telluride (CdTe) paired with cadmium sulfide (CdS) as the photo-reactive components are gaining wide acceptance and interest in the industry. CdTe is a semiconductor material having characteristics particularly suited for conversion of sunlight (solar energy) to electricity. Solar energy systems using CdTe PV modules are generally recognized as the most cost efficient of the commercially available systems in terms of cost per watt of power

generated. However, the advantages of CdTe not withstanding, sustainable commercial exploitation and acceptance of solar power as a supplemental or primary source of industrial or residential power depends on the ability to produce efficient PV modules on a large scale and in a cost effective manner. (See [0002])

Certain factors greatly affect the efficiency of CdTe PV modules in terms of cost and power generation capacity of the modules. For example, CdTe is relatively expensive and, thus, efficient utilization (i.e., minimal waste) of the material is a primary cost factor. In addition, the ability to process relatively large substrates on an economically sensible commercial scale is a crucial consideration. (See [0003])

An inherent problem of feeding granular CdTe material into a heated vapor deposition head under vacuum is that dose irregularities can result in non-uniformities in the subsequently formed thin film layer on the glass substrate. For example, dose quantities that are too large may cause the sublimation and resultant diffusion of the CdTe vapors onto the substrate to fluctuate to such an extent that film irregularities are produced. (See [0004])

Accordingly, there exists an ongoing need in the industry for improvement in the apparatus and method for feeding granular source material to a vapor deposition apparatus in the large-scale production of PV modules, particularly CdTe modules. The present invention relates to a feed system and that serves this purpose. (See [0005])

In accordance with aspects of the invention, method embodiments are provided for continuously feeding doses of source material at atmospheric conditions to a deposition head in a vapor deposition apparatus wherein the source material is sublimated and deposited as a thin film on a substrate, such as a photovoltaic (PV) module substrate, while vacuum deposition conditions are maintained in the deposition head.. (See [0007])

An embodiment of the method includes sequentially conveying doses of granular source material from a bulk supply into a vacuum lock chamber. A vacuum is drawn in the vacuum lock chamber for transferring each dose of source material from the vacuum lock chamber to a downstream transfer mechanism prior to introduction of a subsequent dose of source material into the vacuum lock chamber. From the transfer mechanism, the source material is transferred to a downstream deposition head while maintaining the vacuum deposition conditions within the deposition head and blocking upstream diffusion of sublimated source material through the transfer mechanism. (See [0008])

Therefore, Applicant respectfully submits that Special Status is sought on the basis that the present invention materially contributes to the discovery or development of renewable energy resources or materially contributes to the more efficient utilization and conservation of energy resources.

The undersigned representative may be contacted at the number below to facilitate the resolution of any matters. Please charge any fees that are incurred in connection with this Statement to deposit account no. 09-0470.

Respectfully submitted,

General Electric Company

By : /Allison W. Mages/
Allison W. Mages
Reg. No. 57,275

Dated: November 10, 2011

GE Global Patent Operation
2 Corporate Drive, Suite 648
Shelton, CT 06484
203-944-6730

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,251	08/03/2011	Edwin Jackson Little	249791-2/PRSS-69B	5400

93081 7590 11/25/2011
Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville, SC 29602

EXAMINER

ART UNIT	PAPER NUMBER
3754	

MAIL DATE	DELIVERY MODE
11/25/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Alexandria, VA 22313-1450
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Dority & Manning, P.A. and Primestar Solar Inc.
Post Office Box 1449
Greenville SC 29602

	:	
In re Application of		
LITTLE, EDWIN JACKSON	:	DECISION ON PETITION
Application No. 13/197,251	:	TO MAKE SPECIAL UNDER
Filed: August 3, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 249791-2/PRSS-69B	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed November 10, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the

Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3754 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 123016-0006	Application Number (if known): 13/197,285	Filing date: August 03, 2011

First Named Inventor: Jun Hee HONG

Title: LIGHT EMITTIG DEVICE PACKAGE AND IMAGE DISPLAY APPARATUS INCLUDING THE SAME

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yoon S. Ham/	Date August 4, 2011
Name (Print/Typed) Yoon S. Ham	Registration Number 45,307

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for
Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,285	08/03/2011	Jun Hee HONG	123016-0006	5475

22429 7590 09/22/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER

ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
Jun Hee HONG	:	DECISION ON PETITION
Application No. 13/197,285	:	TO MAKE SPECIAL UNDER
Filed: August 3, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **123016-0006**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on August 4, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

Colleen Dunn
Quality Assurance Specialist
Technology Center 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 83202333	Application Number (if known): 13/197,316	Filing date: August 3, 2011
First Named Inventor: Chris Paul Glugla		
Title: METHOD AND SYSTEM FOR PRE-IGNITION CONTROL		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /John D. Russell/	Date September 7, 2011
Name (Print/Typed) John D. Russell	Registration Number 47,048

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.*

[X] *Total of 1 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Chris Paul Glugla, et al.
Application No.	:	13/197,316
Filed	:	August 3, 2011
Title	:	METHOD AND SYSTEM FOR PRE-IGNITION CONTROL
Group Art Unit	:	3747
Confirmation No.	:	5528
Docket No.	:	83202333

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the U.S. Patent and Trademark Office electronic filing system (EFS-Web) to the USPTO on:

September 7, 2011	/Angie C. Farr/
Date	Angie C. Farr

STATEMENTS OF SPECIAL STATUS

Applicants respectfully request consideration of the following statement concerning the basis for the special status as well as the following statement pertaining to the materiality standard.

I. Statement concerning the basis for special status.

Applicants submit that special status is sought on the following bases: (1) the claimed invention materially contributes to the more efficient utilization and conservation of energy resources; and/or (2) the claimed invention materially contributes to greenhouse gas emission reduction; and/or (3) the claimed invention materially enhances the quality of the environment.

II. Statement pertaining to the materiality standard.

As a preliminary matter, Applicants note that the following statement refers explicitly to the elements of independent claim 1, which is the broadest claim in many respects.

Regarding basis (1), Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by

improving fuel economy (*i.e.*, more efficiently utilizing and conserving fossil fuels). Specifically, the claimed invention improves pre-ignition detection and avoids unnecessary rich operation, while making it possible to run higher boost pressures and more advanced spark timing without experiencing pre-ignition, thus enabling the engine to operate more efficiently and thus utilize less fossil fuel than otherwise possible.

As explained in the Background and Summary of the subject application, under certain operating conditions, engines that have high compression ratios or are boosted to increase specific output, may be prone to low speed pre-ignition combustion events. The early combustion due to pre-ignition can cause very high in-cylinder pressures, and can result in combustion pressure waves similar to combustion knock, but with larger intensity. Strategies have been developed for prediction and/or early detection of pre-ignition based on engine operating conditions. Additionally, following detection, various pre-ignition mitigating steps may be taken. Furthermore, to avoid or reduce the dangers of pre-ignition, engines may be designed to operate with less boost and/or less spark advance than is optimal for fuel economy. One approach for mitigating pre-ignition is to identify pre-ignition based on a knock intensity and timing, and in response to the indication of pre-ignition, a cylinder enrichment may be performed. Further, in response to frequent pre-ignition occurrence, persistent pre-ignition is inferred and mitigated with a more aggressive enrichment strategy as compared to intermittent pre-ignition.

However, during transient engine operating conditions, such as during a tip-in when boost is being phased in, rapid changes in cylinder aircharge can result in heavy knocking events. That is, the intensity and frequency of knocking may be higher for a given cylinder during transient conditions as compared to steady-state conditions. The heavy knocking may be incorrectly perceived as persistent pre-ignition and mitigated with too much (or too frequent) enrichment. As such, this may lead to an unintentional decrease in fuel economy. Additionally, exhaust emissions may be degraded.

The claimed invention addresses this issue by distinguishing transient pre-ignition events from knocking events due to transient or tip-in detonation, and mitigating the pre-ignition accordingly. For example, claim 1 recites:

> A method for an engine, comprising:

adjusting a timing and number of injections, in a given engine cycle, of a pre-ignition suppressing fluid injection to a cylinder based on an indication of transient pre-ignition in the cylinder.

In this way, large knocking events caused due to transient or tip-in detonation may be better distinguished from those caused due to transient pre-ignition. By reducing the false detection of pre-ignition during transient conditions, and adjusting the injection of a pre-ignition suppressing fluid responsive to transient pre-ignition, unnecessary cylinder enrichment may be reduced while the pre-ignition mitigating effect of the injected fluid is improved. As a result, pre-ignition mitigation, fuel economy and engine exhaust emissions may be improved, without degrading the accuracy of pre-ignition detection. Further, by improving detection and mitigation of pre-ignition, the engine can be operated more aggressively with regard to engine boost pressure, spark timing, air-fuel ratio, etc. such that the engine can be operated more efficiently over a larger operating range, without experiencing pre-ignition. As such, fossil fuels may be conserved.

Regarding basis (2), Applicants submit that the claimed invention materially contributes to greenhouse gas emission reduction as follows. CO_2 is a greenhouse gas produced during fossil fuel combustion. As stated above and set forth in claim 1, the claimed invention improves fuel economy by improving pre-ignition detection, thus avoiding inadvertent rich operation and reducing the production of CO_2.

Regarding basis (3), Applicants submit that the claimed invention materially enhances the quality of the environment by improving vehicle emissions, which negatively impact the quality of the environment. As explained above, incorrect detection of pre-ignition can lead to inadvertent rich operation, which degrades engine emissions. As set forth in claim 1, the claimed invention improves the detection of pre-ignition, thus improving emissions and enhancing the quality of the environment.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 06-1510.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

/John D. Russell/
John D. Russell
Registration No. 47,048
Customer No. 36865
Attorney/Agent for Applicants/Assignee
806 S.W. Broadway, Suite 600
Portland, Oregon 97205
Telephone: (503) 459-4141
Facsimile: (503) 459-4142

UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/197,316	08/03/2011	Chris Paul Glugla	83202333	5528

36865 7590 09/22/2011
ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND, OR 97205

EXAMINER

ART UNIT	PAPER NUMBER
3747	

MAIL DATE	DELIVERY MODE
09/22/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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ALLEMAN HALL MCCOY RUSSELL & TUTTLE, LLP
806 S.W. BROADWAY, SUITE 600
PORTLAND OR 97205

In re Application of	:	
GLUGLA, CHRIS PAUL et al	:	DECISION ON PETITION
Application No. 13/197,316	:	TO MAKE SPECIAL UNDER
Filed: August 03, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **83202333**	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed September 07, 2011 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted.**

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3747 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700