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

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

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

Application No:	13/259,867	Filing date:	09/23/2011
First Named Inventor:	Sang Jin Moon		
Title of the Invention:	CONDUCTIVE POLYMER CONTAINING CARBAZOLE, AND ORGANIC PHOTOVOLTAIC DEVICE USING SAME		

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

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

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

The corresponding PCT application number(s) is/are: PCT/KR2010/001957

The international filing date of the corresponding PCT application(s) is/are: 03/31/2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/259,867
First Named Inventor:	Sang Jin Moon

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

☐ Is attached

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

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

☐ Are attached.

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

II. Claims Correspondence Table:

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

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

Signature /syp/	Date 11/29/2011
Name (Print/Typed) Sun Y. Pae	Registration Number 61,401

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

LEVENFELD PEARLSTEIN, LLC
INTELLECTUAL PROPERTY
DEPARTMENT
2 NORTH LASALLE
SUITE 1300
CHICAGO IL 60602

MAILED
JAN 31 2012
OFFICE OF PETITIONS

In re Application of
MOON, et al
Application No.: 13/259,867
Filed: September 23, 2011
Attorney Docket No.: O/USPAA740
(38741-88766)
For: CONDUCTIVE POLYMER CONTAINING CARBAZOLE, AND ORGANIC PHOTOVOLTAIC DEVICE USING 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 PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 29, 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, Austria, Australia, Finland, Spain, Sweden, China or USPTO;

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

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

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

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

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof 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 Diane Goodwyn at (571) 272-6735.

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

This application is being forwarded to Technology Center 2811 for action on the merits commensurate with this decision.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT and TRADEMARK OFFICE

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

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

MAILED

DEC 07 2011

PCT LEGAL ADMINISTRATION

In re Application of :
HERNANDEZ et al :
Application No.: 13/259,941 :
PCT No.: PCT/FR10/00210 :
Int. Filing Date: 12 March 2010 : DECISION
Priority Date: 7 April 2009 :
Attorney Docket No.: 387063US41PCT :
For: TURBOMACHINE HAVING... :
CHAMBER :

This decision is in response to applicants' "NOTIFICATION OF ERROR UNDER MPEP §1893.01(e)," which is being treated as a petition under 37 CFR 1.181, filed on 23 September 2011 indicating that the executed declaration filed on 23 September 2011contains the correct spelling of the first inventor's name Didier Hippolyte HERNANDEZ.

The published PCT application contained a typographical error because **Hippolyte** was misspelled as Hyppolyte.

BACKGROUND

On 23 September 2011, applicants filed in the United States Patent and Trademark Office (PTO) a Transmittal Letter (Form PTO-1390) accompanied by, *inter alia*, the basic national fee, and an executed declaration.

Applicants also stated that the executed Declaration, with the first named inventor listed as **Didier Hippolyte HERNANDEZ** is his correct spelling.

DISCUSSION

The correct name of the first joint-inventor is "**Didier Hippolyte HERNANDEZ**" as filed in the executed declaration on 23 September 2011, and not as it appeared in the publication of the international application. The petition states that his name was incorrectly spelled in the international application because of a typographical error but now has been corrected. Accordingly, the correct name, **Didier Hippolyte HERNANDEZ**, now appears in the declaration as filed on 23 September 2011 to the USPTO.

DECISION

For the reasons above, the petition under 37 CFR 1.181 is **GRANTED** that the correct spelling of the first joint inventor is **Didier Hippolyte HERNANDEZ**.

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

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

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

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

Application No:	13260081	Filing date:	September 23, 2011
First Named Inventor:	Mark Zdeblick		
Title of the Invention:	Two-Wrist Data Gathering System		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US2011/023017

The international date of the corresponding PCT application(s) is/are: January 28, 2011

I. List of Required Documents:

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

☒ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13260081
First Named Inventor:	Mark Zdeblick

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

☒ Is attached

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

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

☐ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-24	1-24	Claims are identical

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

Signature /Bret E. Field, Reg. No. 37,620/	Date 2011-11-02
Name (Print/Typed) Bret E. Field	Registration Number 37,620

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.
13/260,081	09/23/2011	Mark Zdeblick	PRTS-158US1 (PRO-142)	6197

61487 7590 11/21/2011

Proteus Biomedical, Inc.
Bozicevic, Field & Francis LLP
1900 University Avenue, Suite 200
East Palo Alto, CA 94303

EXAMINER	
ART UNIT	PAPER NUMBER
3769	

MAIL DATE	DELIVERY MODE
11/21/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Proteus Biomedical, Inc.
Bozicevic, Field & Francis LLP
1900 University Avenue, Suite 200
East Palo Alto CA 94303

In re Application of:
ZDEBLICK, MARK
Serial No.: 13/260,081
Filed: 9/23/11
Attorney Docket No. PRTS-158US1 (PRO-142)
Title: TWO-WRIST DATA GATHERING SYSTEM

: 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. 10, 2011 to make the above-identified application special.

The request and petition are granted.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the KIPO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the KIPO 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 KIPO 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 KIPO 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 KIPO examiner in the KIPO 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.

Other inquiries concerning the examination or status of the application should be directed to Sam Yao, the SPE of Art Unit 3769 at 571-272-1224 for Class 600/301 and also accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

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

This application will be forwarded and docketed to an examiner for action on the merits commensurate with this decision. Telephone inquiries concerning this decision should be directed to Henry C. Yuen, at 571-272-4856.

The petition is **granted.**

/Henry C. Yuen/

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

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

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

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

Attorney Docket No.: 0599-0283PUS1

Application No:	13/260,082	Filing date:	September 23, 2011
First Named Inventor:	Atsuhito ARAI		
Title of the Invention:	EPOXY RESIN COMPOSITION FOR FIBER-REINFORCED COMPOSITE MATERIAL, PREPREG, AND FIBER-REINFORCED COMPOSITE MATERIAL		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/050256

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/260,082
First Named Inventor:	Atsuhito ARAI

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	3	Substantially Identical
4	4	Substantially Identical
5	5	Substantially Identical
6	6	Substantially Identical

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

Signature	Date January 13, 2012
Name (Print/Typed) Andrew D. Meikle	Registration Number 32868

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BIRCH STEWART KOLASCH & BIRCH
P.O. BOX 747
FALLS CHURCH, VA 22040-0747

MAILED
FEB 09 2012
OFFICE OF PETITIONS

In re Application of
Atsuhito Arai, et. al.
Application No.: 13/260,082
Filed: September 23, 2011
Attorney Docket No.: 0599-0283PUS1
For: EPOXY RESIN COMPOSITION FOR FIBER-REINFORCED COMPOSITE MATERIAL, PREPREG, AND FIBER-REINFORCED COMPOSITE MATERIAL

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 13, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

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

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

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

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the 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:	13260098	Filing date:	September 23, 2011
First Named Inventor:	Kijima		
Title of the Invention:	TAILSTOCK DEVICE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/051139

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

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	13260098
First Named Inventor:	Kijima

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 September 23, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on September 23, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 substantially corresponds to PCT Claim 1
2	2	US Claim 2 substantially corresponds to PCT Claim 2
3	3	US Claim 3 substantially corresponds to PCT Claim 3

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

Signature /David F Dockery Reg No 34323/	Date September 23, 2011
Name (Print/Typed) David F. Dockery	Registration Number 34,323

STATEMENT

I, Mitsuteru TOMIDA, an employee with the firm of ONDA TECHNO Intl. Patent Attys. having a business address of 12-1, Ohmiya-cho 2-chome, Gifu-shi, Gifu 5008731 Japan, hereby states that I am the translator of the attached document and it is, to the best of my knowledge and belief, a true and accurate English translation of the International Preliminary Report on Patentability issued in the International Application No. PCT/JP2010/051139 and of the claims attached to that International Preliminary Report on Patentability.

September 14, 2011
Date

Mitsuteru TOMIDA

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P3S2009346	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/JP2010/051139	International filing date *(day/month/year)* 28.01.2010	Priority date *(day/month/year)*
International Patent Classification (IPC) or national classification and IPC Int. Cl. B23B23/00(2006.01)i		
Applicant YAMAZAKI MAZAK CORPORATION		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:
   a. [X] *(sent to the applicant and to the International Bureau)* a total of 5 sheets, as follows:
      [X] sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      [ ] sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. [ ] *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

4. This report contains indications relating to the following items:
   - [X] Box No. I Basis of the report
   - [ ] Box No. II Priority
   - [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - [ ] Box No. IV Lack of unity of invention
   - [X] Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
   - [ ] Box No. VI Certain documents cited
   - [ ] Box No. VII Certain defects in the international application
   - [ ] Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
21.09.2010	17.02.2011
Name and mailing address of the IPEA/ Japan Patent Office (IPEA/JP) 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915 Facsimile No.	Authorized officer 3C 3934 Makoto OGAWA Telephone No. 03-3581-1101 (Ext. 3324)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2010/051139

Box No. I Basis of the report

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

[X] the international application in the language in which it was filed.

[ ] a translation of the international application into _____ which is the language of a translation furnished for the purposes of:

[ ] international search (Rules 12.3(a) and 23.1(b)).

[ ] publication of the international application (Rule 12.4(a)).

[ ] international preliminary examination (Rules 55.2(a) and/or 55.3(a)).

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

[ ] the international application as originally filed/furnished.

[X] the description:

pages 1, 4-10, 12-13 as originally filed/furnished.

pages* 2-3 received by this Authority on 31.1.2011

pages* 11 received by this Authority on 03.12.2010

[X] the claims:

pages _____ as originally filed/furnished.

pages* _____ as amended (together with any statement) under Article 19

pages* 1-3 received by this Authority on 31.1.2011

pages* _____ received by this Authority on _____

[X] the drawings:

pages 1-5 as originally filed/furnished.

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

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

3. [X] The amendments have resulted in the cancellation of:

[ ] the description, pages _____

[X] the claims, Nos. 4

[ ] the drawings, sheets/figs _____

[ ] the sequence listing *(specify)*: _____

4. [ ] This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

[ ] the description, pages _____

[ ] the claims, Nos. _____

[ ] the drawings, sheets/figs _____

[ ] the sequence listing *(specify)*: _____

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

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

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

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2010/051139

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

1. Statement

Novelty (N)	Claims	1-3	YES
	Claims		NO
Inventive step (IS)	Claims	1-3	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-3	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP 2008-302436 A (DENSO CORPORATION) December 18, 2008
Paragraphs [0006] - [0028], Figs. 1 and 2 (This application has no foreign counterpart.)

Document 2: JP 2005-199404 A (RICOH CORPORATION) July 28, 2005
Paragraphs [0005], [0010] and [0090] (This application has no foreign counterpart.)

Document 3: JP 2006-315141 A (OKUMA CORPORATION) November 24, 2006
Paragraphs [0018] - [0022] (This application has no foreign counterpart.)

Document 4: JP6-55310 A (NAKAMURA-TOME PRECISION INDUSTRY CO., LTD.) March 1, 1994
Paragraphs [0013] - [0017] (This application has no foreign counterpart.)

CLAIMS 1-3
The inventions set forth in claims 1-3 are not disclosed in the documents cited in the International Preliminary Report on Patentability in that "in a state where ... has been switched to a low thrust mode, when ... is less than or equal to the maximum thrust value and outside a permissible range, the disabling means does not disable the manual operation, and wherein, when ... is less than or equal to the maximum thrust value and within the permissive range, the disabling means disables the manual operation". Accordingly, the inventions are not obvious for a person skilled in the art.

TRANSLATION OF PATENTABLE CLAIMS IN PCT APPLICATION OF PCT/JP2010/051139

1. A tailstock device comprising a tailstock that is reciprocated by a servomotor via a lead screw mechanism, and a tailstock center attached to the tailstock, the tailstock device supporting a workpiece by pressing the tailstock center against the workpiece, the tailstock device being **characterized in that it comprises:**

a normal tailstock thrust setting means for setting, as a torque limit value of the servomotor, a tailstock thrust required for supporting the workpiece;

a low tailstock thrust setting means for applying a tailstock thrust lower than the normal tailstock thrust to the tailstock center through manual operation, the low tailstock thrust setting means operating to press a distal end of the tailstock center against the workpiece;

a display means for displaying the tailstock thrust of the tailstock center applied to the workpiece; and

a disabling means, wherein, when the actual thrust of the tailstock center exceeds a maximum thrust value in a state where a screen of the display means has been switched to a low thrust mode, the disabling means disables the manual operation, wherein, when the actual thrust of the tailstock center is less than or equal to the maximum thrust value and outside a permissible range, the disabling means does not disable the manual operation, and wherein, when the actual thrust of the tailstock center is less than the maximum thrust value and within the permissible range, the disabling means disables the manual operation.

2. The tailstock device according to claim 1, **characterized in that** the low tailstock thrust setting means includes:

a low tailstock thrust key for setting the screen of the display means to a low thrust mode; and

a manual pulse generator that is manually operated to generate pulses for driving the servomotor,

wherein, in a state where the tailstock and the tailstock center are stopped with the tailstock center pressed against the workpiece so that rotational torque of the servomotor is prevented from being influenced by sliding resistance of the tailstock, the servomotor is rotated based on an error between a feedback signal output from an encoder of the servomotor and a command signal generated by the manual pulse generator, thereby elastically deforming the lead screw mechanism, and the elastic resilience of the lead screw mechanism at that time presses the tailstock center against the workpiece with a low tailstock thrust.

3. The tailstock device according to claim 2, **characterized by** comprising a multiplication factor setting means for changing an amount per pulse of a command signal generated by the manual pulse generator.

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

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402

MAILED
OCT 21 2011
PCT LEGAL ADMINISTRATION

In re Application of :
WOON, et al. :
Application No.: 13/260,137 : DECISION
PCT No.: PCT/SG2010/000391 (as corrected) :
Int. Filing Date: 14 October 2010 :
Priority Date: 14 October 2010 :
Attorney's Docket No.: 1365.187US1 :
For: A BREATHING APPARATUS :

This decision is issued in response to applicant's petition pursuant to 37 C.F.R. § 1.182 filed 26 September 2011 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 14 October 2010, applicant filed international application PCT/SG2010/000391 which claimed priority to a previous application filed 14 October 2009. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States was set to expire at midnight on 14 April 2013.

On 23 September 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US) electronically via EFS-Web. The submission included, *inter alia*, a PTO-1390 transmittal letter; declaration and a preliminary amendment. The international application number keyed into EFS-Web was PCT/**SB**2010/000391. However, the filed transmittal letter, declaration and preliminary amendment identified the international application number as PCT/**SG**2010/076199.

On 26 September 2011, applicant filed the petition considered herein.

DISCUSSION

Applicants confirm that the correct international application is PCT/SG2010/000391. An examination of the papers filed 23 September 2011 finds that this international application number was listed on the filed transmittal letter declaration and preliminary amendment. Applicant's present submission included the required petition fee to correct applicant's clerical error. Accordingly, these materials satisfy the requirements for a grantable petition to correct applicant's error in the bibliographical data filed 23 September 2011 and to permit such materials to be treated as having been directed to international application PCT/SG2010/000391.

CONCLUSION

Applicant's petition under 37 CFR 1.182 is **GRANTED**.

As requested, the international application number, title of invention, and continuity data have been corrected and are now associated with PCT/SG2010/000391.

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

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

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

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE IP AUSTRALIA (IPAU) AND THE USPTO

Application No:	13260188	Filing date:	2011-09-23
First Named Inventor:	Rosalina Tan ROSLAN TAN		
Title of the Invention:	ANTI-DIABETIC NUTRACEUTICAL COMPOSITION FROM PALM LEAF EXTRACT		

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

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

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

The corresponding PCT application number(s) is/are: PCT/MY2009/000041

The international filing date of the corresponding PCT application(s) is/are: March 24, 2009

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13260188
First Named Inventor:	Rosalina Tan ROSLAN TAN

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 September 23, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on September 23, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
7-12	1-6	Substantially identical.

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

Signature /R. Burns Israelsen/ Reg. #42685	Date November 22, 2011
Name (Print/Typed) R. Burns Israelsen	Registration Number 42685

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

MAILED

APR 06 2012

OFFICE OF PETITIONS

MASCHOFF GILMORE & ISRAELSEN
1441 W. UTE BLVD., SUITE 100
PARK CITY UT 84098-7633

In re Application of
Suhaila Mohamed et al
Application No.: 13/260,188
Filed: November 15, 2011
Attorney Docket No.: K1067.10014US01
For: ANTI-DIABETIC NUTRACEUTICAL COMPOSITION FROM PALM LEAF EXTRACT

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

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

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

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

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

David Bucci
Petition Examiner
Office of Petitions

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

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE IP AUSTRALIA (IPAU) AND THE USPTO

Application No:		Filing date:	9/23/2011
First Named Inventor:	Paul Freeman		
Title of the Invention:	Trolley		

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/AU2010/000103

The international filing date of the corresponding PCT application(s) is/are: 2 February 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	
First Named Inventor:	Paul Freeman

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
28	4	Corresponds to PCT claim 4 rewritten in independent form including base
--	--	PCT claim 1 and intervening PCT claims 2 and 3. .
29-37	4+	Correspond to PCT claim 4 with additional limitations of PCT claims 5, 6, 7,
--	--	14, 15, 16, 20, 28 and 29, respectively. .
38	8	Corresponds to PCT claim 8 rewritten in independent form including base
--	--	PCT claim 1 and intervening PCT claims 2 and 3. .
39-48	8+	Correspond to PCT claim 8 with additional limitations of PCT claims 9, 17, 18,
--	--	19, 21, 22, 23, 24, 25 and 26 respectively. .
49	12	Corresponds to PCT claim 12 rewritten in independent form including base
--	--	PCT claim 1 intervening PCT claims 2, 3, 8, 10 and 11. .
50	12+	Corresponds to PCT claim 12 with additional limitations of PCT claim 13.

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

Signature /Jared M. Barrett/	Date 9/23/2011
Name (Print/Typed) Jared M. Barrett	Registration Number 57,933

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-US (09-10)
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 IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No.:	13/260,395	First Named Inventor:	Takehide Kitagawa
Filing Date:	2011-09-26	Attorney Docket No.:	29292-0022US1/KMT169US1
Title of the Invention:	Engine		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/054933

The international filing date of the corresponding PCT application(s) is/are: March 23, 2010

I. List of Required Documents:

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

☑ is attached.

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

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

☐ is attached.

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

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

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

☐ is attached.

☑ has already been filed in the above-identified U.S. application on September 26, 2011

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

☐ are attached.

☑ have already been filed in the above-identified U.S. application on September 26, 2011

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

PTO/SB/20PCT-US (09-10)
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 PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

(continued)

Application No.:	13/260,395	First Named Inventor:	Takehide Kitagawa

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1-5	1-5	The feature of the invention as in claims 1-5 in which
		"both of the first and the second control valves are mounted to
		either one of the devices of the variable turbo supercharger or
		the exhaust gas recirculating valve device" is not descirbed in
		documents 1-3 cited in the International Search Report, and
		would not be obvious to one skilled in the art.

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

Signature /W. Karl Renner/	Date April 13, 2012
Name (Print/Typed) W. Karl Renner	Registration Number 41265

Privacy Act Statement

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

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

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

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

PTO/SB/20PCT-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:	13/260,402	Filing date:	September 26, 2011
First Named Inventor:	Makoto Okabe		
Title of the Invention:	Electrostatic Atomizing Apparatus, Appliance, Air Conditioner, and Refrigerator		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/052444

The international date of the corresponding PCT application(s) is/are: February 18, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/260,402
First Named Inventor:	Makoto Okabe

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 September 26, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on September 26, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-27		Cancelled
28	14	a new independent claim added by combining the original claim 2 and the original claim 14
29	1	the original claim 1
30	9, 14	the original claim 9; dependent from claim 28
31	14, 19	the original claim 19, dependent from claim 28
32	14, 15	the original claim 15, dependent from claim 28
33	14, 16	the original claim 16, dependent from claim 28
34	14, 17	the original claim 17, dependent from claim 28
35	14, 18	the original claim 18, dependent from claim 28
36	14	the original claim 21, dependent from claim 28
37	14, 22	the original claim 22, dependent from claim 28
38	14, 23	the original claim 23, dependent from claim 36
39	14, 23	the original claim 23, dependent from claim 37
40	14	the original claim 4, dependent from claim 28
41	14	the original claim 5, dependent from claim 28
42	14	the original claim 20, dependent from claim 28
43	14	the original claim 26, dependent from claim 28
44	14	the original claim 27, dependent from claim 28
45	1, 9	the original claim 9, dependent from claim 29

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

Signature	Date January 31, 2012
Name (Print/Typed) Michael Britton	Registration Number 47,260

(continued from page 2)

II. Claims Correspondence Table

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
46	1	the original claim 21, dependent from claim 29
47	1, 22	the original claim 22, dependent from claim 29
48	1, 23	the original claim 23, dependent from claim 46
49	1, 23	the original claim 23, dependent from claim 47
50	1	the original claim 20, dependent from claim 29
51	1	the original claim 26, dependent from claim 29
52	1	the original claim 27, dependent from claim 29

STATEMENT

I, Aki HIRAI , of MIZOI International Patent Firm, Third Floor, NTA Ofuna Bldg., 17-10, Ofuna 2-chome, Kamakura-shi, Kanagawa 247-0056 Japan,

declare that to the best of my knowledge and belief, the English translation of the Japanese claims of PCT/JP2010/52444 is accurate.

Dated January 4, 2012

Aki Hirai

Aki HIRAI

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	01.06.2010
Applicant's or agent's file reference: 605716WO01	FOR FURTHER ACTION: See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/052444	18.02.2010	27.03.2009

International Patent Classification (IPC) or both national classification and IPC

B05B5/057(2006.01)i, A61L9/14(2006.01)i, F24F6/00(2006.01)i, F24F6/14(2006.01)i, F25D23/00(2006.01)i

Applicant

Mitsubishi Electric Corporation

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

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

2. FURTHER ACTION

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

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

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

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

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

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/052444

Box No. I Basis of this opinion

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

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

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

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

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (means)

☐ on paper

☐ in electronic form

b. (time)

☐ in the international application as filed

☐ together with the international application in electronic form

☐ subsequently to this Authority for the purposes of search

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

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/052444

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

1. Statement

Novelty (N)	Claims	1-27	YES
	Claims		NO
Inventive step (IS)	Claims	1, 7-9, 13-19, 22, 23	YES
	Claims	2-6, 10-12, 20, 21, 24-27	NO
Industrial applicability (IA)	Claims	1-27	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2006-35171 A (Matsushita Electric Works, Ltd.), 09 February 2006, entire text; fig. 1 to 5

Document 2: JP 2002-203657 A (Daikin Industries, Ltd.), 19 July 2002, entire text; fig. 1 to 6

Document 3: JP 2888243 B2 (Toshiba Corp.), 10 May 1999, entire text; fig. 1 and 2

Document 4: JP 2009-7965 A (Toshiba Home Technology Corp.), 15 January 2009, paragraph [0019]

Document 5: JP 2009-36411 A (Panasonic Corp.), 19 February 2009, claim 1

Document 6: JP 2001-272097 A (Noritz Corp.), 05 October 2001, paragraph [0016]

Document 7: JP 2001-74299 A (Sharp Corp.), 23 March 2001, claim 6 & EP 1083390 A2

Document 8: JP 2009-2587 A (Panasonic Corp.), 08 January 2009, claims 1, 10

The invention as in claim 2 does not involve an inventive step in the light of documents 1 and 2 cited in

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

the ISR. Document 1 discloses an electrostatic atomizing device having a discharge electrode comprising a main body section and a projection section to which water is provided by capillary action. Document 2 discloses an ion generator wherein water drops are delivered to a discharge electrode by dropping, and a person skilled in the art could easily apply this feature to the configuration of document 1.

The invention as in claims 3-6 and 10-12 does not involve an inventive step in the light of documents 1 and 2 and document 3 cited in the ISR. Document 3 discloses a foamed metal porous body that atomizes water, and a person skilled in the art could easily apply this feature to the configuration of document 1. Furthermore, the gap between a water supply means and the discharge electrode, the electrical resistance value of the foamed metal, the pore diameter, and the porosity are merely design matters that could be selected as appropriate by a person skilled in the art when carrying out the invention.

The invention as in claim 20 does not involve an inventive step in the light of documents 1-3 and document 4 cited in the ISR. Document 4 discloses a LED lamp (43) as a lighting display means when using a mist generator (41), and a person skilled in the art could easily apply this feature to the configuration of document 1.

The invention as in claims 21 and 26 does not involve an inventive step in the light of documents 1-3 and document 5 cited in the ISR. Document 5 discloses an air conditioner having an electrostatic atomizing device,

and a person skilled in the art could easily apply this feature to the configuration of document 1.

The invention as in claim 24 does not involve an inventive step in the light of documents 1-3 and 5 and document 6 cited in the ISR. Document 6 discloses a configuration that displays a product life on a remote controller, and a person skilled in the art could easily apply this feature to the configuration of document 1.

The invention as in claim 25 does not involve an inventive step in the light of documents 1-3 and 5 and document 7 cited in the ISR. Document 7 discloses a configuration that displays an electrical power consumption on a remote controller, and a person skilled in the art could easily apply this feature to the configuration of document 1.

The invention as in claim 27 does not involve an inventive step in the light of documents 1-3 and document 8 cited in the ISR. Document 8 discloses a refrigerator having an electrostatic atomizing device, and a person skilled in the art could easily apply this feature to the configuration of document 1.

The invention as in claims 1, 7-9, 13-19, 22, and 23 is not disclosed in any of the documents cited in the ISR and would not be obvious to a person skilled in the art who is familiar with the documents, and therefore, is novel and involves an inventive step.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/052444

Box No. VI Certain documents cited

1. Certain published documents (Rule 43*bis*.1 and 70.10)

Application No. Patent No.	Publication date (day/*month*/year)	Filing date (day/*month*/year)	Priority date (valid claim) (*day*/month/*year*)
WO 2009/044939 A1 [E, X]	09.04.2009	03.10.2008	05.10.2007

2. Non-written disclosures (Rule 43*bis*.1 and 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/*month*/year)	Date of written disclosure referring to non-written disclosure (*day*/month/*year*)

特許協力条約

RECEIVED
'10.6.-2
MIZOLI.P.F

発信人　日本国特許庁（国際調査機関）

代理人
　溝井　章司

様

あて名
〒247-0056
日本国神奈川県鎌倉市大船二丁目１７番１０号　Ｎ
ＴＡ大船ビル３階　溝井国際特許事務所

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

発送日 （日.月.年）	０１．０６．２０１０
出願人又は代理人 の書類記号　605716W001	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２０１０／０５２４４４	（日.月.年）　１８．０２．２０１０	（日.月.年）　２７．０３．２００９

国際特許分類（ＩＰＣ）Int.Cl. B05B5/057(2006.01)i, A61L9/14(2006.01)i, F24F6/00(2006.01)i, F24F6/14(2006.01)i, F25D23/00(2006.01)i

出願人（氏名又は名称）
三菱電機株式会社

１．この見解書は次の内容を含む。

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

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

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

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
１９．０５．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	３Ｆ	３２２６
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	篠原　将之 電話番号　０３－３５８１－１１０１　内線　３３５１		

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／０５２４４４

第Ⅰ欄　見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（ＰＣＴ規則12.3(a)及び23.1(b)）

2．☐ この見解書は、ＰＣＴ規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 43 の 2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段　☐ 紙形式

☐ 電子形式

b．提出時期　☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号 ＰＣＴ／ＪＰ２０１０／０５２４４４

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	1-27	有
	請求項		無
進歩性（ＩＳ）	請求項	1, 7-9, 13-19, 22, 23	有
	請求項	2-6, 10-12, 20, 21, 24-27	無
産業上の利用可能性（ＩＡ）	請求項	1-27	有
	請求項		無

2．　文献及び説明

文献１：JP 2006-35171 A（松下電工株式会社）2006.02.09，全文、図１－５
文献２：JP 2002-203657 A（ダイキン工業株式会社）2002.07.19，全文、図１－６
文献３：JP 2888243 B2（株式会社東芝）1999.05.10，全文、第１－２図
文献４：JP 2009-7965 A（東芝ホームテクノ株式会社）2009.01.15，段落００１９
文献５：JP 2009-36411 A（パナソニック株式会社）2009.02.19，請求項１
文献６：JP 2001-272097 A（株式会社ノーリツ）2001.10.05，段落００１６
文献７：JP 2001-74299 A（シャープ株式会社）2001.03.23，請求項６ & EP 1083390 A2
文献８：JP 2009-2587 A（パナソニック株式会社）2009.01.08，請求項１及び１０

請求項２に係る発明は、国際調査報告で引用された文献１及び２により、進歩性を有しない。文献１には、本体部と、水が毛細管現象により供給される突出部とからなる放電電極を有する静電霧化装置が記載されている。文献２には、滴下により、放電電極に水滴を供給してなるイオン発生器が記載されており、これを、文献１のものに適用することは、当業者にとって容易である。

請求項３乃至６及び１０乃至１２に係る発明は、文献１、文献２及び国際調査報告で引用された文献３により、進歩性を有しない。文献３には、水を霧化させる発泡金属多孔体が記載されており、これを、文献１のものに適用することは、当業者にとって容易である。また、水供給手段と放電電極の隙間、発泡金属の電気抵抗値、孔径及び空隙率は、当業者が発明の実施に際し、適宜選択し得る設計的事項に過ぎない。

請求項２０に係る発明は、文献１乃至３及び国際調査報告で引用された文献４により、進歩性を有しない。文献４には、ミスト発生器４１の使用時に点灯する表示手段としてのＬＥＤランプ４３が記載されており、これを、文献１のものに適用することは、当業者にとって容易である。

請求項２１及び２６に係る発明は、文献１乃至３及び国際調査報告で引用された文献５により、進歩性を有しない。文献５には、静電霧化装置を有する空気調和機が記載されており、これを、文献１のものに適用することは、当業者にとって容易である。

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／０５２４４４

第VI欄　ある種の引用文献

１．　ある種の公表された文書（ＰＣＴ規則43の2.1及び70.10）

出願番号 特許番号	公知日 （日．月．年）	出願日 （日．月．年）	優先日（有効な優先権の主張） （日．月．年）
WO 2009/044939 A1 「E, X」	09.04.2009	03.10.2008	05.10.2007

２．　書面による開示以外の開示（ＰＣＴ規則43の2.1及び70.9）

書面による開示以外の開示の種類	書面による開示以外の開示の日付 （日．月．年）	書面による開示以外の開示に言及している書面の日付（日．月．年）

補充欄

いずれかの欄の大きさが足りない場合

第 V 欄の続き

請求項２４に係る発明は、文献１乃至３、文献５、及び国際調査報告で引用された文献６により、進歩性を有しない。文献６には、リモコンに製品の寿命表示を行うものが記載されており、これを、文献１のものに適用することは、当業者にとって容易である。

請求項２５に係る発明は、文献１乃至３、文献５、及び国際調査報告で引用された文献７により、進歩性を有しない。文献７には、リモコンに消費電力の表示を行うものが記載されており、これを、文献１のものに適用することは、当業者にとって容易である。

請求項２７に係る発明は、文献１乃至３、及び国際調査報告で引用された文献８により、進歩性を有しない。文献８には、静電霧化装置を有する冷蔵庫が記載されており、これを、文献１のものに適用することは、当業者にとって容易である。

請求項１、７乃至９、１３乃至１９、２２及び２３に係る発明は、国際調査報告で引用されたいずれの文献にも記載されておらず、また、それらに接した当業者にとって自明なものでもないため、新規性及び進歩性を有する。

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

BUCHANAN, INGERSOLL
& ROONEY PC
POST OFFICE BOX 1404
ALEXANDRIA, VA 22313-1404

MAILED

APR 05 2012

OFFICE OF PETITIONS

In re Application of
Katsumasa Sakamoto, et al.
Application No.: 13/260,402
Filed: September 26, 2011
Attorney Docket No.: 1018773-000086
For: ELECTROSTATIC ATOMIZING APPARATUS, APPLIANCE, AIR CONDITIONER, AND REFRIGERATOR

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 31, 2012 to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, IPAU, APO, RU, SPTO, PRV, SIPO or USPTO;

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

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

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

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3204.

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.

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

SEP 29 2011

PCT LEGAL ADMINISTRATION

Law Office of Jesse D. Lambert, L.L.C.
1018 Harding Street, Suite 102 B
Lafayette LA 70503

In re Application of :
LUBARSKY, Gennady :
Application No.: 13/260,559 : DECISION ON PETITION
PCT No.: PCT/GB2009/002980 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 31 December 2009 :
Priority Date: 22 January 2009 :
Attorney Docket No.: SMART PATENT :
For: METHOD AND APPARATUS FOR MEASURING TORQUE TRANSMITTED BY DRIVEN WHEEL OF A CYCLE OR THE LIKE VEHICLE

The petition to revive under 37 CFR 1.137(b) filed 26 September 2011 in the above-captioned application is hereby **GRANTED** as follows:

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

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3298
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

MATTHIAS SCHOLL
14781 MEMORIAL DRIVE
SUITE 1319
HOUSTON, TX 77079

MAILED
DEC 13 2011
PCT LEGAL ADMINISTRATION

In re Application of :
WEIQING SHEN :
U.S. Application No.: 13/260566 : DECISION ON PETITION
PCT No.: PCT/CN2008/073521 :
Int. Filing Date: 16 DECEMBER 2008 :
Priority Date: 26 MARCH 2008 :
For: A THREE -DIMENSIONAL WIND-LIGHT CONGREGATING POWER GENERATING SYSTEM WITH SPHERICAL JOINTS :

The petition to revive under 37 CFR 1.137(b) filed 26 September 2011, in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

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

The application has an International filing date under 35 U.S.C. 363 of 16 December 2008, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 26 September 2011.

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

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Brian Lin
PCT Legal Examiner
Office of PCT Legal Administration

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: C1	Application Number (if known): PCT/2010/ 029707	Filing date: PCT: April 1, 2010

First Named Inventor: KOHN, RICHARD A.

Title: PROCESS TO PRODUCE ORGANIC COMPOUNDS FROM SYNTHESIS GASES

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 /Richard Allen Kohn/	Date 2011-09-27
Name (Print/Typed) Richard Allen Kohn	Registration Number

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

☐ *Total of 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

Application Serial No.:	PCT/2010/ 029707
Inventors:	KOHN, Richard Allen
	KIM, Seon-Woo
Title:	PROCESS TO PRODUCE ORGANIC COMPOUNDS FROM SYNTHESIS GASES
PCT Filed:	April 1, 2010

STATEMENT OF SPECIAL STATUS

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

Dear Commissioner:

We request special status for this application under the Green Technology Pilot Program because the invention involves green technology. In addition, the claims were determined to be patentable by the International Search Authority, and we are negotiating a license for manufacturing.

The current invention is in the field Green Technology. It improves a process to convert waste products to alternative fuels (e.g. ethanol and 1-butanol) and organic products. The process may improve development of energy resources, and it may decrease greenhouse gas production by decreasing use of fossil fuels.

The International Search Report and Written Opinion of the International Search Authority indicated the present invention is novel, involves an inventive step and meets the requirements of industrial applicability.

The ISR examined four groups of claims for PCT application (PCT/2010/ 029707) including: Group 1) producing 2% ethanol, Group 2) isolation of an alcohol-tolerant microorganism, Group 3) producing a lower alkyl alcohol from synthesis gas at more than 4% concentration, and Group 4) producing volatile fatty acids from synthesis gas. The present application presents clams pertaining to invention Group 3 for entry into the national phase of the United States. Claims 33 to 42 in the PCT application are submitted as claims 1 to 10 in the current US application, with wording of claim 1 modified for clarity. It was the written opinion of the ISR that these claims were novel, involved an inventive step, and met the requirements for industrial applicability.

An additional independent claim (15) was added for a composition of matter comprising microorganisms that can produce lower alkyl alcohols to greater than 4% concentration of the fermentation broth from synthesis gases. An additional independent claim (20) was added for a process to isolate a microorganism so defined in claim 15. All three independent claims pertain to the same invention, a process for producing the same concentrations (e.g. greater than 4%) of the same product (alkyl alcohol).

9-23-2011

Richard Kohn, Ph.D. (Inventor and Applicant) Date

9-26-2011

Seon-Woo Kim, Ph.D. (Co-inventor and Co-applicant) Date

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.
13/260,587	09/27/2011	Richard Allen Kohn	C1	1057

101760 7590 12/27/2011

Richard Allen Kohn
5218 Wood Stove Lane
Columbia, MD 21045

EXAMINER	
KAM, CHIH MIN	
ART UNIT	PAPER NUMBER
1656	
MAIL DATE	DELIVERY MODE
12/27/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

DEC 2 7 2011

Richard Allen Kohn
5218 Wood Stove Lane
Columbia MD 21045

In re Application of

KOHN, Richard *et al.*	:	DECISION ON PETITION
Application No. 13/260587	:	TO MAKE SPECIAL UNDER
Filed: September 27, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. C1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed September 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1656 for action on the merits commensurate with this decision.

/Manjunath Rao/

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

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

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

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

Application No:	TO BE ASSIGNED	Filing date:	02/25/2011
First Named Inventor:	Shoji YUYAMA		
Title of the Invention:	MEDICAMENT DISPENSING MACHINE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2011/054247

The international date of the corresponding PCT application(s) is/are: 02/25/2011

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	to be assigned
First Named Inventor:	Shoji YUYAMA

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Mirror translation of claim 1 from the PCT Application
2	2	Mirror translation of claim 2 from the PCT Application
3	3	Mirror translation of claim 3 from PCT Application, amended from a multiple dependent claim to a dependent claim
4	4	Mirror translation of claim 4 from the PCT Application
5	5	Mirror translation of claim 5 from PCT Application, amended from a multiple dependent claim to a dependent claim
6	6	Mirror translation of claim 6 from the PCT Application, amended from multiple dependent claim to a dependent claim
7	7	Mirror translation of claim 7 from the PCT Application, amended from multiple dependent claim to a dependent claim
8	8	Mirror translation of claim 8 from the PCT Application, amended from multiple dependent claim to a dependent claim
9	9	Mirror translation of claim 9 from the PCT Application, amended from multiple dependent claim to a dependent claim
10	10	Mirror translation of claim 10 from the PCT Application, amended from multiple dependent claim to a dependent claim
11	11	Mirror translation of claim 11 from the PCT Application, amended from multiple dependent claim to a dependent claim
New claims 12-15	-	depend from claim 1, thus is narrower in scope than the claims indicated having novelty, inventive step and industrial applicability
New claim 16	-	depend from claim 15 thus is narrower in scope than the claims indicated having novelty, inventive step and industrial applicability
New claims 17-20	-	depend from claim 1, thus is narrower in scope than the claims indicated having novelty, inventive step and industrial applicability

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

Signature /Shirin Bozorgui/	Date 2011-09-27
Name (Print/Typed) Shirin Bozorgui	Registration Number 62,313

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

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

MAILED
FEB 10 2012
PCT LEGAL ADMINISTRATION

In re Application of KÖRBER et al :
U.S. Application No.: 13/260,788 :
PCT Application No.: PCT/EP2010/054287 :
Int. Filing Date: 31 March 2010 : DECISION
Priority Date Claimed: 01 April 2009 :
Attorney Docket No.: 13779-743 :
For: ISOXAZOLINE COMPOUNDS FOR :
COMBATING INVERTEBRATE PESTS :

This is in response to applicant's correspondence filed 24 January 2012, which is being treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 31 March 2010, applicant filed international application PCT/EP2010/054287, which claimed priority of an earlier United States application filed 01 April 2009. A copy of the international application was communicated to the USPTO from the International Bureau on 07 October 2010. The thirty-month period for paying the basic national fee in the United States expired on 03 October 2011.

On 28 September 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 25 October 2011, the DO/EO/US mailed a Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

On 24 January 2012, applicant filed the present petition under 37 CFR 1.181.

DISCUSSION

The petition requests that the Notice of Acceptance of Application be corrected to indicate 28 September 2011 as the date of completion of all 35 U.S.C. 371 requirements. A

review of the application file reveals that the 35 U.S.C. 371 requirements were submitted on 28 September 2011 along with an express request to begin national examination procedures under 35 U.S.C. 371(f). Accordingly, the Notice of Acceptance of Application incorrectly indicated 01 October 2011 as the date of completion of all 35 U.S.C. 371 requirements.

CONCLUSION

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

The Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) mailed 25 October 2011 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 31 March 2010, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 28 September 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a corrected Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903), which should indicate 28 September 2011 as the date of completion of all 35 U.S.C. 371 requirements.

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

NOV 09 2011

PCT LEGAL ADMINISTRATION

Matheson Keys Garsson & Kordzik PLLC
7004 Bee Cave Rd.
Bldg. 1, Suite 110
Austin TX 78746

In re Application of :
YANIV et al. :
Application No.: 13/260,893 : DECISION ON PETITION
PCT No.: PCT/US2010/028811 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 26 March 2010 :
Priority Date: 27 March 2009 :
Attorney Docket No.: 21545-234US1 :
For: BUFFER LAYER TO ENHANCE PHOTO AND/OR LASER SINTERING :

The petition to revive under 37 CFR 1.137(b) filed 28 September 2011 in the above-captioned application is hereby **GRANTED** as follows:

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

A review of the application file reveals that applicant has submitted the required reply (basic national fee) and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

/Anthony Smith/

Anthony Smith
Attorney-Advisor
Office PCT Legal Administration
Tel.: 571-272-3298

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

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

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

Application No:	13/260,903	Filing date:	September 28, 2011
First Named Inventor:	Pasquale COCCHIONI		
Title of the Invention:	CONTAINER FOR A PLURALITY OF DISPOSABLE APPLICATORS COMPRISING A RESERVOIR FOR A SUBSTANCE TO BE APPLIED		

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/IT2009/000142

The international filing date of the corresponding PCT application(s) is/are: 3 April 2011

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/260,903
First Named Inventor:	Pasquale COCCHIONI

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 September 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 September 28, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	5	Incorporated PCT claim 5 into PCT claim 1
2		Narrower than patentable PCT claim 5; supported by PCT claim 2
3		Narrower than patentable PCT claim 5; supported by PCT claim 3
4		Narrower than patentable PCT claim 5; supported by PCT claim 4
6		Narrower than patentable PCT claim 5; supported by PCT claim 6
7		Narrower than patentable PCT claim 5; supported by PCT claim 7
8		Narrower than patentable PCT claim 5; supported by PCT claim 8
9		Narrower than patentable PCT claim 5; supported by PCT claim 9
10		Narrower than patentable PCT claim 5; supported by PCT claim 10
11		Narrower than patentable PCT claim 5; supported by PCT claim 11
12		Narrower than patentable PCT claim 5; supported by PCT claim12
13		Narrower than patentable PCT claim 5; supported by PCT claim 13
14		Narrower than patentable PCT claim 5; supported by PCT claim 14
15		Narrower than patentable PCT claim 5; supported by PCT claim 15
16		Narrower than patentable PCT claim 5; supported by PCT claim 16

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

Signature /Daniel Ueno, Reg No. 64,743/	Date September 28, 2011
Name (Print/Typed) Daniel Ueno	Registration Number 64,743

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

STEINFL & BRUNO LLP
155 N. LAKE AVE. STE 700
PASADENA CA 91101

MAILED
APR 13 2012
OFFICE OF PETITIONS

In re Application of:
Pasquale Cocchioni
Application No. 13/260,903
Filed: December 14, 2011
Attorney Docket No. P894-US

: 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 Sepember 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.

(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), and (3)-(8) are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (2) and (4).

Regarding the requirement of condition (2), the submission reveals that the observations in Box VIII do not meet the requirement of PCT Article 6 in that the matter for which protection is sought is not clearly defined. The Written Opinion submitted for PCT/IT2009/000142 states "The application does not meet the requirements of Article 6 PCT, because claim 1 is not clear". Accordingly, petitioner must provide an explanation regarding the Box VIII observations.

Regarding the requirement of condition (4), all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claims(s) that have novelty, inventive step, and industrial applicability in the PCT application(s). However, this submission with respect to the Claims Correspondence Table – Explanation regarding the correspondence indicates that US claim 1 and PCT claim 5 are described as follows "Incorporated PCT claim 5 into PCT claim 1". However, applicant has failed to ensure that the claims in the U.S. application (amended claims filed September 28, 2011) sufficiently correspond to the allowable/patentable claims in the PCT application. Independent US claim 1 requires "a reservoir suitable for containing a substance to be applied to said disposable applicators", while independent PCT claim1 and dependent claim 5 require, "a reservoir (10) suitable and intended for containing a substance to be applied through said applicators (2)". Additionally, US claim 1 requries "the container further comprises a coupling portion projecting out from said at least one side wall towards an outside of the main body and suitable for coupling the reservoir with the main body to fasten the reservoir to the main body, the coupling portion comprising a coupling seat suitable for holding the reservoir in position next to the containment seat, the coupling portion having inclined outer side walls so as to allow additional containers to be stacked interpenetrating each other when said reservoir is not coupled with said container and before said container is filled.", while PCT claim 1 and dependent claim 5 require "the container (3) comprises a coupling portion (11) projecting out from said at least one side wall (6a-6d) towards the outside of the main body (4) and suitable for coupling the reservoir (10) with the

main body (4) to fasten the reservoir (10) to the main body (4), the coupling portion comprising a coupling seat (12) suitable for holding the reservoir (10) in position next to the containment seat (5), wherein the containment seat (5) and the collar (11) or the tray (11) have inclined outer side walls so as to allow more containers (3) to be stacked interpenetrating each other when said reservoir (10) is not coupled with said container (3) and before said container (3) is filled." Accordingly, the scope of independent US claim 1 is different from the scope of independent PCT claim 1 and dependent claim 5.

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

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

70371
GLENMARK GENERICS INC.
750 Corporate Drive
Mahwah, NJ 07430

MAILED

NOV 23 2011

PCT LEGAL ADMINISTRATION

In re Application of :
KOILPILLAI *et al* :
Application No.: 13/260,914 :
PCT No.: PCT/IN2010/000207 :
Int. Filing Date: 30 March 2010 : **DECISION**
Priority Date: 02 April 2009 :
Attorney's Docket No.: API-ESLI-PCT-US :
For: PROCESS FOR THE PURIFICATION :
OF ESLICARBAZEPINE ACETATE :

This application is before the Office of PCT Legal Administration for matters arising under 35 U.S.C. 371.

BACKGROUND

On 28 September 2011, applicants filed papers to enter the national stage of PCT/IN2010/000207 using the USPTO EFS-Web system at 22:40:30. The attorney docket number was listed as API-ESLI-PCT-US. Fees totaling $1,120.00 were charged to applicants' Deposit Account No. 50-4291. This application was given U.S. application number 13/260,914.

On the same day at 22:54:09, applicants filed a copy of the PCT Request for PCT/IN2010/000207 using the USPTO EFS-Web system. These papers were filed as the "U.S. National Stage under 35 USC 371" of PCT/IN2010/000207. The attorney docket number was listed as API-ESLI-PCT-US. Nonetheless, these papers were treated as a separate national stage application and denoted as U.S. application number 13/260,915. No fees were submitted with this submission.

On 20 October 2011, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 and 1.495 (Form PCT/DO/EO/903) and filing receipt in U.S. application number 13/260,914.

DISCUSSION

As is evident from the above recited facts, two sets of papers were treated as separate national stage applications of PCT/IN2010/000207. The end result for an international application designating the United States of America is a single U.S. national stage application.

The language of 35 U.S.C. 363 and 371 refers to the national stage of the PCT in the singular only; thus, only one national stage application may develop from an international application. Both filings on 28 September 2011 indicate that the filing is a "U.S. National Stage under 35 USC 371" of PCT/IN2010/000207. No conflicting instructions appear in the application papers.

Therefore, the submission of two sets of national stage papers to enter the United States was improper.

CONCLUSION

Both applications will be **MERGED** into one national stage application for PCT/IN2010/000207 denoted as U.S. application No. **13/260,914**.

Applicants must use only U.S. application No. **13/260,914** for all correspondence to the national stage application of PCT/IN2010/000207.

Applicants are advised that U.S. application No. 13/260,915 is no longer a valid U.S. National stage application.

This application is being forwarded to the DO/EO/US for continued processing.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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

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

MAILED

FEB 01 2012

OFFICE OF PETITIONS

In re Application of
Kusama et al.
Application No.: 13/260,963
Filed: September 29, 2011
Attorney Docket No.: 06226.0112-00000
For: BATTERY, VEHICLE, AND
BATTERY-OPERATED EQUIPMENT

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 4, 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, 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.

Conditions (1-5) and (7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (6).

Regarding the requirement of condition (6), applicant has failed to submit a statement that the English translation is accurate.

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

Response must be filed via the Electronic Filing System (EFS) 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 Liana Walsh at (571) 272-3206.

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

/dab/
David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

MAILED

FEB 22 2012

OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Kusama et al.	: PARTICIPATE IN THE PATENT
Application No.: 13/260,963	: PROSECUTION HIGHWAY
Filed: September 29, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 06226.0112-00000	: TO MAKE SPECIAL UNDER
For: BATTERY, VEHICLE, AND BATTERY-OPERATED EQUIPMENT	: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 4, 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;

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

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

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

Inquiries concerning this decision should be directed to Petitions Examiner Liana Walsh at (571) 272-3206.

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

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

/dab/
David Bucci
Petitions Examiner
Office of Petitions

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

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

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

Application No:	13/262,034	Filing date:	September 29, 2011
First Named Inventor:	Don A. Schuster et al.		
Title of the Invention:	Systems and Methods Involving Heating and Cooling System 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/US2010/029148

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

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/262,034
First Named Inventor:	Don A. Schuster et al.

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on September 29, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on September 29, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	The claims in the U.S. Application are identical and correspond to the claims in the PCT Application.

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

Signature /BID/	Date September 30, 2011
Name (Print/Typed) Blake I. Dorr	Registration Number 54711

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

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

MAILED

MAR 26 2012

OFFICE OF PETITIONS

In re Application of
KUWABARA
Application No.: 13/262,050
Filed: September 29, 2011
Attorney Docket No.: 150914
For: INSPECTION METHOD OF SOI WAFER

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 6, 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 the undersigned at (571) 272-6735.

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

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

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT and TRADEMARK OFFICE

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

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
3404 E. Harmony Road
Mail Stop 35
FORT COLLINS CO 80528

MAILED

NOV 18 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	DECISION ON
Lagnado et al	:	
Application No.: 13/262,191	:	
PCT No.: PCT/US2009/038605	:	
Int. Filing Date: 27 March 2009	:	PETITION UNDER
Priority Date: N/A	:	
Attorney's Docket No.: 82753584	:	
For: MULTI-ANTENNA RECEPTION SCHEME	:	37 CFR 1.137(b)

This decision is in response to applicants' "Petition For Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)," filed on 29 September 2011.

BACKGROUND

On 27 March 2009, this international application was filed.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 27 September 2011. This international application became abandoned with respect to the United States at midnight on 27 September 2011 for failure to pay the required basic national fee.

On 29 September 2011, applicant filed the instant petition under 37 CFR 1.137(b) and Transmittal letter for entry into the national stage in the United States, which was accompanied by the petition fee, basic national fee, and an executed declaration.

DISCUSSION

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

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

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

DECISION

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

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-6459

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

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

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

Application No:	13/262,206	Filing date:	09-29-2011
First Named Inventor:	Kevin L. Fisher		
Title of the Invention:	LIGHT BOXES WITH UNIFORM LIGHT DISTRIBUTION		

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

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

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

The corresponding PCT application number(s) is/are: PCT/US10/29086

The international filing date of the corresponding PCT application(s) is/are:
03-29-2010

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.

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

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

(continued)

Application No.:	13/262,206
First Named Inventor:	Kevin L. Fisher

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	Claims 1-20 in the U.S. application correspond with claims 1-20 of the PCT application.

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

Signature /Ryan E. Keller/	Date 2011-10-07
Name (Print/Typed) Ryan E. Keller	Registration Number 60516

Privacy Act Statement

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

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

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

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

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No.:	13/262250	First Named Inventor:	Truemner
Filing Date:	2011-09-30	Attorney Docket No.:	12889US
Title of the Invention:	Abrasive Compact of Superhard Material and Chromium and Cutting Element Including Same		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH 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/US2010/029291

The international filing date of the corresponding PCT application(s) is/are: 31 March 2010

I. List of Required Documents:

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

☑ is attached.

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

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

☑ is attached.

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

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

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

☐ is attached.

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

(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.

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 PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/262250	First Named Inventor:	Truemner

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1-45	1-45	Written Opinion of the ISA/KR - Claims 1-45 are novel, have inventive step and industrial applicability.

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

Signature /Maria C. Gasaway/	Date 2012-02-27
Name (Print/Typed) Maria C. Gasaway	Registration Number 51721

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
Customer No. 22,852
Attorney Docket No. 06226.0111-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Satoshi SUZUKI et al.	)	Group Art Unit: Not Yet Assigned
	)	
Application No.: 13/262,260	)	Examiner: Not Yet Assigned
	)	
Filed: September 30, 2011	)	Confirmation No.: 5080
	)	
For: SEALED BATTERY AND MANUFACTURING METHOD THEREOF, AND VEHICLE AND DEVICE HAVING THE SAME MOUNTED THEREON	)	

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

Sir:

REQUEST FOR PARTICIPATION IN AND TO MAKE U.S. APPLICATION SPECIAL UNDER THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

Applicant hereby requests participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Pilot Program and petitions to make the above-identified application special under the PCT-PPH pilot program.

As required by the "Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products," dated January 23, 2010 by David J. Kappos, Applicant submits that this U.S. application is a national stage application of the corresponding PCT application, and attaches (1) a Request/Petition Form

PTO/SB/20PCT-JP with a claims correspondence table; (2) the latest work product in the International Phase of the corresponding PCT application (i.e., the International Preliminary Report on Patentability in PCT/JP2009/057441), with an English translation thereof; and (3) a listing of all claims which were indicated as having novelty, inventive step, and industrial applicability in the latest work product in the International Phase of the corresponding PCT application (i.e., the Article 34 claims), with an English translation thereof and a statement that the English translation is accurate.

Please charge any required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 1, 2011

By: /Anthony M. Gutowski/
Anthony M. Gutowski
Reg. No. 38,742

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

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

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

Application No:	13/262,260	Filing date:	September 30, 2011
First Named Inventor:	Satoshi SUZUKI		
Title of the Invention:	SEALED BATTERY AND MANUFACTURING METHOD THEREOF, AND VEHICLE AND DEVICE HAVING THE SAME MOUNTED THEREON		

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/JP2009/057441

The international date of the corresponding PCT application(s) is/are: April 13, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/262,260
First Named Inventor:	Satoshi SUZUKI

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 September 30, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on September 30, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
		PLEASE SEE ATTACHED.

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

Signature /Anthony M. Gutowski/	Date November 1, 2011
Name (Print/Typed) Anthony M. Gutowski	Registration Number 38,742

Claims Correspondence Table:

Claims in US Application	Patentable Claims in PCT Application	Explanation regarding the correspondence
1	1	U.S. claim 1 sufficiently corresponds to patentable PCT claim 1.
2	2	U.S. claim 2 sufficiently corresponds to patentable PCT claim 2.
3	3	U.S. claim 3 sufficiently corresponds to patentable PCT claim 3.
4	4	U.S. claim 4 sufficiently corresponds to patentable PCT claim 4, except that the U.S. claim is not a multiple dependent claim.
5	5	U.S. claim 5 sufficiently corresponds to patentable PCT claim 5, except that the U.S. claim is not a multiple dependent claim.
6	6	U.S. claim 6 sufficiently corresponds to patentable PCT claim 6, except that the U.S. claim is not a multiple dependent claim.
7	7	U.S. claim 7 sufficiently corresponds to patentable PCT claim 7.
8	8	U.S. claim 8 sufficiently corresponds to patentable PCT claim 8.
9	9	U.S. claim 9 sufficiently corresponds to patentable PCT claim 9, except that the U.S. claim is not a multiple dependent claim.
10	10	U.S. claim 10 sufficiently corresponds to patentable PCT claim 10, except that the U.S. claim is not a multiple dependent claim.
11	4	U.S. claim 11 sufficiently corresponds to patentable PCT claim 4, except that the U.S. claim is not a multiple dependent claim.

12	4	U.S. claim 12 sufficiently corresponds to patentable PCT claim 4, except that the U.S. claim is not a multiple dependent claim.
13	5	U.S. claim 13 sufficiently corresponds to patentable PCT claim 5, except that the U.S. claim is not a multiple dependent claim.
14	6	U.S. claim 14 sufficiently corresponds to patentable PCT claim 6, except that the U.S. claim is not a multiple dependent claim.
15	9	U.S. claim 15 sufficiently corresponds to patentable PCT claim 9, except that the U.S. claim is not a multiple dependent claim.
16	10	U.S. claim 16 sufficiently corresponds to patentable PCT claim 10, except that the U.S. claim is not a multiple dependent claim.

特 許 協 力 条 約

PCT

特許性に関する国際予備報告（特許協力条約第二章）

（法第12条、法施行規則第56条）
〔PCT36条及びPCT規則70〕

出願人又は代理人の書類記号 TJ0841-PCT	今後の手続きについては、様式ＰＣＴ／ＩＰＥＡ／４１６を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００９／０５７４４１	国際出願日 (日.月.年) １３．０４．２００９	優先日 (日.月.年)
国際特許分類（ＩＰＣ） Int.Cl. H01M2/36(2006.01)i, H01M2/04(2006.01)i		
出願人（氏名又は名称） トヨタ自動車株式会社		

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

2．この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。

3．この報告には次の附属物件も添付されている。

a．☑ 附属書類は全部で 5 ページである。

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

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

b．☐ 配列表に関する補充欄に示され、電子形式のみで提出された、配列表を含む電子媒体は全部で （電子媒体の種類、数を示す）。

（実施細則附属書Ｃ3の2第3段落参照）

4．この国際予備審査報告は、次の内容を含む。

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

国際予備審査の請求書を受理した日 １３．１０．２００９	国際予備審査報告を作成した日 ０８．０３．２０１１	
名称及びあて先 日本国特許庁（ＩＰＥＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 長谷川 真一	４Ｘ ４０３８
	電話番号 ０３－３５８１－１１０１ 内線 ３４７７	

様式ＰＣＴ／ＩＰＥＡ／４０９（表紙）（２００９年７月）

特許性に関する国際予備報告

国際出願番号 PCT／JP2009／057441

第Ⅰ欄 報告の基礎

1．言語に関し、この予備審査報告は以下のものを基礎とした。

☑ 出願時の言語による国際出願

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

☐ 国際調査（ＰＣＴ規則12.3(a)及び23.1(b)）
☐ 国際公開（ＰＣＴ規則12.4(a)）
☐ 国際予備審査（ＰＣＴ規則55.2(a)又は55.3(a)）

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

☐ 出願時の国際出願書類

☑ 明細書

第 1-3, 5-16 ページ、 出願時に提出されたもの
第 4, 4/1 ページ*、 13.10.2009 付けで国際予備審査機関が受理したもの
第 ＿＿＿＿＿＿ ページ*、 ＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 請求の範囲

第 ＿＿＿＿＿＿ 項、 出願時に提出されたもの
第 ＿＿＿＿＿＿ 項*、ＰＣＴ１９条の規定に基づき補正されたもの
第 1-10 項*、 13.10.2009 付けで国際予備審査機関が受理したもの
第 ＿＿＿＿＿＿ 項*、 ＿＿＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 図面

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

☐ 配列表
配列表に関する補充欄を参照すること。

3． ☐ 補正により、下記の書類が削除された。

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

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

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

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

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

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

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００９／０５７４４１

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

1．　見解

新規性（Ｎ）	請求項	１－１０	有
	請求項		無
進歩性（ＩＳ）	請求項	１－１０	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	１－１０	有
	請求項		無

2．　文献及び説明（ＰＣＴ規則70.7）

文献１：JP 2006-040690 A（ＮＥＣトーキン栃木株式会社）2006.02.09
文献２：JP 2000-268811 A（三洋電機株式会社）2000.09.29
文献３：JP 2007-323860 A（日立マクセル株式会社）2007.12.13
文献４：JP 2007-066600 A（ＮＥＣトーキン株式会社）2007.03.15
文献５：JP 2006-324108 A（ＮＥＣトーキン栃木株式会社）2006.11.30

・請求項１－１０は、国際調査報告で引用した上記いずれの文献に対しても、新規性及び進歩性を有する。
　請求項１－１０に記載の「密閉型電池」及び「密閉型電池の製造方法」は、国際調査報告で引用した上記いずれの文献にも記載されていないし、また、示唆もされていない。

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)
(Patent Law Article 12, Patent Law Regulations 56)
[PCT Article 36 and Rule 70]

Applicant's or agent's file reference TJ0841-PCT	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/JP2009/057441	International filing date *(day/month/year)* 13.04.2009	Priority date *(day/month/year)*
International Patent Classification (IPC) or national classification and IPC H01M2/36 (2006.01)i, H01M2/04 (2006.01)i		
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:
   a. [X] *(sent to the applicant and to the International Bureau)* a total of 5 sheets, as follows:
      [X] sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      [ ] sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. [ ] *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

4. This report contains indications relating to the following items:
   - [X] Box No. I Basis of the report
   - [ ] Box No. II Priority
   - [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - [ ] Box No. IV Lack of unity of invention
   - [X] Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
   - [ ] Box No. VI Certain documents cited
   - [ ] Box No. VII Certain defects in the international application
   - [ ] Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
13.10.2009	08.03.2011
Name and mailing address of the IPEA/ JPEA/JP Facsimile No.	Authorized officer HASEGAWA, Shinichi Telephone No. 03-3581-1101 ext.3477

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/057441

Box No. I Basis of the report

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

[X] the international application in the language in which it was filed.

[ ] a translation of the international application into _____ which is the language of a translation furnished for the purposes of:

[ ] international search (Rules 12.3(a) and 23.1(b)).

[ ] publication of the international application (Rule 12.4(a)).

[ ] international preliminary examination (Rules 55.2(a) and/or 55.3(a)).

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

[ ] the international application as originally filed/furnished.

[X] the description:

pages 1-3, 5-16 as originally filed/furnished.

pages* 4, 4/1 received by this Authority on 13.10.2009

pages* _____ received by this Authority on _____

[X] the claims:

pages _____ as originally filed/furnished.

pages* _____ as amended (together with any statement) under Article 19

pages* 1-10 received by this Authority on 13.10.2009

pages* _____ received by this Authority on _____

[X] the drawings:

pages 1-14 as originally filed/furnished.

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

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

3. [ ] The amendments have resulted in the cancellation of:

[ ] the description, pages _____

[ ] the claims, Nos. _____

[ ] the drawings, sheets/figs _____

[ ] the sequence listing *(specify)*: _____

4. [ ] This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-*bis*)):

[ ] the description, pages _____

[ ] the claims, Nos. _____

[ ] the drawings, sheets/figs _____

[ ] the sequence listing *(specify)*: _____

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

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

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

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/057441

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

1. Statement

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	1-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

D1: JP2006-040690A (NEC Tokin Tochigi, Ltd.) 09.02.2006

D2: JP2000-268811A (Sanyo Electric Co., Ltd.) 29.09.2000

D3: JP2007-323860A (Hitachi Maxell, Ltd.) 13.12.2007

D4: JP2007-066600A (NEC Tokin Corp.) 15.03.2007

D5: JP2006-324108A (NEC Tokin Tochigi, Ltd.) 30.11.2006

Claims1-10 involve novelty and inventive step over all the above-listed documents cited in the ISR.

Any documents cited in the ISR do not disclose nor suggest the inventions in claims 1-10;

"Sealed battery" and "Method of producing the sealed battery".

請求の範囲

[請求項1]（補正後） 電池容器と，前記電池容器の内部に封入された発電要素とを有する密閉型電池において，

前記電池容器に，開口部と，前記開口部の周囲の表（おもて）面の全周にわたる環状畝部と，前記環状畝部の内壁面の内側の環状凹部とが設けられており，

前記環状畝部の外壁面が，頂面側が小径で底面側が大径である傾斜面であり，

前記環状凹部に嵌め込まれ前記開口部を覆う封止部材を有し，

前記封止部材は，その縁辺にて全周にわたって前記環状畝部の内壁面に溶接により接合されていることを特徴とする密閉型電池。

[請求項2]（補正後） 請求項１に記載の密閉型電池において，

前記環状畝部の外壁面における頂面側と底面側との半径差が，前記環状畝部の内壁面の高低差の１０％以上であることを特徴とする密閉型電池。

[請求項3]（補正後） 電池容器と，前記電池容器の内部に封入された発電要素とを有する密閉型電池において，

前記電池容器に，開口部と，前記開口部の周囲の表（おもて）面の全周にわたる環状畝部と，前記環状畝部の内壁面の内側の環状凹部と，前記開口部の周囲の裏面の全周にわたって前記環状畝部の内壁面の裏裏よりも径方向に外側に形成された環状溝とが設けられており，

前記環状凹部に嵌め込まれ前記開口部を覆う封止部材を有し，

前記封止部材は，その縁辺にて全周にわたって前記環状畝部の内壁面に溶接により接合されていることを特徴とする密閉型電池。

[請求項4]（補正後） 請求項１から請求項３までのいずれか１つに記載の密閉型電池において，

前記環状畝部の外壁面の外側が環状の溝部となっていることを特徴とする密閉型電池。

[請求項5] 請求項１から請求項４までのいずれか１つに記載の密閉型電池において，

前記環状畝部の頂面の径方向の幅が，前記環状畝部の内壁面の高低差より小さいことを特徴とする密閉型電池。

[請求項6] 請求項１から請求項５までのいずれか１つに記載の密閉型電池において，

前記環状畝部の外壁面の高低差が，前記環状畝部の内壁面の高低差の４０％以上１００％以下の範囲内にあることを特徴とする密閉型電池。

[請求項7]（補正後） 電池容器の内部に発電要素を封入してなる密閉型電池の製造方法において，

前記電池容器として，開口部と，前記開口部の周囲の表面の全周にわたる環状畝部と，前記環状畝部の内壁面の内側の環状凹部とが設けられるとともに，前記環状畝部の外壁面が，頂面側が小径で底面側が大径である傾斜面とされているものを用い，

前記環状畝部の内壁面に，前記開口部を覆う封止部材を嵌め込み，前記封止部材の縁辺を全周にわたって前記環状畝部の内壁面に溶接により接合することを特徴とする密閉型電池の製造方法。

[請求項8]（補正後） 電池容器の内部に発電要素を封入してなる密閉型電池の製造方法において，

前記電池容器として，開口部と，前記開口部の周囲の表面の全周にわたる環状畝部と，前記環状畝部の内壁面の内側の環状凹部と，前記開口部の周囲の裏面の全周にわたって前記環状畝部の内壁面の裏よりも径方向に外側に形成された環状溝とが設けられたものを用い，

前記環状畝部の内壁面に，前記開口部を覆う封止部材を嵌め込み，前記封止部材の縁辺を全周にわたって前記環状畝部の内壁面に溶接により接合することを特徴とする密閉型電池の製造方法。

[請求項9]（補正後） 電力の供給を受けて車輪を回転駆動するモータと，

前記モータに電力を供給する電源部とを有し，

前記電源部に，請求項１から請求項６までのいずれか１つに記載の密閉型電池が含まれていることを特徴とする車両。

[請求項10]（補正後）電力の供給を受けて動作する動作部と，

前記動作部に電力を供給する電源部とを有し，

前記電源部に，請求項１から請求項６までのいずれか１つに記載の密閉型電池が含まれていることを特徴とする機器。

Amendment to the claims under the PCT Art. 34

CLAIMS

Claim 1.(Amended) A sealed battery including: a battery container; and a power generating element sealed inside the battery container,

wherein the battery container is provided with an opening, an annular ridge extending around an entire circumference on an outer face of the opening, and an annular recess inside an inner wall surface of the annular ridge,

an outer wall surface of the annular ridge is an inclined surface configured so that the ridge has a smaller diameter at a top and a larger diameter at a bottom,

the battery further includes a sealing member fitted into the annular recess to cover the opening, and

the sealing member is joined by welding along an entire circumference thereof to the inner wall surface of the annular ridge.

Claim 2.(Amended) The sealed battery according to claim 1, wherein a difference in radius between the top and the bottom of the inclined surface is equal to or more than 10% of a height of the inner wall surface of the annular ridge.

Claim 3.(Amended) A sealed battery including: a battery container; and a power generating element sealed inside the battery container,

wherein the battery container is provided with an opening, an annular ridge extending around an entire circumference on an outer face of the opening, an annular recess inside an inner wall surface of the annular ridge, and an annular groove formed around an entire circumference on an inner face of the opening and located radially outside a position directly behind the inner wall surface of the annular ridge,

the battery further includes a sealing member fitted into the annular recess to cover the opening, and

the sealing member is joined by welding along an entire circumference thereof to the inner wall surface of the annular ridge.

Claim 4.(Amended) The sealed battery according to one of claims 1 to 3, further including an annular groove outside the outer wall surface of the annular ridge.

Claim 5. The sealed battery according to one of claims 1 to 4, wherein a radial width at a top of the annular ridge is smaller than a height of the inner wall surface of the annular ridge.

Claim 6. The sealed battery according to one of claims 1 to 5, wherein a height of the outer wall surface of the annular ridge is within a range of 40% to 100% of a height of the inner wall surface of the annular ridge.

Claim 7.(Amended) A method of manufacturing a sealed battery having a power generating element sealed inside a battery container,

wherein the battery container including an opening, an annular ridge extending around an entire circumference on an outer face of the opening, and an annular recess inside an inner wall surface of the annular ridge, and an outer wall surface of the annular ridge being an inclined surface configured so that the ridge has a smaller diameter at a top and a larger diameter at a bottom,

the method including:

fitting a sealing member for covering the opening into the inner wall surface of the annular ridge; and

joining the sealing member to the inner wall surface of the annular ridge by welding along an entire circumference of the sealing member.

Claim 8.(Amended) A method of manufacturing a sealed battery having a power

generating element sealed inside a battery container,

wherein the battery container including an opening, an annular ridge extending around an entire circumference on an outer face of the opening, an annular recess inside an inner wall surface of the annular ridge, and an annular groove formed around an entire circumference on an inner face of the opening and located radially outside a position directly behind the inner wall surface of the annular ridge,

the method including:

fitting a sealing member for covering the opening into the inner wall surface of the annular ridge; and

joining the sealing member to the inner wall surface of the annular ridge by welding along an entire circumference of the sealing member.

Claim 9.(Amended) A vehicle including:

a motor for driving wheels with electric power supplied thereto; and

a power source part for supplying electric power to the motor,

the power source part including the sealed battery according to one of claims 1 to 6.

Claim 10.(Amended) A device including:

an operating part operating with electric power supplied thereto; and

a power source part for supplying electric power to the operating part,

the power source part including the sealed battery according to one of claims 1 to 6.

VERIFICATION OF TRANSLATION

I, Motoko Maehara, of c/o COSMOS PATENT OFFICE, 2nd Floor, Nagoya Center Building, Annex, 2-22, Nishiki 2-chome, Naka-ku, Nagoya, 460-0003 Japan, hereby declare that:

1. I can read and understand both English and Japanese;

2. I translated the Article 34 claims of PCT/JP2009/057441; and

3. The attached English translation is a true and correct translation of the Article 34 claims of PCT/JP2009/057441 to the best of my knowledge and belief.

October 19, 2011
Date

Motoko Maehara
Signature

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.
13/262,320	09/30/2011	Takashi Nomoto	14369-12	3574

80711 7590 11/21/2011

Brinks Hofer Gilson & Lione/Ann Arbor
524 South Main Street
Suite 200
Ann Arbor, MI 48104

EXAMINER	
ART UNIT	PAPER NUMBER
3761	

MAIL DATE	DELIVERY MODE
11/21/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Brinks Hofer Gilson & Lione/Ann Arbor
524 South Main Street
Suite 200
Ann Arbor MI 48104

In re Application of	:	
NOMOTO, TAKASHI et al	:	DECISION ON REQUEST TO
Application No. 13/262,320	:	PARTICIPATE IN PATENT
Filed: Sep. 30, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 214369-12	:	PROGRAM AND PETITION
For: ABSORBENT ARTICLE	:	TO MAKE SPECIAL
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 26, 2011, to make the above-identified application special.

The request and petition are Dismissed.

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

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

The request to participate in the PPH program and petition met all conditions except Item #5 above.

There is no JPO Office action provided showing that JPO claims 1-5 are patentable. In the petition, petitioner only indicates that claims 1-5 were allowed by the JPO (see claim comparison chart). There is also no JPO/PCT positive search opinion submitted showing JPO claims 1-5 were allowed by JPO examiner. In order to grant the petition, a positive JPO search or examination report is required.

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

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

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

Petition is **dismissed**.

/Henry C. Yuen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BRINKS HOFER GILSON & LIONE/ANN ARBOR
524 SOUTH MAIN STREET
SUITE 200
ANN ARBOR MI 48104

MAILED
MAR 14 2012
OFFICE OF PETITIONS

In re Application of:
Nomoto et al.
Application No. 13/262,320
Filed: September 30, 2011
Attorney Docket No. 14369-12

: 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 second request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 19, 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; (if the claims were published in a language other than English);
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. A copy of all the office actions (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; and
    c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
    d. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
    e. Copies of the documents cited in the JPO office action, 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 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

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.
13/262,327	09/30/2011	Takashi Nomoto	14369-11	6174

80711 7590 11/21/2011

Brinks Hofer Gilson & Lione/Ann Arbor
524 South Main Street
Suite 200
Ann Arbor, MI 48104

EXAMINER	
ART UNIT	PAPER NUMBER
3761	

MAIL DATE	DELIVERY MODE
11/21/2011	PAPER

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Brinks Hofer Gilson & Lione/Ann Arbor
524 South Main Street
Suite 200
Ann Arbor MI 48104

In re Application of	:	
NOMOTO, TAKASHI et al	:	DECISION ON REQUEST TO
Application No. 13/262,327	:	PARTICIPATE IN PATENT
Filed: Sep. 30, 2011	:	PCT/PROSECUTION HIGHWAY
Attorney Docket No. 14369-11	:	PROGRAM AND PETITION
For: ABSORBENT ARTICLE	:	TO MAKE SPECIAL
	:	37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 26, 2011, to make the above-identified application special.

The request and petition are Dismissed.

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

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

The request to participate in the PPH program and petition met all conditions except Item #5 above.

There is no JPO Office action provided showing that JPO claims 1-5 are patentable. In the petition, petitioner only indicates that claims 1-5 were allowed by the JPO (see claim comparison chart). There is also no JPO/PCT positive search opinion submitted showing JPO claims 1-5 were allowed by JPO examiner. In order to grant the petition, a positive JPO/PCT search or examination report is required.

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

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

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

Petition is **dismissed**.

/Henry C. Yuen/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

BRINKS HOFER GILSON & LIONE/ANN ARBOR
524 SOUTH MAIN STREET
SUITE 200
ANN ARBOR MI 48104

MAILED

JAN 19 2012

OFFICE OF PETITIONS

In re Application of:
Nomoto et al.
Application No. 13/262,327
Filed: September 30, 2011
Attorney Docket No. 14369-11

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

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 19, 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; (if the claims were published in a language other than English);
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. A copy of all the office actions (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; and
    c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
    d. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
    e. Copies of the documents cited in the JPO office action, 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 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

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: SUN.LGI.317	Application Number (if known):	Filing date: September 30, 2011

First Named Inventor: Dong Keun Lee

Title: Solar Cell Apparatus and Method of 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: Preliminary Amendment

Signature	Date September 30, 2011
Name (Print/Typed) Jeff Lloyd	Registration Number 35,589

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.
13/262,414	09/30/2011	Dong Keun Lee	SUN.LGI.317	1753

23557 7590 12/15/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
12/15/2011	ELECTRONIC

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

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

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

euspto@slepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

12/13/2011

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

In re Application of	:	
Lee	:	DECISION ON PETITION
Application No. 13/262,414	:	TO MAKE SPECIAL UNDER
Filed: 9/30/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **SUN.LGI.317**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, 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 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: SUN.LGI.320	Application Number (if known): 13/262,441	Filing date: September 30, 2011

First Named Inventor: Kyung Am Kim

Title: Solar Cell and Method of 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 /JEFF LLOYD/	Date November 21, 2011
Name (Print/Typed) Jeff Lloyd	Registration Number 35,589

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.
13/262,441	09/30/2011	Kyung Am Kim	SUN.LGI.320	1368

23557 7590 12/15/2011

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

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
12/15/2011	ELECTRONIC

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

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

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

euspto@slepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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

12/13/2011

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

In re Application of	:	
Kim et al.	:	DECISION ON PETITION
Application No. 13/262,441	:	TO MAKE SPECIAL UNDER
Filed: 9/30/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **SUN.LGI.320**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/21/2011, 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 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

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.
13/262,493	09/30/2011	Thomas Boyd	8282-00-OC	2521

23909 7590 12/14/2011
COLGATE-PALMOLIVE COMPANY
909 RIVER ROAD
PISCATAWAY, NJ 08855

EXAMINER	
ART UNIT	PAPER NUMBER
1611	

NOTIFICATION DATE	DELIVERY MODE
12/14/2011	ELECTRONIC

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

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

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

Patent_Mail@colpal.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 14 2011

COLGATE-PALMOLIVE COMPANY
909 RIVER ROAD
PISCATAWAY NJ 08855

In re Application of:
Boyd et al.
Serial No.: 13/262,493
Filed: September 30, 2011
Attorney Docket No.: **8282-00-OC**

: PETITION DECISION

This is in response to the renewed petition under 37 CFR § 1.59(b), filed October 26, 2011, to expunge information from the above identified application.

Petitioner requests that the IDS submitted on September 30, 2011 be expunged from the record because this Information Disclosure Statement does not belong to the present Application No. 13/262,493. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

The reasons set forth in this petition establishes to the satisfaction of the Director that expungement of the information is appropriate. The file entry for this document has been closed and as such the document is no longer publicly available, which is the IFW equivalent to removal of a paper document from a paper file wrapper.

Therefore, petitioner's petition is GRANTED.

Should there be any questions about this decision please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile sent to the general Office facsimile number, 571-273-8300.

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

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

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

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

Application No:	13/262,519	Filing date:	30 September 2011
First Named Inventor:	Mariblanca Nieves		
Title of the Invention:	Control of a Communication Session		

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/EP2009/053979

The international filing date of the corresponding PCT application(s) is/are: 2 April 2009

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/262,519
First Named Inventor:	Mariblanca Nieves

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 30 September 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 30 September 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
23	1	US 23 cancels "should" from the PCT 1
24	2	
25	3	US 25 has minor format changes relative to PCT 3
26	4	US 26 removes multiple dependency of PCT 4
27	5	US 27 has minor format changes relative to, and removes multiple dependency of, PCT 5
28	6	US 28 changes the format relative to, and removes multiple dependency of, PCT 6
29	7	
30	8	US 30 has minor format changes relative to PCT 8
31	9	US 31 clarifies which address is being referred to in PCT 9
32	10	
33	11	
34	12	US 34 has minor format changes relative to PCT 12
35	13	US 35 clarifies which decision function is being referred to in PCT 13
36	14	US 36 clarifies the relationship between the two processing units and transmitters of PCT 14
37	15	
38	16	
39	17	
40	18	
41	19	

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

Signature /Jennifer K. Stewart, Reg. No. 53639/	Date 10 October 2011
Name (Print/Typed) Jennifer K. Stewart	Registration Number 53639

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

MAR 05 2012

OFFICE OF PETITIONS

COATS & BENNETT, PLLC
1400 Crescent Green, Suite 300
Cary NC 27518

In re Application of : DECISION ON REQUEST TO
David Mariblanca NIEVES : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/262,519 : AND PETITION TO MAKE SPECIAL
Filed: September 30, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 4015-7748 / P27636-US1
For: CONTROL OF A COMMUNICATION SESSION

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed October 10, 2011, to make the above-identified application special.

The request and petition are **GRANTED.**

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

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

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

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

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

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

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

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

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

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

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

This application will be forwarded to Technology Center Art Unit 2447 for action commensurate with this decision.

David Bucci
Petitions Examiner
Office of Petitions

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.:	13/262,569	Filing Date:	September 30, 2011
Confirmation No.:	7814	Attorney Docket No.:	Q126688
First Named Inventor:	Carlo CARBONINI		
Title of the Invention:	MACHINE FOR INFUSION PREPARATION, IN PARTICULAR ESPRESSO COFFEE, SUPPLYING GROUP AND MANUFACTURING METHOD THEREOF		

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

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH 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/IB2010/051407

The international date of the corresponding PCT application(s) is/are: March 31, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

☑ Is attached.

☑ Has already been filed in the above-identified U.S. application on September 30, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on September 30, 2011

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

(continued)

Application No.:	13/262,569
First Named Inventor:	Carlo CARBONINI

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
13	3	US claim 13 substantially corresponds to PCT claim 3 considered allowable by the EPO in the Written Opinion.
14	4	US claim 14 depends from US claim 13 and substantially corresponds to PCT claim 4.
15	5	US claim 15 depends from US claim 13 and substantially corresponds to PCT claim 5.
16	5	US claim 16 is similar to claim 15 but depends from US claim 14.
17	8	US claim 17 substantially corresponds to PCT claim 8 considered allowable by the EPO in the Written Opinion.
18	9	US claim 18 depends from US claim 17 and substantially corresponds to PCT claim 9.
19	10	US claim 19 depends from US claim 17 and substantially corresponds to PCT claim 10.
20	10	US claim 20 is similar to claim 19 but depends from US claim 18.
21	3, 11	US claim 13 substantially corresponds to PCT claim 3 considered allowable by the EPO in the Written Opinion, but in method form.
22	12	US claim 22 depends from claim 21 and is narrower.

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

IV. Payment of Fees:

☑ **The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.**

☐ **Credit Card.**

SEND ALL CORRESPONDENCE TO:
The address associated with Customer Number:

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Signature	*/Raja Saliba/*	Date	March 16, 2012
Name (Print/Typed)	Raja Saliba	Registration Number	43,078

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

Lei Yu
2033 Montera Drive
Hacienda Heights, CA 91745

MAILED
OCT 13 2011
PCT LEGAL ADMINISTRATION

In re Application of
YANG, ZHENYU
Application No.: 13/262,642
PCT No.: PCT/CN2010/000295
Int. Filing Date: 10 March 2010
Priority Date: 11 March 2009
Attorney Docket No.: LY39-PAT187
For: HIGH-EFFICIENCY THREE-DIMENSIONAL SOLAR CELL AND METHOD FOR MANUFACTURING THE SAME

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 03 October 2011 in the above-captioned application is hereby GRANTED as follows:

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

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459

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

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

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

Application No:	(not yet assigned)	Filing date:	(not yet assigned)
First Named Inventor:	MORITA		
Title of the Invention:	ELECTRIC POWER SUPPLY DEVICE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/004230

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	(not yet assigned)
First Named Inventor:	MORITA

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

☑ Is attached

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

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

☑ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	same or similar
2	2	same or similar
3	3	same or similar
4	4	same or similar
5	5	same or similar
6	6	same or similar
7	7	same or similar
8	8	same or similar
9	9	same or similar
10	10	same or similar

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 October 03, 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.

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

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

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

Application No:		Filing date:	
First Named Inventor:	Pieter Martijn Koppert		
Title of the Invention:	MOTION COMPENSATION DEVICE FOR COMPENSATING A CARRIER FRAME ON A VESSEL FOR WATER MOTION		

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

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

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

The corresponding PCT application number(s) is/are: PCT/NL2009/000082

The international filing date of the corresponding PCT application(s) is/are: April 3, 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

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

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

(continued)

Application No.	
First Named Inventor:	Pieter Martijn Koppert

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
29	1 and 11	Allowable per PCT Written Opinion
30	-	Newly presented dependent claim
31	-	Newly presented dependent claim
32	-	Newly presented dependent claim
33	-	Newly presented dependent claim
34	-	Newly presented dependent claim
35	-	Newly presented dependent claim
36	3	Allowable per PCT Written Opinion
37	3	Allowable per PCT Written Opinion
38	5	Allowable per PCT Written Opinion
39	4 and 5	Allowable per PCT Written Opinion
40	13	Allowable per PCT Written Opinion
41	13	Allowable per PCT Written Opinion
42	14	Allowable per PCT Written Opinion
43	15	Allowable per PCT Written Opinion
44	15 October 2009	Allowable per PCT Written Opinion
45	16	Allowable per PCT Written Opinion
46	16	Allowable per PCT Written Opinion
47	17	Allowable per PCT Written Opinion

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

Signature /John S. SOPKO, Reg. No. 41,321/	Date October 3, 2011
Name (Print/Typed) John S. Sopko	Registration Number 41321

Attorney Docket: 903-433 PCT/US

PCT Application No.: PCT/NL2009/000082
International Filing Date: April 3, 2009

Request For Participation In The PCT-PPH Pilot Program
Between The EPO And The USPTO

Continuation of Table II

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
48	18	Allowable per PCT Written Opinion
49	19	Allowable per PCT Written Opinion
50	20	Allowable per PCT Written Opinion
51	22	Allowable per PCT Written Opinion
52	23	Allowable per PCT Written Opinion
53	24	Allowable per PCT Written Opinion
54	25	Allowable per PCT Written Opinion
55	-	Newly presented claim based on claims 26 and 28
56	-	Newly presented claim based on claim 28
57	-	Newly presented claim
58	-	Newly presented claim
59	-	Newly presented claim
60	18 and 19	Newly presented claim based on claims 18 and 19

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

(continued)

Application No.:	New
First Named Inventor:	Lars-Erik JUHLIN

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
26	1	Identical, except for "characterized in that" and removal of reference numerals
27	2	Identical, except for reference numerals
28	3	Identical, except for reference numerals and removal of multiple dependency
29	4	Identical, except for reference numerals and removal of multiple dependency
30	5	Identical, except for reference numerals
31	6	Identical, except for reference numerals and removal of multiple dependency
32	7	Identical, except for removal of multiple dependency
33	8	Identical, except for removal of multiple dependency
34	9	Identical, except for "characterized in that" and removal of reference numerals
35	10	Identical, except for reference numerals
36	11	Identical, except for reference numerals and removal of multiple dependency
37	12	Identical, except for reference numerals and removal of multiple dependency
38	13	Identical, except for reference numerals and removal of multiple dependency
39	14	Identical, except for reference numerals and removal of multiple dependency
40	15	Identical, except for removal of multiple dependency
41	16	Identical, except for reference numerals and removal of multiple dependency
42	17	Identical, except for reference numerals and removal of multiple dependency
43	18	Identical, except for "characterized in that" and removal of reference numerals
44-48	19-23	Identical, except for reference numerals and/or removal of multiple dependency

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

Signature	Date October 4, 2011
Name (Print/Typed) Paul C. Lewis	Registration Number 43368

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

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

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

Attorney Docket No.: 6046-0124PUS1

Application No:	New	Filing date:	October 4, 2011
First Named Inventor:	Lars-Erik JUHLIN		
Title of the Invention:	DC VOLTAGE COMPENSATION IN A MULTI-TERMINAL HVDC POWER TRANSMISSION NETWORK		

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/EP2009/054103

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

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

FEB 06 2012

PCT LEGAL ADMINISTRATION

HOVEY WILLIAMS LLP
10801 MASTIN BLVD., SUITE 1000
OVERLAND PARK, KS 66210

In re Application of ERICSON et al
U.S. Application No.: 13/262,908
PCT Application No.: PCT/BE2010/000027
Int. Filing Date: 29 March 2010
Priority Date Claimed: 06 April 2009
Attorney Docket No.: 43420
For: HIGH CAPACITY AIR ADMITTANCE VALVE FOR SANITARY WASTE PIPE SYSTEM

DECISION

This is in response to applicant's petition under 37 CFR 1.182 filed 12 January 2012.

BACKGROUND

On 29 March 2010, applicant filed international application PCT/BE2010/000027, which claimed priority of an earlier European Patent Office application filed 06 April 2009. A copy of the international application was communicated to the USPTO from the International Bureau on 14 October 2010. The thirty-month period for paying the basic national fee in the United States expired on 06 October 2011.

On 04 October 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and an executed declaration.

On 26 October 2011, the DO/EO/US mailed a Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

On 12 January 2012, applicant filed the present petition under 37 CFR 1.182 along with a newly executed declaration.

DISCUSSION

The petition states that the correct name of the third inventor is Kam Yoon Leong rather than Leong KY as indicated in the declaration. Because the change has been recorded by the

International Bureau as evidenced by the copy of the Notification of the Recording of a Change (Form PCT/IB/306), a petition under 37 CFR 1.182 is not required to effect the name change. The submitted petition fee will be refunded in due course.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is DISMISSED AS MOOT.

The Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) mailed 26 October 2011 is hereby VACATED.

The application has an International Filing Date under 35 U.S.C. 363 of 29 March 2010, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 12 January 2012.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a corrected Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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

PTO/SB/20PCT-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:	13/262,928	Filing date:	2011-10-05
First Named Inventor:	Pentti LANKINEN et al.		
Title of the Invention:	Circulating Fluidized Bed Boiler		

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/FI2010/050281

The international filing date of the corresponding PCT application(s) is/are: April 8, 2010

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/262,928
First Named Inventor:	Pentti LANKINEN et al.

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

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on October 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 October 5, 2011

II. Claims Correspondence Table:

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

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

Signature /Steven E. Warner/	Date 10/06/2011
Name (Print/Typed) Steven E. Warner	Registration Number 33,326

Privacy Act Statement

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

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

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

Claims indicated as having novelty, inventive step and industrial applicability in corresponding PCT application PCT/DE2010/000331

Original Claims in German

1. Ventiltrieb für Brennkraftmaschinen zur Betätigung von Gaswechselventilen
   - mit mindestens einer von einer Kurbelwelle der Verbrennungskraftmaschine angetriebenen Nockenwelle, auf der ein oder eine Mehrzahl von Nockenträgern (6) axial verschiebbar, aber drehfest zur Nockenwelle angeordnet sind,
   - die Nockenträger (6) weisen einen gleichen Grundkreisabschnitt (26) und mehrere unterschiedliche Nockenprofile (7, 8, 9) auf,
   - die Nockenwelle ist als ein Nockenwellenrohr (5) ausgebildet, in dem eine Schaltwelle (1) angeordnet ist,
   - der Nockenträger (6) steht zum axialen Verschieben mit einem Mitnehmer (11) in Wirkverbindung, wobei
   - zwischen dem Nockenwellenrohr (5) und einer verdrehbaren Schaltwelle (1) für jeden Nockenträger (6) eine drehfeste, aber axial verschiebbare Schalthülse (4) angeordnet ist,
   - jede Schalthülse (4) mit einer Bohrung (21) versehen ist, in der eine Schaltkugel (3) gelagert ist,
   - die jeweilige Schaltkugel (3) in einer an der Oberfläche der Schaltwelle (1) angeordneten und mit einer axialen Steigung versehenen Schaltkontur (2) derart geführt wird, dass beim Verdrehen der Schaltwelle (1) die Schalthülse (4) über die Schaltkugel (3) axial verschoben wird und
   - die Schalthülse (4) über wenigstens einen Mitnehmer (11) zum axialen Verschieben des Nockenträgers (6) mit dem Nockenträger (6) in Wirkverbindung steht.

2. Ventiltrieb nach Anspruch 1,
   dadurch gekennzeichnet, dass
   der axial verschiebbare Nockenträger (6) über eine in einer umlaufenden Kontur (12) einer Rastkulisse (10) des Nockenträgers (6) gelagerte Arretierungskugel (15) mit einer gegendruckbelasteten Arretierung (14) in Wirkverbindung steht, wobei jedem Nockenprofil (7, 8, 9) in der Arretierung (14) jeweils eine kalottenförmig ausgebildete Arretierungskontur (16, 16a, 16b) zugeordnet ist, in die die Arretierungskugel (15) nach Beendigung eines Schaltvorganges zwischen den einzelnen Nockenprofilen (7, 8, 9) bringbar ist.

3. Ventiltrieb nach Anspruch 1 und 2,

Claims indicated as having novelty, inventive step and industrial applicability in corresponding PCT application PCT/DE2010/000331

gekennzeichnet dadurch, dass
die Rastkulisse (10) derart ausgebildet ist, dass beim Eingriff eines Nockenprofils (7, 8, 9) mit dem Gaswechselventil die Arretierung (14) durch die Arretierungskugel (15) in Richtung des Bodens (25) der Arretierungsaufnahme derart verschoben wird, dass die Arretierung (14) am Boden (25) der Arretierungsaufnahme anliegt und dass beim Eingriff des Grundkreisabschnittes (26) mit dem Gaswechselventil die Arretierung (14) vom Boden (25) der Arretierungsaufnahme derart beabstandet ist, dass bei einem Schaltvorgang zwischen den einzelnen Nockenprofilen (7, 8, 9) beim axialen Verschieben des Nockenträgers (6) die Arretierung (14) durch die Arretierungskugel (15) beim Wechsel der Arretierungskugel (15) in die jeweilige Arretierungskontur (16) oder (16a) oder (16b) in Richtung Boden (25) verschiebbar ist.

4. Ventiltrieb nach Anspruch 1 bis 3,
dadurch gekennzeichnet, dass
der als Mitnehmerstift oder als Mitnehmerkugel ausgebildete Mitnehmer (11) in einer in dem Nockenträger (6) befindlichen Aufnahme (18) gelagert und in einer auf der Oberfläche der Schalthülse (4) angeordneten umlaufenden Führungsbahn (22) gleitend gelagert ist.

5. Ventiltrieb nach Anspruch 1 bis 4,
dadurch gekennzeichnet, dass
in dem Nockenwellenrohr (5) für jeden Mitnehmer (11) ein Durchbruch (17) angeordnet ist.

6. Ventiltrieb nach Anspruch 1 bis 5,
dadurch gekennzeichnet, dass
für jeden Nockenträger (6) auf der Schaltwelle (1) eine mit einer Verdrehsicherung versehene Schalthülse (4) angeordnet ist.

7. Ventiltrieb nach Anspruch 1 bis 6,
dadurch gekennzeichnet, dass
die Seiten der Schalthülse (4) mit einer zueinander versetzen Aussparung (23) unter Bildung von jeweils zwei Mitnehmern (24) versehen sind.

8. Ventiltrieb nach Anspruch 1 bis 7,

Claims indicated as having novelty, inventive step and industrial applicability in corresponding PCT application PCT/DE2010/000331

dadurch gekennzeichnet, dass
zur Verdrehsicherung die einzelnen Schalthülsen (4) auf der Schaltwelle (1) derart angeordnet sind, dass die Mitnehmer (24) der einen Schalthülse (4) in die Aussparung (23) der nachfolgenden Schalthülse (4) eingreifen.

9. Ventiltrieb nach Anspruch 1 bis 8,
dadurch gekennzeichnet, dass
die Schalthülsen (4) gegeneinander axial verschiebbar auf der Schaltwelle (1) angeordnet sind.

10. Ventiltrieb nach Anspruch 1 bis 9,
dadurch gekennzeichnet, dass
die Schaltwelle (1) mit einem Antrieb zum Verdrehen der Schaltwelle (1) in beide Drehrichtungen versehen ist.

11. Ventiltrieb nach Anspruch 1 bis 7,
dadurch gekennzeichnet, dass
bei einer nacheinander durchzuführenden axialen Verschiebung der einzelnen Nockenträger (6) die einzelnen axialen Steigungen der für jeden Nockenträger (6) angeordneten Schaltkontur (2) am Umfang der Schaltwelle (1) zueinander versetzt angeordnet sind.

12. Ventiltrieb nach Anspruch 1 bis 10,
dadurch gekennzeichnet, dass
bei einer gleichzeitigen axialen Verschiebung der einzelnen Nockenträger (6) die einzelnen axialen Steigungen der für jeden Nockenträger (6) angeordneten Schaltkontur (2) am Umfang der Schaltwelle (1) in gleicher axialer Ebene liegen.

13. Ventiltrieb nach Anspruch 1 bis 12,
dadurch gekennzeichnet, dass
durch Anordnung der Versetzung der axialen Steigung der einzelnen Schaltkonturen (2) die Reihenfolge der axialen Verschiebung der einzelnen Nockenträger (6) einstellbar ist.

Latest International Work Product from EPO

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference PCT 63 BSL	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/DE2010/000331	International filing date *(day/month/year)* 18 March 2010 (18.03.2010)	Priority date *(day/month/year)* 09 April 2009 (09.04.2009)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant IAV GMBH		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

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

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

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 11 October 2011 (11.10.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Agnès Wittmann-Regis e-mail: pt06.pct@wipo.int

Form PCT/IB/373 (January 2004)

VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: INTERNATIONALE RECHERCHENBEHÖRDE

An:

siehe Formular PCT/ISA/220

PCT

SCHRIFTLICHER BESCHEID DER INTERNATIONALEN RECHERCHENBEHÖRDE

(Regel 43*bis*.1 PCT)

	Absendedatum *(Tag/Monat/Jahr)* siehe Formular PCT/ISA/210 (Blatt 2)
Aktenzeichen des Anmelders oder Anwalts siehe Formular PCT/ISA/220	**WEITERES VORGEHEN** siehe Punkt 2 unten

Internationales Aktenzeichen	Internationales Anmeldedatum *(Tag/Monat/Jahr)*	Prioritätsdatum *(Tag/Monat/Jahr)*
PCT/DE2010/000331	18.03.2010	09.04.2009

Internationale Patentklassifikation (IPC) oder nationale Klassifikation und IPC
INV. F01L13/00 F01L1/344

Anmelder
IAV GMBH

1. Dieser Bescheid enthält Angaben zu folgenden Punkten:

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

2. **WEITERES VORGEHEN**

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

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

Weitere Optionen siehe Formblatt PCT/ISA/220.

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

Name und Postanschrift der Internationalen Recherchenbehörde	Datum der Fertigstellung dieses Bescheids	Bevollmächtigter Bediensteter
Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	siehe Formular PCT/ISA/210	Clot, Pierre Tel. +49 89 2399-2724

SCHRIFTLICHER BESCHEID DER INTERNATIONALEN RECHERCHEBEHÖRDE

Internationales Aktenzeichen
PCT/DE2010/000331

Feld Nr. I Grundlage des Bescheids

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

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

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

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

3. Hinsichtlich der **Nucleotid- und/oder Aminosäuresequenz**, die in der internationalen Anmeldung offenbart wurde, ist der Bescheid auf der Grundlage eines Sequenzprotokolls erstellt worden, das

   a. (Form)

      ☐ in Papierform

      ☐ in elektronischer Form

   b. (Zeitpunkt)

      ☐ in der eingereichten internationalen Anmeldung

      ☐ zusammen mit der internationalen Anmeldung in elektronischer Form

      ☐ bei der Behörde nachträglich für die Zwecke der Recherche

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

5. Zusätzliche Bemerkungen:

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

1. Feststellung

Neuheit	Ja:	Ansprüche 1-13
	Nein:	Ansprüche
Erfinderische Tätigkeit	Ja:	Ansprüche 1-13
	Nein:	Ansprüche
Gewerbliche Anwendbarkeit	Ja:	Ansprüche: 1-13
	Nein:	Ansprüche:

2. Unterlagen und Erklärungen:

siehe Beiblatt

Zu Punkt V

Begründete Feststellung hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung

Es wird auf die folgenden Dokumente verwiesen:

D1 DE 195 20 117 C2 (PORSCHE AG [DE]) 5. Dezember 1996 (1996-12-05) in der Anmeldung erwähnt

D2 US 6 167 854 B1 (REGUEIRO JOSE F [US]) 2. Januar 2001 (2001-01-02)

D3 WO 2007/052686 A1 (TOYOTA MOTOR CO LTD [JP]; MIYAZATO YOSHIAKI [JP]; KOSHIMIZU TAKAHIDE [) 10. Mai 2007 (2007-05-10)

D4 DE 41 07 624 A1 (TEVES GMBH ALFRED [DE]) 10. September 1992 (1992-09-10)

D5 DE 10 2004 033800 A1 (IAV GMBH [DE]) 16. Februar 2006 (2006-02-16)

D6 DE 101 48 243 A1 (INA SCHAEFFLER KG [DE]) 10. April 2003 (2003-04-10)

1 D1 wird als nächstliegender Stand der Technik gegenüber dem Gegenstand des Anspruchs 1 angesehen. Es offenbart einen

Ventiltrieb für Brennkraftmaschinen zur Betätigung von Gaswechselventilen

- mit mindestens einer von einer Kurbelwelle der Verbrennungskraftmaschine angetriebenen Nockenwelle, auf der ein oder eine Mehrzahl von Nockenträgern 3 axial verschiebbar, aber drehfest zur Nockenwelle angeordnet sind,

- die Nockenträger weisen einen gleichen Grundkreisabschnitt und mehrere unterschiedliche Nockenprofile 7, 8, 9 auf,

- die Nockenwelle ist als ein Nockenwellenrohr 2 ausgebildet, in dem eine Schaltwelle 10 angeordnet ist,

- der Nockenträger steht zum axialen Verschieben mit einem Mitnehmer 19 in Wirkverbindung,

wobei

- zwischen dem Nockenwellenrohr 2 und der Schaltwelle für jeden Nockenträger eine drehfeste, aber axial verschiebbare Schalthülse 26 angeordnet ist,

und

- die Schalthülse 26 über wenigstens den Mitnehmer 19 zum axialen Verschieben des Nockenträgers 3 mit dem Nockenträger in Wirkverbindung steht.

1.1 Der Gegenstand des Anspruchs 1 unterscheidet sich somit von dem aus D1 bekannten Ventiltrieb dadurch, dass

- die Schaltwelle eine verdrehbare Schaltwelle ist

- jede Schalthülse (4) mit einer Bohrung (21) versehen ist, in der eine Schaltkugel (3) gelagert ist,

- die jeweilige Schaltkugel (3) in einer an der Oberfläche der Schaltwelle (1) angeordneten und mit einer axialen Steigung versehenen Schaltkontur (2) derart geführt wird, dass beim Verdrehen der Schaltwelle (1) die Schalthülse (4) über die Schaltkugel (3) axial verschoben wird.

1.2 D2 betrifft einen Ventiltrieb mit einer als Nockenwellenrohr ausgebildeter Nockenwelle und mit einer Schaltwelle im Nockenwellenrohr: die Nocken sind allerdings nicht axial verschiebbar und die Schaltwelle dient nur zur relativen Verdrehung der Nockenwelle, nicht zum axialen Verschieben von Nockenträgern.

1.3 D3 betrifft einen als Nockenfolger ausgebildeten Ventiltrieb: D3 offenbart keinen Nockenträger, die axial verschiebbar sind. Die in der hohlen Kipphebelwelle 15 angeordnete Schaltwelle 16 ist zur Verstellung drehbar angeordnet und wirkt über eine Schaltkontur in der Form eines Außengewindes mit einem Mitnehmer 51 einer Schalthülse 26; der Mitnehmer ist als Stift, nicht als Schaltkugel ausgebildet.

1.4 D4 zeigt einen Nockenwellenversteller mit einer axial verschiebbaren Schaltwelle 13, die über Schaltkugel mit einer Schaltkontur des Antriebsrads und der angetriebenen Welle zusammenwirkt. D4 offenbart keinen axial verschiebbaren Nockenträger.

1.5 D5 zeigt einen Ventiltrieb mit axial verschiebbaren Nockenträger und im Nockenwellenrohr drehbar angeordneter Schaltwelle 5, die über ein Gewinde den Nockenträger verstellt: D5 offenbart keine Schalthülse und keine Schaltkugel zwischen Schalthülse und Schaltwelle.

1.6 D6 offenbart eine Ventiltrieb wobei zum Verschieben eines Nockenträgers eine Schaltkulisse am Nockenträger vorgesehen ist, in die ein Schaltstift von Außen eingreift; D6 offenbart keine Schalthülse zwischen Nockenwellenrohr und drehbarern Schaltwelle und auch keine Schaltkugel.

1.7 Der Anspruch 1 ist daher neu (Artikel 33 (2) PCT).

2 Die mit der vorliegenden Erfindung zu lösende Aufgabe kann darin gesehen werden, dass die Zusammenwirkung zwischen Schaltwelle und Schalthülse verbessert wird, in dem die Schaltwelle als Drehschaltwelle ausgeführt wird, mit einer Schaltkulisse an ihrer Wirkoberfläche in die eine Kugel, die in einer Bohrung der Schaltkulisse aufgenommen ist, greift.

Die in Anspruch 1 der vorliegenden Anmeldung für diese Aufgabe vorgeschlagene Lösung beruht aus den folgenden Gründen auf einer erfinderischen Tätigkeit (Artikel 33 (3) PCT):

Obwohl es an sich bekannt ist, über Kulisse und Kugel eine Verdrehung in eine axiale Bewegung zu versetzen, ist kein Vorbild bekannt für die Unterbringung einer derartigen Betätigung innerhalb einer hohlen Nockenwelle.

Wie es z.B. aus D2 Fig.5 hervorgeht, wird aus der Verdrehung einer Betätigung Muffe 70 über Schaltkulisse 94 und Kugel 98 eine Schalthülse 96 axial verlagert; dabei ist die Betätigungsvorrichtung an der Aussenseite der zu verlagernden Welle 24 angeordnet.

3 Die Ansprüche 2-13 sind vom Anspruch 1 abhängig und erfüllen damit ebenfalls die Erfordernisse des PCT in Bezug auf Neuheit und erfinderische Tätigkeit.

4 Der Anspruch 1 ist zwar in der zweiteiligen Form abgefasst, die Merkmale

"- zwischen dem Nockenwellenrohr (5) und [~~einer verdrehbaren~~] Schaltwelle (1) für jeden Nockenträger (6) eine drehfeste, aber axial verschiebbare Schalthülse (4) angeordnet ist,

- die Schalthülse (4) über wenigstens einen Mitnehmer (11) zum axialen Verschieben des Nockenträgers (6) mit dem Nockenträger (6) in Wirkverbindung steht"

sind aber unrichtigerweise im kennzeichnenden Teil aufgeführt, nachdem es in D1 in Verbindung mit den im Oberbegriff genannten Merkmalen offenbart wurde (Regel 6.3 b) PCT).

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

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

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

Application No:	13/262,938	Filing date:	October 5, 2011
First Named Inventor:	Andreas Werler		
Title of the Invention:	VALVE TRAIN FOR INTERNAL COMBUSTION ENGINES FOR ACTUATING GAS EXCHANGE VALVES		

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/DE2010/000331

The international filing date of the corresponding PCT application(s) is/are: March 18, 2010

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

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

(continued)

Application No.:	13/262,938
First Named Inventor:	Andreas Werler

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 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 October 25, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
14-26	1-13	Claims 14-26 of the US application are directly based on claims 1-13 of the PCT
		Application. In the U.S. Application, reference numerals and multiple dependencies
		have been removed, and the claim language has been adapted to U.S. practice.
14	1	
15	2	
16	3	
17	4	
18	5	
19	6	
20	7	
21	8	Claim 21 omits the "anti-twist protection" intended purpose.
22	9	
23	10	
24	11	
25	12	
26	13	

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

Signature	Date 14 Nov 2011
Name (Print/Typed) Thomas P. Canty	Registration Number 44,586

Claims indicated as having novelty, inventive step and industrial applicability in corresponding PCT application PCT/DE2010/000331

English Translation of original claims

1. Valve train for internal combustion engines for actuating gas exchange valves

- comprising at least a camshaft which is driven by a crankshaft of the internal combustion engine and on which one or more cam carriers (6) are arranged in an axially displaceable but rotationally fixed manner relative to the camshaft,
- the cam carriers (6) having an identical base-circle portion (26) and a plurality of different cam profiles (7, 8, 9),
- the camshaft being formed as a camshaft tube (5) in which a selector shaft (1) is arranged,
- the cam carrier (6) being operatively connected to a driver (11) for axial displacement,

characterised in that

- a rotationally fixed but axially displaceable shifting sleeve (4) is arranged between the camshaft tube (5) and a rotatable selector shaft (1) for each cam carrier (6),
- each shifting sleeve (4) is provided with a hole (21) in which a shifting ball (3) is mounted,
- the respective shifting ball (3) is guided in such a way in a shifting contour (2), which is arranged on the surface of the selector shaft (1) and provided with an axial gradient, that the shifting sleeve (4) is axially displaced via the shifting ball (3) when the selector shaft (1) is rotated and
- in that the shifting sleeve (4) is operatively connected to the cam carrier (6) via at least a driver (11) for axial displacement of the cam carrier (6).

2. Valve train according to claim 1, characterised in that the axially displaceable cam carrier (6) is operatively connected to a back-pressure-loaded locking device (14) via a locking ball (15) mounted in a peripheral contour (12) of a detent gate (10) of the cam carrier (6), a dome-shaped locking contour (16, 16a, 16b) being associated with each cam profile (7, 8, 9) in the locking device (14), into which locking contour the locking ball (15) can be brought after completion of a shifting operation between the individual cam profiles (7, 8, 9).

3. Valve train according to claim 1 and claim 2, characterised in that the detent gate (10) is formed in such a way that, when a cam profile (7, 8, 9) engages with the gas exchange valve, the locking device (14) is displaced by the locking ball (15) towards the base (25) of the locking seat in such a way that the locking device (14) rests against the

Claims indicated as having novelty, inventive step and industrial applicability in corresponding PCT application PCT/DE2010/000331

base (25) of the locking seat, and in that, when the base-circle portion (26) engages with the gas exchange valve, the locking device (14) is spaced apart from the base (25) of the locking seat in such a way that, in the case of a shifting operation between the individual cam profiles (7, 8, 9), during axial displacement of the cam carrier (6) the locking device (14) can be displaced towards the base (25) by the locking ball (15) during transfer of the locking ball (15) into the respective locking contour (16) or (16a) or (16b).

4. Valve train according to claims 1 to 3, characterised in that the driver (11) formed as a driving pin or as a driving ball is mounted in a seat (18) located in the cam carrier (6) and is slidingly mounted in a peripheral guide track (22) arranged on the surface of the shifting sleeve (4).

5. Valve train according to claims 1 to 4, characterised in that for each driver (11) an opening (17) is arranged in the camshaft tube (5).

6. Valve train according to claims 1 to 5, characterised in that a shifting sleeve (4) provided with anti-twist protection is arranged for each cam carrier (6) on the selector shaft (1).

7. Valve train according to claims 1 to 6, characterised in that the sides of the shifting sleeve (4) are provided with a mutually offset recess (23), forming two drivers (24) in each case.

8. Valve train according to claims 1 to 7, characterised in that for anti-twist protection the individual shifting sleeves (4) are arranged on the selector shaft (1) in such a way that the drivers (24) of one shifting sleeve (4) engage in the recess (23) of the subsequent shifting sleeve (4).

9. Valve train according to claims 1 to 8, characterised in that the shifting sleeves (4) are arranged on the selector shaft (1) such that they can be displaced axially relative to one another.

10. Valve train according to claims 1 to 9, characterised in that the selector shaft (1) is provided with a drive for rotating the selector shaft (1) in both rotational directions.

Claims indicated as having novelty, inventive step and industrial applicability in corresponding PCT application PCT/DE2010/000331

11. Valve train according to claims 1 to 7, characterised in that, when an axial displacement of the individual cam carriers (6) is to be carried out successively, the individual axial gradients of the shifting contour (2) arranged for each cam carrier (6) are arranged offset from one another on the periphery of the selector shaft (1).

12. Valve train according to claims 1 to 10, characterised in that in the case of a simultaneous axial displacement of the individual cam carriers (6), the individual axial gradients of the shifting contour (2) arranged for each cam carrier (6) on the periphery of the selector shaft (1) are in the same axial plane.

13. Valve train according to claims 1 to 12, characterised in that the sequence of the axial displacement of the individual cam carriers (6) can be adjusted through the arrangement of the offset of the axial gradient of the individual shifting contours (2).

VERIFICATION OF TRANSLATION

I, Edward Sanjana, translator to Amanda Conrad Translations Ltd, of 6-8 Garden Street, Tunbridge Wells, Kent, England do hereby declare that I am conversant with the English and German languages and am a competent translator thereof and that, to the best of my knowledge and belief, the following is a true and correct translation into the English language made by me of PCT/DE2010/000331 in the German language, as attached hereto.

Signed this 9th day of November 2011

E. A. Sanjana

EDWARD SANJANA

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.
13/262,938	10/05/2011	Andreas Werler	812662	6451

95683 7590 11/22/2011

Leydig, Voit & Mayer, Ltd. (Frankfurt office)
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago, IL 60601-6731

EXAMINER	
ART UNIT	PAPER NUMBER
3783	

NOTIFICATION DATE	DELIVERY MODE
11/22/2011	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):

chgpatent1@leydig.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

Leydig, Voit & Mayer, Ltd. (Frankfurt office)
Two Prudential Plaza, Suite 4900
180 North Stetson Avenue
Chicago IL 60601-6731

In re Application of:
WERLER, ANDREAS et al
Serial No.: 13/262,938
Filed: 10/5/2011
Attorney Docket No. : 812662
Title: VALVE TRAIN FOR INTERNAL COMBUSTION ENGINES FOR ACTUATING GAS EXCHANGE VALVES

: 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. 14, 2011 to make the above-identified application special.

The request and petition are **granted**.

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

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more PCT applications filed in the IPAU, JPO, EPO, KIPO, or USPTO;
(2) Applicant must submit a copy of the allowable/patentable claim(s) from the PCT application(s) latest international work product (the written opinion or the IPER) along with an English translation thereof and a statement that the English translation is accurate;
(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PCT application(s);
(4) Examination of the U.S. application has not begun;
(5) Applicant must submit a copy of the latest international work product from the PCT application containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

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

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

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

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

Petition is **granted**.

/Henry C. Yuen/

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

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

Substitute for PTO/SB/20PCT-JP

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

Application No.:	Unassigned	Filing date:	October 5, 2011
First Named Inventor:	Masamichi SAKANE et al.		
Title of the Invention:	DRIVE CONTROL SYSTEM		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2009/001641

The international date of the corresponding PCT application(s) is/are: April 8, 2009

I. List of Required Documents:

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

☒ Is attached.

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

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

☒ Is attached.

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

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

This collection of information is required by 35 U,S.C. 119, 37 CFR 1 55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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

Application No.:	Unassigned
First Named Inventor:	Masamichi SAKANE et al.

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

☒ Is attached.

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

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

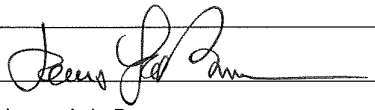
☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Same Claim
2	2	Same Claim
3	3	Same Claim
4	4	Same Claim
5	5	Same Claim
6	6	Same Claim
7	7	Same Claim
22	22	Corresponds to 22/1

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

Signature		Date	October 5, 2011
Name (Print/Typed)	James A. LaBarre	Registration Number	28632

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

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

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

Application No:	Not yet assigned	Filing date:	Even date herewith
First Named Inventor:	Michael Watson		
Title of the Invention:	Cleaning the shell side of a heat exchanger		

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

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

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

The corresponding PCT application number(s) is/are: PCT/IB2010/051380

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

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

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

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

(continued)

Application No.:	
First Named Inventor:	Michael WATSON

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

☒ Is attached

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

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	Changed dependency
4	4	Changed dependency (parent claim)
5	5	Changed dependency
6	6	Changed dependency (parent claim)

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

Signature /Shalom Wertsberger/	Date 10/5/2011
Name (Print/Typed) Shalom Wertsberger	Registration Number 43,359

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

RANKIN, HILL & CLARK, LLP
23755 LORAIN ROAD
SUITE 200
NORTH OLMSTED, OH 44070-2224

MAILED

MAR 06 2012

OFFICE OF PETITIONS

In re Application of	**: DECISION ON REQUEST TO**
Hideki Shimizu, et al.	**: PARTICIPATE IN THE PATENT**
Application No.: 13/263,101	**: PROSECUTION HIGHWAY**
Filed: October 6, 2011	**: PROGRAM AND PETITION**
Attorney Docket No.: IWI-35137	**: TO MAKE SPECIAL UNDER**
For: HAIRSTYLING COSMETIC	**: 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 20 January 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

DISCUSSION

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

1. The U.S. application is

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

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
      i. validly claims priority to an application filed in the JPO, or
      ii. validly claims priority to a PCT application that contains no priority claims, or
      iii. contains no priority claim;
2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. Documentation of prior office action:
      i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
      ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
      iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
   b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
   c. A statement that the English translation is accurate;
6. Applicant must submit:
   a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
   b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

Telephone inquiries concerning this decision should be directed to April M. Wise at (571) 272-1642.

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

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

/dab/
David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
MAR 21 2012
OFFICE OF PETITIONS

QUARLES & BRADY LLP
411 E. WISCONSIN AVENUE
SUITE 2350
MILWAUKEE WI 53202-4426

In re Application of :
MIKALSEN, et al. :
Application No. 13/263,153 : NOTICE
35 U.S.C. 371(c) Date: October 6, 2011 :
Int. Appl. No.: PCT/GB2010/050581 :
Int. Filing Date: April 1, 2010
Attorney Docket No.: 920257.00013

This is a notice regarding the request for acceptance of a fee deficiency submission under 37 CFR 1.28(c) filed February 13, 2012 in the above-identified application. 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.

The fee deficiency submission under 37 CFR 1.28(c) is hereby **ACCEPTED**.

The additional fees of $560.00 (Fee Code 1461) have been charged to Deposit Account No. 17-0055, as authorized in the present request.

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 Brian W. Brown at (571) 272-5338.

Brian W. Brown
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT	:	Riki OTSUKA, et al.
SERIAL NO.	:	**13/263,158**
FILED	:	06 October 2011
FOR	:	**TANK AND MANUFACTURING METHOD THEREOF**
GROUP ART UNIT	:	3728 Conf. No. 1512
EXAMINER	:	(Unassigned)

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PROGRAM BETWEEN JPO AND US PTO

COMMISSIONER FOR PATENTS
PETITIONS BRANCH
P. O. Box 1450
Alexandria, VA 22313-1450

Attention: Magdalen Greenlief

Sir:

Applicants hereby request participation in the PCT-Patent Prosecution Highway (PCT-PPH) Program and ***petition to make this application special under the PCT-PPH Program***. To comply with the requirements, the following papers are transmitted:

1) Request For Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Program Between the JPO and the USPTO with claims correspondence table (Form PTO/SB/20PCT-JP);

2) Japanese language version of international work product (IPRP) in PCT/JP2009/057354;

3) English Translation of IPRP (PCT/IPEA/409) and Article 34 Amended claims.

REMARKS

In view of the foregoing documents transmitted herewith to comply with the Requirements For Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Program between the JPO and the USPTO, Applicants respectfully request participation in the program as well as accelerated examination of this application.

The US claims correspond to the claims found to meet the criteria of novelty, inventive step and industrial applicability in the IPRP, as shown in the claims correspondence table attached to the PCT-PPH Request form. The US claims were amended to conform to the Article 34 amended claims (except for the deletion of the multiple dependencies in the US claims) in the preliminary amendment filed with the application.

The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this request.

The Office is authorized to charge any fees related to this filing to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: 08 March 2012

/Daniel G. Shanley/
Daniel G. Shanley
(Reg. No. 54,863)

KENYON & KENYON LLP
1500 K Street, N.W., #700
Washington, D.C. 20005

Telephone: (202) 220-4200
Facsimile: (202) 220-4201

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

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/263,158	Filing date:	06 October 2011
First Named Inventor:	Riki OTSUKA		
Title of the Invention:	TANK AND MANUFACTURING METHOD THEREOF		

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

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

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

PCT/JP2009/057354

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

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

10 April 2009

I. List of Required Documents:

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

☒ Is attached

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

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

☒ Is attached.

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

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

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

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/263,158
First Named Inventor:	Riki OTSUKA

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 06 October 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 06 October 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Amended US claim 1 corresponds to PCT claim 1.
2	2	US claim 2 corresponds to PCT claim 2.
3	3	Amended US claim 3 corresponds to PCT claim 3.
-	-	US claim 4 and PCT claim 4 have been cancelled.
5	5	Amended US claim 5 corresponds to amended PCT claim 5.
6	6	Amended US claim 6 corresponds to amended PCT claim 6.
7	7	Amended US claim 7 corresponds to amended PCT claim 7.
8	8	Amended US claim 8 corresponds to amended PCT claim 8.
-	-	US claim 9 and PCT claim 9 have been cancelled.

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

Signature /Daniel G. Shanley/	Date 08 March 2012
Name (Print/Typed) Daniel G. Shanley	Registration Number 54,863

特 許 協 力 条 約

PCT

特許性に関する国際予備報告（特許協力条約第二章）

（法第12条、法施行規則第56条）
〔ＰＣＴ36条及びＰＣＴ規則70〕

出願人又は代理人 の書類記号 TSN20082506W	今後の手続きについては、様式ＰＣＴ／ＩＰＥＡ／４１６を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００９／０５７３５４	国際出願日 （日．月．年） １０．０４．２００９	優先日 （日．月．年）
国際特許分類（ＩＰＣ） Int.Cl. F17C1/06(2006.01)i		
出願人（氏名又は名称） トヨタ自動車株式会社		

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

2．この国際予備審査報告は、この表紙を含めて全部で 4 ページからなる。

3．この報告には次の附属物件も添付されている。

a．☑ 附属書類は全部で 4 ページである。

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

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

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

4．この国際予備審査報告は、次の内容を含む。

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

国際予備審査の請求書を受理した日 ２３．１０．２００９	国際予備審査報告を作成した日 １４．０７．２０１１
名称及びあて先 日本国特許庁（ＩＰＥＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 3N 9133 佐々木 正章 電話番号 ０３－３５８１－１１０１ 内線 ３３６１

様式ＰＣＴ／ＩＰＥＡ／４０９（表紙）（２００９年７月）

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００９／０５７３５４

第Ⅰ欄　報告の基礎

1．言語に関し、この予備審査報告は以下のものを基礎とした。

☑ 出願時の言語による国際出願

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

☐ 国際調査（ＰＣＴ規則12.3(a)及び23.1(b)）

☐ 国際公開（ＰＣＴ規則12.4(a)）

☐ 国際予備審査（ＰＣＴ規則55.2(a)又は55.3(a)）

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

☐ 出願時の国際出願書類

☑ 明細書

第 １－１７ ページ、出願時に提出されたもの

第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 請求の範囲

第 ２ 項、出願時に提出されたもの

第 ＿＿＿＿ 項*、ＰＣＴ１９条の規定に基づき補正されたもの

第 １，３，５－８ 項*、２３．１０．２００９ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ 項*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 図面

第 １－１２ ~~ページ／~~図、出願時に提出されたもの

第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☐ 配列表

配列表に関する補充欄を参照すること。

3．☑ 補正により、下記の書類が削除された。

☐ 明細書　第＿＿＿＿ ページ

☑ 請求の範囲　第４，９ 項

☐ 図面　第＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること）＿＿＿＿

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

☐ 明細書　第＿＿＿＿ ページ

☐ 請求の範囲　第＿＿＿＿ 項

☐ 図面　第＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること）＿＿＿＿

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

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

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

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

1．　見解

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

2．　文献及び説明（PCT規則70.7）

文献１：JP 40-002595 B1（ハーキュルス、バウダー、コムパニー）1965.02.10，全文及び第１－７図（ファミリーなし）
文献２：JP 40-006063 B1（ザ、ペンデイクス、コーポレイション）1965.03.26，（ファミリーなし）

請求項１に係る発明は、国際調査報告で引用された文献１，２に対して進歩性を有する。文献1、２には平滑ヘリカル層を本発明の如く巻回する点が記載されておらず、しかもその点は当業者といえども容易に想到し得ないものである。

補充欄

いずれかの欄の大きさが足りない場合

第 [　] 欄の続き

表紙の３．に表示された用紙の他、この報告の基礎とされた補正の差替え用紙に関連する書簡を添付した。

23.10.2009

手続補正書

（法第１１条の規定による補正）

特許庁審査官　殿

１．国際出願の表示　　ＰＣＴ／ＪＰ２００９／０５７３５４

２．出願人

名　称　　トヨタ自動車株式会社
TOYOTA JIDOSHA KABUSHIKI KAISHA

あて名　　〒471-8571 日本国愛知県豊田市トヨタ町１番地
1, Toyota-cho, Toyota-shi, Aichi 471-8571 Japan

国　籍　　日本国　JAPAN

住　所　　日本国　JAPAN

３．代理人

氏　名　　弁理士　稲葉　良幸 INABA Yoshiyuki

あて名　　〒106-6123 日本国東京都港区六本木 6-10-1
六本木ヒルズ森タワー23 階 ＴＭＩ総合法律事務所
電話 03(6438)5611 FAX 03(6438)5622
TMI ASSOCIATES, 23rd Floor, Roppongi Hills Mori Tower
6-10-1, Roppongi, Minato-ku, Tokyo 106-6123 Japan

４．補正の対象

請求の範囲

５．補正の内容

（１）請求の範囲第１８頁第１項の「該ライナの外周に繊維が巻回されて形成されるフープ層およびヘリカル層からなるＦＲＰ層」を、「該ライナの外周に繊維が巻回されて形成されるフープ層およびヘリカル層が積層されてなるＦＲＰ層」に補正し、「少なくとも最も内側のヘリカル層が平滑ヘリカル層である、タンク。」を、「少なくとも最も内側のヘリカル層が平滑ヘリカル層であり、前記平滑ヘリカル層は、周方向に配置されたＮ個の点を基準位置とし、当該基準位置を順次通過するように前記繊維を前記ライナの外周にヘリカル巻により巻回し、その後、既に巻回されている繊維に隣接するように周方向にずらした位置に当該繊維を順次巻回することによって形成されている、タンク。」に補正する。

（２）請求の範囲第１８頁第３項の「前記凹凸ヘリカル層」を、「凹凸ヘ

リカル層」に補正する。
（３）請求の範囲第１８頁第４項を削除する。
（４）請求の範囲第１８頁第５項の「巻回された前記樹脂により、」を、「巻回された前記繊維により、」に補正し、「請求項４に記載」を、「請求項１から３のいずれか一項に記載」に補正する。
（５）請求の範囲第１８頁第６項の「Ｎ角形である」を、「Ｎ角形（ただしＮは３以上）である」に補正し、「請求項３または４に記載」を、「請求項１から３，５のいずれか一項に記載」に補正する。
（６）請求の範囲第１８頁第７項の「請求項４から６のいずれか一項に記載」を、「請求項１から３，５のいずれか一項に記載」に補正する。
（７）請求の範囲第１８頁第８項の「該ライナの外周に繊維が巻回されて形成されるフープ層およびヘリカル層からなるＦＲＰ層」を、「該ライナの外周に繊維が巻回されて形成されるフープ層およびヘリカル層が積層されてなるＦＲＰ層」に補正し、「当該基準位置を順次通過するように前記繊維を前記ライナの外周に巻回し、」を、「当該基準位置を順次通過するように前記繊維を前記ライナの外周にヘリカル巻により巻回し、」に補正する。
（８）請求の範囲第１９頁第９項を削除する。

６．添付書類の目録
請求の範囲第１８－１９頁

請求の範囲

[請求項1] (補正後)

ライナと、該ライナの外周に繊維が巻回されて形成されるフープ層およびヘリカル層が積層されてなるＦＲＰ層と、を有するタンクにおいて、

少なくとも最も内側のヘリカル層が平滑ヘリカル層であり、

前記平滑ヘリカル層は、周方向に配置されたＮ個の点を基準位置とし、当該基準位置を順次通過するように前記繊維を前記ライナの外周にヘリカル巻により巻回し、その後、既に巻回されている繊維に隣接するように周方向にずらした位置に当該繊維を順次巻回することによって形成されている、タンク。

[請求項2] 前記フープ層に隣接する層は、他のフープ層または平滑ヘリカル層である、請求項１に記載のタンク。

[請求項3] (補正後)

凹凸ヘリカル層に隣接する層は平滑ヘリカル層である、請求項１または２に記載のタンク。

[請求項4] (削除)

[請求項5] (補正後)

巻回された前記繊維により、略三角形状の単位模様が規則的に組み合わされた模様が前記平滑ヘリカル層の表面に形成され、隣り合う前記単位模様の境目となる部分が、当該タンクの周方向に２Ｎ箇所表れている、請求項１から３のいずれか一項に記載のタンク。

[請求項6] (補正後)

巻回された前記繊維によって当該タンクのドーム部に形成される模様がＮ角形（ただしＮは３以上）である、請求項１から３，５のいずれか一項に記載のタンク。

[請求項7] (補正後)

前記Nは１から５までの整数のいずれかである、請求項１から３，５のいずれか一項に記載のタンク。

[請求項8] (補正後)

ライナと、該ライナの外周に繊維が巻回されて形成されるフープ層およびヘリカル層が積層されてなるＦＲＰ層と、を有するタンクの製造方法において、

前記ライナの周方向に配置されたN個の点を基準位置とし、当該基準位置を順次通過するように前記繊維を前記ライナの外周にヘリカル巻により巻回し、その後、既に巻回されている繊維に隣接するように周方向にずらした位置に当該繊維を順次巻回し、少なくとも最も内側のヘリカル層を平滑ヘリカル層とする、タンクの製造方法。

[請求項9] (削除)

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II

(PCT Rules 44*bis*.3(c) and 72.2)

To:

INABA, Yoshiyuki
TMI ASSOCIATES 23rd Floor, Roppongi Hills Mori Tower, 6-10-1, Roppongi, Minato-ku, Tokyo
1066123
JAPON

DEC 6 2011

Date of mailing *(day/month/year)* 24 November 2011 (24.11.2011)	
Applicant's or agent's file reference TSN20082506W	**IMPORTANT NOTIFICATION**
International application No. PCT/JP2009/057354	International filing date *(day/month/year)* 10 April 2009 (10.04.2009)
Applicant TOYOTA JIDOSHA KABUSHIKI KAISHA et al	

1. **Transmittal of the translation to the applicant.**

☐ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).

☒ The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR, MY

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MZ, NA, NG, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 338 82 70

Authorized officer
Masashi Honda

e-mail: pt08.pct@wipo.int

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Form PCT/IPEA/416
TSN20082506W		
International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/057354	10.04.2009	
International Patent Classification (IPC) or national classification and IPC		
F17C1/06		
Applicant		
TOYOTA JIDOSHA KABUSHIKI KAISHA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 4 sheets, as follows:

      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s))

      _____, containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

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

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

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/057354

Box No. I Basis of the report

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

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

☐ a translation of the international application _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rule 55.2(a) and/or 55.3(a))

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

☐ the international application as originally filed/furnished

☒ the description:

pages 1-17 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos. 2 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1,3,5-8 received by this Authority on 23.10.2009

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets figures 1-12 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

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

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☒ the claims, nos. 4,9
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing *(specify)*: _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing *(specify)*: _____

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

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

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

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/057354

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

1. Statement

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

2. Citations and explanations (Rule 70.7)

Document 1: JP 40-002595 B1 (Hercules Powder Company) 10 February 1965, entire text and fig. 1-7 (Family: none)

Document 2: JP 40-006063 B1 (The Bendix Corporation), 26 March 1965 (Family: none)

The invention as set forth in claim 1 involves an inventive step relative to documents 1 and 2 cited in the international search report. Documents 1 and 2 do not disclose the feature of whereby a smooth helical layer is wrapped around as in this invention; and this feature could not be deduced easily by a person skilled in the art.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/057354

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

In addition to the sheet(s) indicated in item 3 of the cover sheet, the letter pertaining to the amending replacement sheet(s) serving as the basis of this report has also been annexed hereto.

[Amendment under PCT Article 34]

CLAIMS

1. (Amended) A tank comprising:

a liner; and

an FRP layer including a hoop layer and a helical layer formed by winding fibers around the outer periphery of the liner,

wherein at least an innermost helical layer is a smooth helical layer, and

the smooth helical layer is formed by setting N points arranged in a peripheral direction as reference positions, winding the fibers around the outer periphery of the liner so that the fibers successively pass the reference positions by helical winding, and then successively winding the fibers around positions shifted in the peripheral direction so that the fibers are disposed adjacent to the previously wound fibers.

2. The tank according to claim 1, wherein a layer adjacent to the hoop layer is another hoop layer or the smooth helical layer

3. (Amended) The tank according to claim 1 or 2, wherein a layer adjacent to an uneven helical layer is a smooth helical layer.

4. (Canceled)

5. (Amended) The tank according to any one of claims 1 to 3, wherein by the wound fibers, a pattern in which substantially triangular unit patterns are regularly combined is formed on the surface of the smooth helical layer, and portions which become boundaries among the adjacent unit patterns are formed in 2N portions in the peripheral direction of the tank.

[Amendment under PCT Article 34]

6. (Amended) The tank according to any one of claims 1 to 3 and 5, wherein a pattern formed in a dome part of the tank by the wound fibers is an N-gon shape (with the proviso that N is 3 or more).

7. (Amended) The tank according to any one of claims 1 to 3 and 5, wherein the N is any of integers which are from 1 to 5.

8. (Amended) A manufacturing method of a tank including a liner, and an FRP layer constituted of a hoop layer and a helical layer formed by winding fibers around the outer periphery of the liner, comprising the steps of:

setting N points arranged in a peripheral direction of the liner as reference positions;

winding the fibers around the outer periphery of the liner so that the fibers successively pass the reference positions by helical winding; and

then successively winding the fibers around positions shifted in the peripheral direction so that the fibers are disposed adjacent to the previously wound fibers, to form at least an innermost helical layer as a smooth helical layer.

9. (Canceled)

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

DEC 20 2011

PCT LEGAL ADMINISTRATION

GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON VA 20191

In re Application of	:	
SATO, Yuji	:	
Application No.: 13/263,169	:	DECISION
PCT No.: PCT/JP2011/000135	:	
Int. Filing Date: 13 January 2011	:	
Priority Date: 19 February 2010	:	
Attorney's Docket No.: P40883	:	
For: OBJECT TRACKING DEVICE, OBJECT TRACKING METHOD, AND OBJECT TRACKING PROGRAM	:	

This decision is in response to applicants' petition under 37 CFR 1.182 filed 08 December 2011.

BACKGROUND

On 06 October 2011, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US) electronically via EFS-Web. The submission included, *inter alia*, a Transmittal Letter and an Application Data Sheet (ADS). The international application number keyed into EFS-Web was PCT/JP2011/000135. This number also appears in the ADS. However, the international application number appearing on the Transmittal Letter is PCT/JP2010/001166.

On 05 December 2011, a Notification was issued indicating that a petition under 37 CFR 1.182, including the petition fee set forth in 37 CFR 1.17(f), to correct the above-stated error regarding the international application number was required.

On 08 December 2011, applicants submitted the instant petition under 37 CFR 1.182.

DISCUSSION

A petition under 37 CFR 1.182 to correct the record with regard to an incorrect international application number must include the following: (1) payment of the $400 petition fee; (2) an indication that the correct international application number was included somewhere

in the national stage application papers filed prior to the expiration of thirty months from the priority date; and (3) a statement indicating the correct international application number.

The petition fee has been paid. The petition includes a statement indicating that the correct international application number is PCT/JP2011/000135 and that this international application number was keyed into EFS-Web when filing the application electronically on 06 October 2011 and that this application number appears in the ADS filed with the application papers on that same date.

Accordingly, the present application should in fact be the national stage application of international application **PCT/JP2011/000135**.

CONCLUSION

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

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

/Daniel Stemmer/

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

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 Farrell Law Firm, P.C.
290 Broadhollow Road
Suite 210E
Melville NY 11747

MAILED
NOV 17 2011
PCT LEGAL ADMINISTRATION

In re Application of :
PAPASAKELLARIOU et al. :
U.S. App. No. 13/263,233 : DECISION ON PETITION
PCT No.:PCT/KR2010/001541 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 11 March 2010 :
Priority Date: 11 March 2009 :
Attorney Docket: 678-3668 PCT US (P16941) :
For: TRANSMISSION OF :
ACKNOWLEDGEMENT SIGNALS IN A
COMMUNICATION SYSTEM

The petition to revive under 37 CFR 1.137(b) filed 06 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

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

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office PCT Legal Administration
Tel.: 571-272-3298

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

MAR 13 2012

OFFICE OF PETITIONS

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

In re Application of
Ben Slager
Application No.: 13/263,256
Filed: October 6, 2011
Attorney Docket No.: METHOD FOR PRODUCING A COVER PLATE FOR A PHOTOVOLTAIC DEVICE

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 2 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

Inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once the formalities review has been completed.

/David Bucci/
Petitions Examiner
Office of Petitions

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

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/263,313	Filing date:	October 6, 2011
First Named Inventor:	Peder Norrby		
Title of the Invention:	METHOD FOR ADDING SHADOWS TO OBJECTS IN COMPUTER GRAPHICS		

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/SE2010/050311

The international filing date of the corresponding PCT application(s) is/are: March 22, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/263,313
First Named Inventor:	Peder Norrby

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 6, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 6, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-16	1-16	sufficiently correspond on a one-to-one basis
cancelled	17	
18	18	sufficiently correspond

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

Signature /Robert B. Madden/	Date October 28, 2011
Name (Print/Typed) /Robert B. Madden/	Registration Number 57,521

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

ANKOM
2011-07-07

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

ALBIHNS.ZACCO AB
P.O Box 5581 Valhallavägen 117
114 85 Stockholm

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	06-07-2011
Applicant's or agent's file reference 220247-225813	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/SE2010/050311	22-03-2010	17-04-2009

Applicant
TRAPCODE AB
et al

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

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

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

4. **REMINDER**

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

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

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

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

Name and mailing address of the IPEA/ Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. 08-667 72 88 Telex 17978 PATOREG-S	Authorized officer Marie Gysell Telephone No. 08-782 25 00

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 220247-225813	**FOR FURTHER ACTION** See Form PCT/IPEA/416	
International application No. PCT/SE2010/050311	International filing date *(day/month/year)* 22-03-2010	Priority date *(day/month/year)* 17-04-2009
International Patent Classification (IPC) or national classification and IPC See Supplemental Box		
Applicant TRAPCODE AB et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 8 sheets, as follows:
      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s))
      _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
   - ☒ Box No. I Basis of the report
   - ☐ Box No. II Priority
   - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
   - ☐ Box No. IV Lack of unity of invention
   - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
   - ☐ Box No. VI Certain documents cited
   - ☐ Box No. VII Certain defects in the international application
   - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
14-02-2011	15-06-2011
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer JESPER BERGSTRAND / EÖ Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/SE2010/050311

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of: Cover sheet

International patent classification (IPC)
G06T 15/60 (2006.01)
G06T 17/40 (2006.01)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/SE2010/050311

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:
   - ☒ the international application in the language in which it was filed.
   - ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of:
     - ☐ international search (Rules 12.3(a) and 23.1(b)).
     - ☐ publication of the international application (Rule 12.4(a)).
     - ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a)).

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*
   - ☐ the international application as originally filed/furnished.
   - ☒ the description:
     - pages 1-21 as originally filed/furnished.
     - pages* 22-25 received by this Authority on 14-02-2011
     - pages* _____ received by this Authority on _____
   - ☒ the claims:
     - pages _____ as originally filed/furnished.
     - pages* _____ as amended (together with any statement) under Article 19
     - pages* 26-29 received by this Authority on 15-03-2011
     - pages* _____ received by this Authority on _____
   - ☒ the drawings:
     - pages 1-9 as originally filed/furnished.
     - pages* _____ received by this Authority on _____
     - pages* _____ received by this Authority on _____
   - ☐ a sequence listing – see Supplemental Box Relating to Sequence Listing.

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

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

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

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

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

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/SE2010/050311

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

1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	1-18	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

The present application refers to a method for adding shadows to objects in computer graphics.

The aim of the invention is to provide fast and simple generation of realistic shadows.

According to the application, this is achieved by a method for adding shadows to objects in a computer-generated scene, comprising the steps of:
- calculating a first three dimensional (3D) position for a shadow object based on a 3D position of a first original object and a 3D position of a first light source; and
- adding a shadow object to said scene at said first 3D position.

Documents cited in the international search report:

D1: EP 0916374 A2

D2: JP 2008305241 A, (SMKO) SAMI KOGYO KK, 2008-12-18: original document

D3: AKENINE-MÖLLER, T and HAINES, E. "Real-Time Rendering" Second Edition, Natik: A K Peters, 2002, ISBN 1568811829

D4: LOSCOS C; TECCHIA F; CHRYSANTHOU Y, "Real-time shadows for animated crowds in virtual cities", VRST 2001. PROCEEDINGS OF THE ACM SYMPOSIUM ON VIRTUAL REALITY SOFTWARE AND TECHNOLOGY. BANFF, ALBERTA, CANADA, NOV. 15 - 17, 2001, pp. 85 - 92, ISBN 978-1-58113-427-8; ISBN 1-58113-427-4

.../...

Supplemental Box

In case **the space in any of the preceding boxes is not sufficient.**
Continuation of: Box No. V

D5: HERNDON K P; ZELEZNIK R C; ROBBINS D C; CONNER D B; SNIBBE S S; VAN DAM A, "Interactive shadows", UIST. Fifth Annual Symposium on User Interface Software and Technology. Proceedings, 15-18 Nov. 1992, pp. 1-6, Monterey, CA, USA, ISBN 0-89791-549-6

D6: WOO A; POULIN P; FOURNIER A, "A survey of shadow algorithms", IEEE COMPUTER GRAPHICS AND APPLICATIONS, IEEE SERVICE CENTER, NEW YORK, NY, US, 1990-11-01, vol. 10, nr. 6, pp. 13-32, ISSN 0272-1716

None of the documents cited in the International Search Report disclose any particle system, in which the offset distance of a shadow from a particle causing it is calculated based on the size of the particle. Furthermore, the skilled person would not be guided in this direction by the nature itself since there is nothing in the behaviour of light that would motivate the skilled person to calculate an offset distance for the shadow based on the size of the particle casting the shadow. In addition, there is no indication in any of the documents cited in the International Search Report of any such offset calculations.

Thus, the invention according to the patent claims is novel (Article 33(2) PCT), and considered to involve an inventive step (Article 33(3) PCT).

Furthermore, the invention according to the patent claims is industrially applicable (Article 33(4) PCT).

In step S6, the scene is rendered into an image from the viewer's point of view. Rendering of the scene can be performed in any way known in the art but preferably the shadow objects of the scene are rendered in accordance with any of the previously described principles. When the image is rendered, the method ends.

It should be appreciated that the various embodiments and aspects of the invention described herein can be combined in any conceivable way unless being strictly contradictory.

The invention described herein includes the following aspects:

Aspect 1: A method for automatically adding shadows to objects 2, 20 in a computer-generated scene 1, comprising the steps of:
- calculating a first three dimensional (3D) position for a shadow object 5, 50 based on a 3D position of a first original object 2, 20 and a 3D position of a first light source 3, 30; and
- adding a shadow object 5, 50 to said scene 1 at said first 3D position.

Aspect 2: Method according to aspect 1 wherein said first 3D position is calculated such that the shadow object 5, 50 is positioned behind said first object 2, 20 from the light source's point of view, at an offset distance, d_{offset}, from the first object 2, 20.

Aspect 3: Method according to any or aspect 1 or 2, wherein the shadow object 5, 50 is a two dimensional (2D) object.

Aspect 4: Method according to aspect 3, wherein the shadow object 5, 50 is a soft-edged circle.

Aspect 5: Method according to any of the aspects 2 to 4, further comprising the step of setting an opacity for the shadow object 5, 50 to a certain opacity value and/or the color of the shadow object 5, 50 to a certain color value.

Aspect 6: Method according to aspect 5 wherein said opacity value and/or color value is calculated based on said offset distance, d_{offset}.

Aspect 7: Method according to any of the aspects 2 to 6, further comprising the step of setting a size for the shadow object 5, 50 to a certain size value.

Aspect 8: Method according to aspect 7 wherein said size value is calculated based on the size of said first original object 2, 20.

Aspect 9: Method according to aspect 7 or 8 wherein said size value is calculated based on the distance between said first light source 3, 30 and said first original object 2, 20.

Aspect 10: Method according to any of the aspects 2 to 9 wherein said offset distance, d_{offset}, is calculated based on the size of the first original object 2, 20.

Aspect 11: Method according to any of the aspects 2 to 10 wherein said offset distance, d_{offset}, is calculated based on the 3D position of a second object 20B located behind said first object 2, 20, 20A from the light source's point of view.

Aspect 12: Method according to any of the aspects 2 to 9 wherein said offset distance, d_{offset}, is either a preset parameter or a user-specified parameter input to the computer by a user thereof.

Aspect 13: Method according to any of the preceding aspects, further comprising the step of rendering the scene 1 into an image in a back-to-front order from a viewer's 4, 40 perspective, the rendering being performed by, for each pixel of the shadow object 5, 50, compositing the pixel onto the corresponding destination buffer pixel while leaving the alpha value of the destination buffer pixel unchanged.

Aspect 14: Method according to aspect 13, wherein the rendering being performed by, for each pixel of the shadow object 5, 50, multiplying the alpha value of the shadow object pixel with an intensity value, and compositing the shadow object pixel onto the corresponding destination buffer pixel while leaving the alpha of the destination buffer pixel unchanged,
the intensity value being a function of the distance between the depth of the shadow

object pixel and the depth of the corresponding destination buffer pixel, which distance herein is referred to as the Depth Difference (DD) distance between these pixels.

Aspect 15: Method according to aspect 14, wherein the intensity value is set to zero if DD distance exceeds a certain threshold value, which threshold value is given by a parameter which herein is referred to as Max_DD_distance.

Aspect 16: Method according to aspect 15 wherein said intensity value is set to:
0 if DD distance > Max_DD_distance, and to
(Max_DD_distance - DD distance) / Max_DD_distance if DD distance ≤ Max_DD_distance

Aspect 17: Method according to any of the preceding aspects wherein all method steps are repeated for each object/light source pair in the scene 1.

Aspect 18. Method according to any of the preceding aspects, further comprising the steps of:
- taking as input parameter a user-generated parameter indicating the user's desire to change the offset distance, d_{offset}, and/or the opacity, the color and/or the shape of the shadow object 5, 50 after the shadow object 5, 50 has been added at said first 3D position;
- calculating a new offset distance, d_{offset}, and/or a new intensity value and/or a new color value and/or a new shape of the shadow object 5, 50 based on said input parameter, and
- moving and/or changing the properties of the shadow object 5, 50 based on the result of the calculation.

Aspect 19: Method according to any of the preceding aspects wherein the original object 2, 20 is a particle in a particle animation system.

Aspect 20: A computer program for a device comprising a processing unit and a graphical rendering unit capable of generating a scene 1 comprising at least a first original object 2, 20 and at least a first light source 3, 30, the computer program

comprising computer readable code which when run by the processing unit causes the device to perform the method according to any of the aspects 1 to 19.

Aspect 21: A computer program product comprising a computer readable medium and computer readable code stored on the computer readable medium, the computer readable code being the computer program according to aspect 20.

Aspect 22: A device comprising calculation means and a graphical rendering unit capable of generating a scene 1 comprising at least a first original object 2, 20 and at least a first light source 3, 30, the device being adapted to
- calculate a first 3D position for a shadow object 5, 50 based on a 3D position of said first original object 2, 20 and a 3D position of said first light source 3, 30; and
- add a shadow object 5, 50 to said scene 1 at said first 3D position.

The Swedish Patent Office
PCT International Application

Claims

1. A method for automatically adding shadows to particles (2; 20) in a particle system comprised in a computer-generated scene (1), which scene (1) further comprises at least a first light source (3, 30) and a viewer (4;40) viewing the scene from a point of view, comprising the steps of:
- calculating a first three dimensional [3D] position for a shadow object (5; 50) based on a 3D position of a first particle (2; 20) and a 3D position of said first light source (3; 30); and
- adding a shadow object (5; 50) to said scene (1) at said first 3D position, said first 3D position being calculated such that the shadow object (5; 50) is positioned behind said first particle (2; 20) from the first light source's point of view, at an offset distance, d_{offset}, from the first particle (2; 20),
characterised by the step of calculating said offset distance, d_{offset}, based on the size of the first particle (2; 20).

2. Method according to claim 1, wherein the shadow object (5; 50) is a two dimensional [2D] object.

3. Method according to claim 2, wherein the shadow object (5; 50) is a soft-edged circle.

4. Method according to claim 2 or 3, further comprising the step of setting an opacity for the shadow object (5; 50) to a certain opacity value and/or the color of the shadow object (5; 50) to a certain color value.

5. Method according to claim 4 wherein said opacity value and/or color value is calculated based on said offset distance, d_{offset}.

6. Method according to any of the preceding claims, further comprising the step of setting a size for the shadow object (5; 50) to a certain size value.

7. Method according to claim 6 wherein said size value is calculated based on the size of said first particle (2; 20).

8. Method according to claim 6 or 7 wherein said size value is calculated based on the distance between said first light source (3; 30) and said first particle (2; 20).

9. Method according to any of the preceding claims wherein said offset distance, d_{offset}, is calculated based on the 3D position of a second particle (20B) located behind said first particle (2; 20; 20A) from the light source's point of view.

10. Method according to any of the preceding claims, further comprising the step of rendering the scene (1) into an image in a back-to-front order from said viewer's (4; 40) perspective, the rendering being performed by, for each pixel of the shadow object (5; 50), compositing the pixel onto the corresponding destination buffer pixel while leaving the alpha value of the destination buffer pixel unchanged.

11. Method according to claim 10, wherein the rendering being performed by, for each pixel of the shadow object (5; 50), multiplying the alpha value of the shadow object pixel with an intensity value, and compositing the shadow object pixel onto the corresponding destination buffer pixel while leaving the alpha value of the destination buffer pixel unchanged,
the intensity value being a function of the distance between the depth of the shadow object pixel and the depth of the corresponding destination buffer pixel, which distance herein is referred to as the Depth Difference [DD] distance between these pixels.

12. Method according to claim 11, wherein the intensity value is set to zero if DD distance exceeds a certain threshold value, which threshold value is given by a parameter which herein is referred to as Max_DD_distance.

13. Method according to claim 12 wherein said intensity value is set to:
0 if DD distance > Max_DD_distance, and to
(Max_DD_distance - DD distance) / Max_DD_distance if DD distance ≤ Max_DD_distance

14. Method according to any of the preceding claims wherein all method steps are

repeated for each particle/light source pair in the scene (1).

15. Method according to any of the preceding claims, further comprising the steps of:

- taking as input parameter a user-generated parameter indicating the user's desire to change the offset distance, d_{offset}, and/or the opacity, the color and/or the shape of the shadow object (5; 50) after the shadow object (5; 50) has been added at said first 3D position;
- calculating a new offset distance, d_{offset}, and/or a new intensity value and/or a new color value and/or a new shape of the shadow object (5; 50) based on said input parameter, and
- moving and/or changing the properties of the shadow object (5; 50) based on the result of the calculation.

16. A computer program for a device comprising a processing unit and a graphical rendering unit capable of generating a scene (1) comprising particles (2; 20) forming a particle system (2, 20), at least a first light source (3, 30), and a viewer (4;40) viewing the scene from a point of view, the computer program comprising computer readable code which when run by the processing unit causes the device to perform the method according to any of the claims 1 to 15.

17. A computer program product comprising a computer readable medium and computer readable code stored on the computer readable medium, the computer readable code being the computer program according to claim 16.

18. A device comprising calculation means and a graphical rendering unit capable of generating a scene (1) comprising particles (2; 20) forming a particle system (2, 20), at least a first light source (3, 30), and a viewer (4;40) viewing the scene from a point of view, the device being adapted to

- calculate a first three dimensional [3D] position for a shadow object (5; 50) based on a 3D position of a first particle (2; 20) and a 3D position of said first light source (3; 30); and
- add a shadow object (5; 50) to said scene (1) at said first 3D position,

the device being adapted to calculate said first 3D position such that the shadow

object (5; 50) is positioned behind said first particle (2; 20) from the first light source's point of view, at an offset distance, d_{offset}, from the first particle (2; 20), the device being **characterised in** that it is adapted to calculate said offset distance, d_{offset}, based on the size of the first particle (2; 20).

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

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

Application No:	13/263,313	Filing date:	October 6, 2011
First Named Inventor:	Peder Norrby		
Title of the Invention:	METHOD FOR ADDING SHADOWS TO OBJECTS IN COMPUTER GRAPHICS		

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/SE2010/050311

The international filing date of the corresponding PCT application(s) is/are: March 22, 2010

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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

(continued)

Application No.:	13/263,313
First Named Inventor:	Peder Norrby

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 6, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 6, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-16	1-16	sufficiently correspond on a one-to-one basis
cancelled	17	
18	18	sufficiently correspond

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

Signature /Robert B. Madden/	Date December 1, 2011
Name (Print/Typed) /Robert B. Madden/	Registration Number 57,521

Privacy Act Statement

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED
JAN 11 2012
OFFICE OF PETITIONS

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS MN 55402

In re Application of : DECISION ON REQUEST TO
Peder NORRBY : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/263,313 : AND PETITION TO MAKE SPECIAL
Filed: October 31, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 1876.204US1
For: METHOD FOR ADDING SHADOWS TO OBJECTS IN COMPUTER GRAPHICS

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 1, 2011, to make the above-identified application special.

The request is **GRANTED**.

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

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

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

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

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

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

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

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

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

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

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

This application will be forwarded to Technology Center Art Unit 2628 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

for David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

INTELLECTUAL PROPERTY LAW GROUP LLP
12 SOUTH FIRST STREET
SUITE 1205
SAN JOSE CA 95113

MAILED
MAR 20 2012
OFFICE OF PETITIONS

In re Application of
Petr Valer'evich Minin et al
Application No.: 13/263,317
Filed: October 6, 2011
Attorney Docket No.: DORS.PT1
For: BANKNOTE VERIFICATION DEVICE

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 29, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

   a. a Paris Convention application which either
      i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the RU, or
      ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,

   or

   b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
      i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the RU, or
      ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
      iii. contains no priority claim,

   or

   c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application

i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the RU, or
ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the RU application(s);
   b. An English translation of the allowable/patentable claim(s), and
   c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
   a. Ensure that all the claims in the U.S. application sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the RU application(s), and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
   a. A copy of all the office actions (which are relevant to patentability) from each of the RU application(s) containing the allowable/patentable claim(s);
   b. An English language translation of the office action; and
   c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
   a. An IDS listing the documents cited by the Rospatent examiner in the RU office actions (unless already filed in this application); and
   b. Copies of all the documents cited in the RU office actions, except U.S. patents or U.S. patent application publications (unless already filed in this application);

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

Any response must be submitted via EFS-Web.

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

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

/SDB/

Sherry D. Brinkley
Petitions Examiner
Office of Petitions

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	13263322	Confirmation Number	7634	Filing Date	2011-10-06
Attorney Docket Number (optional)	0367-02233 US	Art Unit	NA	Examiner	NA
First Named Inventor	Jozef Krzecki				
Title of Invention	DEVICE AND METHOD OF DISPENSING PRESSURIZED FLUID				

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
Jozef		Krzecki	

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	/Szymon M. Gurda/	Date (YYYY-MM-DD)	2011-10-06
Name	Szymon Gurda	Registration Number	58451

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
Jozef Krzecki

Application No. 13263322

Filed:

Attorney Docket No. 0367-02233 US

:
:
: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 06-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.

UNITED STATES PATENT AND TRADEMARK OFFICE

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

Young & Thompson
209 Madison Street
Suite 500
Alexandria, VA 22314

MAILED

NOV 18 2011

PCT LEGAL ADMINISTRATION

In re Application of :
CAVALLO et al. :
U.S. App. No. 13/263,383 : DECISION ON PETITION
PCT No.:PCT/EP2009/002796 : UNDER 37 CFR 1.137(b)
Int. Filing Date: 16 April 2009 :
Priority Date: 16 April 2008 :
Attorney Docket: 2596-1027 :
For: COMPOSITIONS FOR :
PROTEIN-BASED DIETARY
PRODUCTS

The petition to revive under 37 CFR 1.137(b) filed 07 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

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

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office PCT Legal Administration
Tel.: 571-272-3298

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

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

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

Application No:	13/263465	Filing date:	October 7, 2011
First Named Inventor:	Goro Noto		
Title of the Invention:	IMAGE STABILIZATION APPARATUS AND IMAGE PICKUP APPARATUS		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/057729

The international date of the corresponding PCT application(s) is/are: April 23, 2010

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

*The claims of the US application and the claims of the PCT application are identical and are in the English language.

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

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

Under the 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.:	13/263465
First Named Inventor:	Goro Noto

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 7, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 7, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Identical
2	2	Identical
3	3	Identical
4	4	Identical
5	5	Identical
6	6	Identical
7	7	Identical
8	8	Identical
9	9	Identical
10	10	Identical
11	11	Identical
12	12	Identical
13	13	Identical
14	14	Identical
15	15	Identical
16	16	Identical
17	17	Identical

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

Signature John J. Torrente	Date October 13, 2011
Name (Print/Typed) John J. Torrente	Registration Number 26,359

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
B422-383 (25813.424)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being transmitted via the Patent Electronic Filing System (EFS) to the United States Patent and Trademark Office on: October 13, 2011

JOHN J. TORRENTE

Signature

October 13, 2011
Date of Signature

Applicant	:	Goro Noto, et al.
Serial No.	:	13/263,465
For	:	IMAGE STABILIZATION APPARATUS AND IMAGE PICKUP APPARATUS
Filed	:	October 7, 2011
Examiner	:	Unassigned
Art Unit	:	Unassigned

PETITION TO MAKE SPECIAL

Petition is hereby made to make the subject application special under the Patent Cooperation Treaty - Prosecution Highway (PCT-PPH) Pilot Program between the USPTO and the JPO. The following averments are made on behalf of the Petition:

(A) The subject application is a national stage entry of corresponding PCT Application No. PCT/JP2010/057729, filed April 23, 2010 in the English language.

(B) Claims 1-17 of the corresponding PCT application have been found to have novelty, inventive step and industrial applicability. Claims 1-17 of the subject application correspond to and are the same as the aforesaid claims 1-17 in the PCT application.

(C) The subject U. S. application has not received any examination by an Examiner.

(D) Please charge any fees for the entry of this Petition to our Deposit Account No. 03-3415.

The following, required by the PCT-PPH Pilot Program, have already been submitted

with or incorporated into the subject application:

(1) A copy of the latest international work product, i.e., PCT/ISA/237 (Written Opinion of the International Searching Authority) and PCT/ISA/210 (International Search Report), issued June 15, 2010.

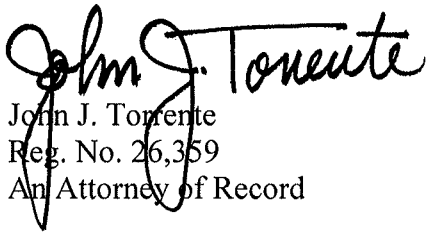
(2) Claims 1-17 of the subject application correspond to and are the same as the claims, i.e., claims 1-17, of the corresponding PCT application found to have novelty, inventive step and industrial applicability, and the claims of both applications are in the English language. Accordingly, the claims of the PCT application are not required to be submitted.

(3) An October 7, 2011 Information Disclosure Statement listing references which were cited in the international work products, i.e., PCT/ISA/237 (Written Opinion of the International Searching Authority) and PCT/ISA/210 of the corresponding PCT application.

Applicants respectfully request that this Petition and the Request to Participate in the PCT-PPH pilot program be granted and that applicants' claims be allowed.

Dated: October 13, 2011

Respectfully submitted,



Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, New York 10036-6799
T (212) 790-9200

John J. Torrente
Reg. No. 26,359
An Attorney of Record

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

HAMRE, SCHUMANN, MUELLER & LARSON, P.C.
P.O. BOX 2902
MINNEAPOLIS, MN 55402-0902

MAILED

NOV 18 2011

PCT LEGAL ADMINISTRATION

In re Application of RAVEN et al :
U.S. Application No.: 13/263,488 :
PCT Application No.: PCT/AU2009/001454 : DECISION
Int. Filing Date: 09 November 2009 :
Priority Date Claimed: 07 November 2008 :
Attorney Docket No.: 20232.0006USWO :
For: BUOYANCY DEVICE :

This is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 07 October 2011.

BACKGROUND

On 09 November 2009, applicant filed international application PCT/AU2009/001454, which claimed priority of an earlier Australia application filed 07 November 2008. A copy of the international application was communicated to the USPTO from the International Bureau on 14 May 2010. The thirty-month period for paying the basic national fee in the United States expired on 09 May 2011.

On 10 May 2011, international application PCT/AU2009/001454 became abandoned as to the United States for failure to timely pay the basic national fee.

On 07 October 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

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

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

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

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

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

CONCLUSION

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

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

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

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/263,825	Filing date:	October 10, 2011
First Named Inventor:	David Kryskowsi		
Title of the Invention:	INFRARED DETECTOR		

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/US2010/028293

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

March 23, 2010

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/263,825
First Named Inventor:	David Kryskowsi

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 10, 2011

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

☒ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
45-58	1-14	The U.S. claims are the same as the claims in the PCT Article 34 amendment
59	15	Amended "the detected ..." to "a detected ..." to provide antecedent basis
60-64	16-20	The U.S. claims are the same as the claims in the PCT Article 34 amendment

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

Signature /Martin J. Sultana/	Date 11/7/2011
Name (Print/Typed) Martin J. Sultana	Registration Number 57739

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

MAILED

FEB 29 2012

OFFICE OF PETITIONS

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD MI 48075

In re Application of
KRYSKOWKI et al.
Application No.: 13/263,825
Filed: November 7, 2011
Attorney Docket No.: UDH0101PUSA
For: INFRARED DETECTOR

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 7, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

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

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

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

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

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

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

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

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

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

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

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

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

DEC 02 2011

PCT LEGAL ADMINISTRATION

HUGHES LAW FIRM, PLLC
5160 Industrial Place,#107
Ferndale WA 98248-7819

In re Application of :
CHO :
Application No.: 13/263,827 :
PCT No.: PCT/KR2010/001549 : DECISION ON PETITION
Int. Filing Date: 12 March 2010 :
Priority Date: 09 April 2009 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: P518154PAT :
For: THE APPARATUS AND METHOD OF SELLING :
GOODS AND DIGITAL CONTENTS WITH :
BLOG SCRAP SALES MODULE :

The petition to revive under 37 CFR 1.137(b) filed 08 November 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay to provide the full U.S. Basic National Fee by 30 months was unintentional" is being interpreted to mean "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." If this interpretation is incorrect applicant should contact the USPTO immediately. Applicant's statement satisfies the requirement of 37 CFR 1.137(b)(3).

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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 :
Blank et al. :
Application No. 13/263,852 : ON PETITION
Filed: 10/11/2011 :
Attorney Docket No. 51801 :

This is in response to the PETITION TO ACCEPT COLOR DRAWINGS/PHOTOGRAPHS, filed in the United States Patent and Trademark Office (USPTO) on October 11, 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 to depict the magnetic field.

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:

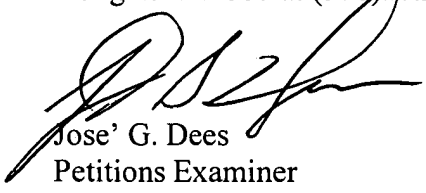
By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

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 2858.

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
Washington, D.C. 20231
www.uspto.gov

MAILED

OCT 25 2011

PCT LEGAL ADMINISTRATION

BROWDY AND NEIMARK PLLC
624 NINTH STREET, NW, STE. 300
WASHINGTON, DC 20001

In re Application of :
KENGO IWANAGA ET AL :
U.S. Application No.: 13/263934 : DECISION ON PETITION
PCT No.: PCT/JP2009/001058 :
Int. Filing Date: 10 MARCH 2009 :
Priority Date: NONE :
For: HIGHLY CORROSION-RESISTANT AND WEAR-RESISTANT MEMBER WITH THERMAL-SPRAYED LAYER FORMED THEREON AND THERMAL-SPRAYED LAYER FORMING POWDER FOR FORMING THE SAME :

The petition to revive under 37 CFR 1.137(b) filed 11 October 2011, in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminer disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

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

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed.

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

LUCAS & MERCANTI, LLP
475 PARK AVENUE SOUTH
15TH FLOOR
NEW YORK, NY 10016

MAILED

OCT 26 2011

PCT LEGAL ADMINISTRATION

In re Application of :
DAEWOONG JO ET AL :
U.S. Application No.: 13/263,955 : DECISION ON PETITION
PCT No.: PCT/KR2010/001559 :
Int. Filing Date: 12 MARCH 2010 :
Priority Date: 12 MARCH 2009 :
For: ESTABLISHMENT OF INDUCED PLURIPOTENT STEM CELL USING CELL-PERMEABLE REPROGRAMMING TRANSCRIPTION FACTOR FOR CUSTOMIZED STEM CELL THERAPY :

The petition to revive under 37 CFR 1.137(b) filed 11 October 2011, in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminer disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

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

The application has an International filing date under 35 U.S.C. 363 of 12 March 2010, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 17 October 2011.

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

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

FEB 24 2012

OFFICE OF PETITIONS

MOTS LAW, PLLC
1629 K STREET N.W.
SUITE 200
WASHINGTON DC 20006-1635

In re Application of
Isao Yamada
Application No.: 13/264,094
Filed: October 12, 2011
Attorney Docket No.: IMAGING ELEMENT, DRIVE DEVICE FOR AN IMAGING ELEMENT, ...

: 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 12, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

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

1. The U.S. application is

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

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

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

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

Inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

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

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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

SENNIGER POWERS LLP
100 NORTH BROADWAY
17TH FLOOR
ST LOUIS MO 63102

MAILED

NOV 23 2011

PCT LEGAL ADMINISTRATION

In re Application of	:	
YOO, et al.	:	
Application No.: 13/264,096	:	
PCT No.: PCT/KR2010/002143	:	DECISION ON PETITION
Int. Filing Date: 07 April 2010	:	
Priority Date: 10 April 2009	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: OP11-0161-US (WOON 8783)	:	
For: CELL SENSOR, AND MONITORING METHOD USING SAME FOR THE REAL-TIME MONITORING OF CELL CAPACITANCE	:	

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

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

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND OH 44114-3108

MAILED

NOV 16 2011

PCT LEGAL ADMINISTRATION

In re Application of :
HORIUCHI, et al. :
Application No.: 13/264,197 :
PCT No.: PCT/JP2010/002997 : DECISION ON PAPERS
Int. Filing Date: 26 April 2010 :
Priority Date: 27 April 2009 : UNDER 37 CFR 1.42
Attorney Docket No.: 48643 :
For: WIRELESS COMMUNICATION RELAY STATION APPARATUS, WIRELESS COMMUNICATION BASE STATION APPARATUS, WIRELESS COMMUNICATION MOBILE STATION :

This decision is in response to applicant's declaration filed 13 October 2011. The filed combined declaration and power of attorney is being treated as a request for status under 37 CFR 1.42. No petition fee is due.

BACKGROUND

On 26 April 2010, applicant filed international application PCT/JP2010/002997, which claimed priority to an earlier application filed 27 April 2009. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 04 November 2010. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 27 October 2011.

On 13 October 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English translation of the international application, an executed combined declaration and power of attorney and an Application Data Sheet.

DISCUSSION

37 CFR 1.42 When the Inventor is Dead, states, in part:

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

The declaration submitted on 26 October 2011 is executed by Megumi Ichikawa as legal representative of the estate of deceased inventor, Kenichi Miyoshi. The declaration provides the citizenship, residence and mailing address for both the deceased inventor and the signing legal representative per 37 CFR 1.497(a)(3). In addition, this information has been provided and executed by the remaining inventors listed on the published international application. As such, it is proper to grant applicant's request for status pursuant to 37 CFR 1.42.

CONCLUSION

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

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

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

MAILED
DEC 08 2011
PCT LEGAL ADMINISTRATION

In re Application of KAWANAMI et al :
U.S. Application No.: 13/264,298 :
PCT Application No.: PCT/JP2010/056670 :
Int. Filing Date: 14 April 2010 :
Priority Date Claimed: 14 April 2009 : DECISION
Attorney Docket No.: 0171-1638PUS1 :
For: METHOD FOR PRODUCING :
TETRAHYDROPYRAN COMPOUND AND :
INTERMEDIATE THEREOF :

This is in response to applicant's petition under 37 CFR 1.182 filed 10 November 2011.

BACKGROUND

On 14 April 2010, applicant filed international application PCT/JP2010/056670, which claimed priority of an earlier Japan application filed 14 April 2009. A copy of the international application was communicated to the USPTO from the International Bureau on 21 October 2010. The thirty-month period for paying the basic national fee in the United States expired on 14 October 2011.

On 13 October 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and an executed declaration.

On 07 November 2011, the DO/EO/US mailed a Notice of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903).

On 10 November 2011, applicant filed the present petition under 37 CFR 1.182.

DISCUSSION

The petition states that the surname of the second listed inventor has changed due to marriage.

MPEP 1893.01(e) states in relevant part, "Where there has been no change of inventorship but the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c)." In accordance with MPEP 605.04(c), petitioner has submitted the requisite petition fee and a statement signed by the relevant inventor setting forth both names and the procedure whereby the name change was effected.

CONCLUSION

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

The application has an International Filing Date under 35 U.S.C. 363 of 14 April 2010, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 13 October 2011.

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

Bryan Lin

Bryan Lin
PCT Legal Examiner
PCT Legal Office

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

UNITED STATES PATENT AND TRADEMARK OFFICE

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

MAILED

NOV 16 2011

PCT LEGAL ADMINISTRATION

J. GORDON THOMSON
P.O. BOX 8865
VICTORIA BC V8V 3Z1 CA CANADA

In re Application of: APLIN, Stephen, et al.
U.S. Application No.: 13/264,364
PCT No.: PCT/IB2009/053349
International Filing Date: 31 July 2009
Priority Date: 02 April 2009
Attorney's Docket No.: US005.01
For: FUEL FROM SEPARATE HYDROGEN AND CARBON MONOXIDE FEEDS

DECISION ON PETITION UNDER 37 CFR 1.137(b)

The petition for revival under 37 CFR 1.137(b) filed 02 November 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/IB2009/053349 became abandoned with respect to the United States at midnight on 02 October 2011 based on applicants' failure submit payment of the basic national fee prior to the expiration of thirty months from the priority date. The abandonment was confirmed in the "Notification Of Abandonment" (Form PCT/DO/EO/909) mailed on 24 October 2011.

The present petition for revival was accompanied by payment of the required petition fee. Applicants had previously filed, on 13 October 2011, the "required reply" in the form of the materials initiating the instant national stage application, including payment of the basic national fee. In addition, the present petition includes a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional," satisfying the requirement of 37 CFR 1.137(b)(3). Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Accordingly, the request to revive the international application with respect to the United States is appropriately granted.

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

/RichardMRoss/

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

MAILED

FEB 03 2012

PCT LEGAL ADMINISTRATION

UNITED STATES PATENT AND TRADEMARK OFFICE

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

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

In re Application of: WOOD, Jonathan, et al.
U.S. Application No.: 13/264,374
PCT No.: PCT/EP2010/002508
International Filing Date: 23 April 2010
Priority Date: 27 April 2009
Attorney's Docket No.: 101216-168
For: BLEACHING COMPOSITION

DECISION ON PETITION UNDER 37 CFR 1.182

This decision is issued in response to applicants' "Petition To Recognize Inventor's Name Change" filed on 25 January 2012, considered herein as a petition under 37 CFR 1.182. Deposit Account No. 14-1263 will be charged the required $400 petition fee.

BACKGROUND

On 23 April 2010, applicants filed international application PCT/EP2010/002508. The application claimed a priority date of 27 April 2009, and it designated the United States. On 04 November 2010, the International Bureau (IB) communicated a copy of the international application to the United States Patent and Trademark Office (USPTO). The deadline for submission of the basic national fee was thirty months from the priority date, i.e., 27 October 2011.

The published international application and the PCT Rule 4.17(iv) inventors' declaration included with the international application identified the second inventor as Alexandra HULLMAN.

On 13 October 2011, applicants filed materials for entry into the national stage in the United States including, among other materials, a revised executed declaration, and an application data sheet (ADS). Consistent with the international application, the ADS identified the second inventor as Alexandra HULLMAN. However, the revised declaration filed with the national stage materials identified the second inventor as Alexandra MEUSER.

On 02 November 2011, the United States Designated/Elected Office (DO/EO/US) issued a "Notification Of Acceptance" (Form PCT/DO/EO/903) indicating that the requirements of 35 U.S.C. 371 were satisfied as of 13 October 2011. Also on 02 November 2011, a filing receipt was issued. The filing receipt identified the second inventor as Alexandra HULLMAN.

On 25 January 2012, applicants filed the petition considered herein. The petition seeks to change the name of record for the second inventor to Alexandra MEUSER, as set forth in the revised declaration filed on 13 October 2011.

DISCUSSSION

Section 1893.01(e) of the Manual Of Patent Examining Procedure ("MPEP") states the following:

> Where ... the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name. See MPEP § 605.04(c).

As noted above, the revised declaration filed on 13 October 2011 identified the second inventor as Alexandra MEUSER rather than by her name of record, Alexandra HULLMAN. Accordingly, in order to correct the name of record for this inventor and permit acceptance of the revised declaration, a grantable petition under 37 CFR 1.182 is required.

Section 605.04(c) of the MPEP sets forth the requirements for a petition under 37 CFR 1.182 to correct an inventor's name. According to the MPEP, such a petition "must include an appropriate petition fee and a statement signed by the inventor setting forth both names and the procedure whereby the change of name was effected, or a copy of the court order."

Applicants' present petition includes the authorization to charge required fees to Deposit Account No. 14-1263, pursuant to which the Deposit Account will be charged the required $400 petition fee. In addition, the petition was accompanied by a statement from the second inventor in which the inventor confirms that, as a result of marriage, her name was legally changed from Alexandra HULLMAN to Alexandra MEUSER. These materials satisfy the requirements for a grantable petition under 37 CFR 1.182 to change the name of record for the second inventor from Alexandra HULLMAN to Alexandra MEUSER.

Applicants are strongly encouraged to submit a supplemental ADS in which the second inventor is identified by her correct name, in order to insure that any patent that eventually issues herein will properly identify the inventor (see MPEP 605.04(c)).

CONCLUSION

Applicants' petition under 37 CFR 1.182 to change the name of record for the second inventor from Alexandra HULLMAN to Alexandra MEUSER is **GRANTED**.

Based on this correction, the revised declaration filed on 13 October 2011, which identified the second inventor as Alexandra MEUSER, is now acceptable in compliance with 37 CFR 1.497.

The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) remains 13 October 2011, as set forth in the "Notification Of Acceptance" (Form PCT/DO/EO903) mailed on 02 November 2011.

The application is being referred to Group Art Unit 3776 for examination.

/RichardMRoss/

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

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

PARKER HANNIFIN CORPORATION
6035 PARKLAND BLVD.
CLEVELAND, OH 44124-4141

MAILED

NOV 17 2011

PCT LEGAL ADMINISTRATION

In re Application of
STEVEN MESNER
U.S. Application No.: 13/264420
PCT No.: PCT/US2010/25016
Int. Filing Date: 23 FEBRUARY 2010
Priority Date: 27 FEBRUARY 2009
For: PUMP FLOW RESTRICTIVE DEVICE

DECISION ON PETITION

The petition to revive under 37 CFR 1.137(b) filed 14 October 2011, in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

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

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

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration

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

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

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

Attorney Docket No.: 6046-0125PUS1

Application No:	13/264,643	Filing date:	October 14, 2011
First Named Inventor:	Mikko RISSANEN		
Title of the Invention:	POWER GRID VISUALIZATION		

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/EP 2009/058123

The international date of the corresponding PCT application(s) is/are: June 29, 2009

I. List of Required Documents:

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

☐ Is attached

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/264,643
First Named Inventor:	Mikko RISSANEN

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 14, 2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 14, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
21	1	Identical, except for removal of reference numerals
22	2	Identical, except for removal of reference numerals
23	3	Identical
24	4	Identical
25, 39 and 40	5	Identical, except for dependency
26	6	Identical
27	7	Identical, except for removal of multiple dependency
28	8	Identical
29	9	Identical, except for removal of multiple dependency
30	10	Identical, except for removal of reference numerals and multiple dependency
31	11	Identical, except for removal of reference numerals and multiple dependency
32	12	Identical, except for removal of reference numerals
33	13	Identical
34	14	Identical
35	15	Identical, except for removal of multiple dependency
36	16	Identical, except for removal of multiple dependency
37	17	Identical, except for removal of multiple dependency
38	18	Identical, except for removal of reference numerals

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

Signature	Date November 2, 2011
Name (Print/Typed) Paul C. Lewis	Registration Number 43368

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

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

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

Application No:	Not Yet Assigned	Filing date:	2011-10-14
First Named Inventor:	Eguchi Tsuyoshi et al.		
Title of the Invention:	VEHICLE HEAT-EXCHANGE MODULE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/065610

The international date of the corresponding PCT application(s) is/are: September 10, 2009

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	Not Yet Assigned
First Named Inventor:	Eguchi Tsuyoshi et al.

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on 10/14/2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 10/14/2011

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 multiple dependency
5	5	Identical, except for multiple dependency
6	6	Identical
7	7	Identical, except for multiple dependency

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

Signature /Thomas E. Brown/	Date 2011/10/14
Name (Print/Typed) Thomas E. Brown	Registration Number 44450

Privacy Act Statement

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

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

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

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

PTO/SB/20PCT-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:	13/264,644	Filing date:	2011-10-14
First Named Inventor:	Eguchi Tsuyoshi et al.		
Title of the Invention:	VEHICLE HEAT-EXCHANGE MODULE		

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

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

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

The corresponding PCT application number(s) is/are: PCT/JP2010/065610

The international date of the corresponding PCT application(s) is/are: September 10, 2010

I. List of Required Documents:

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

☐ Is attached.

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

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

☐ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/264,644
First Named Inventor:	Eguchi Tsuyoshi et al.

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

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on 10/14/2011

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

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on 10/14/2011

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 multiple dependency
5	5	Identical, except for multiple dependency
6	6	Identical
7	7	Identical, except for multiple dependency

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

Signature /Thomas E. Brown/	Date 2011/10/31
Name (Print/Typed) Thomas E. Brown	Registration Number 44450

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 the Application of: **Tsuyoshi EGUCHI et al.** Art Unit: **N/A**

Application Number: **13/264,644** Examiner: **Not Yet Assigned**

Filed: **October 14, 2011** Confirmation Number: **5510**

For: **VEHICLE HEAT-EXCHANGE MODULE**

Attorney Docket Number: **111287**
Customer Number: **38834**

SUBMISSION OF SUPPLEMENTAL REQUEST FOR PCT-PPH PROGRAM PARTICIPATION

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

October 31, 2011

Sir:

This paper supplements the Request to Participate in the PCT Patent Prosecution Highway (PCT-PPH) Program previously filed on **October 14, 2011**. Please note that a typographical error in the International Date of the Corresponding PCT Application has been corrected ("September 10, 2009" is changed to –September 10, **2010**--) on this Supplemental Request for PCT-PPH Program Participation.

Further please note that, as indicated in the Request form, the international work product and copies of the relevant claims are not enclosed herewith, having already been submitted in the application with the previously filed Request.

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

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

/Thomas E. Brown/

Thomas E. Brown
Attorney for Applicants
Registration No. 44,450
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

TEB/da
Enclosures: Request for PCT-PPH Participation (form PTO/SB/20PCT-JP)

PATENT
Customer No. 22,852
Attorney Docket No. 06226.0114-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Takeshi ABE et al.	)	Group Art Unit: Not Yet Assigned
	)	
Application No.: 13/264,800	)	Examiner: Not Yet Assigned
	)	
Filed: October 17, 2011	)	Confirmation No.: 8185
	)	
For: METHOD OF CHARGING AND MAINTAINING LITHIUM ION SECONDARY BATTERY, BATTERY SYSTEM, VEHICLE AND BATTERY-MOUNTED DEVICE	)	

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

Sir:

REQUEST FOR PARTICIPATION IN AND TO MAKE U.S. APPLICATION SPECIAL UNDER THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

Applicant hereby requests participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Pilot Program and petitions to make the above-identified application special under the PCT-PPH pilot program.

As required by the "Patent Prosecution Highway Pilot Program between the United States Patent and Trademark Office and the Japan Patent Office based on Patent Cooperation Treaty Work Products," dated January 23, 2010 by David J. Kappos, Applicant submits that this U.S. application is a national stage application of the corresponding PCT application, and attaches (1) a Request/Petition Form

PTO/SB/20PCT-JP with a claims correspondence table; (2) the latest work product in the International Phase of the corresponding PCT application (i.e., the Written Opinion of the International Searching Authority (Form PCT/ISA/237) in PCT/JP2009/058378), with an English translation thereof; and (3) a listing of all claims which were indicated as having novelty, inventive step, and industrial applicability in the latest work product in the International Phase of the corresponding PCT application, with an English translation thereof and a statement that the English translation is accurate.

Please charge any required fees to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 1, 2011

By: /Anthony M. Gutowski/
Anthony M. Gutowski
Reg. No. 38,742

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

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

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

Application No:	13/264,800	Filing date:	October 17, 2011
First Named Inventor:	Takeshi ABE		
Title of the Invention:	METHOD OF CHARGING AND MAINTAINING LITHIUM ION SECONDARY BATTERY, BATTERY SYSTEM, VEHICLE AND BATTERY-MOUNTED 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/JP2009/058378

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

I. List of Required Documents:

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

☑ Is attached.

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

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

☑ Is attached.

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

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

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

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

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

(continued)

Application No.:	13/264,800
First Named Inventor:	Takeshi ABE

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 17, 2011

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

☐ Are attached.

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

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
		Please see attached.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Anthony M. Gutowski/	Date November 1, 2011
Name (Print/Typed) Anthony M. Gutowski	Registration Number 38,742

Claims Correspondence Table:

Claims in US Application	Patentable Claims in PCT Application	Explanation regarding the correspondence
1	1	U.S. claim 1 sufficiently corresponds to patentable PCT claim 1.
2	2	U.S. claim 2 sufficiently corresponds to patentable PCT claim 2.
3	3	U.S. claim 3 sufficiently corresponds to patentable PCT claim 3, except that the U.S. claim is not a multiple dependent claim.
4	4	U.S. claim 4 sufficiently corresponds to patentable PCT claim 4. U.S. claim 4 corrects a minor typographical error present in patentable PCT claim 4. Specifically, U.S. claim 4, line 11, properly recites "discharging" rather than "discharging charging."
5	5	U.S. claim 5 sufficiently corresponds to patentable PCT claim 5.
6	6	U.S. claim 6 sufficiently corresponds to patentable PCT claim 6, except that the U.S. claim is not a multiple dependent claim.
7	7	U.S. claim 7 sufficiently corresponds to patentable PCT claim 7, except that the U.S. claim is not a multiple dependent claim.
8	8	U.S. claim 8 sufficiently corresponds to patentable PCT claim 8, except that the U.S. claim is not a multiple dependent claim.
9	9	U.S. claim 9 sufficiently corresponds to patentable PCT claim 9.
10	3	U.S. claim 10 sufficiently corresponds to patentable PCT claim 3, except that the U.S. claim is not a multiple dependent claim.
11	6	U.S. claim 11 sufficiently corresponds to patentable PCT claim 6, except that the U.S. claim is not a multiple dependent claim.

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

COSMOS PATENT OFFICE
Annex 2nd Floor, Nagoya Center Bldg. 2-22,
Nishiki 2-chome, Naka-ku, Nagoya-shi,
Aichi 4600003
JAPON

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	11. 08. 2009
Applicant's or agent's file reference TJ0847-PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/058378	28. 04. 2009	

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. H01M10/40 (2006.01) i, H01M10/44 (2006.01) i

Applicant
TOYOTA JIDOSHA KABUSHIKI KAISHA

1. This opinion contains indications relating to the following items:

- [X] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [X] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
ISA/JP	04. 08. 2009	GOUTANI, Youichi
Facsimile No.		Telephone No. 03-3581-1101 ext. 3432

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/058378

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   [X] the international application in the language in which it was filed.

   [ ] a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. [ ] This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      [ ] on paper

      [ ] in electronic form

   b. (time)

      [ ] in the international application as filed

      [ ] together with the international application in electronic form

      [ ] subsequently to this Authority for the purposes of search

4. [ ] In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2009/058378

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	1-9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations:

D1: JP 2008-259260 A (Matsushita Electric Industrial Co., Ltd.), 23 October, 2008, Par. No. [0015]
(Family: none)

D2: JP 2003-346911 A (Japan Storage Battery Co., Ltd.), 5 December, 2003, Par. No. [0027]
(Family: none)

The inventions in claims 1-9 are not disclosed in any documents cited in the ISR and are not obvious to persons skilled in the art.

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
特許業務法人コスモス特許事務所

様

あて名
〒460-0003
日本国愛知県名古屋市中区錦二丁目２番２２号　名古屋センタービル別館２階

ＰＣＴ
国際調査機関の見解書
（法施行規則第40条の2）
［ＰＣＴ規則43の2.1］

発送日 （日.月.年）	11. 08. 2009
出願人又は代理人 の書類記号　TJ0847-PCT	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２００９／０５８３７８	（日.月.年）　２８. ０４. ２００９	（日.月.年）

国際特許分類（ＩＰＣ）Int.Cl. H01M10/40(2006.01)i, H01M10/44(2006.01)i

出願人（氏名又は名称）
トヨタ自動車株式会社

１．この見解書は次の内容を含む。

- [x] 第Ⅰ欄　見解の基礎
- [ ] 第Ⅱ欄　優先権
- [ ] 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- [ ] 第Ⅳ欄　発明の単一性の欠如
- [x] 第Ⅴ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- [ ] 第Ⅵ欄　ある種の引用文献
- [ ] 第Ⅶ欄　国際出願の不備
- [ ] 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
04. 08. 2009

名称及びあて先	特許庁審査官（権限のある職員）	4X	8728
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	後谷　陽一　Goutani 電話番号　０３－３５８１－１１０１　内線　３４３２		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００７年４月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２００９／０５８３７８

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／JP2009／058378

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 2008-259260 A（松下電器産業株式会社）2008.10.23，段落番号００１５（ファミリーなし）
文献2：JP 2003-346911 A（日本電池株式会社）2003.12.05，段落番号００２７（ファミリーなし）

請求の範囲１～９に係る発明は、国際調査報告に引用されたいずれの文献にも記載されておらず、当業者にとって自明でもない。

CLAIMS

Claim 1. A method of charging and maintaining a lithium ion secondary battery that uses positive active material particles made from a two-phase coexistence type positive active material in its positive electrode plate, the method comprising:

an overcharge step for charging the lithium ion secondary battery to an overcharge SOC (state of charge) that is not higher than 100% SOC but higher than a target SOC;

a return discharge step for discharging, after the overcharge step, the lithium ion secondary battery to make the SOC of the battery equal to the target SOC; and

a maintaining step for maintaining the SOC of the lithium ion secondary battery at the target SOC.

Claim 2. The method of charging and maintaining a lithium ion secondary battery according to claim 1, wherein

the overcharge step includes charging the battery to the overcharge SOC that is higher than the target SOC by 2% or more.

Claim 3. The method of charging and maintaining a lithium ion secondary battery according to claim 1 or 2, wherein

the method further comprises:

a maintenance prediction step for predicting whether the lithium ion secondary battery will be maintained at the target SOC for no less than one hour, the target SOC being higher than a present SOC; and

a selection step for selecting execution of the overcharge step, the return discharge step and the maintaining step if it is predicted in the maintenance prediction step that the lithium ion secondary battery will be maintained at the target SOC for no less than one hour.

Claim 4. A battery system comprising:

a lithium ion secondary battery that uses positive active material particles made from a two-phase coexistence type positive active material in its positive electrode plate; and

charge/discharge control means for controlling the charge and discharge of the lithium ion secondary battery,

the charge/discharge control means comprising:

overcharge means for charging the lithium ion secondary battery to an overcharge SOC (state of charge) that is not higher than 100% SOC but higher than a target SOC;

return discharge means for discharging charging, after operation of the overcharge means, the lithium ion secondary battery to make the SOC of the battery equal to the target SOC; and

maintaining means for maintaining the SOC of the lithium ion secondary battery at the target SOC.

Claim 5. The battery system according to claim 4, wherein

the overcharge means charges the battery to the overcharge SOC that is higher than the target SOC by 2% or more.

Claim 6. The battery system according to claim 4 or 5, wherein

the charge/discharge control means further comprises:

maintenance prediction means for predicting whether the lithium ion secondary battery will be maintained at the target SOC for no less than one hour, the target SOC being higher than a present SOC; and

selection means for selecting execution of the overcharge means, the return discharge means, and the maintaining means if it is predicted by the maintenance

prediction means that the lithium ion secondary battery will be maintained at the target SOC for no less than one hour.

Claim 7. A vehicle rechargeable from an external power source, the vehicle including the battery system according to one of claims 4 to 6.

Claim 8. A battery-mounted device including the battery system according to one of claims 4 to 6.

Claim 9. A battery system including:

a lithium ion secondary battery using positive active material particles in its positive electrode plate, the positive active material particles being made from a two-phase coexistence type positive active material in which a first phase including Li ions inserted therein and a second phase from which the Li ions have been desorbed coexist; and

charge/discharge control means for controlling the charge and discharge of the lithium ion secondary battery,

wherein the battery system comprises:

SOC maintenance prediction means for predicting whether the lithium ion secondary battery will be maintained at a target SOC for no less than one hour;

first phase forming means for making the SOC of the lithium ion secondary battery equal to the target SOC and making the outermost peripheries of the positive active material particles be the first phase if the SOC maintenance prediction means predicts that the battery will be maintained for no less than one hour; and

maintaining means for maintaining the SOC of the lithium ion secondary battery at the target SOC.

請求の範囲

[請求項1] 二相共存型の正極活物質からなる正極活物質粒子を正電極板に用いたリチウムイオン二次電池を、充電して保持するリチウムイオン二次電池の充電保持方法であって、

上記リチウムイオン二次電池を充電して、そのＳＯＣ（充電状態）を、１００%以下で目標ＳＯＣよりも高い超過ＳＯＣにする超過充電ステップと、

上記超過充電ステップの後に、上記リチウムイオン二次電池を放電させて、そのＳＯＣを上記目標ＳＯＣにする戻し放電ステップと、

上記リチウムイオン二次電池のＳＯＣを上記目標ＳＯＣに保持する保持ステップと、を備える

リチウムイオン二次電池の充電保持方法。

[請求項2] 請求項１に記載のリチウムイオン二次電池の充電保持方法であって、

前記超過充電ステップにおいて、

前記超過ＳＯＣを、前記目標ＳＯＣよりも２%以上大きくする

リチウムイオン二次電池の充電保持方法。

[請求項3] 請求項１又は請求項２に記載のリチウムイオン二次電池の充電保持方法であって、

前記リチウムイオン二次電池を、現在のＳＯＣよりも高い前記目標ＳＯＣで、１時間以上保持することが見込まれるか否かを予測する保持予測ステップと、

上記保持予測ステップにおいて、上記目標ＳＯＣで１時間以上保持することが見込まれた場合に、前記超過充電ステップ、前記戻し放電ステップ、及び、前記保持ステップの実行を選択する選択ステップと、を備える

リチウムイオン二次電池の充電保持方法。

[請求項4] 二相共存型の正極活物質からなる正極活物質粒子を正電極板に用いたリチウムイオン二次電池と、

上記リチウムイオン二次電池の充放電を制御する充放電制御手段と、を備える

電池システムであって、

上記充放電制御手段は、

上記リチウムイオン二次電池を充電して、そのＳＯＣ（充電状態）を、１００％以下で目標ＳＯＣよりも高い超過ＳＯＣにする超過充電手段と、

上記超過充電手段の後に、上記リチウムイオン二次電池を充電を放電させて、そのＳＯＣを上記目標ＳＯＣにする戻し放電手段と、

上記リチウムイオン二次電池のＳＯＣを上記目標ＳＯＣに保持する保持手段と、を含む

電池システム。

[請求項5] 請求項４に記載の電池システムであって、

前記超過充電手段は、

前記超過ＳＯＣを、前記目標ＳＯＣよりも２％以上大きくする

電池システム。

[請求項6] 請求項４又は請求項５に記載の電池システムであって、

前記充放電制御手段は、

前記リチウムイオン二次電池を、現在のＳＯＣよりも高い前記目標ＳＯＣで、１時間以上保持することが見込まれるか否かを予測する保持予測手段と、

上記保持予測手段において、上記目標ＳＯＣで１時間以上保持することが見込まれた場合に、前記超過充電手段、前記戻し放電手段、及び、前記保持手段の実行を選択する選択手段と、を含む

電池システム。

[請求項7] 請求項４～請求項６のいずれか一項に記載の電池システムを搭載した外部充電可能型の車両。

[請求項8] 請求項４～請求項６のいずれか一項に記載の電池システムを搭載した

電池搭載機器。

[請求項9] Ｌｉイオンが挿入された第一相とＬｉイオンが脱離した第二相とが共存しうる、二相共存型の正極活物質からなる正極活物質粒子を正電極板に用いたリチウムイオン二次電池と、

上記リチウムイオン二次電池の充放電を制御する充放電制御手段と、を備える

電池システムであって、

上記リチウムイオン二次電池を、目標ＳＯＣで、１時間以上保持することが見込まれるか否かを予測するＳＯＣ保持予測手段と、

上記ＳＯＣ保持予測手段で、１時間以上保持することが見込まれる場合に、上記リチウムイオン二次電池のＳＯＣを、上記目標ＳＯＣとすると共に、上記正極活物質粒子の最外周を、上記第一相とする第一相化手段と、

上記リチウムイオン二次電池の上記ＳＯＣを上記目標ＳＯＣに保持する保持手段と、を備える

電池システム。

VERIFICATION OF TRANSLATION

I, Motoko Maehara, of c/o COSMOS PATENT OFFICE, 2nd Floor, Nagoya Center Building, Annex, 2-22, Nishiki 2-chome, Naka-ku, Nagoya, 460-0003 Japan, hereby declare that:

1. I can read and understand both English and Japanese;

2. I translated the claims of PCT/JP2009/058378; and

3. The attached English translation is a true and correct translation of the claims of PCT/JP2009/058378 to the best of my knowledge and belief.

September 28, 2011
Date

Motoko Maehara
Signature

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/264,943	Filing date:	October 17, 2011
First Named Inventor:	GORE, Lia		
Title of the Invention:	Methods of Leukemia Cell Detection		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/031633

The international filing date of the corresponding PCT application(s) is/are:
19 April 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/264,943
First Named Inventor:	GORE, Lia

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 17, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 17, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-22	1-22	Claims are identical in PCT and instant US application
23-31	23-31	Claims 23-31 are amended to depend only from claim 18

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Steven C. Koerber/	Date November 23, 2011
Name (Print/Typed) Steven C. Koerber	Registration Number 54,233

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

KILPATRICK TOWNSEND & STOCKTON LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111-3834

MAILED

MAR 14 2012

OFFICE OF PETITIONS

In re Application of
Lia Gore et al
Application No.: 13/264,943
Filed: November 23, 2011
Attorney Docket No.: 85256-822801
For: METHODS OF LEUKEMIA CELL DETECTION

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 23, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

David Bucci
Petition Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

JAN 03 2012

PCT LEGAL ADMINISTRATION

FENNEMORE CRAIG
3003 NORTH CENTRAL AVENUE
SUITE 2600
PHOENIX AZ 85012

In re Application of :
WEISS, Glen :
Application No.: 13/264,969 : DECISION
PCT No.: PCT/US2010/031558 :
International Filing Date: 19 April 2010 :
Priority Date: 17 April 2009 :
Attorney Docket No.: 91482.048 :
For: METHODS AND KITS TO PREDICT :
THERAPEUTIC OUTCOME OF :
TYROSINE KINASE INHIBITORS :

This decision is in response to applicant's petition under 37 CFR 1.182 filed 16 December 2011.

BACKGROUND

On 19 April 2010, applicant filed international application PCT/US2010/031558, which designated the U.S. and claimed a priority date of 17 April 2009. The thirty-month period for paying the basic national fee in the United States expired at midnight on 17 October 2011.

On 17 October 2011, applicant filed a Transmittal Letter for entry into the national stage in the United States (Form PTO-1390) which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 01 November 2011, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required.

On 16 December 2011, applicant filed the instant petition under 37 CFR 1.182.

On 29 December 2011, applicant filed, *inter alia*, a declaration of the inventor.

DECISION

The petition requests that the excess claim fee of $1,740 charged to Deposit Account 060590 on 31 October 2011 be refunded because the Transmittal Letter filed 17 October 2011 inadvertently authorized the charging of any additional required fees.

MPEP § 509.01, section I, states in part:

> Many applications contain broad language authorizing any additional fees which might have been due to be charged to a deposit account. The U.S. Patent and Trademark Office will interpret such broad authorizations to include authorization to charge to a deposit account fees set forth in 37 CFR 1.16, and 1.17. Fees under 37 CFR 1.19, 1.20, and 1.21 will not be charged as a result of a general authorization under 37 CFR 1.25 except to cover the processing fee under 37 CFR 1.21(m) in the event a check or credit card payment is refused or charged back by a financial institution. Effective November 7, 2000, fees under 37 CFR 1.18 will not be charged as a result of a preauthorization of issue fee payment (emphasis in original).

37 CFR 1.25(b) provides that an authorization to charge fees under 37 CFR 1.16 (which relates to national application filing fees) in an application under 35 U.S.C. 371 will be treated as an authorization to charge fees under 37 CFR 1.492 (which relates to national stage fees). Thus, even if the authorization was inadvertent, the authorization to "charge any additional fees which may be required" was properly treated as authorizing the fee for claims in excess of twenty.

Attention is also directed to MPEP 1893.01(c) which states in part:

> A preliminary amendment accompanying the initial national stage submission under 35 U.S.C. 371 that is effective to cancel claims and/or eliminate multiple dependent claims will be effective to reduce the number of claims to be considered in calculating extra claim fees required under 37 CFR 1.492(d)-(e) and/or eliminate the multiple dependent claim fee required under 37 CFR 1.492(f). A subsequently filed amendment canceling claims and/or eliminating multiple dependent claims will not entitle applicant to a refund of fees previously paid. See MPEP § 607 and § 608.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.182 is **DISMISSED** without prejudice.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BROOKS KUSHMAN P.C.
1000 TOWN CENTER
TWENTY-SECOND FLOOR
SOUTHFIELD, MI 48075

MAILED
NOV 18 2011
PCT LEGAL ADMINISTRATION

In re Application of SONG :
U.S. Application No.: 13/265,058 :
PCT Application No.: PCT/CN2009/073760 :
Int. Filing Date: 04 September 2009 :
Priority Date Claimed: 13 March 2009 : DECISION
Attorney Docket No.: AFD0184PUSA :
For: METHOD AND DEVICE FOR :
CLASSIFYING MEDIA ACCESS :
CONTROL ADDRESS BASED ON :
ETHERNET RING NETWORK :

This is in response to applicant's petition under 37 CFR 1.137(b) filed 18 October 2011.

BACKGROUND

On 04 September 2009, applicant filed international application PCT/CN2009/073760, which claimed priority of an earlier China application filed 13 March 2009. A copy of the international application was communicated to the USPTO from the International Bureau on 16 September 2010. The thirty-month period for paying the basic national fee in the United States expired on 13 September 2011.

On 14 September 2011, international application PCT/CN2009/073760 became abandoned as to the United States for failure to timely pay the basic national fee.

On 18 October 2011, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire

delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before 08 June 1995.

With regard to item (1), applicant has provided the required reply under 35 U.S.C. 371.

With regard to item (2), applicant has provided the required petition fee.

With regard to item (3), applicant has provided the required statement.

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.137(b) is GRANTED.

The application has an International Filing Date under 35 U.S.C. 363 of 04 September 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 18 October 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	AWAITED	Filing date:	October 18, 2011
First Named Inventor:	Michael E. Muhle		
Title of the Invention:	Systems and Methods for Monitoring a Polymerization Reaction		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2010/36659

The international filing date of the corresponding PCT application(s) is/are: 5 May 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	AWAITED
First Named Inventor:	Michael E. Muhle

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
See Attached Sheet		

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jennifer A. Schmidt/	Date October 18, 2011
Name (Print/Typed) Jennifer A. Schmidt	Registration Number 63,040

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

NOV 15 2011

PCT LEGAL ADMINISTRATION

THERMO FINNIGAN LLC
355 RIVER OAKS PARKWAY
SAN JOSE CA 95134

In re Application of :
ZABROUSKOV, et al. :
Application No.: 13/265,127 :
PCT No.: PCT/US2010/029277 :
Int. Filing Date: 30 March 2010 :
Priority Date: 13 April 2009 :
Atty. Docket No.: 3949US1/PCT :
For: ACQUISITION AND ANALYSIS OF MIXED ION POPULATIONS IN A MASS SPECTROMETER :

DECISION ON PETITION

UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 18 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply form the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has provided the proper reply in the form of payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT and TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

DORSEY & WHITNEY, LLP
INTELLECTUAL PROPERTY DEPARTMENT
1400 Wewatta Street
Suite 400
DENVER CO 80202-5549

MAILED
NOV 30 2011

In re Application of	:	DECISION ON PCT LEGAL ADMINISTRATION
PISULA et al	:	
Application No.: 13/265,191	:	
PCT No.: PCT/US2009/49731	:	
Filing Date: 06 July 2009	:	PETITION UNDER
Priority Date: 03 July 2008	:	
Attorney's Docket No.: P190308.WO-US.02	:	
For: Compositions and... Anticoagulation	:	37 CFR 1.137(b)

This decision is in response to applicants' "Petition For Revival Of An International Application For Patent Designating The U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)," filed 19 October 2011.

BACKGROUND

On 06 July 2009, this international application was filed, claiming an earliest priority date of 03 July 2008.

The deadline for paying the basic national fee in the United States under 35 U.S.C. 371 and 37 CFR 1.495 was 03 January 2011. This international application became abandoned with respect to the United States at midnight on 03 January 2011 for failure to pay the required basic national fee.

On 19 October 2011, applicant filed in the United States Patent and Trademark Office (PTO) a transmittal letter for entry into the national stage in the U.S. under 35 U.S.C. 371, which was accompanied by, *inter alia*, the national basic fee, petition fee, an executed declaration, and a petition under 37 CFR 1.137(b).

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; (2) the petition fee as set forth in § 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

Petitioner has provided: (1) the proper reply by submitting the basic national filing fee, (2) the petition fee set forth in §1.17(m) and (3) the proper statement under 137(b)(3). In this application, no terminal disclaimer is required.

Accordingly, the petition is deemed to satisfy requirements (1), (2), (3), and (4) under 37 CFR 1.137(b).

DECISION

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing.

Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3276
Facsimile: (571) 273-0459

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SCULLY SCOTT MURPHY & PRESSER, PC
400 GARDEN CITY PLAZA
SUITE 300
GARDEN CITY NY 11530

MAILED

JAN 26 2012

PCT LEGAL ADMINISTRATION

In re Application of
YASUKAWA et al.
Application No.: 13/265,219
PCT No.: PCT/JP2010/002539
International Filing Date: 07 April 2010
Priority Date: 22 April 2009
Attorney Docket No.: 28191
For: MATCHING DEVICE, MATCHING METHOD AND MATCHING PROGRAM

: DECISION

This decision is in response to applicants' petition under 37 CFR 1.181 filed 19 January 2012.

BACKGROUND

On 07 April 2010, applicants filed international application PCT/JP2010/002539, which designated the U.S. and claimed a priority date of 22 April 2009. The thirty-month period for paying the basic national fee in the United States expired at midnight on 24 October 2011 (22 October 2011 being a Saturday).

On 19 October 2011, applicant filed a Transmittal Letter for entry into the national stage in the United States (Form PTO-1390) which was accompanied by, *inter alia*, the U.S. Basic National Fee, a translation of the International Application as filed, a preliminary amendment, and $620 for the national stage application having greater than 100 pages. The fees were charged to Deposit Account 19-1013 as authorized in the Transmittal Letter.

On 01 November 2011, the United States Designated/Elected Office (DO/EO/US) refunded $620 in the instant application. The refund was made by crediting $620 to Deposit Account 19-1013.

On 19 January 2012, applicants filed the instant petition under 37 CFR 1.181.

DECISION

The petition requests that the record be clarified regarding the $620 refund.

The fee in a national stage application filed under 35 U.S.C. 371 for the application size being in excess of 100 pages is based on the published international application rather than the translation of the international application as filed provided by applicants. MPEP § 1893.01(c) states in part:

> The application size fee for a national stage application (37 CFR 1.492 (j)) is determined on the basis of the international application as published by WIPO pursuant to PCT Article 21. Specifically, the application size fee is calculated on the basis of the number of sheets of description, claims, drawings, and abstract present in the published international application. This calculation is made without regard to the language of publication. Certain other sheets typically present in the international publication are not taken into account in determining the application size fee, i.e., Article 19 amendments, the international search report, and any additional bibliographic sheets (other than the cover sheet containing the abstract). Nor are Article 34 amendments or preliminary amendments taken into account in determining the application size fee.

The $620 refund was made on 01 November 2011 because the published international application contains less than 100 pages.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**. The reason for the $620 refund on 01 November 2011 has been made clear.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

/Daniel Stemmer/

Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/265,228	Filing date:	October 19, 2011
First Named Inventor:	Marcus MENDEN		
Title of the Invention:	LIGHTING DEVICE HAVING A BASE BODY OF TRANSLUCENT MATERIAL		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of 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/EP2011/056157

The international filing date of the corresponding PCT application(s) is/are: April 18, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/265,228
First Named Inventor:	Marcus MENDEN

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 19, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

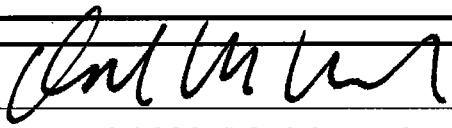
☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on October 19, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
*SEE ATTACHED TABLE	*SEE ATTACHED TABLE	*SEE ATTACHED TABLE

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature 	Date Oct 26, 2011
Name (Print/Typed) Donald W. Muirhead	Registration Number 33,978

*ADDENDUM TO ***REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO***

Application No.: 13/265,228
First Named Inventor: Marcus MENDEN

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1. (Previously presented) A lighting device having a base body of translucent material in which several light-emitting diodes, which are applied to a flexible adhesive strip having integrated conductors, are arranged at intervals from one another, comprising: a cavity which is open at one side is milled into a rear side of the base body, a width and length of the cavity being slightly smaller than a width and length of the base body, so that at least one closed edge web running along the periphery of the base body runs in a rear area of the base body, wherein the adhesive strip having the light-emitting diodes is applied to the interior side of the edge web over the entire length in such a way that light-emitting diodes are arranged on interior sides of opposing edge web sections that face one another, wherein a solid light-conducting section of the base body in front of the cavity is illuminated by the light-emitting diodes on the lateral edge web, resulting in a high luminous density on a visible front side of the lighting device, and wherein the cavity on the rear side of the lighting	1. A lighting device having a base body (1-4) of translucent material in which several light-emitting diodes (12), which are applied to a flexible adhesive strip (13) having integrated conductors, are arranged at intervals from one another, characterized in that - a cavity (24) which is open at one side is milled into the rear of the base body (1-4), the width and length of the cavity (24) being slightly smaller than the width and length of the base body (1-4), so that at least one closed edge web (5-11) running along the periphery of the base body (1-4) runs in the rear area of the base body (1-4), - the adhesive strip (13) having the light-emitting diodes (12) is applied to the interior side of the edge web (5-11) over the entire length in such a way that light-emitting diodes (12) are arranged on interior sides of opposing edge web sections that face one another, - the solid light-conducting section (19) of the base body (1-4) in front of the cavity (14) is illuminated by the light-emitting diodes (12) on the lateral edge web (5-11), resulting in a high luminous density on the visible front side, and - the cavity (24) on the	US claim 1 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 1 sufficiently and substantially corresponds to PCT claim 1 indicated as having novelty, inventive step and industrial applicability.

device is closed by the cover.	rear side of the lighting device is closed by the cover (15-18).	
2. (Previously presented) The lighting device as recited in Claim 1, wherein the distance between the rear side and the front side of the lighting device is up to 40 mm.	2. The lighting device as recited in Claim 1, characterized in that the distance between the rear side and the front side of the lighting device is up to 40 mm.	US claim 2 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 2 sufficiently and substantially corresponds to PCT claim 2 indicated as having novelty, inventive step and industrial applicability.
3. (Previously presented) The lighting device as recited in Claim 1, wherein the base body has a colored translucent cover layer on the front side opposite the cavity.	3. The lighting device as recited in Claim 1 or 2, characterized in that the base body (10) has a colored translucent cover layer (20) on the front side opposite the cavity (24).	US claim 3 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 3 sufficiently and substantially corresponds to PCT claim 3 indicated as having novelty, inventive step and industrial applicability.
4. (Previously presented) The lighting device as recited in Claim 1, wherein the edge web has an opaque section on the rear.	4. The lighting device as recited in one of the preceding claims, characterized in that the edge web (5-11) has an opaque section (23) on the rear.	US claim 4 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 4 sufficiently and substantially corresponds to PCT claim 4 indicated as having novelty, inventive step and industrial applicability.
5. (Previously presented) The lighting device as recited in Claim 1, wherein the cover is made of an opaque material.	5. The lighting device as recited in one of the preceding claims, characterized in that the cover (15-18) is made of an opaque material.	US claim 5 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 5 sufficiently and substantially corresponds to PCT claim 5 indicated as having novelty, inventive step and industrial applicability.
6. (Previously presented) The lighting device as recited in Claim 5, wherein a side of the cover facing the cavity has a color	6. The lighting device as recited in Claim 5, characterized in that the side of the cover (15-18) facing the cavity (24) has a color	US claim 6 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise,

which reflects the light of the light-emitting diodes and reflects the light in the direction of the front side of the lighting device.	which reflects the light of the light-emitting diodes (12) and reflects it in the direction of the front side of the lighting device.	subject matter of US claim 6 sufficiently and substantially corresponds to PCT claim 6 indicated as having novelty, inventive step and industrial applicability.
7. (Previously presented) The lighting device as recited in Claim 1, wherein the cover is made of translucent material.	7. The lighting device as recited in Claim 1 or 2, characterized in that the cover (15-18) is made of translucent material.	US claim 7 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 7 sufficiently and substantially corresponds to PCT claim 7 indicated as having novelty, inventive step and industrial applicability.
8. (Previously presented) The lighting device as recited in Claim 1, wherein the cover is attached to the base body by a fastening screw, and the base body has a threaded borehole into which the fastening screw is screwed.	8. The lighting device as recited in one of the preceding claims, characterized in that the cover (17) is attached to the base body (3) by a fastening screw (25), and the base body (3) has a threaded borehole (27) into which the fastening screw (25) is screwed.	US claim 8 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 8 sufficiently and substantially corresponds to PCT claim 8 indicated as having novelty, inventive step and industrial applicability.
9. (Previously presented) The lighting device according to Claim 1, further comprising: a heat-conducting layer to which the flexible adhesive strip is glued and that is arranged on the interior side of the edge web.	9. The lighting device according to any one of the preceding claims, characterized in that a heat-conducting layer (22) to which the flexible adhesive strip (13) is glued is arranged on the interior side of the edge web (10).	US claim 9 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 9 sufficiently and substantially corresponds to PCT claim 9 indicated as having novelty, inventive step and industrial applicability.
10. (Previously presented) The lighting device as recited in Claim 1, further comprising: a side wall, extending from the front side to the rear side, that is provided with an opaque coating.	10. The lighting device as recited in one of the preceding claims, characterized in that a side wall extending from the front side to the rear side is provided with an opaque coating (21).	US claim 10 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 10 sufficiently and substantially corresponds to PCT claim 10 indicated as having novelty, inventive step and industrial applicability.

11. (Previously presented) The lighting device as recited in Claim 1, wherein a distance between two light-emitting diodes is in the range between 5 mm and 40 mm.	11. The lighting device as recited in one of the preceding claims, characterized in that the distance between two light-emitting diodes (12) is in the range between 5 mm and 40 mm.	US claim 11 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 11 sufficiently and substantially corresponds to PCT claim 11 indicated as having novelty, inventive step and industrial applicability.
12. (Previously presented) The lighting device as recited in Claim 1, wherein the base body is made of cloudy translucent material.	12. The lighting device as recited in one of the preceding claims, characterized in that the base body (1-4) is made of cloudy translucent material.	US claim 12 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 12 sufficiently and substantially corresponds to PCT claim 12 indicated as having novelty, inventive step and industrial applicability.
13. (Previously presented) The lighting device as recited in Claim 1, further comprising: a central web, made of translucent material, that is arranged at the center of the cavity, and protrudes out of the base body and extends essentially parallel to the edge web.	13. The lighting device as recited in one of the preceding claims, characterized in that a central web (29) made of translucent material, in particular acrylic glass, is arranged at the center of the cavity, and protrudes out of the base body (3) and extends essentially parallel to the edge web.	US claim 13 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 13 sufficiently and substantially corresponds to PCT claim 13 indicated as having novelty, inventive step and industrial applicability.
14. (Previously presented) The lighting device as recited in Claim 13, wherein the central web has a diffusely reflective surface.	14. The lighting device as recited in Claim 13, characterized in that the central web (29) has a diffusely reflective surface.	US claim 14 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 14 sufficiently and substantially corresponds to PCT claim 14 indicated as having novelty, inventive step and industrial applicability.
15. (Previously presented) A method for manufacturing a lighting device having a base body made of a translucent material in which a flexible	15. A method for manufacturing a lighting device having a base body (1-4) made of a translucent material in which a flexible adhesive strip (13) is	US claim 15 was amended at nationalization to satisfy US formality and clarity requirements. Otherwise, subject matter of US claim 15

adhesive strip is arranged with light-emitting diodes situated at intervals and with integrated conductors, comprising: milling a cavity, which is open at one side having at least one closed edge web running along the periphery of the base body, into a rear side of the base body, a width and length of the cavity being slightly smaller than a width and length of the base body; gluing the adhesive strip to the interior side of the edge web over the entire length in such a way that light-emitting diodes are arranged on the interior sides of opposing edge web sections that face one another and illuminate a solid light-conducting base body in front of the cavity, and closing the cavity on the rear side of the base body by a cover.	arranged with light-emitting diodes (12) situated at intervals and with integrated conductors, characterized by the following steps: - a cavity (24) which is open at one side having at least one closed edge web (5-11) running along the periphery of the base body (1-4) is milled into the rear area of the base body, the width and length of the base body (1-4) being slightly smaller than the width and length of the base body (1-4); - the adhesive strip (13) is glued to the interior side of the edge web (5-11) over the entire length in such a way that light-emitting diodes (12) are arranged on the interior sides of opposing edge web sections that face one another and illuminate the solid light-conducting base body (19) in front of the cavity; - the cavity (24) is closed on the rear side of the lighting device by a cover (15-18).	sufficiently and substantially corresponds to PCT claim 15 indicated as having novelty, inventive step and industrial applicability.

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

24112
COATS & BENNETT, PLLC
1400 Crescent Green, Suite 300
Cary, NC 27518

MAILED

DEC 16 2011

PCT LEGAL ADMINISTRATION

In re Application of :
SOULHI *et al* :
U.S. Application No.: 13/265,295 :
PCT No.: PCT/EP2009/054293 :
Int. Filing Date: 09 April 2009 :
Priority Date: None :
Docket No.: 4015-7838 / P28084-US1 :
For: FILTER FOR INDOOR CELLULAR SYSTEM :

DECISION ON PETITION UNDER 37 CFR 1.137(b)

Applicants' petition to revive under 37 CFR 1.137(b) filed on 19 October 2011 is hereby **GRANTED** as follows:

The basic national fee and petition fee have been paid. Applicants made the required statement pursuant to 37 CFR 1.137(b)(3). A terminal disclaimer is not required. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

This application is being forwarded to the United States Designated/Elected Office for further processing including mailing a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) and a $130.00 surcharge fee are required.

James Thomson
Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302

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

WILLIAM D. HARE
McNeely, Hare & War, LLP
66 WITHERSPOON STREET
STE. 1, PMB 317
PRINCETON NJ 08542-9944

MAILED
NOV 30 2011
PCT LEGAL ADMINISTRATION

In re Application of :
MILINKOVIC, et al. :
Application No.: 13/265,319 :
PCT No.: PCT/RS2010/000002 : DECISION ON PETITION
Int. Filing Date: 23 March 2010 :
Priority Date: 19 February 2009 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: 7085.001 :
For: PREFABRICATED CONSTRUCTION OBJECT :
WHICH IS BUILT FROM PREFABRICATED :
FEROCEMENT RIB ELEMENTS BY :
SANDWICH TYPE WHICH ARE EFFUSED :
IN MOULDS :

The petition to revive under 37 CFR 1.137(b) filed 19 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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:	To be assigned	Filing date:	October 20, 2011
First Named Inventor:	Roberto GIANNANTONIO, et al.		
Title of the Invention:	MULTILAYER COMPOSITE GETTER		

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/EP2010/056872

The international filing date of the corresponding PCT application(s) is/are: May 19, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the 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.:	To be assigned
First Named Inventor:	Roberto GIANNANTONIO, et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
14	14	
15	15	
16	16	
17	17	
18	18	
19	19 and 20	

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Alessandro Steinfl, Reg. No. 56,448/	Date October 20, 2011
Name (Print/Typed) Alessandro Steinfl	Registration Number 56,448

Claims Correspondence Table
(continued)

Application No.: To be assigned

First Named Inventor: Roberto GIANNANTONIO, et al.

Attorney Docket No.: P591-US

II. Claims Correspondence Table (continued):

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
21	21 and 22	

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

Steinfl & Bruno LLP
155 N. Lake Ave. Ste 700
Pasadena, CA 91101

MAILED

FEB 08 2012

OFFICE OF PETITIONS

In re Application of
Roberto Giannantonio, et. al.
Application No.: 13/265,536
Filed: October 20, 2011
Attorney Docket No.: P591-US
For: MULTILAYER COMPOSITE GETTER

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)
:

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on October 20, 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 Australia, Austria, EPO, Finland, JPO, KIPO, NPI, NBPR, Spain, Sweden, USPTO, or CHINA;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1), (3), and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (2) and (4).

Regarding the requirement of condition (2), applicant has failed to identify and explain why the claims are not subject to the observation in Box VIII of the Written Opinion (PCT/ISA/237).

Regarding the requirement of condition (4), applicant is responsible for ensuring that the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Roberto GIANNANTONIO, et al.	)	Examiner: To be assigned
Serial No.: 13/265,536 (US National stage of PCT/EP2010/056872 filed internationally on May 19, 2010)	)	Art Unit: To be assigned
	)	Our Ref.: P591-US
Filed: October 20, 2011	)	Date: February 21, 2012
For: MULTILAYER COMPOSITE GETTER	)	Re: ***REQUEST TO PARTICIPATE IN THE PCT-PPH PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)***

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO PARTICIPATE IN THE PCT-PPH PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

Dear Sir:

The present paper is being filed in response to the Decision on Request to Participate in the Patent Prosecution Highway Program and Petition to Make Special Under 37 CFR 1.102(a) of February 8, 2012. Please consider the following remarks which deem the present application acceptable for participation under the subject program.

REMARKS

In the decision of February 8, 2012, the examiner notes that the latest work product in the PCT application examines a set of claims that does not satisfy requirement (2) (and, by extension, requirement (4)) for participation in the PCT-PPH program.

Applicants note, however, that the latest work product of the PCT application to be considered is the IPRP mailed on August 10, 2011 and submitted by Applicants with the

PCT-PPH request, and not the Written Opinion. All amended claims in the IPRP satisfy requirement (2) for having novelty, inventive step, and industrial applicability. Additionally, said IPRP is free from any observations in Box VIII. As the claims filed in the present 371 Application correspond with those examined in the IPRP, Applicants therefore submit that the application at hand also satisfies requirement (4).

For purposes of the present submission, Applicants again enclose:

- Form PTO/SB/20PCT-EP Request For Participation (2 pages), already submitted on October 20, 2011,
- Supplemental claim correspondence table (1 page), already submitted on October 20, 2011; and
- IPRP of the PCT application (18 pages), already submitted on October 20, 2011.

Applicants believe no fee is due in connection with the present submission. However, the Commissioner is authorized to charge any additional fee which may be required or credit overpayment to deposit account no. 50-4194. Please ensure that the Attorney Docket Number is referred to when charging any payments or crediting any overpayments for this case.

I hereby certify that this correspondence is being electronically transmitted on February 21, 2012 by Jonathan Shaw.

/Jonathan Shaw/

Respectfully submitted,

/Alessandro Steinfl, Reg. No. 56,448/

Alessandro Steinfl
Attorney for Applicants
Reg. No. 56,448

STEINFL & BRUNO LLP
155 N Lake Ave Ste 700
Pasadena, CA 91101
(626) 792-0536 voice
(626) 792-1342 facsimile

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	To be assigned	Filing date:	October 20, 2011
First Named Inventor:	Roberto GIANNANTONIO, et al.		
Title of the Invention:	MULTILAYER COMPOSITE GETTER		

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/EP2010/056872

The international filing date of the corresponding PCT application(s) is/are: May 19, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

Under the 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.:	To be assigned
First Named Inventor:	Roberto GIANNANTONIO, et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
14	14	
15	15	
16	16	
17	17	
18	18	
19	19 and 20	

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Alessandro Steinfl, Reg. No. 56,448/	Date October 20, 2011
Name (Print/Typed) Alessandro Steinfl	Registration Number 56,448

Claims Correspondence Table
(continued)

Application No.: To be assigned

First Named Inventor: Roberto GIANNANTONIO, et al.

Attorney Docket No.: P591-US

II. Claims Correspondence Table (continued):

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
21	21 and 22	

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference BW540M	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. PCT/EP2010/056872	International filing date *(day/month/year)* 19.05.2010	Priority date *(day/month/year)* 25.05.2009
International Patent Classification (IPC) or national classification and IPC INV. C01B3/00		
Applicant SAES GETTERS S.p.A.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *sent to the applicant and to the International Bureau)* a total of 13 sheets, as follows:
      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
28.12.2010	10.08.2011
Name and mailing address of the international preliminary examining authority: European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Authorized officer Alvarez Rodriguez, C Telephone No. +49 89 2399-2050

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2010/056872

Box No. I Basis of the report

1. With regard to the **language**, this report is based on

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
   - ☐ international search (under Rules 12.3(a) and 23.1(b))
   - ☐ publication of the international application (under Rule 12.4(a))
   - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-8	filed with the letter of	17-12-2010

Claims, Numbers

1-22	filed with the letter of	17-12-2010

Drawings, Sheets

1/2, 2/2	as originally filed

☐ a sequence listing - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:
   - ☐ the description, pages
   - ☒ the claims, Nos. 23-26
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:
   - ☐ any table(s) related to sequence listing *(specify)*:

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (c-bis)):
   - ☐ the description, pages
   - ☐ the claims, Nos.
   - ☐ the drawings, sheets/figs
   - ☐ the sequence listing *(specify)*:

5. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2 (e)).

6. ☐ Supplementary international search report(s) from Authority(ies) have been received and taken into account in drawing up this report (Rule 45bis.8(b) and (c)).

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-22
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-22
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-22
	No:	Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

D1: WO 2008/033560 A

D2: WO 2007/066372 A

D3: WO 2008/148781 A

1.1 Document D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses an electrochemical device containing a solvent, an electrolyte and a multilayer composite getter. The multilayer composite getter comprises a metal getter layer formed, for instance, of zirconium or titanium (i.e. a first layer), having a surface in contact with a palladium or palladium alloy such as Pd-Ag (i.e. a second layer).

1.2 The subject-matter of claim 1 therefore differs from this known D1 in a hydrogen-permeable protective layer with a thickness of 1 to 100 µm and is therefore new (Article 33(2) PCT).

1.3 The problem to be solved by the present invention may be regarded as how to protect a getter material from the contact with the electrolyte.

1.4 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

The present application relates to a multilayer getter shielded from the electrolytic environment in order to avoid the drawbacks in the prior-art whilst D1 relates to a getter system compatible with the electrolyte and capable of resisting passivation. Polymeric sheets are mentioned in D1 in relation to the container which encloses the getter material, but they are not equivalent to a "hydrogen-permeable protective polymeric layer" of the present application, which shields and protects from the contact with the electrolyte. Moreover, the claimed thickness of the polymeric layer is neither disclosed in D1.

Documents D2 and D3 disclose getter materials with polymeric layers. However, the skilled person would not have any motivation to modify the getter material of D1 by incorporating a polymeric layer, since D1 discourages to use polymeric barriers when referring to state of the art [see p. 2. , l. 19-28].

Hence, the content of claim 1involves an inventive step (art. 33(3) PCT).

1.5 Claims 1 to 22 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Società Italiana Brevetti
Proprietà intellettuale ed industriale
Intellectual and Industrial Property

Via G. Carducci 8 20123 Milano
tel 02.80.63.31 *fax* 02.80.63.32.00
email milano@sib.it www.sib.com

Milano, 17 December 2010

European Patent Office
80298 München
GERMANIA

F. de Benedetti
P.V. Pizzoli
G. Tonon
S. Adorno
F. Moscone
A. Pellegri
M. Bardini
S. Borrini
A.M. Pizzoli
E. Concone
C. Germinario
E. Papa
M. Mondolfo
A.Torrigiani
A.C. Klein
M. Gori
G. Romano
A. Soldatini
E. D'Amore

L. Montelatici
B. Besati
S. Cignozzi
A. Spina
S. Catalucci
V. Predazzi
A. Sciarra
I. Spagnulo
J. de Benedetti
V. Nimmo
G Rubino
G. Barbaro
P. Veronesi
M. Manfrin

of counsel
P.L. Roncaglia
S. Hassan

Saes Getters S.p.A.
International Patent Application No. PCT/EP2010/056872
Our Ref.: BW540M

Dear Sirs,

In response to the Written Opinion accompanying the International Search Report mailed on 19.08.2010, the applicant wishes to submit herewith amended claims as enclosed and the following arguments to demonstrate their novelty and inventive step with respect to the references cited.

The subject matter of all the claims has been changed to conform with that of the original claim 18 ("Electrochemical device for energy storage") with the additional limiting feature of the original claim 15, now forming the characterizing portion of new claim 1. At the same time the original process claims 16, 17 have been deleted and the description has been amended to conform to the object of the invention now claimed and to correct minor formal errors.

It is recalled that the Written Opinion has acknowledged the novelty of old claim 15, whereby at least this requirement appears to be met also by the present claim 1. However in the following it will be respectfully argued that also the inventive step in provided by the newly filed claims.

In particular the Examiner's attention is drawn to the actual teaching of the closest prior art D1, which is directed to composite getter systems capable of resisting to passivation when used in an electrolyte environment (page 3, lines 21-26). First of all the porous container disclosed by D1 cannot be considered equivalent to a layer of a multilayer composite getter as recited in the present claim 1, i.e. "*a hydrogen-permeable protective polymeric layer*". Its function is in fact of merely enclosing the getter material when in the form of particles or pellets (see page 12, lines 14-21) without carrying out any shield or protective action from the contact with the electrolyte. The characterizing features of that container are instead directed only to the size of the pores to prevent the getter material from leaving the container, while the getter material therein is compatible with contacting the electrolyte.

Società Italiana Brevetti
Milano, 17 December 2010
European Patent Office

Another consideration to be made is that already the original claim 1 was novel in view of D1, bearing in mind that this prior document does not disclose a multilayer getter shielded from the electrolytic environment, but a getter system perfectly compatible with the electrolyte. This is a substantial difference that also teaches away from the present invention. A person skilled in the art in fact would have never been brought to modify the getter system disclosed in D1 to combine it with D2 or D3, when considering in particular that D1 itself (page 2, lines 18-28) mentions various disadvantages presented by "polimer barriers" shielding getter materials from the electrolyte, by referring e.g. to the application M12005A002344, among others. This Italian patent application is the one of which D2 claims the priority rights, whereby it is clear that D1 itself includes a strong deterrent to consider such a combination with D2.

Additionally it should be noted that the feature taken from original claim 15 and included in claim 1 as a further limitation is better distinguishing over D1, since it is relating to the thickness of the protective polymeric layer, while in D1 this feature is meaningless, as that porous container is characterized by the size of the pores (to ensure that the getter material is enclosed therein).

On the other hand the present invention (see page 3, lines 1-6 of the description) intends to modify D1 in order to solve a different technical problem, not in an obvious way. These arguments should find a legal support in the EPO decisions T2/83, T43/97 and T1417/05 and to this effect claim 1 has also been limited to the final electrochemical device in which the multilayer composite getter is embedded (thus defining more clearly the technical problem underlying the present invention).

Finally, with reference to Item VIII of the Written Opinion, the objection of lack of clarity raised against claims 9 and 10 is now overcome by replacing therein the expression "*said second protective layer*" with "*said hydrogen-protective polymeric layer*" according to page 5, lines 22-27 in spite of the fact that this layer was already mentioned as "second" at page 6, lines 25 and 28 and at page 7, line 25. Other formal amendments have been made in the enclosed set of claims as well as in the revised specification, copy of which is also enclosed herewith, wherein any reference to "first" or "second" layer has been removed to conform to be amended claims.

It is believed that an IPRP withdrawing the initial objections and acknowledging novelty and inventive step for the enclosed set of amended claims will be issued as a consequence of the Demand for Chapter II concurrently filed herewith.

Yours sincerely,
SOCIETÀ ITALIANA BREVETTI
Silvano Adorno

Encls. amended specification and claims
in clean and marked-up version
AD/pc

MULTILAYER COMPOSITE GETTER

The present invention relates to a multilayer composite getter, a method for its manufacturing and to electrochemical devices for energy storage that employ said multilayer composite getters.

The use of getter materials for the removal of gaseous impurities has found application in many fields, such as process chambers for semiconductor devices, purification of process gases and pumping members for evacuated chambers. However, one of the fields in which the use of getter materials is particularly appreciated is that of the removal of harmful species from the internal volume of hermetic or sealed devices, where the presence of these harmful species jeopardizes the operation of the device.

In this case, the mechanisms that compromise the functionality of the device are essentially of two types, the first one of which is due to a chemical interaction of the harmful species with one or more components of the device, which interaction alters the properties of said components thus jeopardizing their functionality. Examples of these interactions may be, among others, some loss of transparency for optical devices or a degradation of the electrical characteristics of the components by altering their resistivity and thus their functionality. In this first case it is very important that the concentration of harmful species, typically in the form of gases, is as low as possible.

A second degradation mechanism is instead associated with the risks of breaking the device due to an excessive pressurization; this problem is present in the devices in which the harmful species are mainly in a gaseous form and their production is associated with the operation of the device itself. In this case risks of mechanical breakage of the container, and thus also safety problems, are associated with a malfunction of the device.

This problem is particularly felt in the field of electrochemical devices for energy storage, nowadays generally known as energy storage devices.

In the wide range and variety of electrochemical devices for energy storage two very important large families may be identified: electrolytic capacitors, with particular reference to those known in the field as "aluminum capacitors" and "supercapacitors". In the technical field, the main difference between these categories of devices resides in

the different order of magnitude of the accumulated capacity. In particular, in the case of electrolytic capacitors of small size the capacity is in the order of microfarad (μF), whereas in the case of supercapacitors the capacity may also be 10,000 times higher.

The problem of the presence of gaseous impurities within these devices has been tackled in various ways. For example patent applications WO 2007/066372 and WO 2008/148778, both in the applicant's name, employed polymeric multi-layer systems with the getter material dispersed in a suitable polymer and shielded from the contact and the interaction with the electrolyte by means of a protective polymeric layer permeable to the harmful species but impermeable to the electrolyte.

Another solution, described in patent applications WO 2007/080614 and WO 2008/148781, both in the applicant's name, teaches the use of getter materials enclosed in a polymeric container permeable to the harmful species but impermeable to the electrolyte.

Finally, patent application WO 2008/033560, also in the applicant's name, exploits a completely different approach and describes the use of metal getter multilayers for removing hydrogen from electrochemical devices for energy storage, with particular reference to the use of materials comprising an external layer made of a noble metal. In such application it is envisioned the possibility to use the material in powder form within suitable polymeric containers that has no other technical function than retaining the material within the container, since those material were described as compatible with the electrolytic environment of the energy storage device.

The latter solution seems, and is so considered in the field, better than the previous ones with reference to the removal of H_2 because the use of polymeric multilayers necessarily limits the amount of getter material contained therein, due to the very nature of a polymeric layer; so, on equal volume occupied by the getter material, results in a lower capacity. The solutions in which the getter material is enclosed in a polymeric container have proved to be inherently fragile, in particular in the connection areas of the container. In addition to these problems there is also the fact that in the first two solutions the presence of the polymeric layer generally slows down hydrogen sorption, whereas the multilayer metal getter, which is described as such in patent application WO 2006/089068 in the applicant's name, has characteristics that were

considered to make it compatible with the application.

In particular, although the solution described in WO 2008/033560 is very effective in the removal of hydrogen under normal conditions of use within electrochemical devices for energy storage, it has surprisingly shown unexpected drawbacks under some particular use conditions in which the materials intended to remove hydrogen became themselves gas sources, thus leading to the device breakage.

The main condition leading to this reverse behaviour is the presence of a flow of current having reversed polarity with respect to the normal operation. This situation may result from a human error during the connection and installation of the device, with a significant associated safety risk due to the large amounts of gas that may be generated in a short time, or when the inner temperature of the device exceeds the nominal temperature of the capacitor (which is typically defined in the field as "rated temperature" of the device), since in this case secondary alternating currents are generated (defined in the field as " ripple currents"), whose inverse component is the one which is harmful for the device. More references and details can be found in various publications such as the book Electronic Fundamentals & Applications, published in 1970. The intensity of the phenomenon, and thus the associated gas generation, is directly proportional to temperature: in particular this starts to be significant when the temperature of the device exceeds the specified rated temperature by 5%.

It is an object of the present invention to overcome the drawbacks still present in the prior art with reference to the use of multi-layer metal getter materials in electrochemical devices for energy storage. In a first aspect thereof the invention is an electrochemical device including a multilayer composite getter for hydrogen removal comprising a support essentially formed of a metal getter material with two sides, wherein a layer of palladium or palladium based composites is provided on at least one of said sides, defining a coated side, wherein a hydrogen-permeable protective polymeric layer is provided on at least 80% of the surface on the palladium or palladium based composites coated side of the support, characterized in that the thickness of said protective polymeric hydrogen-permeable layer is comprised in the range of 1 to 100 μm.

With palladium based composites it is intended composites containing at least

60% wt of palladium. Preferred palladium composites are palladium-vanadium, palladium-nickel compounds and even more preferred is the use of palladium-copper or palladium-silver compounds. In an even more preferred embodiment the palladium compounds are in form of a palladium alloy.

The invention will be better described in the following with reference to the drawings, wherein:

- figure 1 shows a broken view of a multi-layer composite getter to be used in an electrochemical device for energy storage according to the present invention;
- figure 2 shows an alternative embodiment of a multi-layer composite getter to be used in an electrochemical device for energy storage according to the present invention;
- figure 3 shows a third embodiment of a multi-layer composite getter to be used in an electrochemical device for energy storage according to the present invention;
- figure 4 shows a first embodiment of an electrochemical device for energy storage according to the present invention; and
- figure 5 shows a second embodiment of an electrochemical device for energy storage according to the present invention.

In the drawings the size and dimensional ratios of some components, with particular but non exclusive reference to the thicknesses of the layers forming the multi-layer composite getter, have been altered in order not to compromise the reading of the drawings.

Figure 1 shows a multi-layer composite getter 10 made according to the present invention, wherein on both the available surfaces 12, 12' of the layer 11 made of metal getter a layer 13, 13' of palladium or palladium based composite is arranged and a protective layer 14, 14' of a hydrogen-permeable polymeric material is arranged on the latter.

The metal getter layer 11 serves as a supporting member for the other layers and, although the preferred embodiment is the one shown in figure 1, in some embodiments it is possible that the layer of palladium or palladium based composite is not present along the whole surface of the getter layer. In this case it is important that the palladium or palladium based composite cover at least 20% of the available surface of the metal

getter layer.

Of critical importance is the fact that the polymeric layer shall cover at least 80% of the overall metallic surface, intended as uncoated surface of the supporting metal getter layer and surface of the palladium or palladium based composites coating.

An alternative embodiment is shown in figure 2. In this case the layer 13 made of palladium or palladium based composites with the polymeric material layer 14 lying thereon is provided on only one of the surfaces of the supporting getter layer 11. The same considerations previously described with reference to the possible reduced surface of the layer of palladium or palladium based composites also apply to this case. In this case it is preferred to have the external polymeric layer present, for at least 80% of the available surface, so only on the palladium or palladium based composites coated side of the composite getter, since this type of embodiment is useful when the composite getter is placed against a wall of a device, so with in this case one of the surfaces will be inactive and shielded from the environment where the composite getter is used, so it will not be necessary its coating with the noble metal or noble metal composite, such as a noble metal alloy, and the external polymeric layer.

A further variation of this embodiment is shown in figure 3, where in this case it is explicitly shown that a small part 35 of the available metallic surface, in this specific case of the supporting metallic getter layer, is not covered by the polymeric layer 14.

In the present invention it is important that the polymeric material layer coats at least 80% of the metallic surface exposed to the inner atmosphere of the device where the multilayer getter system is installed; preferably said polymeric layer exhibits a permeability to hydrogen equal or higher than 10^{-12} cm^3 cm cm^{-2} s^{-1} Pa^{-1} at 25°C .

Among the polymeric materials that can be advantageously used for the layer of protective hydrogen-permeable polymeric material, there are: polyxylenes, with particular reference to parylene, polystyrenes, polyalkanes, polydienes with particular reference to polymethyl-1-pentenylene, polyoxides, polysiloxanes with particular reference to polyoxydimethylsilylene, polymethyloctylsiloxane, polydimethylsiloxane. Among all the previous materials preferred is the use of polydimethylsiloxane.

As getter materials suitable for the manufacturing of the supporting layer 11 zirconium, yttrium or titanium may be used, among which preferred is the use of

titanium. These metals may also contain small amounts of other metal elements that do not significantly alter the characteristics of the supporting layer; typically, the level of these other metals must not exceed the 20% by weight.

In a preferred embodiment the layer of palladium or palladium based composites directly coats the getter support surface and therefore is in direct contact with the getter support.

In an alternate embodiment it is also envisaged the presence of a metallic layer interposed between the getter support and the palladium or palladium based composite. The purpose of this layer is to enhance the palladium or palladium based composite adhesion to the getter support, especially when electrochemical deposition processes for the palladium or palladium based composites are used. Such layer is preferably made by metals such as Ni, Cu, Pt, and typically has a thickness equal or lower than 20 nm.

As to the thickness of the layers of the multi-layer composite getter, the thickness of the getter material layer may be comprised between 20 and 500 micron (μm), preferably between 100 and 300 micron and, as with regard to the layer of palladium or palladium based composites, between 10 and 2,000 nanometers (nm) and preferably between 20 and 250 nanometers.

As to the thickness of the layers of the external layer made of polymeric material, this must be comprised between 1 and 100 μm in order not to compromise the sorption speed of hydrogen by the multi-layer composite getter and to ensure the absence of large uncoated areas that might lead to the generation of hydrogen under anomalous operation conditions, i.e. in the presence of currents having reversed polarity. In particular the above thicknesses ensure that the coated areas do not become possible hydrogen sources, so the only minimal hydrogen sources due to the presence of the composite getter may be given only by the uncoated areas, and such generated hydrogen will also be quickly re-absorbed by the polymeric coated portions.

In general, different techniques may be employed in order to deposit the polymeric layer on the metallic elements of the composite getter, being said metals either the metal of the support, or the layer of palladium or palladium based composites. The important aspect associated with these techniques is that they can ensure a sufficient uniformity and regularity of the polymeric layer, in addition to ensure a

sufficient adhesion between the layer formed of palladium or palladium based composites and the polymeric layer.

Spin coating, spray coating, blading, vacuum deposition, dip coating and screen printing techniques are among the most suitable techniques for the manufacturing of polymeric deposits having the required characteristics. These techniques are not described here because they are widely known by those skilled in the art.

As to the process for the formation of the intermediate layer made of palladium or palladium based composites, particularly advantageous processes are sputtering, thermal evaporation or evaporation by electron beam, electrochemical deposition processes or, alternatively, chemical deposition processes known in the field as "electroless", which do not require the passage of current, or processes that employ special inks containing palladium or palladium based composites in solution.

In its main aspect the invention relates to an electrochemical device for energy storage that contains an electrolyte and a multi-layer composite getter as described above.

It will be understood that the protective polymeric layer must be insoluble in the electrolytic solvent and impermeable to the electrolyte and its components.

In a preferred embodiment the permeability to hydrogen of the polymeric layer must be of at least one order of magnitude higher than the permeability to the electrolyte or to its components.

Particularly interesting devices among the electrochemical devices for energy storage are electrolytic capacitors, with particular reference to "aluminum capacitors" and supercapacitors.

In this case, in order to manufacture the protective layer it is advantageous to use polymeric materials having hydrophobic characteristics, i.e. characterized by having a surface functionalization with non-polar groups that can repel water and polar compounds.

Moreover, in this specific application is very advantageous the use of polydimethylsiloxane.

Figure 4 shows a first way to use a multi-layer composite getter 10 within an electrochemical device 40 for energy storage comprising a hermetic container 41 whose

electrodes are in the form of thin sheets wound to form a spiral 42, whose sectional view is represented by close vertical parallel lines, immersed in a liquid electrolyte (not shown). The electrical contacts 44, 44' connect the electrodes with the outside of the hermetic container. The multi-layer composite getter 10 is arranged in the central portion of this capacitor. The electrochemical device shown in figure 4 has a cylindrical geometry, but this geometry is not binding for the manufacturing of the invention. For example, parallelepiped is another preferred geometric shape for these capacitors having the means for sorbing impurities according to the present invention placed in the central portion of the device.

Figure 5 shows a second embodiment of an electrochemical device 50 for energy storage. In this case the structure of the device 50 comprises wound electrodes forming a spiral 52 and immersed in an electrolytic solution (not shown). A multi-layer composite getter 10 is arranged on one side of this capacitor.

In the embodiment of figure 4 the multi-layer composite getter is arranged along the whole inner edge of the device, but in a more general embodiment it may be also arranged only along a portion of the device.

Moreover, in some particular cases the devices may contain more composite getter members according to the present invention. For example, these may be present both in the central portion and in the inner periphery of the device.

CLAIMS

1. Electrochemical device for energy storage containing a solvent, an electrolyte and a multilayer composite getter (10) for hydrogen removal, said multilayer composite getter comprising a support (11) essentially formed of a metal getter material with two sides (12, 12'), wherein a layer (13, 13') of palladium or palladium based composites is provided on at least one of said sides, defining a coated side, wherein a hydrogen-permeable protective polymeric layer (14. 14') is provided on at least 80% of the surface on the palladium or palladium based composites coated side of the support, characterized in that the thickness of said protective polymeric hydrogen-permeable layer is comprised in the range of 1 to 100 μm.

2. Electrochemical device according to claim 1, wherein said palladium or palladium based composite is in direct contact with the support.

3. Electrochemical device according to claim 1, wherein a metallic layer is disposed between the support and the palladium or palladium based composite layer.

4. Electrochemical device according to claim 1, wherein both of said sides (12, 12') of the support (11) are provided with said layer of palladium or palladium based composites.

5. Electrochemical device according to claim 1, wherein only one of said sides (12, 12') of the support (11) is provided with said layer of palladium or palladium based composites.

6. Electrochemical device according to one of the preceding claims, wherein only a portion of the sides (12, 12') of the support (11) is coated with the layer of palladium or palladium based composites.

7. Electrochemical device according to claim 6, wherein said portion coated with palladium or palladium based composites is at least 20% of the support.

8. Electrochemical device according to claim 1, wherein the hydrogen-permeability of the protective polymeric layer is higher or equal to $10^{-12}cm^3cm\ cm^{-2}s^{-1}Pa^{-1}$.

9. Electrochemical device according to claim 1, wherein said hydrogen-permeable protective polymeric layer is selected in the group consisting of: polyxylenes,

polystyrenes, polyalkanes, polydienes, polyoxides, polysiloxanes.

10. Electrochemical device according to claim 9, wherein said hydrogen-permeable protective polymeric layer is selected in the group consisting of: parylene, polystyrenes, polymethyl-1-pentenylene, polyoxydimethylsilylene, polymethyloctylsiloxane, polydimethylsiloxane.

11. Electrochemical device according to claim 1, wherein said support (11) is essentially formed of a metal selected in the group consisting of zirconium, yttrium, and titanium.

12. Electrochemical device according to claim 1, wherein said palladium based composites are Pd-Ag, Pd-Cu, Pd-V, Pd-Ni.

13. Electrochemical device according to claim 1, wherein the thickness of said support (11) essentially formed of a metal getter material is comprised in the range of 20 to 500 μm.

14. Electrochemical device according to claim 1, wherein the thickness of said layer of palladium or palladium based composites is comprised in the range of 10 and 2000 nm.

15. Electrochemical device according to claim 1, wherein said polymeric layer is insoluble in the solvent and impermeable with respect to the electrolyte and with respect to the electrolyte components.

16. Electrochemical device according to claim 15, wherein said polymeric layer is hydrophobic.

17. Electrochemical device according to claim 16, wherein said polymeric layer has a hydrogen permeability which is higher by at least one magnitude order with respect to the permeability to the electrolyte or the components thereof.

18. Electrochemical device according to claim 1, wherein said polymeric layer is made of polydimethylsiloxane.

19. Electrochemical device according to claim 1, wherein said multilayer composite getter is arranged in the central portion of the device.

20. Electrochemical device according to claim 1, wherein said multilayer composite getter is arranged along the perimeter or a portion of the perimeter of the device.

21. Electrochemical device according to claim 1, wherein said device is a supercapacitor.

22. Electrochemical device according to claim 1, wherein said device is an electrolytic capacitor.

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

Steinfl & Bruno LLP
155 N. Lake Ave. Ste 700
Pasadena, CA 91101

MAILED

FEB 22 2012

OFFICE OF PETITIONS

In re Application of
Roberto Giannantonio, et. al.
Application No.: 13/265,536
Filed: October 20, 2011
Attorney Docket No.: P591-US
For: MULTILAYER COMPOSITE GETTER

: 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 renewed petition under 37 CFR 1.102(a), filed on February 21, 2012, to make the above-identified application special.

The request and petition are **GRANTED**[1].

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the Australia, Austria, EPO, Finland, JPO, KIPO, NPI, NBPR, Spain, Sweden, USPTO, or CHINA;

(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;

[1] It is noted that the International Preliminary Report on Patentability (IPRP) is the latest work product of the PCT and not the Written Opinion of the International Searching Authority.

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/265,571	Filing date:	2011-10-21
First Named Inventor:	A. KUMMET et al		
Title of the Invention:	PRINTING PRESS HAVING AT LEAST ONE MACHINE UNIT		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2010/055687

The international filing date of the corresponding PCT application(s) is/are: April 28, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached

☒ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/265,571
First Named Inventor:	A. KUMMET et al

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on October 21, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on October 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
46-58	1-13	direct correspondence
59	14	U.S. claim amended to remove multiple dependency
60-69	15-24	direct correspondence
70-72	25-27	U.S. claim amended to remove multiple dependency
73-83	28-38	direct correspondence
84	39	U.S. claim amended to remove multiple dependency
85-90	40-45	direct correspondence

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Douglas R. Hanscom/	Date November 1, 2011
Name (Print/Typed) Douglas R. Hanscom	Registration Number 26 ,600

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.

KARIN T. DUNN, LLC

GERMAN TRANSLATION AND LANGUAGE SERVICES
Certified by the American Translators Association

4706 OLDE FORGE CT., FAIRFAX, VA 22032
TELEPHONE, FAX: 703-426-1422 · DUNN6FAM@MSN.COM

Date: 13 October 2011

DECLARATION

The undersigned, Karin T. Dunn, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of the German text of PCT/EP2010/055687, filed on 28 April 2010 and published on 11 November 2010 under No. WO 2010/127972 A1. The undersigned further states that the prosecution document associated with PCT/EP2010/055687 and translated by her is also a true translation to the best of her knowledge and ability.

The undersigned declares that the above statement is true and that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

Karin T. Dunn

Translation of the pertinent portions of a **Notification of the Transmittal of the International Search Report and the Written Opinion of the International Search Authority or the Declaration (Rule 44.1 PCT)**, mailed on 17 September 2010

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. The report comprises a total of 4 pages. Copies of each prior art document cited in this report are also enclosed.

1. **Basis of the Report**
   With regard to **language**, the international search was carried out on the basis of the international application in the language in which it was filed

4. With regard to the **Title of the Invention**:

   The wording has been determined as submitted by the applicant.

5. With regard to the **Abstract**:

   The wording has been determined by the Authority as provided in Box IV, according to Rule 38.2b).

6. With regard to the **Drawings**:

   a. Figure 2 is to be published with the abstract as established by this Authority, because the applicant failed to suggest a figure.

Box IV Wording of the Abstract

A printing machine is proposed, comprising at least one machine unit (01) having at least one frame wall (02) delimiting a machine space of said machine unit, wherein within said at least one frame wall, which has a thickness (d), at least one passage (21) which is at least partially open is formed on at least one surface of said frame wall, wherein the surface opening the passage is disposed at a narrow side (32) of said frame wall which extends along the thickness, wherein within said passage at least one power line (38) and/or at least one data line (39) is or at least can be disposed.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (Rule 43*bis*.1 PCT)

1. This opinion contains indications relating to the following items:

Box I Basis of the opinion

Box V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Box I Basis of the Opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed

Box V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty	Yes: Claims 1-45 No: Claims
Inventive Step	Yes: Claims 1-45 No: Claims
Industrial Applicability	Yes: Claims 1-45 No: Claims:

2. Citations and Explanations
See attached sheet

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SUPPLEMENTARY SHEET)

Box V

Reference is made to the following document:

D1: DE 10 2007 000863 A1 (KOENIG & BAUER AG [DE]) 23 April 2009 (2009-04-23)

1 INDEPENDENT CLAIM 1

1.1 Document D1 discloses (the references between parentheses relate to said document) a printing press comprising at least one machine unit (01) having at least one frame wall (02) that delimits a machine space of said machine unit (01).

1.2 The subject matter of claim 1 differs from D1 in that within this at least one frame wall having a thickness, at least one passage that is at least partially open on at least one surface of said frame wall is formed, wherein the surface that opens the passage is located on a narrow side of this frame wall which extends along the thickness, wherein at least one power line and/or at least one data line are disposed or at least can be disposed within this passage.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

1.3 The problem addressed in this case is that of simplifying the installation of a power line and/or a data line in a printing press.

1.4 From the prior art, it is known to route the power lines and the data lines between the floor and the lower surface of a frame wall.

It is neither known nor obvious to a person skilled in the art to consider the solution proposed here, as this case involves a different design measure, in principle, for which costly technical adjustments are required (exerted forces, rigidity of the frame walls).

Therefore, the subject matter of claim 1 is inventive (PCT Article 33(3)).

2 DEPENDENT CLAIMS 2 TO 45

Claims 2 to 45 are dependent on claim 1 and therefore also satisfy the requirements of EPC Article 33(2)(3).

3 ADDITIONAL OBSERVATION

Claims 1 to 45 relate to a printing press, and therefore also satisfy the requirements of PCT Article 33(4).

Claims

1. A printing press, comprising at least one machine unit (01) having at least one frame wall (02) that delimits a machine space of said machine unit (01), wherein within this at least one frame wall (02), which has a thickness (d), at least one passage (21) which is at least partially open is formed on at least one surface of said frame wall (02), wherein the surface that opens the passage (21) is disposed on a narrow side (32) of said frame wall (02), which extends along the thickness (d), wherein at least one power line (38) and/or at least one data line (39) is disposed or at least can be disposed within this passage (21).

2. The printing press according to claim 1, characterized in that the passage (21) extends with its longitudinal direction parallel to the surface of the relevant frame wall (02) that at least partially opens this passage (21).

3. The printing press according to claim 1, characterized in that the passage (21) is embodied as a channel recessed on the narrow side (32) of this frame wall (02) or formed therein.

4. The printing press according to claim 1, characterized in that the at least one frame wall (02) is made of a cast material.

5. The printing press according to claim 1, characterized in that in this printing press, a plurality of machine units (01) are arranged in a row in the direction of transport (T) of a print substrate (31), wherein the machine units (01) belonging to this printing press are embodied such that each of them is capable of executing at least one specific step in a processing and/or production process to be carried out by this printing press.

6. The printing press according to claim 1, characterized in that at least one cylindrical rotational body (03), the outer surface of which is involved or at least can be involved in the process of processing the print substrate (31) that is guided through the printing press, is disposed or at least can be disposed in the machine space of the at least one machine unit (01), wherein the rotational axis (R) of the rotational body (03) extends within the machine space of this machine unit (01).

7. The printing press according to claim 6, characterized in that a surface normal (N) on the narrow side (32) that opens the relevant passage (21) is positioned orthogonally to the rotational axis (R) of the rotational body (03) which is disposed or at least can be disposed in the machine space.

8. The printing press according to claim 6, characterized in that the rotational body (03) that is disposed or at least can be disposed in the machine space of the at least one machine unit (01) is embodied as a printing couple cylinder or as a roller of an inking unit (04) or as a roller of a dampening unit.

9. The printing press according to claim 1, characterized in that the at least one machine unit (01) is embodied as a printing unit or as an infeed unit or as a coating unit or as a folding apparatus or as a reel changer of the printing press.

10. The printing press according to claim 1, characterized in that at least two frame walls (02), which are opposite one another and delimit the machine space of the same machine unit (01), are provided, wherein at least one crosspiece (08) that bridges the distance (w) is disposed between these frame walls (02).

11. The printing press according to claim 10, characterized in that the at least one crosspiece (08) extends parallel to the rotational axis (R) of the rotational body (03) that is disposed or at least can be disposed in the machine space.

12. The printing press according to claim 10, characterized in that within the at least one crosspiece (08), at least one passage (22) is formed, at least partially open on the surface of said crosspiece, wherein this passage (22) extends with its longitudinal direction parallel to the surface of the relevant crosspiece (08) that at least partially opens said passage (22).

13. The printing press according to claim 12, characterized in that at least one power line (38) and/or at least one data line (39) is disposed or at least can be disposed inside the passage (22) in the relevant crosspiece (08).

14. The printing press according to claim 1 or 12, characterized in that at least one control unit (23) and/or at least one operating unit (24) and/or at least one display unit (26) are provided, wherein this control unit (23) and/or this operating unit (24) and/or this display unit (26) are positioned at least partially inside the passage (21) in the at least one frame wall (02) or inside the passage (22) in the at least one crosspiece (08).

15. The printing press according to claim 12, characterized in that the passage (21) formed in one of the frame walls (02) and the passage (22) in the at least one crosspiece (08) are connected continuously to one another.

16. The printing press according to claim 1, characterized in that each passage (21) formed in the frame wall (02) is separated by a panel (29) from the machine space of the machine unit (01) and/or from a transmission space, which is connected to at least one drive (06) belonging to this machine unit (01).

17. The printing press according to claim 12, characterized in that each passage (22) in the at least one crosspiece (08) is separated by a panel (29) from the machine space of the machine unit (01) and/or from a transmission space, which is connected to at least one drive (06) belonging to this machine unit (01).

18. The printing press according to claim 1, characterized in that the passage (21) formed in the frame wall (02) has at least one opening (28) to a control cabinet (07) located on this frame wall (02) or to a unit located in the machine unit (01) having this frame wall (02).

19. The printing press according to claim 12, characterized in that the passage (22) in the at least one crosspiece (08) has at least one opening (28) to a control cabinet (07), which is located on one of the frame walls (02) that are connected to this crosspiece (08), or to a unit, which is located in the machine unit (01) having this frame wall (02).

20. The printing press according to claim 1, characterized in that the passage (21) formed in the frame wall (02) is covered by a removable cover (27).

21. The printing press according to claim 12, characterized in that the passage (22) in the relevant crosspiece (08) is covered by a removable cover (27).

22. The printing press according to claim 10, characterized in that the at least one crosspiece (08) is made of a cast material.

23. The printing press according to claim 1, characterized in that the passage (21) formed inside the frame wall (02) is formed by casting methods.

24. The printing press according to claim 10, characterized in that the passage (22) formed inside the relevant crosspiece (08) is formed by casting methods.

25. The printing press according to claim 1 or 13, characterized in that the power line (38) is embodied as a cable for conducting electric power or as a line for conducting fluid.

26. The printing press according to claim 1 or 13, characterized in that the data line (39) is embodied as a line for transmitting a signal electrically or optically or pneumatically.

27. The printing press according to claim 1 or 12, characterized in that in the passage (21; 22) formed within the frame wall (02) or formed within the crosspiece (08), a dividing wall is provided, which divides the respective passage (21; 22) longitudinally into two partial passages, wherein at least one line for conducting electric power or for transmitting an electric signal is disposed in the one partial passage, and at least one line for conducting a fluid is disposed in the other partial passage.

28. The printing press according to claim 1, characterized in that at least one stub line is provided, which branches off of the at least one power line (38) or data line (39) disposed in the passage (21) that is formed within the frame wall (02).

29. The printing press according to claim 13, characterized in that at least one stub line is provided, which branches off of the at least one power line (38) or data line (39) disposed in the passage (22) that is formed within the crosspiece (08).

30. The printing press according to claim 12, characterized in that at least one control unit (23) for controlling a pneumatically operated operating cylinder or control cylinder and/or for controlling at least one pneumatically operated roller lock is located in the passage (22) of the crosspiece (08).

31. The printing press according to claim 30, characterized in that the at least one control unit (23) for controlling pneumatically operated roller locks, disposed at different ends of the same rotational body (03), is located in the passage (22) of the cross member (08) at a position ranging from 40% to 60% of the distance (w) between the frame walls (02) that delimit the machine space of the relevant machine unit (01).

32. The printing press according to claim 1, characterized in that the frame wall (02) has at least one fixed member (33) projecting outward in the direction of the thickness (d) of said frame wall, in which fixed member the passage (21) for routing at least one power line (38) and/or at least one data line (39) is formed.

33. The printing press according to claim 32, characterized in that the fixed member (33) ends in a front frame edge (34), which is thickened in relation to its material cross-section.

34. The printing press according to claim 32, characterized in that the fixed member (33) extends at least along an edge which extends in the direction of the height (h) of the vertical frame wall (02).

35. The printing press according to claim 32, characterized in that one fixed member (33) each extends along each of two edges that run in the direction of the height (h) of the same vertical frame wall (02), and along at least one edge that runs in the direction of the length (l) of said frame wall (02).

36. The printing press according to claim 33, characterized in that the front frame edge (34), which is embodied as thicker on multiple edges, is embodied as a continuous edge that surrounds this frame wall (02).

37. The printing press according to claim 10, characterized in that the relevant crosspiece (08) has a plurality of chambers, wherein at least one control unit (23) and/or at least one data line (39) are disposed in one of these chambers, and at least one power line (38) is disposed in another chamber.

38. The printing press according to claim 12, characterized in that in a plurality of passages (21; 22) belonging to the same machine unit (01), at least one loop line is formed, which is used by a lubricating device.

39. The printing press according to claim 1 or 10, characterized in that the at least one frame wall (02) and/or the at least one crosspiece (08) are made of cast iron.

40. The printing press according to claim 1, characterized in that the at least one frame wall (02) is embodied as an upright, rectangular geometric body, the thickness (d) of which is smaller than the height (h) or length (l) thereof, wherein the thickness (d) is less than 20% of the width (b) of the machine unit (01) having this frame wall (02).

41. The printing press according to claim 1, characterized in that the thickness (d) of the at least one frame wall (02) is oriented in the direction of the width (b) of the machine unit (01) having this frame wall (02).

42. The printing press according to claim 1, characterized in that the width (b) of the machine unit (01) having the frame wall (02) is oriented transversely to a direction of transport (T) of a print substrate (31) that is guided or at least can be guided through the printing press.

43. The printing press according to claim 1, characterized in that the printing press is embodied as a rotary printing press.

44. The printing press according to claim 1, characterized in that a plurality of machine units (01) are provided, wherein in the respective at least one passage (21) in at least one frame wall (02) of each of the adjacent machine units (01), at least one power line (38) and/or at least one data line (39) are disposed, wherein at at least one joining site formed between these adjacent machine units (01), the power line (38) and/or data line (39) belonging to one of these machine units (01) are connected to the power line (38) and/or data line (39) belonging to the respectively other machine unit (01), or at least can be connected to one

another, by means of a separable connecting element.

45. The printing press according to claim 44, characterized in that a plug-type connector is provided as the connecting element.

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

CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI, MI 48375

MAILED
APR 09 2012
OFFICE OF PETITIONS

In re Application of
Makoto Aimura, et. al.
Application No.: 13/265,598
Filed: October 21, 2011
Attorney Docket No.: SAA-143-A
For: VEHICLE PERIPHERY MONITORING DEVICE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 28, 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 the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

NOV 23 2011

PCT LEGAL ADMINISTRATION

HOWISON & ARNOTT, L.L.P
P.O. BOX 741715
DALLAS TX 75374-1715

In re Application of :
JAKIMOV, et al. :
Application No.: 13/265,606 : DECISION ON PETITION
PCT No.: PCT/DE2010/000449 :
Int. Filing Date: 21 April 2010 : UNDER 37 CFR 1.181
Priority Date: 23 April 2009 :
Atty Docket No.: MTUA-30,883 :
For: METHOD FOR PRODUCING A PLATING OF A :
VANE TIP AND CORRESPONDINGLY :
PRODUCED VANES AND GAS TURBINES :

This is a decision on applicant's request for corrected notification of acceptance filed 07 November 2011 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181. No petition fee is due.

On 21 October 2011, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by among other items, payment of the requisite basic national fee; an English translation of the international application and an executed declaration of the inventors. Applicant checked box three of the transmittal letter indicating that the filing was an express request to begin national examination procedures.

On 02 November 2011, applicant was mailed a "Notification of Acceptance" (Form PCT/DO/EO/903) indicating a 371 date of receipt of the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements as 21 October 2011 and a date of completion of all 35 U.S.C. requirements as 23 October 2011.

On 07 November 2011, applicant filed the present petition claiming that all the 371 requirements were satisfied upon initial filing on 21 October 2011.

In addition to the evidence presently provided by applicant; a review of the application finds that applicant checked box three of the transmittal letter indicating that the filing was an express request to begin national examination procedures. As such both dates listed on the Form PCT/DO/EO/903 should read 21 October 2011.

For the reasons above, applicant's petition under 37 CFR 1.181 is **GRANTED**.

The application has an international filing date of 21 April 2010 under 35 U.S.C. 363 and will be given a date of **21 October 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495" (Form PCT/DO/EO/903) mailed 02 November 2011 is hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a Form PCT/DO/EO/903 indicating the dates detailed above.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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:	13/265,681	Filing date:	10/21/2011
First Named Inventor:	Theodor HOFMANN		
Title of the Invention:	SHOE, PARTICULARLY SPORTS SHOE		

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/EP2010/002123

The international filing date of the corresponding PCT application(s) is/are: April 1, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/265,681
First Named Inventor:	Theodor HOFMANN

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 10/21/2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☒ Have already been filed in the above-identified U.S. application on 10/21/2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claims 1, 3, 5-12 in the Preliminary Amendment correspond to
3	2	claims 1-10 from the PCT claims filed February 17, 2011.
5	3	The February 17, 2011 PCT claims are the ones reviewed in the
6	4	attached PCT-Report.
7	5	
8	6	
9	7	
10	8	
11	9	
12	10	

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature Donald C Lucas	Date January 5, 2012
Name (Print/Typed) Donald C. Lucas	Registration Number 31275

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

LUCAS & MERCANTI, LLP
475 PARK AVENUE SOUTH
15TH FLOOR
NEW YORK NY 10016

MAILED
MAR 01 2012
OFFICE OF PETITIONS

In re Application of
HOFMANN
Application No.: 13/265,681
Filed: November 2, 2011
Attorney Docket No.: GOS-80
For: SHOE, PARTICULARLY SPORTS SHOE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 5, 2012, to make the above-identified application special.

The request and petition are **GRANTED.**

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application is being forwarded to Technology Center AU 3765 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE SWEDISH PATENT AND REGISTRATION OFFICE (PRV) AND THE USPTO

Application No:	13/265700	Filing date:	October 21, 2011
First Named Inventor:	Mattias JOHANSSSON		
Title of the Invention:	Method, Apparatus and Computer Program Product for Invoking Local Communication Application Servic		

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/SE2009/050433

The international filing date of the corresponding PCT application(s) is/are: April 24, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE PRV AND THE USPTO

(continued)

Application No.:	13/265700
First Named Inventor:	Mattias JOHANSSON

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 21, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

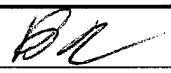
☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	U.S. Application claims, 1-13 have the same or
2	2	similar scope to claims 1-13 of the PCT Application
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
	14	Claim 14 cancelled

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature 	Date November 2, 2011
Name (Print/Typed) Brian S. Rosenbloom	Registration Number 41,276

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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

Justin B. Bender, Esq.
445 Park Avenue, 9th Floor
New York NY 10022

MAILED

DEC 05 2011

PCT LEGAL ADMINISTRATION

In re Application of :
JUNKERS, et al. :
Application No.: 13/265,707 :
PCT No.: PCT/US2010/032139 : DECISION ON PETITION
Int. Filing Date: 23 April 2010 :
Priority Date: 22 April 2009 : UNDER 37 CFR 1.137(b)
Atty. Docket No.: 012-001/US2 :
For: APPARATUS FOR TIGHTENING OR LOOSENING FASTENERS :

The petition to revive under 37 CFR 1.137(b) filed 14 November 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
FEB 24 2012
OFFICE OF PETITIONS

Studebaker & Brackett PC
One Fountain Square
11911 Freedom Drive, Suite 750
Reston VA 20190

In re Application of : DECISION ON REQUEST TO
Junichi UJII et al. : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/265,738 : AND PETITION TO MAKE SPECIAL
Filed: October 21, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 005000-K00008
For: INPUT APPARATUS AND INPUT METHOD

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed December 27, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

Requirements (1) to (5) and (7) to (8) above are considered to have been met. However, the request to participate in the PPH program and petition fail to meet requirement (6).

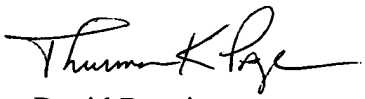
Regarding requirement (6), whereas a copy of the latest international work product has been submitted, a translation of the latest work product that indicates which claims have novelty, inventive step, and industrial applicability has not been provided.

Applicant is given **ONE** opportunity with a time period of **ONE MONTH** or **THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected within the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros. Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.



David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/265,738	Filing date:	October 21, 2011
First Named Inventor:	Junichi UJII		
Title of the Invention:	INPUT APPARATUS AND INPUT METHOD		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/002966

The international date of the corresponding PCT application(s) is/are: April 23, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/265,738
First Named Inventor:	Junichi UJII

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 21, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 21, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 is substantially identical to PCT Claim 1
2	2	US Claim 2 is substantially identical to PCT Claim 2
3	3	US Claim 3 is substantially identical to PCT Claim 3 dependent on only Claim 1
4	4	US Claim 4 is substantially identical to PCT Claim 4 dependent on only Claim 1
5	5	US Claim 5 is substantially identical to PCT Claim 5 dependent on only Claim 1
6	6	US Claim 6 is substantially identical to PCT Claim 6 dependent on only Claim 1
7	7	US Claim 7 is substantially identical to PCT Claim 7 dependent on only Claim 1
8	8	US Claim 8 is substantially identical to PCT Claim 8 dependent on only Claim 1
9	9	US Claim 9 is substantially identical to PCT Claim 9 dependent on only Claim 1
10	10	US Claim 10 is substantially identical to PCT Claim 10
11	3	US Claim11 is substantially identical to PCT Claim 3 dependent on only Claim 2
12	4	US Claim12 is substantially identical to PCT Claim 4 dependent on only Claim 2
13	5	US Claim 13 is substantially identical to PCT Claim 5 dependent on only Claim 2
14	6	US Claim 14 is substantially identical to PCT Claim 6 dependent on only Claim 2
15	7	US Claim 15 is substantially identical to PCT Claim 7 dependent on only Claim 2
16	8	US Claim 16 is substantially identical to PCT Claim 8 dependent on only Claim 2
17	9	US Claim 17 is substantially identical to PCT Claim 9 dependent on only Claim 2

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Donald R. Studebaker/	Date December 27, 2011
Name (Print/Typed) Donald R. Studebaker	Registration Number 32815

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.

CERTIFICATION OF VERIFICATION

I, Akihito OKURA, c/o Sugimura International Patent & Trademark Attorneys, Kasumigaseki Common Gate West Tower 36F, Kasumigaseki 3-2-1, Chiyoda-ku, Tokyo 100-0013, Japan, state that I am well acquainted with both the Japanese and the English languages and that the attached document is a true and complete translation to the best of my knowledge and belief of the claims which have been indicated as being in condition for allowance in International Application No. PCT/JP2010/002966 which corresponds to Japanese Application No. 2009-106749 upon which the present application claims the priority under 35 U.S.C. 119.

Dated this 28th day of November, 2011.

Akihito OKURA

(signature of translator)

Akihito OKURA

(printed name of translator)

CLAIM

1. An input apparatus for receiving inputs of a plurality of levels in accordance with pressure loads, comprising:

a load detection unit configured to detect a pressure load of a pressing input; and

a control unit configured to control to set a second load standard for receiving a second level input whenever the load detection unit detects a pressure load satisfying a first load standard for receiving a first level input.

2. The input apparatus according to claim 1, wherein the control unit sets the second load standard for receiving the second level input based on a pressure load detected by the load detection unit after the first load standard is satisfied.

3. The input apparatus according to claim 1 or 2, further comprising a load variation rate calculation unit configured to calculate a temporal variation rate of the pressure load detected by the load detection unit, wherein

the control unit sets the second load standard based on a pressure load at a time when the variation rate of the pressure load is first reduced down to a predetermined value or lower after detection of the pressure load satisfying the first load standard by the load detection unit.

4. The input apparatus according to claim 1 or 2, further comprising a load variation rate calculation unit configured to calculate an average variation rate of the pressure load between detection of the pressure load and detection of the pressure load satisfying the first load standard by the load detection unit, as well as calculating a temporal variation rate of the pressure load detected by the load detection unit, wherein

the control unit sets the second load standard based on a pressure load at a time when the variation rate of the pressure load in a predetermined period, after detection of the pressure load satisfying the first load standard by the load detection unit, is reduced down to be lower than the average variation rate by a predetermined value or more.

5. The input apparatus according to claim 1 or 2, further comprising a load variation rate calculation unit configured to calculate, at predetermined intervals, a temporal variation rate of the pressure load detected by the load detection unit, wherein

the control unit sets the second load standard based on a pressure load at a time when the variation rate of the pressure load in a first predetermined period after detection of the pressure load satisfying the first load standard by the load detection unit is reduced down to be lower than the variation rate of the pressure load in a second predetermined period immediately before the first predetermined period by a predetermined value or more.

6. The input apparatus according to claim 1 or 2, further comprising a load variation rate calculation unit configured to calculate a temporal variation rate of the pressure load detected by the load detection unit, wherein

the control unit sets the second load standard based on a pressure load at a time when the variation rate of the pressure load after detection of the pressure load satisfying the first load standard by the load detection unit is increased up to a second predetermined value or higher after being reduced down to a first predetermined value or lower.

7. The input apparatus according to claim 1 or 2, further comprising a load variation rate calculation unit configured to calculate an average variation rate of the pressure load between detection of the pressure load and detection of the pressure load satisfying the first load standard by the load detection unit, as well as calculating a temporal variation rate of the pressure load detected by the load detection unit, wherein

the control unit sets the second load standard based on a pressure load at a time when the variation rate of the pressure load in a predetermined period after detection of the pressure load satisfying the first load standard by the load detection unit is increased, after being reduced down to a first predetermined value or lower, such that a difference from the average variation rate becomes equal to or less than a second predetermined value.

8. The input apparatus according to claim 1 or 2, further comprising a load variation rate calculation unit configured to calculate, at predetermined intervals, a temporal variation rate of the pressure load detected by the load detection unit, wherein

the control unit sets the second load standard based on a pressure load at a time when the variation rate of the pressure load in a first predetermined period after detection

of the pressure load satisfying the first load standard by the load detection unit is increased to be higher than the variation rate of the pressure load in a second predetermined period immediately before the first predetermined period by a second predetermined value or more after being reduced down to a first predetermined value or lower.

9. The input apparatus according to claim 1 or 2, further comprising a notification information generation unit configured to generate notification information using at least one of sound, vibration and display, wherein

the control unit controls the notification information generation unit to generate the notification information when the pressure load detected by the load detection unit satisfies the first load standard.

10. An input method using an input apparatus for receiving inputs of a plurality of levels in accordance with pressure loads, comprising the steps of:

detecting a pressure load of a pressing input; and

controlling to set a second load standard for receiving a second level input whenever a pressure load satisfying a first load standard for receiving a first level input is detected at the step of detecting the pressure load.

請求の範囲

[請求項1] 押圧荷重に応じて複数段階の入力を受け付ける入力装置であって、

押圧による入力の押圧荷重を検出する荷重検出部と、

前記荷重検出部が、第１段階の入力を受け付ける第１の荷重基準を満たす押圧荷重を検出する毎に、第２段階の入力を受け付ける第２の荷重基準を設定するように制御する制御部と、

を備えることを特徴とする入力装置。

[請求項2] 前記制御部は、前記第２段階の入力を受け付ける第２の荷重基準を、前記第１の荷重基準が満たされた後に前記荷重検出部が検出する押圧荷重に基づいて設定することを特徴とする、請求項１に記載の入力装置。

[請求項3] 前記荷重検出部が検出する押圧荷重の時間的な変化率を算出する荷重変化率算出部をさらに備え、

前記制御部は、前記荷重検出部が前記第１の荷重基準を満たす押圧荷重を検出した後における押圧荷重の変化率が最初に所定値以下に減少した際の押圧荷重に基づいて、前記第２の荷重基準を設定する、請求項１または２に記載の入力装置。

[請求項4] 前記荷重検出部が押圧荷重を検出してから前記第１の荷重基準を満たす押圧荷重を検出するまでの間における押圧荷重の平均変化率を算出するとともに、前記荷重検出部が検出する押圧荷重の時間的な変化率を算出する荷重変化率算出部をさらに備え、

前記制御部は、前記荷重検出部が前記第１の荷重基準を満たす押圧荷重を検出した後の所定期間における押圧荷重の変化率が、前記平均変化率と比べて所定値以上減少した際の押圧荷重に基づいて、前記第２の荷重基準を設定する、請求項１または２に記載の入力装置。

[請求項5] 前記荷重検出部が検出する押圧荷重の時間的な変化率を所定期間毎に算出する荷重変化率算出部をさらに備え、

前記制御部は、前記荷重検出部が前記第１の荷重基準を満たす押圧

荷重を検出した後の第１の所定期間における押圧荷重の変化率が、当該第１所定期間の直前の第２の所定期間における押圧荷重の変化率と比べて所定値以上減少した際の押圧荷重に基づいて、前記第２の荷重基準を設定する、請求項１または２に記載の入力装置。

[請求項6]　前記荷重検出部が検出する押圧荷重の時間的な変化率を算出する荷重変化率算出部をさらに備え、

前記制御部は、前記荷重検出部が前記第１の荷重基準を満たす押圧荷重を検出した後における押圧荷重の変化率が、第１の所定値以下に減少してから第２の所定値以上に増大した際の押圧荷重に基づいて、前記第２の荷重基準を設定する、請求項１または２に記載の入力装置。

[請求項7]　前記荷重検出部が押圧荷重を検出してから前記第１の荷重基準を満たす押圧荷重を検出するまでの間における押圧荷重の平均変化率を算出するとともに、前記荷重検出部が検出する押圧荷重の時間的な変化率を算出する荷重変化率算出部をさらに備え、

前記制御部は、前記荷重検出部が前記第１の荷重基準を満たす押圧荷重を検出した後の所定期間における押圧荷重の変化率が、第１の所定値以下に減少してから増大して、前記平均変化率との差が第２の所定値以内となった際の押圧荷重に基づいて、前記第２の荷重基準を設定する、請求項１または２に記載の入力装置。

[請求項8]　前記荷重検出部が検出する押圧荷重の時間的な変化率を所定期間毎に算出する荷重変化率算出部をさらに備え、

前記制御部は、前記荷重検出部が前記第１の荷重基準を満たす押圧荷重を検出した後の第１の所定期間における押圧荷重の変化率が、第１の所定値以下に減少してから、当該第１の所定期間の直前の第２の所定期間における押圧荷重の変化率と比べて第２の所定値以上増大した際の押圧荷重に基づいて、前記第２の荷重基準を設定する、請求項１または２に記載の入力装置。

[請求項9]　音、振動、表示のうち少なくとも１つを用いた報知情報を発生する報知情報発生部をさらに備え、

前記制御部は、前記荷重検出部により検出される押圧荷重が第１の荷重基準を満たした際に、前記報知情報発生部が前記報知情報を発生するように制御する、請求項１乃至８の何れか１項に記載の入力装置。

[請求項10]　押圧荷重に応じて複数段階の入力を受け付ける入力装置を用いる入力方法であって、

押圧による入力の押圧荷重を検出する荷重検出ステップと、

前記荷重検出ステップにおいて、第１段階の入力を受け付ける第１の荷重基準を満たす押圧荷重が検出される毎に、第２段階の入力を受け付ける第２の荷重基準を設定するように制御するステップと、

を有することを特徴とする入力方法。

2. Documents and Descriptions

Document 1: JP 4-369976 A (Canon Inc.) December 22, 1992, full text and figures (no patent family)

Document 2: JP 2005-352927 A (Sony Corporation) December 22, 2005, full text and figures (no patent family)

Document 3: JP 2005-108036 A (Toshiba Corporation) April 21, 2005, full text and figures (no family patent)

Configuring a control unit to control to set a second load standard for receiving a second level input whenever a load detection unit detects a pressure load satisfying a first load standard for receiving a first level input in an input apparatus for receiving inputs of a plurality of levels in accordance with pressure loads of the invention in claims 1 to 10 is not described in the documents cited in the international search report, and thus is not obvious for a person skilled in the art.

Certain observations on the international application

The written opinion on the international application drafted by the JPO as the International Searching Authority clearly indicates that the inventions in claims 1 to 10 of the present application are novel, involve an inventive step and are industrially applicable.

As the certain observations on the international application (Box No. VIII) in the written opinion of the International Searching Authority, it is stated that to which value “the second load standard for accepting the second level input" is set is unclear in claims 1 to 10 and thus the inventions cannot be identified clearly.

However, the applicant considers that, for a person ordinarily skilled in the art to which the inventions pertain, to which value “the second load standard for accepting the second level input" is set is clear as in the case of “the first load standard for accepting the first level input” by taking into consideration the claims 1 to 10 of the present application, the originally filed specification and figures, and thus a person ordinarily skilled in the art can clearly identify the present invention.

Therefore, the applicant considers that the inventions described in claims 1 to 10 are patentable.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 10P00771WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2010/002966	International filing date *(day/month/year)* 23 April 2010 (23.04.2010)	Priority date *(day/month/year)* 24 April 2009 (24.04.2009)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KYOCERA Corporation		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☒	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 22 November 2011 (22.11.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Masashi Honda e-mail: pt08.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	13.07.2010
Applicant's or agent's file reference 10P00771WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/002966	23.04.2010	24.04.2009

International Patent Classification (IPC) or both national classification and IPC
G06F3/023, G06F3/02, G06F3/041, H01H13/64, H03M11/24

Applicant
KYOCERA Corporation

1. This opinion contains indications relating to the following items:

- ☒ Box No. I — Basis of the opinion
- ☐ Box No. II — Priority
- ☐ Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV — Lack of unity of invention
- ☒ Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI — Certain documents cited
- ☐ Box No. VII — Certain defects in the international application
- ☒ Box No. VIII — Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002966

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

☒ the international application in the language in which it was filed

☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

a. (means)

☐ on paper

☐ in electronic form

b. (time)

☐ in the international application as filed

☐ together with the international application in electronic form

☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002966

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	1-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 4-369976 A (Canon Inc.), 22 December 1992, entire text; all drawings (Family: none)

Document 2: JP 2005-352927 A (Sony Corp.), 22 December 2005, entire text; all drawings (Family: none)

Document 3: JP 2005-108036 A (Toshiba Corp.), 21 April 2005, entire text; all drawings (Family: none)

None of the documents cited in the ISR discloses the feature of the invention as in claims 1-10 of an input device that receives inputs at multiple levels according to pressure loads, wherein every time a pressure load that satisfies a first load standard for receiving an input at a first level is detected, control is performed so as to set a second load standard for receiving an input at a second level, and said feature would not be obvious to a person skilled in the art.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002966

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1 and 10 indicate that "every time a pressure load that satisfies a first load standard for receiving an input at a first level is detected, control is performed so as to set a second load standard for receiving an input at a second level." However, to what value the "second load standard for receiving an input at a second level" is to be set is unclear, and the invention cannot be clearly understood.

Further, in claims 2-9, to what value the "second load standard for receiving an input at a second level" is to be set is unclear, and the invention cannot be clearly understood.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/002966

A. CLASSIFICATION OF SUBJECT MATTER
G06F3/023(2006.01)i, *G06F3/02*(2006.01)i, *G06F3/041*(2006.01)i, *H01H13/64*(2006.01)i, *H03M11/24*(2006.01)i

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
G06F3/023, G06F3/02, G06F3/041, H01H13/64, H03M11/24

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2010
Kokai Jitsuyo Shinan Koho	1971-2010	Toroku Jitsuyo Shinan Koho	1994-2010

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 4-369976 A (Canon Inc.), 22 December 1992 (22.12.1992), entire text; all drawings (Family: none)	1-10
A	JP 2005-352927 A (Sony Corp.), 22 December 2005 (22.12.2005), entire text; all drawings (Family: none)	1-10
A	JP 2005-108036 A (Toshiba Corp.), 21 April 2005 (21.04.2005), entire text; all drawings (Family: none)	1-10

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search 02 July, 2010 (02.07.10)	Date of mailing of the international search report 13 July, 2010 (13.07.10)
Name and mailing address of the ISA/ Japanese Patent Office Facsimile No.	Authorized officer Telephone No.

Form PCT/ISA/210 (second sheet) (July 2009)

特 許 協 力 条 約

Received
2010. 7. 14
SUGIMURA

発信人　日本国特許庁（国際調査機関）

代理人
杉村　憲司
様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号
霞が関コモンゲート西館３６階

PCT

国際調査報告及び国際調査機関の見解書
又は国際調査報告を作成しない旨の決定
の送付の通知書
（法施行規則第41条）
［ＰＣＴ規則44.1］

出願人又は代理人 の書類記号　10P00771WO	今後の手続きについては、下記１及び４を参照。
国際出願番号 ＰＣＴ／ＪＰ２０１０／００２９６６	国際出願日 （日.月.年）　２３．０４．２０１０
出願人（氏名又は名称） 京セラ株式会社	

発送日
（日.月.年）　１３．０７．２０１０

1．☑ 国際調査報告及び国際調査機関の見解書が作成されたこと、及びこの送付書とともに送付することを、出願人に通知する。
ＰＣＴ19条の規定に基づく補正書及び説明書の提出
出願人は、国際出願の請求の範囲を補正することができる（ＰＣＴ規則46参照）。
いつ　補正書の提出期間は、通常国際調査報告の送付の日から２月である。
どこへ　直接次の場所へ　The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: +41 22 338 82 70
詳細な手続については、添付用紙の備考を参照すること。

2．☐ 国際調査報告が作成されないこと、及び法第8条第2項（ＰＣＴ17条(2)(a)）の規定による国際調査報告を作成しない旨の決定及び国際調査機関の見解書をこの送付書とともに送付することを、出願人に通知する。

3．☐ 法施行規則第44条（ＰＣＴ規則40.2）に規定する追加手数料の納付に対する異議の申立てに関して、出願人に下記の点を通知する。
☐ 異議の申立てと当該異議についての決定を、その異議の申し立てと当該異議についての決定の両方を指定官庁へ送付することを求める出願人の請求とともに、国際事務局へ送付した。
☐ 当該異議についての決定は、まだ行われていない。決定されしだい出願人に通知する。

4．今後の手続：　出願人は次の点に注意すること。
優先日から１８月経過後、国際出願は国際事務局によりすみやかに国際公開される。出願人が公開の中止又は延期を望むときは、国際出願又は優先権の主張の取下げの通知がＰＣＴ規則90の2.1及び90の2.3にそれぞれ規定されているように、国際公開の事務的な準備が完了する前に国際事務局に到達しなければならない。
出願人は、国際調査機関の見解書に対して、非公式コメントを提出することができる。国際事務局は、国際予備審査報告が作成された場合又は作成される場合を除いて、このコメントをすべての指定官庁に送付する。これらのコメントは公開されるが、優先日から３０月が経過するまでは公開されない。
いくつかの指定官庁については、出願人が国内段階の開始を優先日から３０月まで（官庁によってはさらに遅くまで）延期することを望むときは、優先日から１９月以内に、国際予備審査の請求書が提出されなければならない。そうでなければ、出願人はそれらの指定官庁に対して優先日から２０月以内に、国内段階の開始のための所定の手続を取らなければならない。
その他の指定官庁については、１９月以内に国際予備審査の請求書が提出されない場合にも、３０月の（あるいはさらに遅い）期限が適用される。
様式ＰＣＴ／ＩＢ／３０１の付属書類を参照。個々の指定官庁で適用される期限の詳細については、ＰＣＴ出願人の手引、国内段階を参照。

名称及びあて名 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	権限のある職員　5E　3790 特　許　庁　長　官 電話番号　０３－３５８１－１１０１　内線　３５２１

様式ＰＣＴ／ＩＳＡ／２２０　（２００９年７月）　（添付用紙を参照）

注　　意

1．国際調査報告の発送日から起算する条約第19条（1）及び規則46.1に従う国際事務局への補正期間に注意してください。

2．条約22条（2）に規定する期間に注意してください。

3．法律又は契約等の制限により、国際調査報告に記載した非特許文献の写しの一部又は全てが送付されない場合があります。

4．文献の写しの請求について

国際調査報告に記載した文献の複写

特許庁にこれらの引用文献の写しを請求することもできますが、独立行政法人工業所有権情報・研修館（特許庁庁舎２階）で公報類の閲覧・複写および公報以外の文献複写等の取り扱いをしています。

〔担当及び照会先〕

〒１００－００１３　東京都千代田区霞が関３丁目４番３号（特許庁庁舎２階）

独立行政法人工業所有権情報・研修館

【公 報 類】　閲覧部　ＴＥＬ　03－3581－1101　内線3811～2

【公報以外】　資料部　ＴＥＬ　03－3581－1101　内線3831～3

注意　特許庁に対して文献の写しの請求をすることができる期間は、国際出願日から７年です。

様式ＰＣＴ／ＩＳＡ／２２０の備考

この備考は、ＰＣＴ19条の規定に基づく補正書の提出に関する基本的な指示を与えるためのものである。この備考は特許協力条約並びにこの条約に基づく規則及び実施細則の規定に基づいている。この備考とそれらの規定とが相違する場合には、後者が適用される。詳細な情報については、ＰＣＴ出願人の手引も参照すること。

ＰＣＴ19条の規定に基づく補正書の提出に関する指示

出願人は、国際調査報告及び国際調査機関の見解書を受領した後、国際出願の請求の範囲を補正する機会が一回ある。しかし、国際出願のすべての部分（請求の範囲、明細書及び図面）が、国際予備審査の手続においても補正できるもので、例えば出願人が仮保護のために補正書を公開することを希望する場合又は国際公開前に請求の範囲を補正する別の理由がある場合を除き、通常ＰＣＴ19条の規定に基づく補正書を提出する必要はないことを強調しておく。さらに、仮保護は一部の国のみで与えられるだけであることも強調しておく（ＰＣＴ出願人の手引、附録Ｂ参照）。

国際調査機関がＰＣＴ17条(2)の規定により国際調査報告を作成しない旨の決定をしたときは、ＰＣＴ19条の規定により請求の範囲を補正することができないことに、出願人は注意されたい（ＰＣＴ出願人の手引き、国際段階、第296段落参照）。

補正の対象となるもの

ＰＣＴ19条の規定により請求の範囲のみ補正することができる。
国際段階においてＰＣＴ34条の規定に基づく国際予備審査の手続きにおいて請求の範囲を（更に）補正することができる。
明細書及び図面は、ＰＣＴ34条の規定に基づく国際予備審査の手続においてのみ補正することができる。
国内段階に移行する際、ＰＣＴ28条（又はＰＣＴ41条）の規定により、国際出願のすべての部分を補正することができる。

いつ

国際調査報告の送付の日から２月又は優先日から１６月の内どちらか遅く満了するほうの期間内。しかし、その期間の満了後であっても国際公開の技術的な準備の完了前に国際事務局が補正を受領した場合には、その補正書は、期間内に受理されたものとみなすことを強調しておく（ＰＣＴ規則46.1）。

補正書を提出すべきところ

補正書は、国際事務局のみに提出でき、受理官庁又は国際調査機関には提出してはいけない（ＰＣＴ規則46.2）。
国際予備審査の請求書を提出した／する場合については、以下を参照すること。

どのように

１以上の請求の範囲の削除、１以上の新たな請求の範囲の追加、又は１以上の請求の範囲の記載の補正による。
すでに提出したすべての請求の範囲を差し替えるための完全な一式の請求の範囲を含む差し替え用紙を提出しなければならない。請求の範囲を削除する場合、その他の請求の範囲の番号を付け直す必要はない。請求の範囲の番号を付け直す場合には、アラビア数字で連続番号で付け直さなければならない（実施細則205号(a)）。
補正は国際公開の言語で行う。

補正書にどのような書類を添付しなければならないか

書簡（ＰＣＴ実施細則第205号(b)）

補正書には書簡を添付しなければならない。
書簡は国際出願及び補正された請求の範囲とともに公開されることはない。これを「ＰＣＴ19条(1)に規定する説明書」と混同してはならない（「ＰＣＴ19条(1)に規定する説明書」については、以下を参照）。
書簡は、英語又は仏語を選択しなければならない。ただし、国際出願の言語が英語の場合、書簡は英語で、仏語の場合、書簡は仏語で記載しなければならない。
書簡には、出願時の請求の範囲と補正された請求の範囲との相違について表示しなければならない。特に、国際出願に記載した各請求の範囲との関連で次の表示（２以上の請求の範囲についての同一の表示する場合は、まとめることができる。）をしなければならない。

(i) この請求の範囲は変更しない。
(ii) この請求の範囲は削除する。
(iii) この請求の範囲は追加である。
(iv) この請求の範囲は出願時の１以上の請求の範囲と差し替える。
(v) この請求の範囲は出願時の請求の範囲の分割の結果である。

次に、添付する書簡中での、補正についての説明の例を示す。

１．［請求の範囲の一部の補正によって請求の範囲の項数が４８から５１になった場合］：
“請求の範囲１－２９、３１、３２、３４、３５、３７－４８項は、同じ番号のもとに補正された請求の範囲と置き換えられた。請求の範囲３０、３３及び３６項は変更なし。新たに請求の範囲４９－５１項が追加された。”
２．［請求の範囲の全部の補正によって請求の範囲の項数が１５から１１になった場合］：
“請求の範囲１－１５項は、補正された請求の範囲１－１１項に置き換えられた。”
３．［原請求の範囲の項数が１４で、補正が一部の請求の範囲の削除と新たな請求の範囲の追加を含む場合］：
“請求の範囲１－６及び１４項は変更なし。請求の範囲７－１３は削除。新たに請求の範囲１５、１６及び１７項を追加。”又は
“請求の範囲７－１３は削除。新たに請求の範囲１５、１６及び１７項を追加。その他の全ての請求の範囲は変更なし。”
４．［各種の補正がある場合］：
“請求の範囲１－１０項は変更なし。請求の範囲１１－１３、１８及び１９項は削除。請求の範囲１４、１５及び１６項は補正された請求の範囲１４項に置き換えられた。請求の範囲１７項は補正された請求の範囲１５、１６及び１７項に分割された。新たに請求の範囲２０及び２１項が追加された。”

“ＰＣＴ19条(1)の規定に基づく説明書”（ＰＣＴ規則46.4）

補正書には、補正並びにその補正が明細書及び図面に与える影響についての説明書を提出することができる（明細書及び図面はＰＣＴ19条(1)の規定に基づいては補正できない）。

説明書は、国際出願及び補正された請求の範囲とともに公開される。

説明書は、国際公開の言語で作成しなければならない。

説明書は、簡潔でなければならず、英語の場合又は英語に翻訳した場合に５００語を越えてはならない。

説明書は、出願時の請求の範囲と補正された請求の範囲との相違を示す書簡と混同してはならない。説明書を、その書簡に代えることはできない。説明書は別紙で提出しなければならず、見出しを付すものとし、その見出しは“ＰＣＴ19条(1)の規定に基づく説明書”の語句を用いることが望ましい。

説明書には、国際調査報告又は国際調査報告に列記された文献との関連性に関して、これらを誹謗する意見を記載してはならない。国際調査報告に列記された特定の請求の範囲に関連する文献についての言及は、当該請求の範囲の補正に関してのみ行うことができる。

国際予備審査の請求書が提出されている場合

ＰＣＴ19条の規定に基づく補正書及び添付する説明書の提出の時に国際予備審査の請求書が既に提出されている場合には、出願人は、補正書（及び説明書）を国際事務局に提出すると同時にその写し及び必要な場合、その翻訳文を国際予備審査機関にも提出することが望ましい（ＰＣＴ規則55.3(a)、62.2の第１文を参照）。詳細は国際予備審査請求書（ＰＣＴ／ＩＰＥＡ／４０１）の注意書参照。

国際予備審査の請求がされた場合は、国際予備審査機関が国際調査機関としては行動しておらず、ＰＣＴ規則66.1の2(b)の規定による国際事務局への通告がなされているという特定の場合を除いて、国際調査機関の見解書は国際予備審査機関の見解書とみなされる。国際予備審査の請求がされると、様式ＰＣＴ／ＩＳＡ２２０の送付日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる（ＰＣＴ規則43の2.1(c)）。

国内段階に移行するための国際出願の翻訳に関して

国内段階に移行する際、ＰＣＴ19条の規定に基づいて補正された請求の範囲の翻訳を出願時の請求の範囲の翻訳の代わりに又は追加して、指定官庁／選択官庁に提出しなければならないこともあるので、出願人は注意されたい。

指定官庁／選択官庁の詳細な要求については、ＰＣＴ出願人の手引きの国内段階を参照。

特 許 協 力 条 約

Received
2010. 7. 14
SUGIMURA

PCT

国際調査報告

（法８条、法施行規則第 40、41 条）
〔ＰＣＴ18 条、ＰＣＴ規則 43、44〕

出願人又は代理人 の書類記号　10P00771WO	今後の手続きについては、様式ＰＣＴ／ＩＳＡ／２２０ 及び下記５を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２０１０／００２９６６	国際出願日 (日.月.年)　２３．０４．２０１０	優先日 (日.月.年)　２４．０４．２００９
出願人（氏名又は名称） 京セラ株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条（ＰＣＴ18条）の規定に従い出願人に送付する。
この写しは国際事務局にも送付される。

この国際調査報告は、全部で　2　ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

１．国際調査報告の基礎

ａ．言語に関し、この国際調査は以下のものに基づき行った。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿ 語に翻訳された、
この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

ｂ．☐ この国際調査報告は、ＰＣＴ規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則43.6の2(a)）。

ｃ．☐ この国際出願は、ヌクレオチド又はアミノ酸配列を含んでいる（第Ｉ欄参照）。

２．☐ 請求の範囲の一部の調査ができない（第Ⅱ欄参照）。

３．☐ 発明の単一性が欠如している（第Ⅲ欄参照）。

４．発明の名称は

☑ 出願人が提出したものを承認する。

☐ 次に示すように国際調査機関が作成した。

＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿

５．要約は

☑ 出願人が提出したものを承認する。

☐ 第Ⅳ欄に示されているように、法施行規則第47条第１項（ＰＣＴ規則38.2）の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から１月以内にこの国際調査機関に意見を提出することができる。

６．図面に関して

ａ．要約書とともに公表される図は、
第　1　図とする。

☑ 出願人が示したとおりである。

☐ 出願人は図を示さなかったので、国際調査機関が選択した。

☐ 本図は発明の特徴を一層よく表しているので、国際調査機関が選択した。

ｂ．☐ 要約とともに公表される図はない。

国際調査報告

国際出願番号　ＰＣＴ／ＪＰ２０１０／００２９６６

A.　発明の属する分野の分類（国際特許分類（ＩＰＣ））

Int.Cl.　G06F3/023(2006.01)i, G06F3/02(2006.01)i, G06F3/041(2006.01)i, H01H13/64(2006.01)i, H03M11/24(2006.01)i

B.　調査を行った分野

調査を行った最小限資料（国際特許分類（ＩＰＣ））

Int.Cl.　G06F3/023, G06F3/02, G06F3/041, H01H13/64, H03M11/24

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	１９２２－１９９６年
日本国公開実用新案公報	１９７１－２０１０年
日本国実用新案登録公報	１９９６－２０１０年
日本国登録実用新案公報	１９９４－２０１０年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

C.　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 4-369976 A (キヤノン株式会社) 1992.12.22, 全文, 全図 (ファミリーなし)	1-10
A	JP 2005-352927 A (ソニー株式会社) 2005.12.22, 全文, 全図 (ファミリーなし)	1-10
A	JP 2005-108036 A (株式会社東芝) 2005.04.21, 全文, 全図 (ファミリーなし)	1-10

☐　Ｃ欄の続きにも文献が列挙されている。

☐　パテントファミリーに関する別紙を参照。

＊　引用文献のカテゴリー
「A」特に関連のある文献ではなく、一般的技術水準を示すもの
「E」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「L」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献（理由を付す）
「O」口頭による開示、使用、展示等に言及する文献
「P」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「T」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「X」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Y」特に関連のある文献であって、当該文献と他の１以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「&」同一パテントファミリー文献

国際調査を完了した日	国際調査報告の発送日
０２．０７．２０１０	１３．０７．２０１０

国際調査機関の名称及びあて先
日本国特許庁（ＩＳＡ／ＪＰ）
郵便番号１００－８９１５
東京都千代田区霞が関三丁目４番３号

特許庁審査官（権限のある職員）　５Ｅ　３７９０
岩橋　龍太郎
電話番号　０３－３５８１－１１０１　内線　３５２１

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
　杉村　憲司
　　様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号
霞が関コモンゲート西館３６階

ＰＣＴ
国際調査機関の見解書
（法施行規則第 40 条の 2）
〔ＰＣＴ規則 43 の 2.1〕

発送日 (日.月.年)　１３．０７．２０１０	
出願人又は代理人 の書類記号　10P00771WO	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２０１０／００２９６６	(日.月.年)　２３．０４．２０１０	(日.月.年)　２４．０４．２００９

国際特許分類（ＩＰＣ）Int.Cl. G06F3/023(2006.01)i, G06F3/02(2006.01)i, G06F3/041(2006.01)i, H01H13/64(2006.01)i, H03M11/24(2006.01)i

出願人（氏名又は名称）
京セラ株式会社

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　ＰＣＴ規則 43 の 2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☑ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則 66.1 の 2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
０２．０７．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	５Ｅ	３７９０
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	岩橋　龍太郎 電話番号　０３－３５８１－１１０１　内線　３５２１		

国際調査機関の見解書

国際出願番号 ＰＣＴ／ＪＰ２０１０／００２９６６

第Ⅰ欄　見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（ＰＣＴ規則12.3(a)及び23.1(b)）

2．☐ この見解書は、ＰＣＴ規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 43 の 2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段　☐ 紙形式

☐ 電子形式

b．提出時期　☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／００２９６６

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	1-10	有
	請求項		無
進歩性（ＩＳ）	請求項	1-10	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1-10	有
	請求項		無

２．　文献及び説明

文献１：JP 4-369976 A（キヤノン株式会社）1992.12.22，全文，全図
（ファミリーなし）

文献２：JP 2005-352927 A（ソニー株式会社）2005.12.22，全文，全図
（ファミリーなし）

文献３：JP 2005-108036 A（株式会社東芝）2005.04.21，全文，全図
（ファミリーなし）

請求項１－１０に係る発明の、押圧荷重に応じて複数段落の入力を受け付ける入力装置において、第１段階の入力を受け付ける第１の荷重基準を満たす押圧荷重を検出する毎に、第２段階の入力を受け付ける第２の荷重基準を設定するように制御することは、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Ⅷ欄　国際出願に対する意見

請求の範囲、明細書及び図面の明瞭性又は請求の範囲の明細書による十分な裏付についての意見を次に示す。

請求項１及び１０において、「第１段階の入力を受け付ける第１の荷重基準を満たす押圧荷重を検出する毎に、第２段階の入力を受け付ける第２の荷重基準を設定するように制御する」と記載されているが、「第２段階の入力を受け付ける第２の荷重基準」を、どのような値に設定するのか不明確であり、発明を明確に把握できない。

また、請求項２－９においても、「第２段階の入力を受け付ける第２の荷重基準」を、どのような値に設定するのか不明確であり、発明を明確に把握できない。

国際出願に対する意見について

当該国際出願について国際調査機関としての日本国特許庁が作成した見解書において、本願の請求項１－１０に記載の発明は、新規性、進歩性、および産業上の利用可能性をいずれも有するとの判断が明示されている。

なお、本願について国際調査機関の見解書における第 VIII 欄の国際出願に対する意見として、請求項１－１０において、「第２段階の入力を受け付ける第２の荷重基準」をどのような値に設定するのか不明確であり、発明を明確に特定できない、との意見が述べられている。

しかしながら、本願の特許請求の範囲における請求項１乃至１０、出願当初明細書、及び図面を参酌することにより、当該発明の属する技術の分野における通常の知識を有する者であれば、「第２段階の入力を受け付ける第２の荷重基準」をどのような値に設定するのかは、「第１段階の入力を受け付ける第１の荷重基準」と同様に明確であり、本願発明を明確に特定することができると出願人は思料する。

したがって、本願の特許請求の範囲における請求項１乃至１０に記載の発明は、いずれも特許可能であると出願人は思料する。

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
APR 12 2012
OFFICE OF PETITIONS

Studebaker & Brackett PC
One Fountain Square
11911 Freedom Drive, Suite 750
Reston VA 20190

In re Application of : DECISION ON REQUEST TO
Junichi UJII et al. : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/265,738 : AND PETITION TO MAKE SPECIAL
Filed: October 21, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: 005000-K00008
For: INPUT APPARATUS AND INPUT METHOD

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed March 23, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH 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) using the document description: Petition to make special under Patent Pros. Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

This application will be forwarded to Technology Center Art Unit 2612 for action commensurate with this decision.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BELL & ASSOCIATES
58 WEST PORTAL AVENUE NO. 121
SAN FRANCISCO CA 94127

MAILED
FEB 29 2012
OFFICE OF PETITIONS

In re Application of
Howard Marc GOLD
Application No.: 13/265,877
Filed: October 23, 2011
Attorney Docket No.: ip21_P11370US
For: COOKING CONTAINER AND COOKING METHOD

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed October 26, 2011.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the UK IPO, note where the UK IPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the UK IPO application with similar claims and the UK IPO priority application;

(2) Applicant must submit a copy of:
The allowable/patentable claim(s) from the UK IPO application(s);

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UK IPO application(s); and
b. Submit a claims correspondence table;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

A copy of all of the office actions from each of the UK IPO application(s) containing the allowable/patentable claims that are the basis for the request or request that the USPTO obtain a copy from the UK IPO. If the USPTO is not able to obtain a copy of all of the office actions from the UK IPO, the applicant will be notified and requested to provide the necessary documents.

(6) Applicant must submit:

a. An IDS listing the documents cited by the UK IPO examiner in the UK IPO office action (unless already submitted in this application); and
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application)

Conditions (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet conditions (3).

Regarding the requirement of condition (3), the claims in the U.S. application do not sufficiently correspond to the allowable/patentable claim(s) in the UK IPO application.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively. .

Telephone inquiries concerning this decision should be directed to Michelle R. Eason at 571-272-4231.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Thurman K. Page
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

BELL & ASSOCIATES
58 West Portal Avenue No. 121
SAN FRANCISCO CA 94127

MAILED
MAR 20 2012
OFFICE OF PETITIONS

In re Application of
Howard Marc GOLD
Application No.: 13/265,877
Filed: October 23, 2011
Attorney Docket No.: ip21_P11370US
For: COOKING CONTAINER AND COOKING METHOD

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program filed on March 15, 2012.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the UK IPO, note where the UK IPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the UK IPO application with similar claims and the UK IPO priority application;

(2) Applicant must submit a copy of:
The allowable/patentable claim(s) from the UK IPO application(s);

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UK IPO application(s); and
b. Submit a claims correspondence table;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

A copy of all of the office actions from each of the UK IPO application(s) containing the allowable/patentable claims that are the basis for the request or request that the USPTO obtain a copy from the UK IPO. If the USPTO is not able to obtain a copy of all of the office actions from the UK IPO, the applicant will be notified and requested to provide the necessary documents.

(6) Applicant must submit:

a. An IDS listing the documents cited by the UK IPO examiner in the UK IPO office action (unless already submitted in this application); and
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application)

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once the formalities review has been completed.

Any inquiry regarding this decision should be directed to Michelle R. Eason at (571) 272-4231.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Thurman K. Page
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652

Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2015. 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 JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/265,903	First Named Inventor:	Yasushi SASAKI
Filing Date:	October 24, 2011	Attorney Docket No.:	005000-K00010
Title of the Invention:	INPUT APPARATUS		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML.

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PILOT PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PILOT PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/002965

The international filing date of the corresponding PCT application(s) is/are: April 23, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

- ☑ is attached.
- ☐ is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s)**

- ☑ is attached.
- ☐ is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

- ☐ is attached.
- ☑ has already been filed in the above-identified U.S. application on October 24, 2011

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)

- ☐ are attached.
- ☑ have already been filed in the above-identified U.S. application on October 24, 2011

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2015. OMB 0651-0058
U.S. Patent and Trademark Office; U.S DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/265,903	First Named Inventor:	Yasushi SASAKI

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT application	Explanation regarding the correspondence
1	2	Claim 1 is substantially identical to PCT Claim 1
1	2	Claim 2 is substantially identical to PCT Claim 2

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Donald R. Studebaker/	Date March 26, 2012
Name (Print/Typed) Donald R. Studebaker	Registration Number 32815

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.

CERTIFICATE OF VERIFICATION

I, Akihito OKURA, c/o Sugimura International Patent & Trademark Attorneys, Kasumigaseki Common Gate West Tower 36F, Kasumigaseki 3-2-1, Chiyoda-ku, Tokyo 100-0013, Japan, state that I am well acquainted with both the Japanese and the English languages and that the attached document is a true and complete translation to the best of my knowledge and belief of the claims which have been indicated as being in condition for allowance in International Application No. PCT/JP2010/002965 which corresponds to Japanese Application No. 2009-106824 upon which the present application claims the priority under 35 U.S.C. 119.

Dated this 28th day of November, 2011.

Akihito OKURA

(signature of translator)

Akihito OKURA

(printed name of translator)

CLAIMS

1. An input apparatus comprising:

a display unit configured to display objects of folders arranged in a hierarchical structure;

an input unit configured to receive a pressing input to the display unit;

a load detection unit configured to detect a pressure load on the input unit; and

a control unit, if the load detection unit continuously detects a pressure load not satisfying a predetermined load standard for a predetermined period after satisfying the predetermined load standard while the display unit is displaying objects of open folders, configured to control to close a lowest folder among the open folders.

2. An input apparatus comprising:

a display unit configured to display objects of folders arranged in a hierarchical structure;

an input unit configured to receive a pressing input to the display unit;

a load detection unit configured to detect a pressure load on the input unit; and

a control unit, if the load detection unit detects a pressure load changing from a state not satisfying a first load standard to a state satisfying the first load standard while the input unit is receiving the pressing input at a position corresponding to an object of a folder displayed on the display unit, configured to control to open the folder, and after the folder is opened, if the load detection unit continuously detects the pressure load not satisfying a second load standard lower than the first load standard for a predetermined period after satisfying the second load standard, to control to close a lowest folder among the open folders.

2. Documents and Descriptions

Document 1: JP 2000-207079 A (Hitachi Ltd.) July 28, 2000, Paragraphs [0018] to [0061] and FIGS. 1 to 8 (no patent family)

Document 2: JP 2008-508628 A (Koninklike Philips Electronics N. V.) March 21, 2008, full text and figures, US2008/0094367 A1, EP1776630 A, WO2006/013485 A2 and CN1993672 A

Document 3: JP 2001-202192A (Sony Corporation) July 27, 2001, full text and figures (no patent family)

Document 4: JP 2004-070492 A (Hitachi Ltd.) March 4, 2004, full text and figures, and US6940494 B2

Document 5: JP 8-511637 A (Apple Inc.) December 3, 1996, line 28 on page 15 to line 24 on page 20, FIGS. 1 to 3, US6307545 B1, EP0702811 A and WO 94/029787 A1

Configuring a control unit to control to close a lowest folder among open folders if a load detection unit continuously detects a pressure load not satisfying a predetermined load standard for a predetermined period of time after change of a state from satisfying the predetermined load standard to not satisfying the predetermined load standard, while an object of the open folder is displayed on a display unit, of the invention in claim 1 is not described in any documents cited in the international search report, and thus is not obvious for a person skilled in the art.

Configuring a control unit to control to open a folder if a load detection unit detects a pressure load to an input unit corresponding to a position of an object of a folder displayed on a display unit changing from a state not satisfying a first load standard to a state satisfying it, and after the folder is opened, configuring a control unit to control to close a lowest folder among open folders if the load detection unit continuously detects a pressure load not satisfying a second load standard for a predetermined period of time after change of a state from satisfying the second load standard lower than the first load standard to not satisfying it, is not described in any documents cited in the international search report, and thus is not obvious for a person skilled in the art.

請求の範囲

[請求項1] 階層構造を有するフォルダのオブジェクトを表示する表示部と、

前記表示部に対する押圧入力を受け付ける入力部と、

前記入力部に対する押圧荷重を検出する荷重検出部と、

前記表示部にオープンされているフォルダのオブジェクトを表示している際に、前記荷重検出部が、所定の荷重基準を満たす状態から満たさない状態へ変化した後の当該所定の荷重基準を満たさない押圧荷重を所定期間継続して検出した場合、当該オープンされているフォルダのうち最下層のフォルダをクローズするように制御する制御部と、

を備えることを特徴とする入力装置。

[請求項2] 階層構造を有するフォルダのオブジェクトを表示する表示部と、

前記表示部に対する押圧入力を受け付ける入力部と、

前記入力部に対する押圧荷重を検出する荷重検出部と、

前記入力部が前記表示部に表示された前記フォルダのオブジェクトの位置に対応する押圧入力を受け付けている状態で、前記荷重検出部が第１の荷重基準を満たさない状態から満たす状態へ変化する押圧荷重を検出した場合、当該フォルダをオープンするように制御するとともに、該フォルダがオープンされた後は、前記荷重検出部が前記第１の荷重基準より低い第２の荷重基準を満たす状態から満たさない状態へ変化した後の当該第２の荷重基準を満たさない押圧荷重を所定期間継続して検出した場合、当該オープンされているフォルダのうち最下層のフォルダをクローズするように制御する制御部と、

を備えることを特徴とする入力装置。

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference 10P00773WO	**FOR FURTHER ACTION**	See item 4 below
International application No. PCT/JP2010/002965	International filing date *(day/month/year)* 23 April 2010 (23.04.2010)	Priority date *(day/month/year)* 24 April 2009 (24.04.2009)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KYOCERA Corporation		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

   In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis* .2).

	Date of issuance of this report 22 November 2011 (22.11.2011)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Masashi Honda e-mail: pt08.pct@wipo.int

Form PCT/IB/373 (January 2004)

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	22.06.2010
Applicant's or agent's file reference 10P00773WO	FOR FURTHER ACTION See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/002965	23.04.2010	24.04.2009

International Patent Classification (IPC) or both national classification and IPC
G06F3/048, G06F3/041

Applicant
KYOCERA Corporation

1. This opinion contains indications relating to the following items:

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [x] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002965

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/002965

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1, 2	YES
	Claims		NO
Inventive step (IS)	Claims	1, 2	YES
	Claims		NO
Industrial applicability (IA)	Claims	1, 2	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2000-207079 A (Hitachi, Ltd.), 28 July 2000, paragraphs [0018] to [0061]; fig. 1 to 8 (Family: none)

Document 2: JP 2008-508628 A (Koninklijke Philips Electronics N.V.), 21 March 2008, entire text; all drawings & US 2008/0094367 A1 & EP 1776630 A & WO 2006/013485 A2 & CN 1993672 A

Document 3: JP 2001-202192 A (Sony Corp.), 27 July 2001, entire text; all drawings (Family: none)

Document 4: JP 2004-070492 A (Hitachi, Ltd.), 04 March 2004, entire text; all drawings & US 6940494 B2

Document 5: JP 8-511637 A (Apple Computer, Inc.), 03 December 1996, page 15, line 28 to page 20, line 24; fig. 1 to 3 & US 6307545 B1 & EP 0702811 A & WO 94/029787 A1

None of the documents cited in the ISR discloses the feature of the invention as in claim 1 of performing control so as to close the open folders in the lowermost layer that contains open folders when, while objects in an open folder are displayed on a display unit, after a change from a state

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

in which a prescribed load criterion is satisfied to a state in which the prescribed load criterion is not satisfied, a load detection unit continuously detects, over a prescribed time period, a pressure load that does not satisfy the prescribed load criterion. Further, said feature would not be obvious to a person skilled in the art.

None of the documents cited in the ISR discloses the feature of the invention as in claim 2 of performing control so as to open a folder displayed on a display unit when a pressure load that is applied to an input unit and corresponds to the position of an object in said folder changes from a state of not satisfying a first load criterion to a state of satisfying the first load criterion or of performing control so as to close the open folders in the lowermost layer that contains open folders when, after said folder is opened and there is a change from a state in which a second load criterion that is lower than the aforementioned first load criterion is satisfied to a state in which the second load criterion is not satisfied, a load detection unit continuously detects, over a prescribed time period, a pressure load that does not satisfy the second load criterion. Further, said feature would not be obvious to a person skilled in the art.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/002965

A. CLASSIFICATION OF SUBJECT MATTER
G06F3/048(2006.01)i, *G06F3/041*(2006.01)i

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
G06F3/048, G06F3/041

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Jitsuyo Shinan Koho	1922-1996	Jitsuyo Shinan Toroku Koho	1996-2010
Kokai Jitsuyo Shinan Koho	1971-2010	Toroku Jitsuyo Shinan Koho	1994-2010

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2000-207079 A (Hitachi, Ltd.), 28 July 2000 (28.07.2000), paragraphs [0018] to [0061]; fig. 1 to 8 (Family: none)	1,2
A	JP 2008-508628 A (Koninklijke Philips Electronics N.V.), 21 March 2008 (21.03.2008), entire text; all drawings & US 2008/0094367 A1 & EP 1776630 A & WO 2006/013485 A2 & CN 1993672 A	1,2
A	JP 2001-202192 A (Sony Corp.), 27 July 2001 (27.07.2001), entire text; all drawings (Family: none)	1,2

[X] Further documents are listed in the continuation of Box C. [ ] See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search 14 June, 2010 (14.06.10)	Date of mailing of the international search report 22 June, 2010 (22.06.10)
Name and mailing address of the ISA/ Japanese Patent Office	Authorized officer Telephone No.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/JP2010/002965

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 2004-070492 A (Hitachi, Ltd.), 04 March 2004 (04.03.2004), entire text; all drawings & US 6940494 B2	1,2
A	JP 8-511637 A (Apple Computer, Inc.), 03 December 1996 (03.12.1996), page 15, line 28 to page 20, line 24; fig. 1 to 3 & US 6307545 B1 & EP 0702811 A & WO 94/029787 A1	1,2

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
　杉村　憲司
様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号
霞が関コモンゲート西館３６階

PCT

国際調査報告及び国際調査機関の見解書
又は国際調査報告を作成しない旨の決定
の送付の通知書
（法施行規則第41条）
〔PCT規則44.1〕

発送日 （日.月.年）　22. 06. 2010	
出願人又は代理人 の書類記号　10P00773WO	今後の手続きについては、下記1及び4を参照。
国際出願番号 PCT/JP2010/002965	国際出願日 （日.月.年）　23. 04. 2010
出願人（氏名又は名称） 京セラ株式会社	

1．☑ 国際調査報告及び国際調査機関の見解書が作成されたこと、及びこの送付書とともに送付することを、出願人に通知する。
PCT19条の規定に基づく補正書及び説明書の提出
出願人は、国際出願の請求の範囲を補正することができる（PCT規則46参照）。
いつ　補正書の提出期間は、通常国際調査報告の送付の日から２月である。
どこへ　直接次の場所へ　The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: +41 22 338 82 70
詳細な手続については、添付用紙の備考を参照すること。

2．☐ 国際調査報告が作成されないこと、及び法第8条第2項（PCT17条(2)(a)）の規定による国際調査報告を作成しない旨の決定及び国際調査機関の見解書をこの送付書とともに送付することを、出願人に通知する。

3．☐ 法施行規則第44条（PCT規則40.2）に規定する追加手数料の納付に対する異議の申立てに関して、出願人に下記の点を通知する。
☐ 異議の申立てと当該異議についての決定を、その異議の申し立てと当該異議についての決定の両方を指定官庁へ送付することを求める出願人の請求とともに、国際事務局へ送付した。
☐ 当該異議についての決定は、まだ行われていない。決定されしだい出願人に通知する。

4．今後の手続：　出願人は次の点に注意すること。
優先日から１８月経過後、国際出願は国際事務局によりすみやかに国際公開される。出願人が公開の中止又は延期を望むときは、国際出願又は優先権の主張の取下げの通知がPCT規則90の2.1及び90の2.3にそれぞれ規定されているように、国際公開の事務的な準備が完了する前に国際事務局に到達しなければならない。
出願人は、国際調査機関の見解書に対して、非公式コメントを提出することができる。国際事務局は、国際予備審査報告が作成された場合又は作成される場合を除いて、このコメントをすべての指定官庁に送付する。これらのコメントは公開されるが、優先日から３０月が経過するまでは公開されない。
いくつかの指定官庁については、出願人が国内段階の開始を優先日から３０月まで（官庁によってはさらに遅くまで）延期することを望むときは、優先日から１９月以内に、国際予備審査の請求書が提出されなければならない。そうでなければ、出願人はそれらの指定官庁に対して優先日から２０月以内に、国内段階の開始のための所定の手続を取らなければならない。
その他の指定官庁については、１９月以内に国際予備審査の請求書が提出されない場合にも、３０月の（あるいはさらに遅い）期限が適用される。
様式PCT/IB/301の付属書類を参照。個々の指定官庁で適用される期限の詳細については、PCT出願人の手引、国内段階を参照。

名称及びあて名 日本国特許庁（ISA/JP） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	権限のある職員　5E　3790 特許庁長官 電話番号　０３－３５８１－１１０１　内線　３５２１

様式PCT/ISA/220　（２００９年７月）　（添付用紙を参照）

注　　意

1．国際調査報告の発送日から起算する条約第19条（1）及び規則46.1に従う国際事務局への補正期間に注意してください。

2．条約22条（2）に規定する期間に注意してください。

3．法律又は契約等の制限により、国際調査報告に記載した非特許文献の写しの一部又は全てが送付されない場合があります。

4．文献の写しの請求について

国際調査報告に記載した文献の複写

特許庁にこれらの引用文献の写しを請求することもできますが、独立行政法人工業所有権情報・研修館（特許庁庁舎２階）で公報類の閲覧・複写および公報以外の文献複写等の取り扱いをしています。

〔担当及び照会先〕

〒１００－００１３　東京都千代田区霞が関３丁目４番３号（特許庁庁舎２階）

独立行政法人工業所有権情報・研修館

【公 報 類】　閲覧部　ＴＥＬ　03－3581－1101　内線3811～2

【公報以外】　資料部　ＴＥＬ　03－3581－1101　内線3831～3

注意　特許庁に対して文献の写しの請求をすることができる期間は、国際出願日から７年です。

様式ＰＣＴ／ＩＳＡ／２２０の備考

この備考は、ＰＣＴ19条の規定に基づく補正書の提出に関する基本的な指示を与えるためのものである。この備考は特許協力条約並びにこの条約に基づく規則及び実施細則の規定に基づいている。この備考とそれらの規定とが相違する場合には、後者が適用される。詳細な情報については、ＰＣＴ出願人の手引も参照すること。

ＰＣＴ19条の規定に基づく補正書の提出に関する指示

出願人は、国際調査報告及び国際調査機関の見解書を受領した後、国際出願の請求の範囲を補正する機会が一回ある。しかし、国際出願のすべての部分（請求の範囲、明細書及び図面）が、国際予備審査の手続においても補正できるもので、例えば出願人が仮保護のために補正書を公開することを希望する場合又は国際公開前に請求の範囲を補正する別の理由がある場合を除き、通常ＰＣＴ19条の規定に基づく補正書を提出する必要はないことを強調しておく。さらに、仮保護は一部の国のみで与えられるだけであることも強調しておく（ＰＣＴ出願人の手引、附録Ｂ参照）。

国際調査機関がＰＣＴ17条(2)の規定により国際調査報告を作成しない旨の決定をしたときは、ＰＣＴ19条の規定により請求の範囲を補正することができないことに、出願人は注意されたい（ＰＣＴ出願人の手引き、国際段階、第296段落参照）。

補正の対象となるもの

ＰＣＴ19条の規定により請求の範囲のみ補正することができる。
国際段階においてＰＣＴ34条の規定に基づく国際予備審査の手続きにおいて請求の範囲を（更に）補正することができる。
明細書及び図面は、ＰＣＴ34条の規定に基づく国際予備審査の手続においてのみ補正することができる。
国内段階に移行する際、ＰＣＴ28条（又はＰＣＴ41条）の規定により、国際出願のすべての部分を補正することができる。

いつ

国際調査報告の送付の日から２月又は優先日から１６月の内どちらか遅く満了するほうの期間内。しかし、その期間の満了後であっても国際公開の技術的な準備の完了前に国際事務局が補正を受領した場合には、その補正書は、期間内に受理されたものとみなすことを強調しておく（ＰＣＴ規則46.1）。

補正書を提出すべきところ

補正書は、国際事務局のみに提出でき、受理官庁又は国際調査機関には提出してはいけない（ＰＣＴ規則46.2）。
国際予備審査の請求書を提出した／する場合については、以下を参照すること。

どのように

１以上の請求の範囲の削除、１以上の新たな請求の範囲の追加、又は１以上の請求の範囲の記載の補正による。
すでに提出したすべての請求の範囲を差し替えるための完全な一式の請求の範囲を含む差し替え用紙を提出しなければならない。請求の範囲を削除する場合、その他の請求の範囲の番号を付け直す必要はない。請求の範囲の番号を付け直す場合には、アラビア数字で連続番号で付け直さなければならない（実施細則205号(a)）。
補正は国際公開の言語で行う。

補正書にどのような書類を添付しなければならないか

書簡（ＰＣＴ実施細則第205号(b)）

補正書には書簡を添付しなければならない。
書簡は国際出願及び補正された請求の範囲とともに公開されることはない。これを「ＰＣＴ19条(1)に規定する説明書」と混同してはならない（「ＰＣＴ19条(1)に規定する説明書」については、以下を参照）。
書簡は、英語又は仏語を選択しなければならない。ただし、国際出願の言語が英語の場合、書簡は英語で、仏語の場合、書簡は仏語で記載しなければならない。
書簡には、出願時の請求の範囲と補正された請求の範囲との相違について表示しなければならない。特に、国際出願に記載した各請求の範囲との関連で次の表示（２以上の請求の範囲についての同一の表示する場合は、まとめることができる。）をしなければならない。

(i) この請求の範囲は変更しない。
(ii) この請求の範囲は削除する。
(iii) この請求の範囲は追加である。
(iv) この請求の範囲は出願時の１以上の請求の範囲と差し替える。
(v) この請求の範囲は出願時の請求の範囲の分割の結果である。

次に、添付する書簡中での、補正についての説明の例を示す。

１．［請求の範囲の一部の補正によって請求の範囲の項数が４８から５１になった場合］：
“請求の範囲１－２９、３１、３２、３４、３５、３７－４８項は、同じ番号のもとに補正された請求の範囲と置き換えられた。請求の範囲３０、３３及び３６項は変更なし。新たに請求の範囲４９－５１項が追加された。”
２．［請求の範囲の全部の補正によって請求の範囲の項数が１５から１１になった場合］：
“請求の範囲１－１５項は、補正された請求の範囲１－１１項に置き換えられた。”
３．［原請求の範囲の項数が１４で、補正が一部の請求の範囲の削除と新たな請求の範囲の追加を含む場合］：
“請求の範囲１～６及び１４項は変更なし。請求の範囲７－１３は削除。新たに請求の範囲１５、１６及び１７項を追加。”又は
“請求の範囲７－１３は削除。新たに請求の範囲１５、１６及び１７項を追加。その他の全ての請求の範囲は変更なし。”
４．［各種の補正がある場合］：
“請求の範囲１－１０項は変更なし。請求の範囲１１－１３、１８及び１９項は削除。請求の範囲１４、１５及び１６項は補正された請求の範囲１４項に置き換えられた。請求の範囲１７項は補正された請求の範囲１５、１６及び１７項に分割された。新たに請求の範囲２０及び２１項が追加された。”

“ＰＣＴ19条(1)の規定に基づく説明書”（ＰＣＴ規則46.4）

補正書には、補正並びにその補正が明細書及び図面に与える影響についての説明書を提出することができる（明細書及び図面はＰＣＴ19条(1)の規定に基づいては補正できない）。

説明書は、国際出願及び補正された請求の範囲とともに公開される。

説明書は、国際公開の言語で作成しなければならない。

説明書は、簡潔でなければならず、英語の場合又は英語に翻訳した場合に５００語を越えてはならない。

説明書は、出願時の請求の範囲と補正された請求の範囲との相違を示す書簡と混同してはならない。説明書を、その書簡に代えることはできない。説明書は別紙で提出しなければならず、見出しを付すものとし、その見出しは“ＰＣＴ19条(1)の規定に基づく説明書”の語句を用いることが望ましい。

説明書には、国際調査報告又は国際調査報告に列記された文献との関連性に関して、これらを誹謗する意見を記載してはならない。国際調査報告に列記された特定の請求の範囲に関連する文献についての言及は、当該請求の範囲の補正に関してのみ行うことができる。

国際予備審査の請求書が提出されている場合

ＰＣＴ19条の規定に基づく補正書及び添付する説明書の提出の時に国際予備審査の請求書が既に提出されている場合には、出願人は、補正書（及び説明書）を国際事務局に提出すると同時にその写し及び必要な場合、その翻訳文を国際予備審査機関にも提出することが望ましい（ＰＣＴ規則55.3(a)、62.2の第１文を参照）。詳細は国際予備審査請求書（ＰＣＴ／ＩＰＥＡ／４０１）の注意書参照。

国際予備審査の請求がされた場合は、国際予備審査機関が国際調査機関としては行動しておらず、ＰＣＴ規則66.1の2(b)の規定による国際事務局への通告がなされているという特定の場合を除いて、国際調査機関の見解書は国際予備審査機関の見解書とみなされる。国際予備審査の請求がされると、様式ＰＣＴ／ＩＳＡ２２０の送付日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる（ＰＣＴ規則43の2.1(c)）。

国内段階に移行するための国際出願の翻訳に関して

国内段階に移行する際、ＰＣＴ19条の規定に基づいて補正された請求の範囲の翻訳を出願時の請求の範囲の翻訳の代わりに又は追加して、指定官庁／選択官庁に提出しなければならないこともあるので、出願人は注意されたい。

指定官庁／選択官庁の詳細な要求については、ＰＣＴ出願人の手引きの国内段階を参照。

特許協力条約

PCT

国際調査報告

（法８条、法施行規則第40、41条）
〔ＰＣＴ18条、ＰＣＴ規則43、44〕

Received
2010. 6. 23
SUGIMURA

出願人又は代理人 の書類記号　10P00773WO	今後の手続きについては、様式ＰＣＴ／ＩＳＡ／２２０ 及び下記５を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２０１０／００２９６５	国際出願日 (日.月.年)　２３．０４．２０１０	優先日 (日.月.年)　２４．０４．２００９
出願人（氏名又は名称） 京セラ株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条（ＰＣＴ18条）の規定に従い出願人に送付する。
この写しは国際事務局にも送付される。

この国際調査報告は、全部で　3　ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

１．国際調査報告の基礎
ａ．言語に関し、この国際調査は以下のものに基づき行った。
☑ 出願時の言語による国際出願
☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、
この国際出願の翻訳文（ＰＣＴ規則12.3(a)及び23.1(b)）

ｂ．☐ この国際調査報告は、ＰＣＴ規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則43.6の2(a)）。

ｃ．☐ この国際出願は、ヌクレオチド又はアミノ酸配列を含んでいる（第Ⅰ欄参照）。

２．☐ 請求の範囲の一部の調査ができない（第Ⅱ欄参照）。

３．☐ 発明の単一性が欠如している（第Ⅲ欄参照）。

４．発明の名称は
☑ 出願人が提出したものを承認する。
☐ 次に示すように国際調査機関が作成した。

＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿

５．要約は
☑ 出願人が提出したものを承認する。
☐ 第Ⅳ欄に示されているように、法施行規則第47条第１項（ＰＣＴ規則38.2）の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から１月以内にこの国際調査機関に意見を提出することができる。

６．図面に関して
ａ．要約書とともに公表される図は、
第　9　図とする。 ☑ 出願人が示したとおりである。
☐ 出願人は図を示さなかったので、国際調査機関が選択した。
☐ 本図は発明の特徴を一層よく表しているので、国際調査機関が選択した。

ｂ．☐ 要約とともに公表される図はない。

国際調査報告	国際出願番号 PCT／JP2010／002965

A. 発明の属する分野の分類（国際特許分類（IPC））

Int.Cl. G06F3/048(2006.01)i, G06F3/041(2006.01)i

B. 調査を行った分野

調査を行った最小限資料（国際特許分類（IPC））

Int.Cl. G06F3/048, G06F3/041

最小限資料以外の資料で調査を行った分野に含まれるもの

日本国実用新案公報	1922－1996年
日本国公開実用新案公報	1971－2010年
日本国実用新案登録公報	1996－2010年
日本国登録実用新案公報	1994－2010年

国際調査で使用した電子データベース（データベースの名称、調査に使用した用語）

C. 関連すると認められる文献

引用文献のカテゴリー＊	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2000-207079 A（株式会社日立製作所）2000.07.28, 段落【0018】－【0061】,【図1】－【図8】（ファミリーなし）	1,2
A	JP 2008-508628 A（コーニンクレッカ フィリップス エレクトロニクス エヌ ヴィ）2008.03.21, 全文, 全図 & US 2008/0094367 A1 & EP 1776630 A & WO 2006/013485 A2 & CN 1993672 A	1,2
A	JP 2001-202192 A（ソニー株式会社）2001.07.27, 全文, 全図（ファミリーなし）	1,2

☑ C欄の続きにも文献が列挙されている。　☐ パテントファミリーに関する別紙を参照。

＊ 引用文献のカテゴリー
「A」特に関連のある文献ではなく、一般的技術水準を示すもの
「E」国際出願日前の出願または特許であるが、国際出願日以後に公表されたもの
「L」優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献（理由を付す）
「O」口頭による開示、使用、展示等に言及する文献
「P」国際出願日前で、かつ優先権の主張の基礎となる出願の日の後に公表された文献
「T」国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの
「X」特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの
「Y」特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの
「&」同一パテントファミリー文献

国際調査を完了した日	国際調査報告の発送日
14.06.2010	22.06.2010

国際調査機関の名称及びあて先	特許庁審査官（権限のある職員）	5E	3790
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	岩橋 龍太郎 電話番号 03－3581－1101 内線 3521		

C（続き）．　関連すると認められる文献

引用文献のカテゴリー＊	引用文献名　及び一部の箇所が関連するときは、その関連する箇所の表示	関連する請求項の番号
A	JP 2004-070492 A (株式会社日立製作所) 2004.03.04, 全文, 全図 & US 6940494 B2	1,2
A	JP 8-511637 A (アプル・コンピュータ・インコーポレーテッド) 1996.12.03, 第１５頁第２８行－第２０頁第２４行, 第１図－第３図 & US 6307545 B1 & EP 0702811 A & WO 94/029787 A1	1,2

特 許 協 力 条 約

発信人　日本国特許庁（国際調査機関）

代理人
杉村　憲司

様

あて名
〒100-0013
日本国東京都千代田区霞が関三丁目２番１号
霞が関コモンゲート西館３６階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔ＰＣＴ規則43の2.1〕

出願人又は代理人の書類記号　10P00773WO	発送日（日.月.年）　22．06．2010 今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２０１０／００２９６５	（日.月.年）　23．04．2010	（日.月.年）　24．04．2009

国際特許分類（ＩＰＣ）Int.Cl. G06F3/048(2006.01)i, G06F3/041(2006.01)i

出願人（氏名又は名称）
京セラ株式会社

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　ＰＣＴ規則 43 の 2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則 66.1 の 2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日
１４．０６．２０１０

名称及びあて先	特許庁審査官（権限のある職員）	5E	3790
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	岩橋　龍太郎 電話番号　０３－３５８１－１１０１　内線　３５２１		

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００９年7月）

国際調査機関の見解書

国際出願番号 PCT／JP2010／002965

第Ⅰ欄 見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（PCT規則12.3(a)及び23.1(b)）

2．☐ この見解書は、PCT規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（PCT規則43の2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段 ☐ 紙形式

☐ 電子形式

b．提出時期 ☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号 PCT/JP2010/002965

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性（N）	請求項	1,2	有
	請求項		無
進歩性（IS）	請求項	1,2	有
	請求項		無
産業上の利用可能性（IA）	請求項	1,2	有
	請求項		無

2. 文献及び説明

文献１：JP 2000-207079 A（株式会社日立製作所）2000.07.28,
段落【００１８】－【００６１】,【図１】－【図８】（ファミリーなし）
文献２：JP 2008-508628 A（コーニンクレッカ フィリップス エレクトロニクス エヌ ヴィ）2008.03.21, 全文, 全図 & US 2008/0094367 A1
& EP 1776630 A & WO 2006/013485 A2 & CN 1993672 A
文献３：JP 2001-202192 A（ソニー株式会社）2001.07.27,
全文, 全図（ファミリーなし）
文献４：JP 2004-070492 A（株式会社日立製作所）2004.03.04,
全文, 全図 & US 6940494 B2
文献５：JP 8-511637 A（アプル・コンピュータ・インコーポレーテッド）1996.12.03,
第１５頁第２８行－第２０頁第２４行, 第１図－第３図 & US 6307545 B1
& EP 0702811 A & WO 94/029787 A1

請求項１に係る発明の、表示部にオープンされているフォルダのオブジェクトを表示している際に、荷重検出部が、所定の荷重基準を満たす状態から満たさない状態へ変化した後の当該所定の荷重基準を満たさない押圧荷重を所定期間継続して検出した場合、当該オープンされているフォルダのうち最下層のフォルダをクローズするように制御することは、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。

請求項２に係る発明の、表示部に表示されたフォルダのオブジェクトの位置に対応する入力部に対する押圧荷重が、第１の荷重基準を満たさない状態から満たす状態へ変化した際に、当該フォルダをオープンするように制御するとともに、該フォルダがオープンされた後は、荷重検出部が、前記第１の荷重基準より低い第２の荷重基準を満たす状態から満たさない状態へ変化した後の当該第２の荷重基準を満たさない押圧荷重を所定期間継続して検出した場合、当該オープンされているフォルダのうち最下層のフォルダをクローズするように制御することは、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。

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: 33383/04017	Application Number (if known):	Filing date: Concurrently Herewith

First Named Inventor: Bahman Taheri

Title: SOLAR POWERED VARIABLE LIGHT ATTENUATING DEVICES AND ARRANGEMENTS

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: Applicants' Statement-- Basis for Special Status under the Green Technology Pilot Program

Signature /david j. grover/	Date 10/24/2011
Name (Print/Typed) David J. Grover	Registration Number 58,930

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.
13/265,948	10/24/2011	Bahman Taheri	33383/04017	1256

24024 7590 12/22/2011

CALFEE HALTER & GRISWOLD, LLP
800 SUPERIOR AVENUE
SUITE 1400
CLEVELAND, OH 44114

EXAMINER	
ART UNIT	PAPER NUMBER
2871	

NOTIFICATION DATE	DELIVERY MODE
12/22/2011	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):

ipdocket@calfee.com
dcunin@calfee.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

CALFEE HALTER & GRISWOLD, LLP
800 SUPERIOR AVENUE
SUITE 1400
CLEVELAND OH 44114

In re Application of	:	
TAHERI et al.	:	DECISION ON PETITION
Application No. 13/265,948	:	TO MAKE SPECIAL UNDER
Filed: October 24, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 33383/04017	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 24, 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: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/266,068	Filing date:	October 24, 2011
First Named Inventor:	Yoshiyuki NISHIMURA		
Title of the Invention:	GRAPHITE MATERIAL, CARBONACEOUS MATERIAL FOR BATTERY ELECTRODES, AND BATTERIES		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/068690
U.S. Application No. 13/266,068 is a national stage of PCT/JP2010/068690. The PCT application claims Paris Convention priority to Japanese Patent Application No. 2009-243381 filed October 22, 2009.

The international date of the corresponding PCT application(s) is/are: October 22, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/266,068
First Named Inventor:	Yoshiyuki NISHIMURA

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 24, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Claim 1 is identical to patentable claim 1 of the PCT application
2	2	Claim 2 is identical to patentable claim 2 of the PCT application
3	3	Claim 3 is identical to patentable claim 3 of the PCT application except multiple dependency has been removed
4	4	Claim 4 is identical to patentable claim 4 of the PCT application except multiple dependency has been removed
5	5	Claim 5 is identical to patentable claim 5 of the PCT application except multiple dependency has been removed
6	6	Claim 6 is identical to patentable claim 6 of the PCT application except multiple dependency has been removed
7	7	Claim 7 is identical to patentable claim 7 of the PCT application
8	8	Claim 8 is identical to patentable claim 8 of the PCT application except multiple dependency has been removed
9	9	Claim 9 is identical to patentable claim 9 of the PCT application except multiple dependency has been removed
10	10	Claim 10 is identical to patentable claim 10 of the PCT application except multiple dependency has been removed
11	11	Claim 11 is identical to patentable claim 11 of the PCT application except multiple dependency has been removed
12	12	Claim 12 is identical to patentable claim 12 of the PCT application
13	13	Claim 13 is identical to patentable claim 13 of the PCT application
14	14	Claim 14 is identical to patentable claim 14 of the PCT application
15	15	Claim 15 is identical to patentable claim 15 of the PCT application except multiple dependency has been removed
16	16	Claim 16 is identical to patentable claim 16 of the PCT application

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 2012-01-26
Name (Print/Typed) Abraham J. Rosner	Registration Number 33,276

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

MAILED

MAR 15 2012

OFFICE OF PETITIONS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)
:
:
:

In re Application of
Yoshiyuki Nishimura, et al.
Application No.: 13/266,068
Filed: 24 October 2011
Attorney Docket No.: Q127060
For: **GRAPHITE MATERIAL, CARBONACEOUS MATERIAL FOR BATTERY ELECTRODES, AND BATTERIES**

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 26 January 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, IPAU, APO, RU, SPTO, PRV, SIPO or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-6), and (8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (7).

Regarding the requirement of condition (7), applicant has failed to provide a copy of all the references cited by the JP examiner.

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 Sherry D. Brinkley at 571-272-3204.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/dab/
David Bucci
Petitions Examiner
Office of Petitions

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yoshiyuki NISHIMURA, et al.

Docket No: Q127060

Appln. No.: 13/266,068

Group Art Unit: 1736

Confirmation No.: 1947

Examiner: MCCRACKEN, DANIEL

Filed: October 24, 2011

For: GRAPHITE MATERIAL, CARBONACEOUS MATERIAL FOR BATTERY ELECTRODES, AND BATTERIES

RESPONSE TO DECISION DISMISSING PARTICIPATION IN PCT PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Decision dated March 15, 2012, dismissing participation in the PCT-PPH pilot program for the reason that the Request filed January 26, 2012 fails to meet Requirement (7) - "(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."

In a telephone conference of March 20, 2012 with the undersigned, Sherry Brinkley of the Office of Petitions identified the missing document as JP 2004-507427 A (i.e., a patent application publication corresponding to Document 2: JP 2004-507426 A cited in the Written Opinion of the International Searching Authority for PCT/JP2010/068690 dated December 28, 2010), previously submitted in the Information Disclosure Statement filed October 24, 2011).

Applicant submits herewith an IDS, together with Form SB/08 listing JP 2004-507427 A, together with a copy of the cited reference and an English language Abstract (of corresponding

WO 02/18272 A1 which was previously submitted in the Information Disclosure Statement filed October 24, 2001). Applicants therefore submit that the Request is now complete and, respectfully request the Office to grant Applicants' request to participate in the PCT-PPH pilot program and Petition under 37 C.F.R. § 102(a) filed on January 26, 2012.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

Abraham J. Rosner
Registration No. 33,276

SUGHRUE MION, PLLC
Telephone: 202.293.7060
Facsimile: 202.293.7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: March 21, 2012

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Attorney Docket No.: 0905-0371PUS1

Application No:	13/266,084	Filing date:	October 24, 2011
First Named Inventor:	Shinya FUJIWARA		
Title of the Invention:	IMAGE PROCESSING METHOD AND APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/068417

The international date of the corresponding PCT application(s) is/are: October 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)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/266,084
First Named Inventor:	Shinya FUJIWARA

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 24, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	U.S. Claim 1 sufficiently corresponds to JP claim 1
Claim 2	Claim 2	U.S. Claim 2 sufficiently corresponds to JP claim 2
Claim 3	Claim 3	U.S. Claim 3 sufficiently corresponds to JP claim 3
Claim 4	Claim 4	U.S. Claim 4 sufficiently corresponds to JP claim 4
Claim 5	Claim 5	U.S. Claim 5 sufficiently corresponds to JP claim 5
Claim 6	Claim 6	U.S. Claim 6 sufficiently corresponds to JP claim 6
Claim 7	Claim 7	U.S. Claim 7 sufficiently corresponds to JP claim 7
Claim 8	Claim 8	U.S. Claim 8 sufficiently corresponds to JP claim 8
Claim 9	Claim 9	U.S. Claim 9 sufficiently corresponds to JP claim 9
Claim 10	Claim 10	U.S. Claim 10 sufficiently corresponds to JP claim 10
Claim 11	Claim 11	U.S. Claim 11 sufficiently corresponds to JP claim 11
Claim 12	Claim 12	U.S. Claim 12 sufficiently corresponds to JP claim 12
Claim 13	Claim 13	U.S. Claim 13 sufficiently corresponds to JP claim 13
Claim 14	Claim 14	U.S. Claim 14 sufficiently corresponds to JP claim 14
Claim 15	Claim 15	U.S. Claim 15 sufficiently corresponds to JP claim 15
Claim 16	Claim 16	U.S. Claim 16 sufficiently corresponds to JP claim 16
Claim 17	Claim 17	U.S. Claim 17 sufficiently corresponds to JP claim 17
Claim 18	Claim 18	U.S. Claim 18 sufficiently corresponds to JP claim 18
Claim 19	Claim 19	U.S. Claim 19 sufficiently corresponds to JP claim 19

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date December 8, 2011
Name (Print/Typed) Michael K. Mutter	Registration Number 29680

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	01.02.2011
Applicant's or agent's file reference: 7-016PC-FF	FOR FURTHER ACTION: See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/068417	13.10.2010	25.03.2010

International Patent Classification (IPC) or both national classification and IPC

H04N9/07 (2006.01) i, H04N101/00 (2006.01) n

Applicant

FUJIFILM CORPORATION

1. This opinion contains indications relating to the following items:

- [x] Box No. I — Basis of the opinion
- [ ] Box No. II — Priority
- [ ] Box No. III — Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV — Lack of unity of invention
- [x] Box No. V — Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI — Certain documents cited
- [ ] Box No. VII — Certain defects in the international application
- [ ] Box No. VIII — Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Date of completion of this opinion	Authorized officer
Japan patent office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915	17.01.2011	UCHIDA katsuhisa Telephone No. 03-3581-1011 ext.3581

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/068417

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☒ the international application in the **language** in which it was filed

   ☐ a translation of the international application into _____ , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/068417

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 2009-017544 A (TOSHIBA Corp.), 22 January 2009, entire text, entire figures & US 2008/0303919 A1 & CN 101321295 A & KR 10-2008-0108019 A

Document 2: JP 2008-289090 A (TOSHIBA Corp.), 27 November 2008, entire text, entire figures & US 2008/0291312 A1

Document 3: JP 2006-135745 A (SONY Corp.), 25 May 2006, entire text, entire figures & US 2006/0098253 A1 & KR 10-2006-0052484 A & CN 1774031 A

Document 4: JP 2006-014261 A (SONY Corp.), 12 January 2006, entire text, entire figures & US 2007/0035641 A1 & US 2010/0080458 A1 & US 7656437 B2 & WO 2005/117454 A1 & EP 1748656 A1 & BR 200505978 A & CN 1806449 A & CN 100576924 C & KR 10-2007-0026288 A & RU 2338330 C2

The invention as in claims 1-19 is not disclosed in documents 1-4 cited in the ISR, and would not be obvious to a person skilled in the art.

Especially, none of documents discloses calculating a purple-fringe correction coefficient that causes the RGB ratio of a purple-fringed pixel to approach the RGB ratio of a purple-fringe convergence pixel.

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
牛久　健司

様

あて名
〒105-0004
日本国東京都港区新橋３丁目４番５号　新橋フロンティアビルディング７階

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

発送日 （日.月.年）	０１．０２．２０１１
出願人又は代理人 の書類記号　7-016PC-FF	今後の手続きについては、下記２を参照すること。

国際出願番号	国際出願日	優先日
ＰＣＴ／ＪＰ２０１０／０６８４１７	（日.月.年）　１３．１０．２０１０	（日.月.年）　２５．０３．２０１０

国際特許分類（ＩＰＣ）Int.Cl. H04N9/07(2006.01)i, H04N101/00(2006.01)n

出願人（氏名又は名称）
富士フイルム株式会社

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　ＰＣＴ規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がＰＣＴ規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式ＰＣＴ／ＩＳＡ／２２０を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式ＰＣＴ／ＩＳＡ／２２０を参照すること。

３．さらなる詳細は、様式ＰＣＴ／ＩＳＡ／２２０の備考を参照すること。

見解書を作成した日 １７．０１．２０１１		
名称及びあて先 日本国特許庁（ＩＳＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 内田　勝久	５Ｐ　３７９９
	電話番号　０３－３５８１－１１０１　内線　３５８１	

様式ＰＣＴ／ＩＳＡ／２３７（表紙）（２００９年７月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／０６８４１７

第Ⅰ欄　見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（ＰＣＴ規則12.3(a)及び23.1(b)）

2．☐ この見解書は、ＰＣＴ規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 43 の 2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段　☐ 紙形式

☐ 電子形式

b．提出時期　☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号 PCT／JP2010／068417

第Ⅴ欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性（N）	請求項	1-19	有
	請求項		無
進歩性（IS）	請求項	1-19	有
	請求項		無
産業上の利用可能性（IA）	請求項	1-19	有
	請求項		無

2. 文献及び説明

文献１：JP 2009-017544 A（株式会社東芝）2009.01.22, 全文、全図 & US 2008/0303919 A1 & CN 101321295 A & KR 10-2008-0108019 A

文献２：JP 2008-289090 A（株式会社東芝）2008.11.27, 全文、全図 & US 2008/0291312 A1

文献３：JP 2006-135745 A（ソニー株式会社）2006.05.25, 全文、全図 & US 2006/0098253 A1 & KR 10-2006-0052484 A & CN 1774031 A

文献４：JP 2006-014261 A（ソニー株式会社）2006.01.12, 全文、全図 & US 2007/0035641 A1 & US 2010/0080458 A1 & US 7656437 B2 & WO 2005/117454 A1 & EP 1748656 A1 & BR 200505978 A & CN 1806449 A & CN 100576924 C & KR 10-2007-0026288 A & RU 2338330 C2

請求項１～１９に係る発明は、国際調査報告で引用された文献１～４のいずれにも記載されておらず、当業者にとって自明なものでもない。

特に、パープルフリンジ発生画素のＲＧＢ比を、パープルフリンジ収束画素のＲＧＢ比に近づけるパープルフリンジ補正係数を算出することは、何れの文献にも開示されていない。

STATEMENT RE CLAIM TRANSLATION

International Patent Application No. PCT/JP2010/068417

I, TAKAJO Sadaaki, of K. USHIKU & CO., 7F., SHIMBASHI FRONTIER BUILDING, 4-5, Shimbashi 3-chome, Minato-ku, Tokyo 105-0004, Japan

do hereby solemnly and sincerely declare as follows:

1. I am well acquainted with both the Japanese language and the English language.
2. I personally made the following translation.
3. The following is a true translation into the English language of the claim(s) from the International Patent Application No. PCT/JP2010/068417, which was filed on October 13, 2010.

And I make this solemn declaration conscientiously believing the same to be true.

This the 5th day of December 2011

Takajo Sadaaki

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MKM/MKM/lps

CLAIMS:

1. An image processing method comprising the steps of:

accepting input of applied image data;

determining whether purple fringing has occurred pixel by pixel with regard to the accepted image data;

calculating an RGB ratio of a purple-fringed pixel at which occurrence of purple fringing has been determined and an RGB ratio of a purple-fringe convergence pixel spaced a prescribed number of pixels away from said purple-fringed pixel within a zone in the proximity of the purple-fringed pixel;

calculating a purple-fringe correction coefficient that causes the RGB ratio of said purple-fringed pixel to approach the RGB ratio of said purple-fringe convergence pixel; and

correcting the color of said purple-fringed pixel using the calculated purple-fringe correction coefficient.

2. An image processing method according to claim 1, wherein said purple-fringe correction coefficient is a correction coefficient applied to at least one of a blue-component signal and red-component signal of the purple-fringed pixel.

3. An image processing method according to claim 1, wherein from among peripheral pixels of an image

contour exhibiting a luminance difference greater than a prescribed level, a pixel for which at least a blue-component signal level is higher than a green-component signal level by more than a prescribed threshold value is determined to be a purple-fringed pixel.

4. An image processing method according to claim 1, wherein a pixel situated along a direction in which a luminance difference of an image contour in the vicinity of said purple-fringed pixel is largest, and along which luminance decreases, is used as said purple-fringe convergence pixel.

5. An image processing method according to claim 1, wherein in a case where said purple-fringe correction coefficient increases the signal quantity of at least one of a blue-component signal and a red-component signal of said purple-fringed pixel, said purple-fringe correction coefficient is adjusted in such a manner that effect of the color correction of the purple-fringed pixel is weakened.

6. An image processing method comprising the steps of:

accepting input of applied image data;

calculating, pixel by pixel of interest with regard to the accepted image data, luminances of pixels at respective ones of positions symmetrical about said pixel of interest as center with regard to at least one

direction among a horizontal direction, vertical direction and oblique direction;

calculating differences between the calculated luminances;

selecting the maximum luminance difference among the luminance differences calculated;

calculating a weighting which is smaller the smaller the maximum luminance difference selected;

calculating an RGB ratio of said pixel of interest and an RGB ratio of a spaced-away pixel spaced a prescribed number of pixels away from said pixel of interest within a zone in the proximity of the pixel of interest;

calculating a correction coefficient that causes the RGB ratio of said pixel of interest to approach the RGB ratio of said spaced-away pixel; and

correcting the color of said pixel of interest using a weighted correction coefficient obtained by weighting the calculated correction coefficient by the weighting calculated.

7. An image processing method according to claim 6, wherein a pixel situated along a direction in which a luminance difference of an image contour in the vicinity of said pixel of interest is largest, and

along which luminance decreases, is used as said spaced-away pixel.

8. An image processing method according to claim 6, wherein a weighting calculated in a case where the maximum luminance difference is smaller than a prescribed value eliminates the effect of color correction by said weighted correction coefficient.

9. An image processing method comprising the steps of:

accepting input of applied image data;

determining, pixel by pixel of interest with regard to the accepted image data, whether color cast of said pixel of interest is the color purple;

calculating a weighting which is smaller the farther the color cast of said pixel of interest is from the color purple;

calculating an RGB ratio of said pixel of interest and an RGB ratio of a spaced-away pixel spaced a prescribed number of pixels away from said pixel of interest within a zone in the proximity of said pixel of interest;

calculating a correction coefficient that causes the RGB ratio of said pixel of interest to approach the RGB ratio of said spaced-away pixel; and

correcting the color of said pixel of interest using a weighted correction coefficient obtained by

weighting the calculated correction coefficient by the weighting calculated.

10. An image processing method according to claim 9, wherein a pixel situated along a direction in which a luminance difference of an image contour in the vicinity of said pixel of interest is largest, and along which luminance decreases, is used as said spaced-away pixel.

11. An image processing method according to claim 9, wherein a weighting calculated in a case where the color cast of said pixel of interest is a color cast not recognized as the color purple eliminate the effect of color correction by said weighted correction coefficient.

12. An image processing method according to claims 6 and 9, wherein in a case where the calculated correction coefficient increases the signal quantity of at least one of a blue-component signal and a red-component signal of said pixel of interest, said correction coefficient is adjusted in such a manner that effect of the color correction is weakened.

13. An image processing apparatus comprising:

an image data input unit for accepting input of applied image data;

a purple-fringe determination circuit for determining whether purple fringing has occurred pixel by pixel with regard to the image data accepted by said image data input unit;

an RGB ratio calculation circuit for calculating an RGB ratio of a purple-fringed pixel at which occurrence of purple fringing has been determined by said purple-fringe determination circuit and an RGB ratio of a purple-fringe convergence pixel spaced a prescribed number of pixels away from said purple-fringed pixel within a zone in the proximity of the purple-fringed pixel;

a purple-fringe correction coefficient calculation circuit for calculating a purple-fringe correction coefficient that causes the RGB ratio of said purple-fringed pixel to approach the RGB ratio of said purple-fringe convergence pixel; and

a purple-fringe reducing unit for correcting the color of said purple-fringed pixel using the purple-fringe correction coefficient calculated by said purple-fringe correction coefficient calculation circuit.

14. An image processing apparatus comprising:

an image data input unit for accepting input of applied image data;

a luminance calculation circuit for calculating, pixel by pixel of interest with regard to the image data accepted by said image data input unit, luminances of pixels at respective ones of positions symmetrical about said pixel of interest as center with regard to at least one direction among a horizontal direction, vertical direction and oblique direction;

a luminance-difference calculation circuit for calculating differences between the luminances calculated by said luminance calculation circuit;

a maximum-luminance-difference selecting unit for selecting the maximum luminance difference calculated by said luminance calculation circuit;

a weighting calculation unit for calculating a weighting which is smaller the smaller the maximum luminance difference selected by said maximum-luminance selecting unit;

an RGB value calculation circuit for calculating an RGB ratio of said pixel of interest and an RGB ratio of a spaced-away pixel spaced a prescribed number of pixels away from said pixel of interest within a zone in the proximity of the pixel of interest;

a correction coefficient calculation circuit for calculating a correction coefficient that causes the RGB ratio of said pixel of interest to approach the RGB

ratio of said spaced-away pixel; and

a color correcting circuit for correcting the color of said pixel of interest using a weighted correction coefficient obtained by weighting the correction coefficient, which has been calculated by said correction coefficient calculation circuit, by the weighting calculated by the weighting calculation unit.

15. An image processing apparatus comprising:

an image data input unit for accepting input of applied image data;

a color-cast determination unit for determining, pixel by pixel of interest with regard to the image data accepted by said image input unit, whether color cast of said pixel of interest is the color purple;

a weighting calculation circuit for calculating a weighting which is smaller the farther the color cast of said pixel of interest is from the color purple;

an RGB ratio calculation circuit for calculating an RGB ratio of said pixel of interest and an RGB ratio of a spaced-away pixel spaced a prescribed number of pixels away from said pixel of interest within a zone in the proximity of said pixel of interest;

a correction coefficient calculation circuit for calculating a correction coefficient that causes the RGB ratio of said pixel of interest to approach the RGB

ratio of said spaced-away pixel; and

a color correcting circuit for correcting the color of said pixel of interest using a weighted correction coefficient obtained by weighting the correction coefficient, which has been calculated by said correction coefficient calculation circuit, by the weighting calculated by said weighting calculation circuit.

16. A program for causing a computer system to operate as an image processing apparatus, said program controlling said computer system so as to:

accept input of applied image data;

determine whether purple fringing has occurred pixel by pixel with regard to the accepted image data;

calculate an RGB ratio of a purple-fringed pixel at which occurrence of purple fringing has been determined and an RGB ratio of a purple-fringe convergence pixel spaced a prescribed number of pixels away from said purple-fringed pixel within a zone in the proximity of the purple-fringed pixel;

calculate a purple-fringe correction coefficient that causes the RGB ratio of said purple-fringed pixel to approach the RGB ratio of said purple-fringe convergence pixel; and

correct the color of said purple-fringed pixel using the calculated purple-fringe correction coefficient.

17. A program for causing a computer system to operate as an image processing apparatus, said program controlling said computer system so as to:

accept input of applied image data;

calculate, pixel by pixel of interest with regard to the accepted image data, luminances of pixels at respective ones of positions symmetrical about said pixel of interest as center with regard to at least one direction among a horizontal direction, vertical direction and oblique direction;

calculate differences between the calculated luminances;

select the maximum luminance difference among the luminance differences calculated;

calculate a weighting which is smaller the smaller the maximum luminance difference selected;

calculate an RGB ratio of said pixel of interest and an RGB ratio of a spaced-away pixel spaced a prescribed number of pixels away from said pixel of interest within a zone in the proximity of the pixel of interest;

calculate a correction coefficient that causes the RGB ratio of said pixel of interest to approach the RGB ratio of said spaced-away pixel; and

correct the color of said pixel of interest using a weighted correction coefficient obtained by weighting the calculated correction coefficient by the weighting calculated.

18. A program for causing a computer system to operate as an image processing apparatus, said program controlling said computer system so as to:

accept input of applied image data;

determine, pixel by pixel of interest with regard to the accepted image data, whether color cast of said pixel of interest is the color purple;

calculate a weighting which is smaller the farther the color cast of said pixel of interest is from the color purple;

calculate an RGB ratio of said pixel of interest and an RGB ratio of a spaced-away pixel spaced a prescribed number of pixels away from said pixel of interest within a zone in the proximity of said pixel of interest;

calculate a correction coefficient that causes the RGB ratio of said pixel of interest to approach the RGB ratio of said spaced-away pixel; and

correct the color of said pixel of interest using a weighted correction coefficient obtained by weighting the calculated correction coefficient by the weighting calculated.

19. A computer-readable recording medium on which the program set forth in any one of claims 16 to 18 has been recorded.

請求の範囲

１．与えられる画像データの入力を受付け，

受付けられた画像データについて，画素ごとにパープルフリンジが発生しているかどうかを判定し，

パープルフリンジの発生が判定されたパープルフリンジ発生画素のＲＧＢ比と，そのパープルフリンジ発生画素の近傍範囲において上記パープルフリンジ発生画素から所定画素数分離れたパープルフリンジ収束画素のＲＧＢ比をそれぞれ算出し，

上記パープルフリンジ発生画素のＲＧＢ比を上記パープルフリンジ収束画素のＲＧＢ比に近づけるパープルフリンジ補正係数を算出し，

算出されたパープルフリンジ補正係数を用いて上記パープルフリンジ発生画素を色補正する，

画像処理方法。

２．上記パープルフリンジ補正係数は，上記パープルフリンジ発生画素の青成分信号および赤成分信号の少なくともいずれか一方に対する補正係数である，

請求の範囲第１項に記載の画像処理方法。

３．所定レベル以上の輝度差を有する画像輪郭の周辺画素のうち，少なくとも青成分信号レベルが緑成分信号レベルよりも所定閾値以上大きい画素をパープルフリンジ発生画素と判定する，

請求の範囲第１項に記載の画像処理方法。

４．上記パープルフリンジ収束画素として，上記パープルフリンジ発生画素の近傍の画像輪郭の輝度差が最も大きい方向であって輝度が減少する方向に位置する画素を用いる，

請求の範囲第１項に記載の画像処理方法。

５．上記パープルフリンジ補正係数が，上記パープルフリンジ発生画素

の青成分信号および赤成分信号の少なくともいずれか一方の信号量を増やすものである場合に，パープルフリンジ発生画素の色補正効果が弱められるように上記パープルフリンジ補正係数を調節する，

請求の範囲第１項に記載の画像処理方法。

６．与えられる画像データの入力を受付け，

受け付けられた画像データについて，注目画素ごとに，水平方向，垂直方向および斜め方向のうち少なくとも１方向について，上記注目画素を中心にして対称位置にある画素の輝度をそれぞれ算出し，

算出された輝度の差を算出し，

算出された輝度差のうちの最大のものを選択し，

選択された最大輝度差が小さいほど小さい重みを算出し，

上記注目画素のＲＧＢ比と，その注目画素の近傍範囲において上記注目画素から所定画素数分離れた離間画素のＲＧＢ比をそれぞれ算出し，

上記注目画素のＲＧＢ比を上記離間画素のＲＧＢ比に近づける補正係数を算出し，

算出された補正係数を上記算出された重みによって重付けした重付け補正係数を用いて，上記注目画素を色補正する，

画像処理方法。

７．上記離間画素として，上記注目画素の近傍の画像輪郭の輝度差が最も大きい方向であって輝度が減少する方向に位置する画素を用いる，

請求の範囲第６項に記載の画像処理方法。

８．上記最大輝度差が所定値よりも小さい場合に算出される重みは，上記重付け補正係数による色補正の効果を無くすものである，

請求の範囲第６項に記載の画像処理方法。

９．与えられる画像データの入力を受付け，

受け付けられた画像データについて，注目画素ごとに，上記注目画素

の色味が紫色かどうかを判断し，

上記注目画素の色味が紫色から遠いほど小さい重みを算出し，

上記注目画素のＲＧＢ比と，上記注目画素の近傍範囲において上記注目画素から所定画素数分離れた離間画素のＲＧＢ比をそれぞれ算出し，

上記注目画素のＲＧＢ比を上記離間画素のＲＧＢ比に近づける補正係数を算出し，

算出された補正係数を上記算出された重みによって重付けした重付け補正係数を用いて，上記注目画素を色補正する，

画像処理方法。

１０．上記離間画素として，上記注目画素の近傍の画像輪郭の輝度差が最も大きい方向であって輝度が減少する方向に位置する画素を用いる，

請求の範囲第９項に記載の画像処理方法。

１１．上記注目画素の色味が紫色と認識されない色味である場合に算出される重みは，上記重付け補正係数による色補正の効果を無くすものである，

請求の範囲第９項に記載の画像処理方法。

１２．算出された補正係数が，上記注目画素の青成分信号および赤成分信号の少なくともいずれか一方の信号量を増やすものである場合に，色補正効果が弱められるように上記補正係数を調節する，

請求の範囲第６項および第９項に記載の画像処理方法。

１３．与えられる画像データの入力を受付ける画像データ入力装置，

上記画像データ入力装置によって受付けられた画像データについて，画素ごとにパープルフリンジが発生しているかどうかを判定するパープルフリンジ判定回路，

上記パープルフリンジ判定回路によってパープルフリンジの発生が判定されたパープルフリンジ発生画素のＲＧＢ比と，そのパープルフリン

ジ発生画素の近傍範囲において上記パープルフリンジ発生画素から所定画素数分離れたパープルフリンジ収束画素のＲＧＢ比をそれぞれ算出するＲＧＢ比算出回路，

上記パープルフリンジ発生画素のＲＧＢ比を上記パープルフリンジ収束画素のＲＧＢ比に近づけるパープルフリンジ補正係数を算出するパープルフリンジ補正係数算出回路，および

上記パープルフリンジ補正係数算出回路によって算出されたパープルフリンジ補正係数を用いて上記パープルフリンジ発生画素を色補正するパープルフリンジ低減装置を備える，

画像処理装置。

１４．与えられる画像データの入力を受付ける画像データ入力装置，

上記画像データ入力装置によって受け付けられた画像データについて，注目画素ごとに，水平方向，垂直方向および斜め方向のうち少なくとも１方向について，上記注目画素を中心にして対称位置にある画素の輝度をそれぞれ算出する輝度算出回路，

上記輝度算出回路によって算出された輝度の差を算出する輝度差算出回路，

上記輝度差算出回路によって算出された輝度差のうちの最大のものを選択する最大輝度差選択装置，

上記最大輝度差選択装置によって選択された最大輝度差が小さいほど，小さい重みを算出する重み算出装置，

上記注目画素のＲＧＢ比と，その注目画素の近傍範囲において上記注目画素から所定画素数分離れた離間画素のＲＧＢ比をそれぞれ算出するＲＧＢ比算出回路，

上記注目画素のＲＧＢ比を上記離間画素のＲＧＢ比に近づける補正係数を算出する補正係数算出回路，および

上記補正係数算出回路によって算出された補正係数を上記重み算出装置によって算出された重みによって重付けした重付け補正係数を用いて，上記注目画素を色補正する色補正回路を備える，

画像処理装置。

１５．与えられる画像データの入力を受付ける画像データ入力装置，

上記画像入力装置によって受け付けられた画像データについて，注目画素ごとに，上記注目画素の色味が紫色かどうかを判断する色味判断回路，

上記注目画素の色味が紫色から遠いほど小さい重みを算出する重み算出回路，

上記注目画素のＲＧＢ比と，上記注目画素の近傍範囲において上記注目画素から所定画素数分離れた離間画素のＲＧＢ比をそれぞれ算出するＲＧＢ比算出回路，

上記注目画素のＲＧＢ比を上記離間画素のＲＧＢ比に近づける補正係数を算出する補正係数算出回路，および

上記補正係数算出回路によって算出された補正係数を上記重み算出回路によって算出された重みによって重付けした重付け補正係数を用いて，上記注目画素を色補正する色補正回路を備える，

画像処理装置。

１６．コンピュータ・システムを画像処理装置として動作させるためのプログラムであって，

与えられる画像データの入力を受付けさせ，

受付けられた画像データについて，画素ごとにパープルフリンジが発生しているかどうかを判定させ，

パープルフリンジの発生が判定されたパープルフリンジ発生画素のＲＧＢ比と，そのパープルフリンジ発生画素の近傍範囲において上記パー

プルフリンジ発生画素から所定画素数分離れたパープルフリンジ収束画素のＲＧＢ比をそれぞれ算出させ，

上記パープルフリンジ発生画素のＲＧＢ比を上記パープルフリンジ収束画素のＲＧＢ比に近づけるパープルフリンジ補正係数を算出させ，

算出されたパープルフリンジ補正係数を用いて上記パープルフリンジ発生画素を色補正させるように，上記コンピュータ・システムを制御する，

プログラム。

１７．コンピュータ・システムを画像処理装置として動作させるためのプログラムであって，

与えられる画像データの入力を受付けさせ，

受け付けられた画像データについて，注目画素ごとに，水平方向，垂直方向および斜め方向のうち少なくとも１方向について，上記注目画素を中心にして対称位置にある画素の輝度をそれぞれ算出させ，

算出された輝度の差を算出させ，

算出された輝度差のうちの最大のものを選択させ，

選択された最大輝度差が小さいほど，小さい重みを算出させ，

上記注目画素のＲＧＢ比と，その注目画素の近傍範囲において上記注目画素から所定画素数分離れた離間画素のＲＧＢ比をそれぞれ算出させ，

上記注目画素のＲＧＢ比を上記離間画素のＲＧＢ比に近づける補正係数を算出させ，

算出された補正係数を上記算出された重みによって重付けした重付け補正係数を用いて，上記注目画素を色補正させるように，上記コンピュータ・システムを制御する，

プログラム。

１８．コンピュータ・システムを画像処理装置として動作させるための

プログラムであって，

与えられる画像データの入力を受付けさせ，

受け付けられた画像データについて，注目画素ごとに，上記注目画素の色味が紫色かどうかを判断させ，

上記注目画素の色味が紫色から遠いほど小さい重みを算出させ，

上記注目画素のＲＧＢ比と，上記注目画素の近傍範囲において上記注目画素から所定画素数分離れた離間画素のＲＧＢ比をそれぞれ算出させ，

上記注目画素のＲＧＢ比を上記離間画素のＲＧＢ比に近づける補正係数を算出させ，

算出された補正係数を上記算出された重みによって重付けした重付け補正係数を用いて，上記注目画素を色補正させるように，上記コンピュータ・システムを制御する，

プログラム。

１９．請求の範囲第１６項から第１８項のいずれか一項に記載のプログラムを記録した，コンピュータ読取り可能な記録媒体。

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BIRCH STEWART KOLASCH &
BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED
JAN 27 2012
OFFICE OF PETITIONS

In re Application of
FUJIWARA, et al.
Application No.: 13/266,084
Filed: October 24, 2011
Attorney Docket No.: 0905-0371PUS1
For: IMAGE PROCESSING METHOD APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 8, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application is

    a. a Paris Convention application which either
        i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
    b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
        i. validly claims priority to an application filed in the JPO, or
        ii. validly claims priority to a PCT application that contains no priority claims, or
        iii. contains no priority claim, or
    c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application

i. validly claims priority to an application filed in the JPO, or
ii. validly claims priority to a PCT application that contains no priority claims, or
iii. contains no priority claim;

2. Applicant must submit a copy of:
   a. The allowable/patentable claim(s) from the JPO application(s);
   b. An English translation of the allowable/patentable claim(s) and
   c. A statement that the English translation is accurate;
3. Applicant must:
   a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
   b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has 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 cannot be accepted because it is unsigned.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Inquiries concerning this decision should be directed to Diane Goodwyn at 571-272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

FEB 15 2012

OFFICE OF PETITIONS

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of
FUJIWARA, et al
Application No.: 13/266,084
Filed: October 24, 2011
Attorney Docket No.: 0905-0371PUS1
For: IMAGE PROCESSING METHOD AND APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM

CORRECTED
: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 8, 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, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition cannot be accepted because it is unsigned.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

Docket No.: 0905-0371PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Shinya FUJIWARA et al.

Application No.:	13/266,084	Confirmation No.: 9814
Filed:	October 24, 2011	Art Unit: Not Yet Assigned
For:	IMAGE PROCESSING METHOD AND APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM	Examiner: Not Yet Assigned

LETTER REQUESTING RECONSIDERATION OF THE DECISION ON REQUEST TO PARTICIPATE IN PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

A decision to dismiss the Request to Participate in the Patent Prosecution Highway in the above-identified application was rendered February 15, 2012, because the Request to Participate in the PPH Pilot Program was unsigned. Attached please find the signed Request to Participate in the PPH Pilot Program. The attachments referenced therein are not provided as these document have been submitted with the original Request.

In view of the submission of the attached documents, reconsideration of the denial of participation in the PPH program is earnestly requested.

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: March 15, 2012

Respectfully submitted,

#40,439

By _____
Michael K. Mutter D. Richard Anderson
Registration No.: 29680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

Attachments – Decision on Request to Participate in Patent Prosecution Highway
Signed Request to Participate in PPH Pilot Program

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Attorney Docket No.: 0905-0371PUS1

Application No:	13/266,084	Filing date:	October 24, 2011
First Named Inventor:	Shinya FUJIWARA		
Title of the Invention:	IMAGE PROCESSING METHOD AND APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/068417

The international date of the corresponding PCT application(s) is/are: October 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)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/266,084
First Named Inventor:	Shinya FUJIWARA

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 24, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 24, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claim 1	Claim 1	U.S. Claim 1 sufficiently corresponds to JP claim 1
Claim 2	Claim 2	U.S. Claim 2 sufficiently corresponds to JP claim 2
Claim 3	Claim 3	U.S. Claim 3 sufficiently corresponds to JP claim 3
Claim 4	Claim 4	U.S. Claim 4 sufficiently corresponds to JP claim 4
Claim 5	Claim 5	U.S. Claim 5 sufficiently corresponds to JP claim 5
Claim 6	Claim 6	U.S. Claim 6 sufficiently corresponds to JP claim 6
Claim 7	Claim 7	U.S. Claim 7 sufficiently corresponds to JP claim 7
Claim 8	Claim 8	U.S. Claim 8 sufficiently corresponds to JP claim 8
Claim 9	Claim 9	U.S. Claim 9 sufficiently corresponds to JP claim 9
Claim 10	Claim 10	U.S. Claim 10 sufficiently corresponds to JP claim 10
Claim 11	Claim 11	U.S. Claim 11 sufficiently corresponds to JP claim 11
Claim 12	Claim 12	U.S. Claim 12 sufficiently corresponds to JP claim 12
Claim 13	Claim 13	U.S. Claim 13 sufficiently corresponds to JP claim 13
Claim 14	Claim 14	U.S. Claim 14 sufficiently corresponds to JP claim 14
Claim 15	Claim 15	U.S. Claim 15 sufficiently corresponds to JP claim 15
Claim 16	Claim 16	U.S. Claim 16 sufficiently corresponds to JP claim 16
Claim 17	Claim 17	U.S. Claim 17 sufficiently corresponds to JP claim 17
Claim 18	Claim 18	U.S. Claim 18 sufficiently corresponds to JP claim 18
Claim 19	Claim 19	U.S. Claim 19 sufficiently corresponds to JP claim 19

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature #40,439	Date March 15, 2012
Name (Print/Typed) for Michael K. Mutter D. Richard Anderson	Registration Number 29680

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
FEB 15 2012
OFFICE OF PETITIONS

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

In re Application of
FUJIWARA, et al
Application No.: 13/266,084
Filed: October 24, 2011
Attorney Docket No.: 0905-0371PUS1
For: IMAGE PROCESSING METHOD AND APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM

CORRECTED
: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 8, 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, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition cannot be accepted because it is unsigned.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH VA 22040-0747

MAILED

APR 12 2012

OFFICE OF PETITIONS

In re Application of
FUJIWARA, et al
Application No.: 13/266,084
Filed: October 24, 2011
Attorney Docket No.: 0905-0371PUS1
(99451.IP)
For: IMAGE PROCESSING METHOD AND APPARATUS, IMAGE PROCESSING PROGRAM AND MEDIUM STORING THIS PROGRAM

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 8, 2011, and renewed on March 15, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, Australia, Austria, KIPO, NPI, Russia, Finland, Spain, Sweden, China or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petition Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:		Filing date:	2011-10-24
First Named Inventor:	Hemlata S. KADIA		

Title of the Invention: Facilitation of a Network Communication Service for which Payment may be Made by Any of a Plurality of Payment Modes

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

PCT/US2009/042435

The corresponding PCT application number(s) is/are:

The international date of the corresponding PCT application(s) is/are:

30 April 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	
First Named Inventor:	Hemlata S. KADIA

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	substantially same
2	2	substantially same
4	4	substantially same
5	5	substantially same
6	6	substantially same
7	7	substantially same
10	10	substantially same
11	11	substantially same
12	12	substantially same
15	15	substantially same
16	16	substantially same
17	17	substantially same
18	18	substantially same

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Charles N.J. Ruggiero/	Date 2011-10-24
Name (Print/Typed) Charles N.J. Ruggiero	Registration Number 28,468

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE IP AUSTRALIA (IPAU) AND THE USPTO

Application No:	13/266,113	Filing date:	11/21/2011
First Named Inventor:	Simon James Butt		
Title of the Invention:	Lock Assembly		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/AU 2010/000482

The international filing date of the corresponding PCT application(s) is/are: 04/27/2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-AU (01-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE IPAU AND THE USPTO

(continued)

Application No.:	13/266,113
First Named Inventor:	Simon James Butt

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 10/24/2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on by the Intl Bureau

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-26	1-26	Claims are identical except multiple dependencies removed ...
		and typographical errors are corrected in the U.S. claims.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /dnl/	Date
Name (Print/Typed) David N. Lathrop	Registration Number 34,655

Claims

1. A lock assembly including a lock barrel adapted to be received in a lock body, the lock barrel including:
a plurality of passages, at least one of which being adapted to receive a wafer having a key engaging surface and extending beyond the lock barrel to be supported by the lock body when there is no key in the lock barrel;
wherein the wafer is configured so as to provide a gap between the key engaging surface and a corresponding cut of an unauthorised, incorrect or bump key if and when inserted into the lock barrel.

2. The lock assembly of claim 1, which further includes an upper pin part being received in at least one of the remainder of the passages.

3. The lock assembly of either claim 1 or 2, wherein the lock body includes a portion with a plurality of chambers therein.

4. The lock assembly of any one of the preceding claims, wherein each chamber is adapted to correspond to one of the passages in the lock barrel.

5. The lock assembly of claim 3 or 4, wherein each chamber is adapted to accommodate a biasing means abutting an upper pin part which in use is adapted to cooperate with a corresponding lower pin part.

6. The lock assembly of any one of the preceding claims, wherein at least one of the passages is capable of receiving a pin or the wafer.

7. The lock assembly of claim 6, wherein the passage includes a pin hole for receipt of the pin and a slot for receipt of the wafer, the pin hole being in communication with the slot.

8. The lock assembly of any one of the preceding claims, wherein the wafer is movable between a projecting position and a retracted position.

9. The lock assembly of any one of the preceding claims, wherein the wafer includes an element having a column with a key engaging surface extending from the column in a first direction, and a biasing means engaging surface extending in a second direction.

10. The lock assembly of claim 9, wherein the biasing means includes a spring adapted to bias a code-carrying portion extending in a third direction with respect to the column.

11. The lock assembly of either claim 9 or 10, wherein the biasing means is adapted to act on an extension projecting in a fourth direction with respect to the column.

12. The lock assembly of claim 11, wherein the extension is adapted to enter an aperture provided in the lock body when the wafer is in the projecting position.

13. The lock assembly of claim 12, wherein insertion of an authorised or correct key is adapted to lift the wafer against the biasing means sufficiently to retract the extension projecting in the fourth direction from the aperture provided in the lock body, thus clearing the shear line in that region.

14. The lock assembly of claim 13, wherein the code-carrying portion of the wafer is not adapted to be lifted sufficiently to project beyond the shear line.

15. The lock assembly of claim 11, wherein if the unauthorised, incorrect or bump key having a cut which is too high is used, the extension projecting in the fourth direction is adapted to be retracted from the aperture, but the code-carrying portion is adapted to be lifted too high to project across the shear line, preventing rotation of the lock barrel.

16. The lock assembly of claim 11, wherein if theunauthorised, incorrect or bump key having a cut which is too low is used, the extension projecting in the fourth direction is not adapted to be lifted sufficiently out of the aperture, resulting in the wafer still causing interference at the shear line.

17. The lock assembly of any one of claims 11 to 16, wherein the extension projecting in the fourth direction with respect to the wafer column is adapted to prevent rotation of the lock barrel when the wafer is in the projecting position.

18. The lock assembly of any one of claims 3 to 17, wherein the upper pin part cooperates with a biasing means in the chamber which is in communication with the passage in which the wafer is located.

19. The lock assembly of claim 18, wherein when the lock barrel is locked within the lock body, the extension of the wafer is adapted to project in the fourth direction to extend beyond the shear line and the upper pin part is adapted to interfere with the shear line.

20. The lock assembly of any one of claims 1 to 7, wherein the wafer includes an element having a column which at one end is associated with a key engaging surface extending from the column in a selected direction and at another end includes a bottom adapted to at least partially rest on a floor of an annular wall of the lock body when the wafer is in the projection position.

21. The lock assembly of claim 20, wherein the wafer includes a pin-shaped top connected to the column.

22. The lock assembly of claim 21, wherein the pin-shaped top is adapted to abut an upper pin part whilst the other end of the column is adapted to rest on the floor of the annular wall of the lock body.

23. The lock assembly of either claim 21 or 22, wherein the pin-shaped top includes the key engaging surface adapted in use to engage the corresponding cut of the inserted key.

24. The lock assembly of any one of claims 20 to 23, wherein the column has a selected length such that a gap is provided between a low cut of a bump key and the key engaging surface when the wafer is in the projecting position.

25. The lock assembly of claim 1, wherein when an authorised or correct key is inserted, the key engaging surface is adapted to act on a corresponding cut of the authorised or correct key thereby causing the wafer to be retracted into the lock barrel so that the lock barrel is rotatable relative to the lock body.

26. The lock assembly of claim 25, wherein the wafer includes an element with an extension, and a column with a key engaging surface.

27. A lock barrel for a lock assembly, the lock barrel including:
a plurality of passages, at least one of which being adapted to receive a wafer having a key engaging surface and extending beyond the lock barrel to be supported by the lock body when there is no key in the lock barrel;
wherein the wafer is configured so as to provide a gap between the key engaging surface and a corresponding cut of an unauthorised, incorrect or bump key if and when inserted into the lock barrel.

28. A wafer adapted in use to be received within at least one of a plurality of passages of a lock barrel which in turn is received within a lock body, the wafer including a key engaging surface and extending beyond the lock barrel to be supported by the lock body when there is no key in the lock barrel;
wherein the wafer is configured such that it provides a gap between the key engaging surface and a corresponding cut of a bump key if and when inserted into the lock barrel.

29. A lock barrel of a lock assembly substantially as herein described with reference to any one of the accompanying drawings.

30. A lock assembly substantially as herein described with reference to any one of the accompanying drawings.

31. A wafer substantially as herein described with reference to any one of the accompanying drawings.

PATENT COOPERATION TREATY

From the:
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

Chrysiliou IP
114-115, 20 Dale Street
Brookvale, Sydney,
NSW 2100
Australia

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

	Date of mailing *(day/month/year)* 16.08.2011
Applicant's or agent's file reference 19158/AL	**IMPORTANT NOTIFICATION**

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/AU2010/000482	27 April 2010	24 April 2009

Applicant

TNBT HOLDINGS PTY LIMITED et al

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translations to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide*.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/AU	Authorized officer
AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. +61 2 6283 7999	ALLAN SMAILES AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No. +61 2 6283 2154

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 19158/AL	**FOR FURTHER ACTION**	See Form PCT/IPEA/416
International application No. **PCT**/AU2010/000482	International filing date *(day/month/year)* 27 April 2010	Priority date *(day/month/year)* 24 April 2009

International Patent Classification (IPC) or national classification and IPC

Int. Cl.

E05B 31/00 (2006.01) ***E05B 27/04*** (2006.01)
E05B 15/14 (2006.01) ***E05B 29/04*** (2006.01)

Applicant

TNBT HOLDINGS PTY LIMITED et al

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 7 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. [X] *(sent to the applicant and to the International Bureau)* a total of **12** sheets, as follows:
      - [X] sheets of the description, claims and/or drawings which have been amended and/or sheets containing rectifications authorized by this Authority, unless those sheets were superseded or cancelled, and any accompanying letters (see Rules 46.5, 66.8, 70.16, 91.2, and Section 607 of the Administrative Instructions).
      - [ ] sheets containing rectifications not taken into account by this Authority because they were not available at the time when this Authority began to draw up this report, and any accompanying letters (Rules 66.4*bis*, 70.2(e), 70.16 and 91.2).
      - [ ] Superseded sheets and any accompanying letters, where this Authority either considers that the superseding sheets contain an amendment that goes beyond the disclosure in the international application as filed, or the superseding sheets were not accompanied by a letter indicating the basis for the amendments in the application filed, as indicated in item 4 of Box No. I and the Supplemental Box (see Rule 70.16(b)).
   b. [ ] *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).
4. This report contains indications relating to the following items:

[X]	Box No. I	Basis of the report
[ ]	Box No. II	Priority
[X]	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
[ ]	Box No. IV	Lack of unity of invention
[X]	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
[ ]	Box No. VI	Certain documents cited
[X]	Box No. VII	Certain defects in the international application
[X]	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
24 February 2011	15 August 2011
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustralia.gov.au Facsimile No. +61 2 6283 7999	Authorized Officer **ALLAN SMAILES** AUSTRALIAN PATENT OFFICE (ISO 9001 Quality Certified Service) Telephone No. +61 2 6283 2154

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2010/000482

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

[X] The international application in the language in which it was filed

[ ] A translation of the international application into , which is the language of a translation furnished for the purposes of:

[ ] international search (under Rules 12.3(a) and 23.1 (b)).

[ ] publication of the international application (under Rule 12.4(a)).

[ ] international preliminary examination (Rules 55.2(a) and/or 55.3(a) and (b)).

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

[ ] the international application as originally filed/furnished

[X] the description:

pages **6, 8-13** as originally filed/furnished
pages* **1-5, 7, 7a** received by this Authority on **24 February 2011** with the letter of 24 February 2011
pages* received by this Authority on with the letter of

[X] the claims:

pages as originally filed/furnished
pages* as amended (together with any statement) under Article 19
pages* **14-17** received by this Authority on **24 February 2011** with the letter of 24 February 2011
pages* received by this Authority on with the letter of

[X] the drawings:

pages **1/15-15/15** as originally filed/furnished
pages* received by this Authority on with the letter of
pages* received by this Authority on with the letter of

[ ] a sequence listing - see Supplemental Box Relating to Sequence Listing.

3. [ ] The amendments have resulted in the cancellation of:

[ ] the description, pages
[ ] the claims, Nos.
[ ] the drawings, sheets/figs
[ ] the sequence listing *(specify)*:

4. [ ] This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since either they are considered to go beyond the disclosure as filed, or they were not accompanied by a letter indicating the basis for the amendments in the application as filed, as indicated in the Supplemental Box (Rules 70.2(c) and (*c-bis*)):

[ ] the description, pages
[ ] the claims, Nos.
[ ] the drawings, sheets/figs
[ ] the sequence listing *(specify)*:

5. [ ] This report has been established:

[ ] taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rules 66.1(d-*bis*) and 70.2(e)).

[ ] without taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rules 66.4*bis* and 70.2(e)).

6. [ ] Supplementary international search report(s) from Authority(ies) _____ has/have been received and taken into account in establishing this report (Rule 45bis.8(b) and (c)).

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2010/000482

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos: **29-31. See also NOTE at item 2 of Box VIII.**

because:

☐ the said international application, or the said claims Nos.
relate to the following subject matter which does not require an international preliminary examination *(specify)*:

☐ the description, claims or drawings *(indicate particular elements below)* or said claims Nos.
are so unclear that no meaningful opinion could be formed *(specify)*:

☐ the claims, or said claims Nos.
are so inadequately supported by the description that no meaningful opinion could be formed *(specify)*

☒ no international search report has been established for said claim Nos. **29-31. See also NOTE at item 2 of Box VIII**

☐ A meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
- ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Preliminary Examining Authority in a form and manner acceptable to it.
- ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13*ter*.1(a) or (b) and 13*ter*.2.

☐ See Supplemental Box for further details.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2010/000482

Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	**1-26**	**YES**
	Claims	**27-28**	**NO**
Inventive step (IS)	Claims	**1-26**	**YES**
	Claims	**27-28**	**NO**
Industrial applicability (IA)	Claims	**1-28**	**YES**
	Claims	**NONE**	**NO**

2. Citations and explanations (Rule 70.7)

The following documents identified in the International Search Report have been considered for the purposes of this Report:

D1: GB 190421839 A (OLESCHAK) 17 November 1904
D2: Derwent Abstract Accession No. 1979-J8929B, NL 7803341 A (STENMAN HOLLAND NV) 2 October 1979
D3: FR 2758847 A1 (YMOS FRANCE (FR)) 31 July 1998. English abstract retrieved from EPODOC database.
D4: EP 237172 A2 (DOM-SICHERHEITSTECHNIK GMBH & CO KG) 16 September 1987

A. NOVELTY (N)

A.1. Claims 1-26 meet the requirements of Article 33(2) of the PCT with regard to novelty; **however, reference must be made to the comments at items 1 and 2 of Box VIII with regard to the assumed meaning of claim 1 pending clarification**. None of the prior art documents disclose a lock body, barrel and wafer, the wafer extending beyond the lock barrel to be supported by the lock body so as to provide a gap between the key engaging surface of the wafer and a cut of a bump key.

A.2. Claim 27 does not meet the requirements of Article 33(2) of the PCT with regard to novelty in the light of each one of D1-D4. Note that the wafer and lock body are not the subject of the claim and so defined features of these components do not add anything to the scope of the claim except in so far as they affect the configuration of the barrel. With regard to the feature of the wafer extending beyond the lock barrel so as to be supported by the lock body, this only affects the barrel in that the barrel must have an opening from which the wafer can protrude (this being intrinsic to wafer locks). With regard to the feature of the wafer having a gap between the key engaging surface and a corresponding cut of a bump key, this has no bearing on the barrel since a wafer key engaging surface can be made higher or lower without affecting the barrel (eg in the case of D3 the key engaging surface at the bottom of channel (5a) in figure 1A can be made lower without in any way affecting the barrel) and this is the same for all wafer type locks.

D1 (figures 1-5, page 1, lines 10-14 and page 1, line 29 to page 2, line 16) discloses lock barrel (B) having passages (B1) for containing at least one wafer (C) (see figure 2) and the barrel being configured to allow the wafer to extend beyond the barrel (figure 2); D2 (abstract, figures 1-2) discloses barrel (2) for accommodating wafers ("spring loaded locking plates" referred to in the abstract) in passages (3) that extend beyond the barrel (figure 1); D3 (figures 1-2) disclose a lock barrel (3 or 23) including a plurality of passages, one for each of a plurality of wafers (5) (refer to abstract) and the barrel being configured to allow the wafer to extend beyond the barrel since the passages cut right through the barrel (while not required, D3 also discloses the wafer being supported on the lock body in the absence of a key as can be understood from figures 1-2); D4 (abstract and figures 7-12) discloses barrel (5) for accommodating wafers (17) in passages (18) that extend beyond the barrel (figures 7-9).

Continued in Supplemental Box

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. Claims 29-31 do not comply with Rule 6.2(a) because they rely on references to the description and/or drawings.

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. Claim 1 does not meet the requirements of Article 6 of the PCT because it is not clear – it defines a lock *assembly*, but merely includes a *barrel*. However, it appears that it was the intention to include the assembly of the barrel, wafer and lock body since a) the claim was directed to the lock assembly; b) claim 27 would otherwise appear to be obsolete; and c) claims appended to claim 1 define further features of the body (eg claims 3-5) and of the wafer (eg claims 9-11) and these claims would be of questionable scope if the body and the wafer are not present in claim 1. For these reasons, it will be assumed that each of the barrel, the lock body and the wafer are intended to be present in claim 1, and pending clarification, examination will proceed on this assumption. **However; if this clarity issue is not addressed then, following the strict wording of claim 1, the barrel alone will be construed to be present in claim 1 which (together with appended claims) will lack novelty and an inventive step in a similar manner to claim 27 as outlined in Box V.** Furthermore, claim 1 will be deemed to have failed to adequately meet the requirements of Article 6 of the PCT with regard to being fully supported by the description following the same argument as outlined at item 4 below.

2. Furthermore, claims 1 and 27 do not meet the requirements of Article 6 of the PCT with regard to clarity as the gap between the key engaging surface and a corresponding cut of a key is defined with respect to an "unauthorised" or "incorrect" key. However the height of the key engaging surface of such unauthorised or incorrect key is not defined and could be any number of heights. Hence there is no clear scope for this claim in terms of the defined gap. Such lack of clarity is not present with regard to the claimed "bump key" since these keys are well established in the art and are known to be a key with all the cuts at the lowest coded position for the lock. Pending clarification, claims 1 and 27 will be examined with reference to a bump key only.

   NOTE: Furthermore, the use of incorrect or unauthorised keys for the claimed lock assembly was not the subject of the International Search and as such an opinion cannot be established with regard to this aspect of these claims.

3. Claim 21 and appended claims do not meet the requirements of Article 6 of the PCT because they are not clear and are inconsistent with the claims to which they are appended. Claim 21 refers to a "wafer" comprising a pin shaped portion connected with a column. This configuration is shown in figures 25-30. Such a configuration does not appear to fall within the class of tumblers known in the art as wafers, but appears rather to be merely a modified pin tumbler. This introduces a lack of clarity within the claim and is inconsistent with the claims to which it is appended which require a wafer to be present.

   Note that if some special meaning of wafer is to be argued for this application, then GB 112761 and US 5964112 both currently listed as A documents in the ISR may be relevant as X documents.

4. Claims 27-28 do not meet the requirements of Article 6 of the PCT because they are not fully supported by the description. Claims are not fully supported by the description if their subject matter is different to the subject matter of the description. These claims are inconsistent with the description in that they fail to define the inventive concept. The described invention lies in providing a lock with the feature of a wafer key engaging surface that is higher than the lowest code position. The height of the wafer's key engaging surface relative to the lowest code position is a function of the combined features of the wafer, the lock barrel, and the lock body and each are required to ensure that the invention is realised. However, the subject of claims 27 and 28 are merely a lock barrel and a wafer respectively, without the other components required to ensure that the described invention is realised.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

A.3. Claim 28 does not meet the requirements of Article 33(2) of the PCT with regard to novelty in the light of each one of D1-D4. Note that claim 28 is directed to a wafer only and the lock body and barrel are not the subject of the claim. Hence the feature of the wafer being configured to provide a gap between the key engaging surface and a corresponding cut of a bump key is not limiting on the scope of the claim since the size and design of the lock body and barrel will ultimately affect whether or not a particular wafer provides the claimed gap. Thus, any wafer that is configured for use in a lock barrel can satisfy this criterion depending on the design of the barrel and lock body. The wafers must merely have a key engaging surface and have an extended portion, both of which are the intrinsic to wafer locks, such wafers being disclosed by each of D1-D4 as outlined at A.2 above.

B. INVENTIVE STEP (IS)

B.1. Claims 27-28 are obvious and do not meet the requirements of Article 33(3) of the PCT with regard to inventive step as they are disclosed by the prior art as outlined above and an invention is necessarily obvious in the light of its disclosure.

B.2. Claims 1-26 meet the criteria set out in PCT Article 33(3) with regard to the requirement of Inventive Step; **however, reference must be made to the comments at items 1 and 2 of Box VIII with regard to the assumed meaning of claim 1 pending clarification**. The prior art does not obviously suggest a lock body, barrel and wafer, the wafer extending beyond the lock barrel to be supported by the lock body so as to provide a gap between the key engaging surface of the wafer and a cut of a bump key. The closest prior art is considered to be D3, the disclosure of which is outlined at A.2 above. D3 fails to teach the specified gap between the key engaging surface of the wafer and a cut of a bump key. The provision of such a gap is to secure the lock against being picked by use of a bump key. Given that standard wafers, including those disclosed in D3 are not prone to bumping, there is no motivation to modify the lock to provide the claimed gap.

C. INDUSTRIAL APPLICABILITY (IA)

C.1. The invention defined in the claims is considered to meet the requirements of Industrial Applicability under Article 33(4) of the PCT because it can be made by, or used in, industry.

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

INTELLECTUAL PROPERTY LAW
OFFICE OF DAVID LATHROP
NO. 827
39120 ARGONAUT WAY
FREMONT CA 94538

MAILED
MAR 3 0 2012
OFFICE OF PETITIONS

In re Application of
BUTT, et al
Application No.: 13/266,113
Filed: November 21, 2011
Attorney Docket No.: CLW016 US
For: LOCK ASSEMBLY

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 6, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, Australia, Austria, Finland, Russia, Spain, Korea, NPI, China, 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.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements (1-6). However, the request to participate in the PPH pilot program and petition fail to meet condition (7).

Regarding the requirement of condition (7), applicant has failed to submit copies of the foreign documents cited in the international work product. Petitioner has indicated on the PCT- PPH request that the copies were included in the U.S. application, however, the PTO record does not show such were received.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Simon James Butt, et al.		
Serial No.:	13/266,113	Examiner:	Suzanne Lale Dino Barrett
Filing Date:	November 21, 2011	Art Unit:	3673
Title:	Lock Assembly		
Conf. No.	3583		

April 20, 2012
Fremont, California

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO DECISION ON REQUEST TO PARTICIPATE IN THE PATENT PROSECUTION HIGHWAY PROGRAM AND PETITION TO MAKE SPECIAL UNDER 37 C.F.R 1.102(A)

Sir:

The present application is a national stage application of International Patent Application no. PCT/AU2010/000482.

On February 6, 2012 the Applicants filed a request to participate in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) pilot program between the IP Australia and the USPTO.

On March 30, 2012 the USPTO mailed a decision indicating the request was denied because it failed to provide copies of the non-U.S. documents cited in the International Search Report (ISR) for the corresponding PCT application, and that the Applicants had one opportunity within a time period of one month to correct the deficiency.

The Applicants submit this response to correct the one deficiency. Enclosed herewith is an Information Disclosure Statement (essentially identical to an IDS submitted on October 24, 2011) disclosing the references cited in the ISR and providing copies of all non-U.S. references cited in the ISR. According to the USPTO decision mailed on March 30, 2012, this submission should place the Applicants' request for participation in the PCT-PPH pilot program in condition for acceptance.

The Applicants request reconsideration of their request.

Respectfully submitted,

David N. Lathrop
Reg. No. 34,655
No. 827
39120 Argonaut Way
Fremont, CA 94538
Telephone: (510) 713-0991
Facsimile: (510) 474-1643

Enc. Information Disclosure Statement
Copies of all cited non-U.S. references

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/266,271	Filing date:	October 26, 2011
First Named Inventor:	Kazuhiro ADACHI et al.		
Title of the Invention:	SEMICONDUCTOR ELEMENT, SEMICONDUCTOR DEVICE, AND POWER CONVERTER		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/003062

The international date of the corresponding PCT application(s) is/are: April 28, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/266,271
First Named Inventor:	Kazuhiro ADACHI et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on October 26, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 26, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
47-68	1-3, 6-9, 11-19, 21-26	US claims 47-68 sufficiently correspond to
		PCT/JP2010/003062 claims 1-3, 6-9, 11-19, 21-26
69-84	29-32, 34-42, 44-46	US claims 69-84 sufficiently correspond to
		PCT/JP2010/003062 claims 29-32, 34-42, 44-46

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Mark D. Saralino/	Date November 14, 2011
Name (Print/Typed) Mark D. Saralino	Registration Number 34,243

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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:	13/266,271	Filing date:	October 26, 2011
First Named Inventor:	Kazuhiro ADACHI et al.		
Title of the Invention:	SEMICONDUCTOR ELEMENT, SEMICONDUCTOR DEVICE, AND POWER CONVERTER		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/JP2010/003062

The international date of the corresponding PCT application(s) is/are: April 28, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/266,271
First Named Inventor:	Kazuhiro ADACHI et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on October 26, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 26, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
47-84	1-3, 6-9, 11-19, 21-26, 29-32, 34-42, 44-46	US claims 47-84 sufficiently correspond to PCT/JP2010/003062 claims
		1-3, 6-9, 11-19, 21-26, 29-32, 34-42, 44-46

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Mark D. Saralino/	Date February 7, 2012
Name (Print/Typed) Mark D. Saralino	Registration Number 34,243

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
MAR 29 2012
OFFICE OF PETITIONS

MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND OH 44115

In re Application of : DECISION ON REQUEST TO
Kazuhiro ADACHI et al. : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/266,271 : AND PETITION TO MAKE SPECIAL
Filed: October 26, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: OKUDP0637WOUS
For: SEMICONDUCTOR ELEMENT, SEMICONDUCTOR DEVICE, AND POWER CONVERTER

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed November 14, 2011 and further supplemented on February 7, 2012, to make the above-identified application special.

The request and petition are **DISMISSED.**

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

Requirements (1) to (3) and (5) to (8) 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), the claims in the U.S. application do not sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application.

Applicant is given **ONE** opportunity with a time period of **ONE MONTH** or **THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected within the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros. Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petition Attorney, Office of Petitions at 571-272-8427.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

NOV 29 2011

PCT LEGAL ADMINISTRATION

William J. Sapone
Coleman Sudol Sapone P.C.
714 Colorado Avenue
Bridgeport, CT 06605

In re Application of	:	
SCHEDA, Fabio	:	
U.S. App. No. 13/266,286	:	DECISION ON PETITION
PCT No.:PCT/IB2009/007586	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 26 November 2009	:	
Priority Date: 28 November 2008	:	
Attorney Docket: 377/9-3012	:	
For: AN ARTICLE FOR WASHING COLOURED TEXTILES	:	

The petition to revive under 37 CFR 1.137(b) filed 26 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" meets the requirements of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has submitted the basic national fee and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

Anthony Smith
Attorney-Advisor
Office PCT Legal Administration
Tel.: 571-272-3298

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

BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA VA 22314-1176

MAILED

JAN 30 2012

OFFICE OF PETITIONS

In re Application of
HOGNASON, et al
Application No.: 13/266,287
Filed: 13 June 2011
Attorney Docket No.: HOGN3001/JJC
For: APPARATUS FOR THAWING OR COOLING FOOD PRODUCTS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY PILOT
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed November 2, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the EPO;

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the EPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the EPO application(s);

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of all the office actions from each of the EPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate;

(6) Applicant must submit an IDS listing the documents cited by the EPO examiner in the EPO office action along with copies of documents except U.S. patents or U.S. patent application publications; and

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application is being forwarded to the examiner in Technology Center AU 3742 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

MAILED

NOV 16 2011

PCT LEGAL ADMINISTRATION

JACQUES L. ETKOWICZ
P.O. BOX 980
VALLEY FORGE, PA 19482

In re Application of :
RUIZ SUESA, LUIS ANTONIO ET AL :
U.S. Application No.: 13/266343 : DECISION ON PETITION
PCT No.: PCT/ES2009/000455 :
Int. Filing Date: 16 SEPTEMBER 2009 :
Priority Date: 29 SEPTEMBER 2008 :
For: PRINTING MACHINE AND PRINTING GROUP FOR VARIABLE FORMAT OFFSET :

The petition to revive under 37 CFR 1.137(b) filed 26 October 2011, in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The application has an International filing date under 35 U.S.C. 363 of 16 September 2009, and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 26 October 2011.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Bryan Lin
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

STEVEN L. NICHOLS
Van Cott, Bagley, Cornwall & McCarthy
36 South State Street
SUITE 1900
SALT LAKE CITY UT 84111

MAILED
NOV 14 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
KANTAJARANITI	:	DECISION ON PETITION
Application No.: 13/266,347	:	
PCT No.: PCT/TH2010/000013	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 26 March 2010	:	
Priority Date: 27 March 2009	:	
Atty. Docket No.: 34600-303413	:	
For: GEAR LEVER LOCKING DEVICE	:	

The petition to revive under 37 CFR 1.137(b) filed 26 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply form the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has provided the proper reply in the form of payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

DONALD M. HILL, JR.
ALSTON & BIRD LLP
101 SOUTH TRYON STREET, STE. 4000
CHARLOTTE, NC 28280-4000

MAILED

NOV 23 2011

PCT LEGAL ADMINISTRATION

In re Application of :
FRADERA PELLICER, Carlos :
U.S. Application No.: 13/266407 : DECISION ON PETITION
PCT No.: PCT/ES2010/000124 :
Int. Filing Date:26 MARCH 2010 :
Priority Date: 30 MARCH 2009 :
For: FUNCTIONAL SYSTEM OF A CEMENT- :
MORTAR PANEL WITH PRESTRESSED :
BIAXIAL PRETENSADA :
:

The petition to revive under 37 CFR 1.137(b) filed 26 October 2011, in the above-captioned application is hereby **GRANTED**.

Applicant states that the entire delay in filing the required reply from the due date was unintentional, as required by 37 CFR 1.137(b)(3). The appropriate petition fee has been submitted. A terminal disclaimer is not required as the application was filed on or after 08 June 1995. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

A review of the application file reveals that applicant has now provided payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being forwarded to the United States Designated/Elected Office (DO/EO) for further processing in accordance with this decision.

Wanda Banks
Paralegal Specialist
Office of PCT Legal Administration
Tel: (571) 272-3277

Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JEROME D. JACKSON
JACKSON PATENT LAW OFFICE
211 N. UNION STREET, SUITE 100
ALEXANDRIA VA 22314

MAILED
NOV 15 2011
PCT LEGAL ADMINISTRATION

In re Application of	:	
LAU	:	DECISION ON PETITION
Application No.: 13/266,417	:	
PCT No.: PCT/MY2009/000104	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 28 July 2009	:	
Priority Date: 12 November 2008	:	
Atty. Docket No.: 322.002	:	
For: DETACHABLE ELECTRICAL EXTENSION SOCKETS	:	

The petition to revive under 37 CFR 1.137(b) filed 26 October 2011 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply form the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" and the prompt filing of the petition satisfies the requirement of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicant has provided the proper reply in the form of payment of the full, U.S. Basic National Fee. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: (571) 272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

JEROME D. JACKSON (JACKSON PATENT LAW OFFICE)
211 N. UNION STREET, SUITE 100
ALEXANDRIA VA 22314

MAILED

DEC 02 2011

OFFICE OF PETITIONS

In re Application of :
Errol John Smith et al. :
Application No. 13/266,427 : DECISION ON PETITION
Filed: October 26, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **320.002** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 17, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by a registered attorney. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to the Office of Patent Application Processing (OPAP) for action on the merits commensurate with this decision.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

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

HUNTSMAN INTERNATIONAL LLC
LEGAL DEPARTMENT
10003 WOODLOCH FOREST DRIVE
THE WOODLANDS TX 77380

MAILED

DEC 02 2011

PCT LEGAL ADMINISTRATION

In re Application of :
GRINDLING, et al. :
U.S. Application No.: 13/266,467 : DECISION ON PAPERS
PCT No.: PCT/EP2010/053874 :
Int. Filing Date: 25 March 2010 : UNDER 37 CFR 1.42
Priority Date: 05 May 2009 :
Attorney's Docket No.: HAM830096 :
For: CURABLE SYSTEM :

This application is before the Office of PCT Legal Administration for issues arising under 35 U.S.C. 371. The filing of the declaration in question is being treated as a request for status pursuant to 37 CFR 1.42. No petition fee is required.

BACKGROUND

On 25 March 2010, applicant filed the above-referenced international application, which claimed a priority date of 05 May 2009. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 November 2010. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 05 November 2011.

On 27 October 2011, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, among other items, payment of the requisite basic national fee and the combined declaration and power of attorney discussed herein.

DISCUSSION

Pursuant to 37 CFR 1.42, first sentence:

> "In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain a patent."

An examination of the filed declaration and power of attorney finds that the document lists the citizenship of deceased inventor Cliff Beard and the post office, residence and citizenship for his heir Ann Beard. (It is clear from the labeling of Mrs. Beard as "his heir" that she is the sole heir to the estate.) In addition, this information has been provided for the additional inventors listed on the published international application. The declaration has been

executed by the heir and the additional listed inventors. As such, the declaration is in compliance with 37 CFR 1.497(a)-(b).

The submission of the declaration executed by the heir is being interpreted to mean that no legal representative of the estate has been appointed nor is statutorily required to be appointed. If this interpretation is incorrect applicant should contact this office immediately.

In light of the above, it is proper to grant applicant's request at this time.

CONCLUSION

Applicant's request for status under 37 CFR 1.42 is **GRANTED**.

This application has an international application filing date of 25 March 2010 and will be given a date of **27 October 2011** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.

Derek A. Putonen
Attorney Advisor
Office of PCT Legal Administration
Tel: 571-272-3294

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

OSHA LIANG L.L.P.
TWO HOUSTON CENTER
909 FANNIN, SUITE 3500
HOUSTON TX 77010

MAILED
APR 06 2012
OFFICE OF PETITIONS

In re Application of
Wuri Andarmanwanti Hapsari et al.
Application No.: 13/266,488
Filed: January 3, 2012
Attorney Docket No.: 17470/183001
For: Mobile Communication System

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 7, 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;
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 Kimberly Inabinet at (571) 272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Thurman K. Page
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT	:	Takenori AIYAMA
SERIAL NO.	:	**13/266,566**
FILED	:	27 October 2011
FOR	:	**FILAMENT WINDING DEVICE AND FILAMENT WINDING METHOD**
GROUP ART UNIT	:	3654 Conf. No. **6242**
EXAMINER	:	Emmanuel Monsayac MARCELO

SUBMISSION OF REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PROGRAM BETWEEN JPO AND US PTO

COMMISSIONER FOR PATENTS
PETITIONS BRANCH
P. O. Box 1450
Alexandria, VA 22313-1450

Attention: Magdalen Greenlief

Sir:

Applicant hereby requests participation in the PCT-Patent Prosecution Highway (PCT-PPH) Program and ***petitions to make this application special under the PCT-PPH Program***. To comply with the requirements, the following papers are transmitted:

1) Request For Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PCT-PPH) Program Between the JPO and the USPTO with claims correspondence table (Form PTO/SB/20PCT-JP);

2) Japanese language version of international work product (IPRP) in PCT/JP2009/058394;

3) English Translation of IPRP (PCT/IPEA/409) with Art. 34 Amended claims.

REMARKS

In view of the foregoing documents transmitted herewith to comply with the Requirements For Participation in the Patent Cooperation Treaty - Patent Prosecution Highway (PPH) Program between the JPO and the USPTO, Applicant respectfully requests participation in the program as well as accelerated examination of this application.

The US claims correspond to the claims found to meet the criteria of novelty, inventive step and industrial applicability in the IPRP, as shown in the claims correspondence table attached to the PCT-PPH Request form. The US claims were amended to conform to the Article 34 amended claims (translation attached) in the preliminary amendment filed with the application.

The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this request.

The Office is authorized to charge any fees related to this filing to Deposit Account No. 11-0600.

Respectfully submitted,

Dated: 08 March 2012

/Daniel G. Shanley/
Daniel G. Shanley
(Reg. No. 54,863)

KENYON & KENYON LLP
1500 K Street, N.W., #700
Washington, D.C. 20005

Telephone: (202) 220-4200
Facsimile: (202) 220-4201

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/266,566	Filing date:	27 October 2011
First Named Inventor:	Takenori AIYAMA		
Title of the Invention:	FILAMENT WINDING DEVICE AND FILAMENT WINDING METHOD		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

PCT/JP2009/058394

The corresponding PCT application number(s) is/are:

The international date of the corresponding PCT application(s) is/are:

28 April 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/266,566
First Named Inventor:	Takenori AIYAMA

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 27 October 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 27 October 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Deleted	Deleted	JP claim 1 was deleted in the Article 34 Amendment and US claim 1
		was deleted in the preliminary amendment filed with the application.
2	2	Amended US claim 2 corresponds to PCT claim 2.
3	3	US claim 3 corresponds to PCT claim 3, except for deletion of multiple dependency.
4	4	US claim 4 corresponds to PCT claim 4.
5	5	US claim 5 corresponds to PCT claim 5.
6	6	US claim 6 corresponds to PCT claim 6, except for deletion of multiple dependency.
7	7	US claim 7 corresponds to PCT claim 7, except for deletion of multiple dependency.
8	8	US claim 8 corresponds to PCT claim 8, except for deletion of multiple dependency.
9	9	US claim 9 corresponds to PCT claim 9, except for deletion of multiple dependency.
10	10	US claim 10 corresponds to PCT claim 10.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Daniel G. Shanley/	Date 08 March 2012
Name (Print/Typed) Daniel G. Shanley	Registration Number 54,863

特 許 協 力 条 約

ＰＣＴ

特許性に関する国際予備報告（特許協力条約第二章）

（法第12条、法施行規則第56条）
〔ＰＣＴ36条及びＰＣＴ規則70〕

出願人又は代理人 の書類記号 TSN20090459W	今後の手続きについては、様式ＰＣＴ／ＩＰＥＡ／４１６を参照すること。	
国際出願番号 ＰＣＴ／ＪＰ２００９／０５８３９４	国際出願日 （日．月．年） ２８．０４．２００９	優先日 （日．月．年）
国際特許分類（ＩＰＣ） Int.Cl. B29C70/16(2006.01)i		
出願人（氏名又は名称） トヨタ自動車株式会社		

1．この報告書は、ＰＣＴ35条に基づきこの国際予備審査機関で作成された国際予備審査報告である。
法施行規則第57条（ＰＣＴ36条）の規定に従い送付する。

2．この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。

3．この報告には次の附属物件も添付されている。

a．☑ 附属書類は全部で 2 ページである。

☑ 補正されて、この報告の基礎とされた及び／又はこの国際予備審査機関が認めた訂正を含む明細書、請求の範囲及び／又は図面の用紙（ＰＣＴ規則70.16及び実施細則第607号参照）

☐ 第Ｉ欄４．及び補充欄に示したように、出願時における国際出願の開示の範囲を超えた補正を含むものとこの国際予備審査機関が認定した差替え用紙

b．☐ 配列表に関する補充欄に示され、電子形式のみで提出された、配列表を含む電子媒体は全部で
（電子媒体の種類、数を示す）。

（実施細則附属書Ｃ3の2第3段落参照）

4．この国際予備審査報告は、次の内容を含む。

☑ 第Ｉ欄 国際予備審査報告の基礎
☐ 第Ⅱ欄 優先権
☐ 第Ⅲ欄 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
☐ 第Ⅳ欄 発明の単一性の欠如
☑ 第Ⅴ欄 ＰＣＴ35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
☐ 第Ⅵ欄 ある種の引用文献
☐ 第Ⅶ欄 国際出願の不備
☐ 第Ⅷ欄 国際出願に対する意見

国際予備審査の請求書を受理した日 ２８．０９．２００９	国際予備審査報告を作成した日 ２５．０４．２０１１
名称及びあて先 日本国特許庁（ＩＰＥＡ／ＪＰ） 郵便番号１００－８９１５ 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） ４Ｆ ４５１６ 深谷 陽子 電話番号 ０３－３５８１－１１０１ 内線 ３４３０

様式ＰＣＴ／ＩＰＥＡ／４０９（表紙）（２００９年７月）

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００９／０５８３９４

第Ⅰ欄　報告の基礎

1．言語に関し、この予備審査報告は以下のものを基礎とした。

☑ 出願時の言語による国際出願

☐ 出願時の言語から次の目的のための言語である ＿＿＿＿＿＿ 語に翻訳された、この国際出願の翻訳文

☐ 国際調査（ＰＣＴ規則12.3(a)及び23.1(b)）

☐ 国際公開（ＰＣＴ規則12.4(a)）

☐ 国際予備審査（ＰＣＴ規則55.2(a)又は55.3(a)）

2．この報告は下記の出願書類を基礎とした。（法第6条（ＰＣＴ14条）の規定に基づく命令に応答するために提出された差替え用紙は、この報告において「出願時」とし、この報告に添付していない。）

☐ 出願時の国際出願書類

☑ 明細書

第 １－２０ ページ、出願時に提出されたもの

第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ ページ*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 請求の範囲

第 ４，５，１０ 項、出願時に提出されたもの

第 ＿＿＿＿ 項*、ＰＣＴ１９条の規定に基づき補正されたもの

第 ２，３，６－９ 項*、２８．０９．２００９ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ 項*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☑ 図面

第 １－２２ ~~ページ／~~図、出願時に提出されたもの

第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

第 ＿＿＿＿ ページ／図*、＿＿＿＿ 付けで国際予備審査機関が受理したもの

☐ 配列表

配列表に関する補充欄を参照すること。

3．☑ 補正により、下記の書類が削除された。

☐ 明細書　第＿＿＿＿ ページ

☑ 請求の範囲　第 1 項

☐ 図面　第＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること）＿＿＿＿

4．☐ この報告は、補充欄に示したように、この報告に添付されかつ以下に示した補正が出願時における開示の範囲を超えてされたものと認められるので、その補正がされなかったものとして作成した。（ＰＣＴ規則70.2(c)）

☐ 明細書　第＿＿＿＿ ページ

☐ 請求の範囲　第＿＿＿＿ 項

☐ 図面　第＿＿＿＿ ページ／図

☐ 配列表（具体的に記載すること）＿＿＿＿

5．☐ この報告は、ＰＣＴ規則91の規定により国際予備審査機関が認めた又は国際予備審査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則70.2(e)）。

6．☐ この報告を作成するにあたり、補充国際調査機関である＿＿＿＿
から受領した補充国際調査報告を考慮した。（ＰＣＴ規則45の2.8(b)及び(c)）

＊４．に該当する場合、その用紙に〝superseded〟と記入されることがある。

特許性に関する国際予備報告

国際出願番号 ＰＣＴ／ＪＰ２００９／０５８３９４

第Ｖ欄　新規性、進歩性又は産業上の利用可能性についての法第12条（ＰＣＴ35条(2)）に定める見解、それを裏付ける文献及び説明

１．　見解

新規性（Ｎ）	請求項	２－１０	有
	請求項		無
進歩性（ＩＳ）	請求項	２－１０	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	２－１０	有
	請求項		無

２．　文献及び説明（ＰＣＴ規則70.7）

文献１：JP 2008-195000 A（村田機械株式会社）2008.08.28，【００５８】－【００６１】、【図２】
文献２：JP 60-189428 A（三菱電機株式会社）1985.09.26，第２頁右上欄第１０行－左下欄第３行、第１図
文献３：JP 4-308166 A（日本電装株式会社）1992.10.30，【請求項１】、【００２３】－【００３５】、【図１】
文献４：JP 2007-260976 A（トヨタ自動車株式会社）2007.10.11，【００２０】、【００４１】、【図１】
文献５：JP 8-011221 A（積水化学工業株式会社）1996.01.16，【請求項１】、【００１１】、【図１】、【図５】

(1) 請求項2-9に係る発明は、国際調査報告で引用された文献1-5に対して新規性、進歩性を有する。
文献1-5には、繊維給糸口が一部にのみ設けられた繊維ガイド部材により、平滑ヘリカル層を形成する装置は記載されておらず、しかもその点は繊維どうしの重なりを回避してＦＲＰ層の厚みが厚くなるのを抑制することができるものであるから、この点は当業者といえども容易に想到し得ないものである。

(2) 請求項10に係る発明は、国際調査報告で引用された文献1-5に対して新規性、進歩性を有する。
文献1-5には、繊維ガイド部材の複数の繊維給糸口に給糸された繊維を、被巻回部材の周囲にて集約させた状態で被巻回部材に巻回させる方法は記載されておらず、しかもその点は繊維どうしの重なりを回避してＦＲＰ層の厚みが厚くなるのを抑制することができるものであるから、この点は当業者といえども容易に想到し得ないものである。

請求の範囲

[請求項1] (削除)

[請求項2] (補正後)

複数の繊維給糸口を備えた繊維ガイド部材を、軸回りに相対回転する被巻回部材の軸方向に相対移動させ、前記繊維給糸口から繊維を給糸して前記被巻回部材の周囲に巻回するフィラメントワインディング装置において、

前記繊維給糸口が前記繊維ガイド部材の一部にのみ設けられており、

前記繊維ガイド部材が前記被巻回部材の軸方向へ相対的に往復運動することにより、前記繊維によって平滑ヘリカル層を形成する、フィラメントワインディング装置。

[請求項3] (補正後)

前記繊維給糸口は、前記繊維の給糸角度が可変に設けられている、請求項2に記載のフィラメントワインディング装置。

[請求項4] 前記繊維給糸口が、前記繊維ガイド部材上で当該繊維ガイド部材を含む面に沿って旋回動作可能に設けられている、請求項3に記載のフィラメントワインディング装置。

[請求項5] 前記繊維給糸口が、複数本の前記繊維を前記被巻回部材上で1箇所に集約させる向きに動作する、請求項4に記載のフィラメントワインディング装置。

[請求項6] (補正後)

前記繊維給糸口はスライド可能であり前記繊維の給糸位置を変える、請求項2から5のいずれか一項に記載のフィラメントワインディング装置。

[請求項7] (補正後)

前記繊維給糸口は伸縮可能であり前記繊維の給糸位置を変える、請求項2から5のいずれか一項に記載のフィラメントワインディング装置。

[請求項8] (補正後)

前記繊維ガイド部材を前記被巻回部材の軸方向へ相対的に往復運動させたときの前記繊維による当該被巻回部材に対するカバー率が５０%未満である、請求項２から７のいずれか一項に記載のフィラメントワインディング装置。

[請求項9] (補正後)

前記繊維を収容するクリルスタンドが前記繊維ガイド部材の片側にのみ配置されている、請求項２から８のいずれか一項に記載のフィラメントワインディング装置。

[請求項10] 複数の繊維給糸口を備えた繊維ガイド部材を、軸回りに相対回転する被巻回部材の軸方向に移動させ、前記繊維給糸口から繊維を給糸して前記被巻回部材の周囲に巻回するフィラメントワインディング方法において、

前記繊維ガイド部材を前記被巻回部材の軸方向へ相対移動させる際、前記被巻回部材からみて片側からのみ複数の前記繊維を給糸し、これら繊維を前記被巻回部材の周囲にて集約させた状態で当該被巻回部材に巻回させる、フィラメントワインディング方法。

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Form PCT/IPEA/416
TSN20090459W		
International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2009/058394	28.04.2009	
International Patent Classification (IPC) or national classification and IPC		
B29C70/16		
Applicant		
TOYOTA JIDOSHA KABUSHIKI KAISHA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 2 sheets, as follows:

      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s))

      _____, containing a sequence listing, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see paragraph 3*bis* of Annex C of the Administrative Instructions).

4. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/058394

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

☒ the international application in the language in which it was filed

☐ a translation of the international application _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (Rules 12.3(a) and 23.1(b))
- ☐ publication of the international application (Rule 12.4(a))
- ☐ international preliminary examination (Rule 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ the international application as originally filed/furnished

☒ the description:

pages 1-20 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

nos. 4,5,10 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 2,3,6-9 received by this Authority on 28.09.2009

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets figures 1-22 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☒ the claims, nos. 1
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing *(specify)*: _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing *(specify)*: _____

5. ☐ This report has been established taking into account **the rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

6. ☐ Supplementary international search report(s) from Authority(ies) _____ have been received and taken into account in drawing up this report (Rule 45bis.8(b) and (c)).

* *If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/JP2009/058394

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-10	YES
	Claims		NO
Inventive step (IS)	Claims	2-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	2-10	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP 2008-195000 A (Murata Machinery, Ltd.), 28 August 2008, paragraphs [0058] - [0061], fig. 2

Document 2: JP 60-189428 A (Mitsubishi Electric Corporation), 26 September 1985, page 2, upper right column, line 10 to lower left column, line 3, and fig. 1

Document 3: JP 4-308166 A (DENSO Corporation), 30 October 1992, claim 1, paragraphs [0023] to [0035], fig. 1

Document 4: JP 2007-260976 A (Toyota Motor Co., Inc.), 11 October 2007, paragraphs [0020] and [0041], fig. 1

Document 5: JP 8-011221 A (Sekisui Chemical Co., Ltd.), 16 January 1996, claim 1, paragraph [0011], fig. 1 and 5

(1) The invention as in claims 2 to 9 is novel and involves an inventive step over documents 1 to 5 cited in the International Search Report.

Documents 1 to 5 do not disclose a device which

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

forms a smooth helical layer by means of a fiber guide member provided with a fiber feeding port in only one area, and moreover, the feature of being capable of suppressing an FRP layer from becoming thick by keeping the fibers from crossing one another could not have been easily conceived of even by a person skilled in the art.

(2) The invention as in claim 10 is novel and involves an inventive step over documents 1 to 5 cited in the International Search Report.

Documents 1 to 5 do not disclose a method in which fibers, supplied to multiple fiber supply ports of a fiber guide member, are wound around a winding member in a state in which said fibers are gathered in the periphery of the winding member, and moreover, the feature of being capable of suppressing an FRP layer from becoming thick by keeping the fibers from crossing one another could not have been easily conceived of even by a person skilled in the art.

[Amendment under PCT Article 34]

CLAIMS

1. (Canceled)

2. (Amended) A filament winding device which moves a fiber guide member equipped with a plurality of fiber feeding ports relatively in an axial direction of a wound member rotating relatively about the axis, and feeds fibers through the fiber feeding ports to wind the fibers around the wound member,

wherein the fiber feeding ports are provided only in part of the fiber guide member, and

when the fiber guide member reciprocates relatively in the axial direction of the wound member, the fibers form a smooth helical layer.

3. (Amended) The filament winding device according to claim 2, wherein the fiber feeding ports are provided so that a fiber feeding angle of the fibers is variable.

4. The filament winding device according to claim 3, wherein the fiber feeding ports are provided revolvably along a plane including the fiber guide member on the fiber guide member.

5. The filament winding device according to claim 4, wherein the fiber feeding ports operate in such a direction that the plurality of fibers are gathered in one portion on the wound member.

6. (Amended) The filament winding device according to any one of claims 2 to 5, wherein the fiber feeding ports are slidable to change a fiber feeding port of the fibers.

[Amendment under PCT Article 34]

7. (Amended) The filament winding device according to any one of claims 2 to 5, wherein the fiber feeding ports are expandable/contractible to change a fiber feeding position of the fibers.

8. (Amended) The filament winding device according to any one of claims 2 to 7, wherein a coverage of the wound member with the fibers when the fiber guide member is reciprocated relatively in the axial direction of the wound member is smaller than 50%.

9. (Amended) The filament winding device according to any one of claims 2 to 8, wherein a creel stand which receives the fibers is disposed only on one side of the fiber guide member.

10. A filament winding method comprising the steps of: moving a fiber guide member equipped with a plurality of fiber feeding ports relatively in an axial direction of a wound member rotating relatively about the axis; and feeding fibers through the fiber feeding ports to wind the fibers around the wound member,

wherein the step of moving the fiber guide member relatively in the axial direction of the wound member feeds a plurality of fibers only from one side when viewed from the wound member, and winds the fibers around the wound member while the fibers are gathered on the periphery of the wound member.

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

Modified PTO/SB/20PCT-JP (01-2010)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No.:	13/266,580	Filing Date:	October 27, 2011
First Named Inventor:	Shinichi YASUI et al.	Attorney Docket No.:	2011_1628A
Title of the Invention:	AUXILIARY MEMBER FOR 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/JP2011/002856

The international date of the corresponding PCT application(s) is/are: May 23, 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.

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 October 27, 2011.

(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)
[ ] Are attached.
[X] Have already been filed in the above-identified U.S. application on October 27, 2011.

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

The USPTO is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.492, which may be required by this paper to Deposit Account No. 23-0975.

Modified PTO/SB/20PCT-JP (01-2010)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the 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.:	13/266,580
First Named Inventor:	Shinichi YASUI et al.

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-19	1-19	Correspond (US claims amended only to remove multiple dependency)

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Jeffrey R. Filipek/ 2011.10.27 16:22:59 -04'00'	Date: October 27, 2011
Name: (Print/Type) Jeffrey R. Filipek	Registration No. 41,471

Statement of Translation

I hereby declare and state:

that I am thoroughly conversant in both the Japanese language and the English language;

that I am capable of performing translation from the Japanese language into English language; and

that the attached document represents a true and complete English translation of the latest international work product (WO/ISA) in the PCT Application No. PCT/JP2011/002856 .

Signed this 20th day of October, 2011.

M. Motoyama

Masafumi MOTOYAMA

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
SHINJYU GLOBAL IP
South Forest Bldg., 1-4-19,
Minamimori-machi, Kita-ku,
Osaka-shi, Osaka
5300054

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	June 28, 2011 (28. 06. 2011)
Applicant's or agent's file reference: P611580PO	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2011/002856	May 23, 2011 (23. 05. 2011)	June 4, 2010 (04. 06. 2011)

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. H01M2/10(2006.01)i, H04R25/00(2006.01)i

Applicant
PANASONIC CORPORATION

1. This opinion contains indications relating to the following items:

- [✓] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [✓] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1*bis*(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/	Date of completion of this opinion	Authorized officer
Japan Patent Office (ISA/JP) 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 1008915	June 15, 2011 (15. 06. 2011)	Atsushi UEMAE
Facsimile No.		Telephone No. 03-3581-1101 extension 3477

Form PCT/ISA/237 (cover sheet)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2011/002856

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of:

   ☑ the international application in the language in which it was filed.

   ☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)

      ☐ on paper

      ☐ in electronic form

   b. (time)

      ☐ in the international application as filed

      ☐ together with the international application in electronic form

      ☐ subsequently to this Authority for the purposes of search

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2011/002856

Box No. V **Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	1-19	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations:

Citations (All of the following references have been cited in the International Serach Report.)
Citation 1: JP 8-84399 A (Rion Co., Ltd.), March 26, 1996, entire text (especially Par. Nos. [0025] to [0038]) (family: none)
Citation 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 61-108303 (Laid-open No. 63-15564) (Rion Co., Ltd.), Februaly 1, 1988, entire text (family: none)
Citation 3: JP 59-228355 A (Matsushita Electric Industrial Co., Ltd.), December 21,1984, entire text (family: none)
Citation 4: JP 3148830 U (Masayuki MIYATA), February 12, 2009, entire text (family: none)

Explanation
Claims 1 to 19 are acknowledged to have novelty and inventive step even in light of all the above citations of publications. In all of these publications, a hearing aid auxiliary member having a mechanism for opening a battery case of a hearing aid in a state in which the hearing aid has been accommodated is neither mentioned nor implied.

特 許 協 力 条 約

受領
RECEIVED
JUN. 29. 2011
SHINJYU
JAPAN

発信人　日本国特許庁（国際調査機関）

代理人
新樹グローバル・アイピー特許業務法人

様

あて名
〒530-0054
日本国大阪府大阪市北区南森町１丁目４番１９号
サウスホレストビル

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

発送日 (日.月.年)　28. 06. 2011	
出願人又は代理人 の書類記号　P611580P0	今後の手続きについては、下記２を参照すること。
国際出願番号 PCT／JP2011／002856	国際出願日 (日.月.年)　23. 05. 2011
優先日 (日.月.年)　04. 06. 2010	
国際特許分類（IPC）Int.Cl. H01M2/10(2006.01)i, H04R25/00(2006.01)i	
出願人（氏名又は名称） パナソニック株式会社	

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き
国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT／ISA／220を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT／ISA／220を参照すること。

３．さらなる詳細は、様式PCT／ISA／220の備考を参照すること。

見解書を作成した日 15. 06. 2011		
名称及びあて先 日本国特許庁（ISA／JP） 郵便番号100－8915 東京都千代田区霞が関三丁目４番３号	特許庁審査官（権限のある職員） 植前　充司 電話番号　03－3581－1101　内線　3477	4X　9445

様式PCT／ISA／237（表紙）（2009年7月）

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１１／００２８５６

第Ⅰ欄　見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（ＰＣＴ規則12.3(a)及び23.1(b)）

2．☐ この見解書は、ＰＣＴ規則 91 の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（ＰＣＴ規則 43 の 2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段　☐ 紙形式

☐ 電子形式

b．提出時期　☐ 出願時の国際出願に含まれていたもの

☐ この国際出願と共に電子形式により提出されたもの

☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号 PCT／JP2011／002856

第Ⅴ欄 新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1． 見解

新規性（N）	請求項	1－19	有
	請求項		無
進歩性（ＩＳ）	請求項	1－19	有
	請求項		無
産業上の利用可能性（ＩＡ）	請求項	1－19	有
	請求項		無

2． 文献及び説明

●文献（下記の文献はいずれも国際調査報告において引用した文献である。）

文献１． JP 8-84399 A（リオン株式会社）1996.03.26，明細書全文（特に【００２５】～【００３８】）（ファミリーなし）

文献２． 日本国実用新案登録出願 61-108303 号（日本国実用新案登録出願公開 63-15564 号）の願書に添付した明細書及び図面の内容を撮影したマイクロフィルム（リオン株式会社）1988.02.01，明細書全文（ファミリーなし）

文献３． JP 59-228355 A（松下電器産業株式会社）1984.12.21，明細書全文（ファミリーなし）

文献４． JP 3148830 U（宮田昌幸）2009.02.12，明細書全文（ファミリーなし）

●説明

請求の範囲第１～１９項は、上記のいずれの文献の記載からも、新規性・進歩性を否定されない。いずれの文献にも、補聴器を収納した状態で補聴器の電池ケースを開放できる機構を有する補聴器用補助具について、何ら記載も示唆もされていない。

Statement of Translation

I hereby declare and state:

that I am thoroughly conversant in both the Japanese language and the English language;

that I am capable of performing translation from the Japanese language into English language; and

that the attached document represents a true and complete English translation of all claims which were indicated as having novelty, inventive and industrial applicability in the PCT Application No. PCT/JP2011/002856.

Signed this 20th day of October, 2011.

M. Motoyama

Masafumi MOTOYAMA

CLAIMS

1. An auxiliary member for a hearing aid, comprising:

a main body case having an insertion hole in a first face, for inserting a hearing aid;

a hearing aid accommodating space provided to a portion corresponding to the insertion hole inside the main body case;

a holding member that holds the hearing aid accommodated in the hearing aid accommodating space; and

an opening component that opens a battery case of the hearing aid accommodated in the hearing aid accommodating space.

2. The auxiliary member for a hearing aid according to Claim 1, further comprising:

a manipulation component with which the holding member is manipulated to switch between states in which the hearing aid is and is not held in the hearing aid accommodating space.

3. The auxiliary member for a hearing aid according to Claim 2,

wherein the opening component opens the battery case of the hearing aid accommodated in the hearing aid accommodating space after the holding member has been manipulated with the manipulation component.

4. The auxiliary member for a hearing aid according to Claim 3,

wherein the opening component is opened with the manipulation component.

5. The auxiliary member for a hearing aid according to any of Claims 1 to 4,

wherein the manipulation component is provided slidably on the first face of the main body case.

6. The auxiliary member for a hearing aid according to any of Claims 1 to 5,

wherein the holding member has:

a holding member shaft support portion that has the rotational center; and

a holding prong that moves so as to protrude or retract with respect to the hearing aid accommodated in the hearing aid accommodating space.

7. The auxiliary member for a hearing aid according to Claim 6,

wherein the holding member has a holding member sliding shaft that moves the holding prong by sliding in a specific direction in rotating around the holding member shaft support portion.

8. The auxiliary member for a hearing aid according to any of Claims 1 to 7,

wherein the opening component has:

an opening component shaft support portion that serves as the rotational center; and

an opening/closing concave portion that accommodates a battery cover opening/closing prong for the hearing aid accommodated in the hearing aid accommodating space, on the outer periphery of the opening component shaft support portion.

9. The auxiliary member for a hearing aid according to Claim 8,

wherein the opening component has an opening component sliding shaft that moves the battery cover opening/closing prong by sliding in a specific direction in rotating around the opening component shaft support portion.

10. The auxiliary member for a hearing aid according to Claim 2,

further comprising a manipulation piece that links the manipulation component, the holding member, and the opening component, and that is provided inside the main body case.

11. The auxiliary member for a hearing aid according to Claim 2,

wherein the holding member has a holding member sliding shaft,

the opening component has an opening component sliding shaft,

there is further provided a manipulation piece that links the manipulation component, the holding member, and the opening component, and that is provided inside the main body case, and

the manipulation piece has:

a first sliding groove that guides the sliding of the holding member sliding shaft; and

a second sliding groove that guides the sliding of the opening component sliding shaft.

12. The auxiliary member for a hearing aid according to Claim 2,

wherein the manipulation component is provided rotatably on the first face of the main body case.

13. The auxiliary member for a hearing aid according to any of Claims 1 to 9,

wherein the manipulation component has a rail that guides the sliding of the holding member sliding shaft of the holding member, and a sliding groove that guides the sliding of the opening component sliding shaft of the opening component.

14. The auxiliary member for a hearing aid according to Claim 1,

wherein the holding member is formed by an elastic material provided inside the hearing aid accommodating space, along the insertion hole so that the insertion hole is smaller than the hearing aid outer periphery.

15. The auxiliary member for a hearing aid according to Claim 14,

further comprising a manipulation component for manipulating the opening

component.

16. The auxiliary member for a hearing aid according to Claim 1,

further comprising a cover provided to the front face of the battery case of the hearing aid accommodated in the hearing aid accommodating space in a state in which the battery case has been opened.

17. The auxiliary member for a hearing aid according to Claim 16,

wherein the cover can be opened and closed between the position of the front face of the battery case in an opened state, and a retracted position.

18. The auxiliary member for a hearing aid according to Claim 16 or 17,

wherein the cover has a magnet that attracts an air battery to the accommodating space side of the battery case.

19. The auxiliary member for a hearing aid according to Claim 1,

wherein the main body case further has a vent that communicates with an accommodated hearing aid.

【書類名】請求の範囲
【請求項１】
第１面に補聴器が挿入される挿入口を有する本体ケースと、
前記本体ケース内の前記挿入口に対応する部分に設けられた補聴器収納空間と、
前記補聴器収納空間に収納された補聴器を保持する保持部材と、
前記補聴器収納空間に収納された補聴器の電池ケースを開放する開放部と、
を備えている補聴器用補助具。
【請求項２】
前記保持部材を操作して前記補聴器収納空間における前記補聴器の保持状態と非保持状態とを切り換える操作部を、
さらに備えている、
請求項１に記載の補聴器用補助具。
【請求項３】
前記開放部は、前記補聴器収納空間に収納された補聴器の電池ケースを、前記操作部によって前記保持部材が操作された後で開放する、
請求項２に記載の補聴器用補助具。
【請求項４】
前記開放部は、前記操作部によって開放操作される、
請求項３に記載の補聴器用補助具。
【請求項５】
前記操作部は、前記本体ケースの前記第１面において摺動自在に設けられている、
請求項１から４のいずれか１項に記載の補聴器用補助具。
【請求項６】
前記保持部材は、回動中心となる保持部材軸支部と、
前記補聴器収納空間に収納された補聴器に対して突出あるいは退避するように移動する保持爪部と、を有する、
請求項１から５のいずれか１つに記載の補聴器用補助具。
【請求項７】
前記保持部材は、前記保持部材軸支部を中心に回動した際に所定の方向へ摺動することで、前記保持爪部を移動させる保持部材摺動軸を有する、
請求項６に記載の補聴器用補助具。
【請求項８】
前記開放部は、回動中心となる開放部軸支部と、
前記開放部軸支部の外周において、前記補聴器収納空間に収納された補聴器の電池蓋開閉爪を収容する開閉凹部と、を有する、
請求項１から７のいずれか１つに記載の補聴器用補助具。
【請求項９】
前記開放部は、前記開放部軸支部を中心に回動した際に所定の方向へ摺動することで、前記電池蓋開閉爪を移動させる開放部摺動軸を有する、
請求項８に記載の補聴器用補助具。
【請求項１０】
前記操作部と前記保持部材と前記開放部とを連結するとともに、前記本体ケース内に設けられた操作体を、さらに備えている、
請求項２に記載の補聴器用補助具。
【請求項１１】
前記保持部材は、保持部材摺動軸を有し、
前記開放部は、開放部摺動軸を有し、
前記操作部と前記保持部材と前記開放部とを連結するとともに、前記本体ケース内に設けられた操作体を、さらに備えており、
前記操作体は、前記保持部材摺動軸を摺動案内する第１の摺動溝と、

前記開放部摺動軸を摺動案内する第２の摺動溝を有する、
請求項２に記載の補聴器用補助具。
【請求項１２】
前記操作部は、前記本体ケースの前記第１面において回動自在に設けられている、
請求項２に記載の補聴器用補助具。
【請求項１３】
前記操作部は、前記保持部材の保持部材摺動軸を摺動案内させるレールと、前記開放部の開放部摺動軸を摺動案内させる摺動溝と、を有する、
請求項１から９のいずれか１項に記載の補聴器用補助具。
【請求項１４】
前記保持部材は、前記補聴器収納空間内において、前記挿入口が補聴器外周より小さくなるように前記挿入口に沿って設けられた弾性素材によって形成されている、
請求項１に記載の補聴器用補助具。
【請求項１５】
前記開放部を操作する操作部を、さらに備えている、
請求項１４に記載の補聴器用補助具。
【請求項１６】
前記補聴器収納空間に収納された補聴器の電池ケースが開放された状態において、前記電池ケースの正面に設けられた蓋部を、さらに備えている、
請求項１に記載の補聴器用補助具。
【請求項１７】
前記蓋部は、開放された状態の前記電池ケースの正面の位置と退避位置との間において開閉可能である、
請求項１６に記載の補聴器用補助具。
【請求項１８】
前記蓋部は、前記電池ケースの収納空間側に、空気電池を吸着させる磁石を有している、
請求項１６または１７に記載の補聴器用補助具。
【請求項１９】
前記本体ケースは、収納された補聴器と連通する通気口をさらに有している、
請求項１に記載の補聴器用補助具。

I hereby certify that this correspondence is being electronically filed in the United States Patent and Trademark Office on October 31, 2011.

Jeff Lloyd, Patent Attorney, Reg. No. 35,589

COMMUNICATION
Patent Application
Docket No. SUN.LGI.325
Serial No. 13/266,588

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Suk Jae Jee, Chul Hwan Choi, Ho Gun Cho
Serial No.	:	13/266,588
Filed	:	October 27, 2011
Conf. No.	:	9383
For	:	Solar Cell and Method of Fabricating the Same

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir:

Applicants respectfully request participation in the Green Technology Pilot Program for the subject application. The Petition to Make Special Under the Green Technology Pilot Program, Form PTO/SB/420, is attached hereto. Applicants hereby request early publication of the subject application under 37 C.F.R. §1.219; the publication fee of $300, as set forth in 37 C.F.R. §1.18(d), is being electronically paid with the filing of the attached Petition.

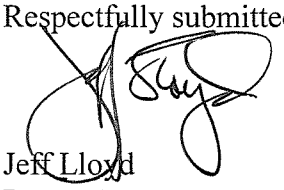
The subject application includes three independent claims and 20 total claims. If the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), Applicants will make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements in section II or III of the notice entitled, "Pilot Program for Green Technologies Including Greenhouse Gas Reduction."

Applicants assert that the subject invention materially contributes to the efficient utilization of energy resources by providing more efficient solar cells (as discussed at paragraphs [0021], [0063], [0075], [0082], [0083], [0122], [0127], and [0128] of the subject specification). Solar cells of the subject invention have improved light transmittance, electrical conductivity,

and resistance properties. Solar cells convert solar energy into electrical energy, and improving the efficiency of these cells will plainly contribute to the efficient utilization of energy resources, which is the second goal listed in item (3) of the Instruction Sheet for the Petition to Make Special Under the Green Technology Pilot Program.

Applicants respectfully assert that the subject application meets the qualifications of the Green Technology Pilot Program and that the attached Petition meets all the requirements of the Program.

Respectfully submitted,



Jeff Lloyd
Patent Attorney
Registration No. 35,589
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: Saliwanchik, Lloyd & Eisenschenk
A Professional Association
P.O. Box 142950
Gainesville, FL 32614-2950

JL/mhl

Attachment: Form PTO/SB/420

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: SUN.LGI.325	Application Number (if known): 13/266,588	Filing date: October 27, 2011

First Named Inventor: Suk Jae Jee

Title: Solar Cell and Method of 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	Date October 31, 2011
Name (Print/Typed) Jeff Lloyd	Registration Number 35,589

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.
13/266,588	10/27/2011	Suk Jae Jee	SUN.LGI.325	9383

23557 7590 12/15/2011
SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE, FL 32614

EXAMINER	
ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
12/15/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

euspto@slepatents.com

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

SALIWANCHIK, LLOYD & EISENSCHENK
A PROFESSIONAL ASSOCIATION
PO Box 142950
GAINESVILLE FL 32614

12/15/2011

In re Application of	:	
Jee et al.	:	DECISION ON PETITION
Application No. 13/266,588	:	TO MAKE SPECIAL UNDER
Filed: 10/27/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **SUN.LGI.325**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/31/2011, 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 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA

Application No:	13/266,605	Filing date:	10-27-2011
First Named Inventor:	Gary S. Froman		
Title of the Invention:	System and Method for Detecting Sensor Leakage		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US10/32657

The international date of the corresponding PCT application(s) is/are:

04-28-2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☒ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-US (09-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM IN A U.S. APPLICATION WHERE THE USPTO WAS THE ISA OR IPEA (continued)

Application No.:	13/266,605
First Named Inventor:	Gary S. Froman

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 10-27-2011

(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 10-27-2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-20	1-20	

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /jamesewaltonpat/	Date 11/15/11
Name (Print/Typed) James E. Walton	Registration Number 47245

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
JAMES E. WALTON
LAW OFFICES OF JAMES E. WALTON, P.L.L.C.
1169 N. BURLESON BLVD., SUITE 107-328
BURLESON, TX 76028

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Rule 71.1)

Date of mailing *(day/month/year)*	20 OCT 2011

Applicant's or agent's file reference	IMPORTANT NOTIFICATION
0837RF-H759P	

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US10/32657	28 April 2010 (28.04.2010)	28 April 2009 (28.04.2009)

Applicant

BELL HELICOPTER TEXTRON IN.C

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.

2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.

3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the *PCT Applicant's Guide.*

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed invention is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the IPEA/ US	Authorized officer
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	VINH NGUYEN Telephone No. 571-273-8300

Form PCT/IPEA/416 (January 2004)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 0837RF-H759P	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/US10/32657	International filing date *(day/month/year)* 28 April 2010 (28.04.2010)	Priority date *(day/month/year)* 28 April 2009 (28.04.2009)
International Patent Classification (IPC) or national classification and IPC IPC: **G01R 31/08** (JUNE 2011) USPC: 324/522-523.525,527,691,696;702/57-59		
Applicant BELL HELICOPTER TEXTRON IN.C		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
   a. ☒ *(sent to the applicant and to the International Bureau)* a total of 10 sheets, as follows:
      ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
      ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
   b. ☐ *(sent to the International Bureau only)* a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:

☒	Box No. I	Basis of the report
☐	Box No. II	Priority
☐	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
☐	Box No. IV	Lack of unity of invention
☒	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
☐	Box No. VI	Certain documents cited
☐	Box No. VII	Certain defects in the international application
☐	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
22 February 2011 (22.02.2011)	18 October 2011 (18.10.2011)
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia22313-1450 Facsimile No. (571) 273-3201	Authorized officer VINH NGUYEN Telephone No. 571-273-8300

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY	International application No. PCT/US10/32657

Box No. I Basis of the report

1. With regard to the **language**, this report is based on:
   - ☒ the international application in the language in which it was filed.
   - ☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:
     - ☐ international search (under Rules 12.3(a) and 23.1(b))
     - ☐ publication of the international application (under Rule 12.4(a))
     - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
   - ☐ the international application as originally filed/furnished
   - ☒ the description:
     pages 1-9 as originally filed/furnished
     pages* NONE received by this Authority on _____
     pages* NONE received by this Authority on _____
   - ☒ the claims:
     pages NONE as originally filed/furnished
     pages* NONE as amended (together with any statement) under Article 19
     pages* 10-13 received by this Authority on 22 February 2011 (22.02.2011)
     pages* NONE received by this Authority on _____
   - ☒ the drawings:
     pages 1/6-6/6 as originally filed/furnished
     pages* NONE received by this Authority on _____
     pages* NONE received by this Authority on _____
   - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:
   - ☒ the description, pages none
   - ☒ the claims, Nos. none
   - ☒ the drawings, sheets/figs none
   - ☒ the sequence listing (*specify*): none
   - ☒ any table(s) related to the sequence listing (*specify*): none

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
   - ☐ the description, pages _____
   - ☐ the claims, Nos. _____
   - ☐ the drawings, sheets/figs _____
   - ☐ the sequence listing (*specify*): _____
   - ☐ any table(s) related to the sequence listing (*specify*): _____

5. ☐ This report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 70.2(e)).

** If item 4 applies, some or all of those sheets may be marked "superseded."*

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY	International application No. PCT/US10/32657

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-20	YES
	Claims NONE	NO
Inventive Step (IS)	Claims 1-20	YES
	Claims NONE	NO
Industrial Applicability (IA)	Claims 1-20	YES
	Claims NONE	NO

2. Citations and Explanations (Rule 70.7)

Claims 1-20 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a sensor test system having a return line from the grounded connector shell to the power source, such that the voltage produced from the power source renders a contaminant conductive, in that the contaminant provides conductive path between the first pin and the grounded connector shell, while the contaminant also provides a contaminant resistance and wherein interpretation of a measured voltage between the first voltage test point and the second voltage test point provides an indication of the contaminant due to the contaminant resistance affecting the measured voltage and in combined with other claimed elements as recited in claims 1. Claims 2-11 depend from allowed claim 1, they are also allowed accordingly. The prior art also does not teach a tester for determining contamination in a sensor having a combination of a conductive connection ,a high impedance resistor ,a return line, a case, a cable ,a return line, a first voltage test point and a second voltage test point as recited in claim 12. Claims 13-14 depend from allowed claim 12, they are also allowed accordingly. The prior art also does not teach a method for detecting a leakage in a sensor with a tester as recited in claim 15. Claims 16-20 depend from allowed claim 15, they are also allowed accordingly.

---------- NEW CITATIONS ----------

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

GOOGLE / FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA ST.
MOUNTAIN VIEW, CA 94041

MAILED
FEB 22 2012
OFFICE OF PETITIONS

In re Application of
Jiang Qian, et. al.
Application No.: 13/266,614
Filed: October 27, 2011
Attorney Docket No.: 24207-15551
For: SHORT POINT-OF-INTEREST TITLE GENERATION

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)
:

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 16, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-6), and (8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails to meet requirement (7).

Regarding the requirement of condition (7), applicant has failed to provide a copy of the complete references cited by the examiner. In this regard, the international work product cites CN101299217A; however, petitioner failed to mention the above reference in the Information Disclosure Statement (IDS) filed October 27, 2011. Therefore, the present request and petition cannot be granted at this time.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

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

FAY SHARPE, LLP
1228 Euclid Avenue, 5th Floor
The Halle Building
Cleveland, OH 44115

MAILED
JAN 18 2012
OFFICE OF PETITIONS

In re Application of
Peter Wheal
Application No.: 13/266,731
Filed: October 27, 2011
Attorney Docket No.: BARO 200025US01
For: DOUBLE-DIAPHRAGM PUMPS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)
:

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program filed on November 8, 2011.

The request and petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the UK IPO, note where the UK IPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the UK IPO application with similar claims and the UK IPO priority application;

(2) Applicant must submit a copy of:
The allowable/patentable claim(s) from the UK IPO application(s);

(3) Applicant must:
a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the UK IPO application(s); and
b. Submit a claims correspondence table;

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit:

A copy of all of the office actions from each of the UK IPO application(s) containing the allowable/patentable claims that are the basis for the request or request that the USPTO obtain a copy from the UK IPO. If the USPTO is not able to obtain a copy of all of the office actions from the UK IPO, the applicant will be notified and requested to provide the necessary documents.

(6) Applicant must submit:

a. An IDS listing the documents cited by the UK IPO examiner in the UK IPO office action (unless already submitted in this application); and
b. Copies of documents except U.S. patents or U.S. patent application publications (unless already submitted in this application)

The request to participate in the PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Any inquiry regarding this decision should be directed to Andrea Smith at (571) 272-3226. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

/Andrea Smith/
Petitions Examiner
Office of Petitions

David Bucci
Petitions Examiner

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE SWEDISH PATENT AND REGISTRATION OFFICE (PRV) AND THE USPTO

Application No:	13/266,790	Filing date:	October 28, 2011
First Named Inventor:	Tony LARSSON et al.		
Title of the Invention:	DEVIATING BEHAVIOUR OF A USER TERMINAL		

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/SE2009/050471

The international filing date of the corresponding PCT application(s) is/are: April 30, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-SE (06-11)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE PRV AND THE USPTO

(continued)

Application No.:	13/266,790
First Named Inventor:	Tony LARSSON et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on October 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 October 28, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	same
2	2	same
3	3	same
4	4	same
5	5	same
6	6	same
7	7	same
8	8	same
9	9	same
10	10	same
11	11	same
12	12	same
13	13	same
14	14	same
15	15	same
16	16	same
17	17	same
18	18	same
19	19	same (Con. on next page)

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature	Date 2011-10-28
Name (Print/Typed) Brian S. Rosenbloom	Registration Number 41276

Request For Participation In The PCT-PPH Pilot Program Between The Swedish PRV And The USPTO -CONTINUATION OF CLAIMS CORRESPONDENCE TABLE-		
Application No:	13/266,790	
First Named Inventor	Tony LARSSON et al.	
II. Claims Correspondence Table:		
Claims in US Application	Patentable Claims in Corresponding PCT Application	Explanation regarding the correspondence
20	20, 21	same
III. All the claims in the US Application sufficiently correspond to the patentable claims in the corresponding PCT Application		

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

ROTHWELL, FIGG, ERNST & MANBECK, P.C.
1425 K STREET, N.W.
SUITE 800
WASHINGTON DC 20005

MAILED

FEB 24 2012

OFFICE OF PETITIONS

In re Application of
Tony Larsson, et al.
Application No.: 13/266,790
Filed: October 28, 2011
Attorney Docket No.: DEVIATING BEHAVIOUR OF A USER TERMINAL

: 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 28, 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 PRV, 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 PRV, 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 PRV, 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 PRV 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 PRV 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 PRV 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 PRV application is a first action allowance then no office action from the PRV is necessary should be indicated on the request/petition form;
    b. An English language translation of the PRV 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 PRV examiner in the PRV office action (unless already submitted in this application)
    b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once the formalities review has been completed.

David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO

Application No:	13/266,840	Filing date:	October 28, 2011
First Named Inventor:	Tsukasa Maruyama		
Title of the Invention:	ELECTROLYTE FOR PHOTOELECTRIC CONVERSION ELEMENTS, AND PHOTOELECTRIC CONVERSION ELEMENT AND DYE-SENSITIZED SOLAR CELL USING THE ELECTROLYTE		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: **PCT/JP2010/057079**

The international date of the corresponding PCT application(s) is/are: **April 21, 2010**

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/266,840
First Named Inventor:	Tsukasa Maruyama

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 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 **October 28, 2011**

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	2	Claim 1 of the US application corresponds to claim 2 of the PCT Application.
3	3	Claim 3 of the US application corresponds to claim 3 of the PCT Application.
4	4	Claim 4 of the US application corresponds to claim 4 of the PCT Application.
5	5	Claim 5 of the US application corresponds to claim 5 of the PCT Application.
6	6	Claim 6 of the US application corresponds to claim 6 of the PCT Application.
7	5	Claim 7 of the US application corresponds to claim 5 of the PCT Application.
8	6	Claim 8 of the US application corresponds to claim 6 of the PCT Application.
9	5	Claim 9 of the US application corresponds to claim 5 of the PCT Application.
10	6	Claim 10 of the US application corresponds to claim 6 of the PCT Application.
11	4	Claim 11 of the US application corresponds to claim 4 of the PCT Application.
12	5	Claim 12 of the US application corresponds to claim 5 of the PCT Application.
13	6	Claim 13 of the US application corresponds to claim 6 of the PCT Application.
14*	--	Claim 14 of the US application depends from claim 6 of the US Application.
15*	--	Claim 15 of the US application depends from claim 8 of the US Application.
16*	--	Claim 16 of the US application depends from claim 10 of the US Application.
17*	--	Claim 17 of the US application depends from claim 13 of the US Application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application. *Claims 14-17 depend from respective claims 6, 8, 10 and 13, each corresponding to claim 6 of the PCT application. Claims 3-17 directly or indirectly depend from claim 1 which corresponds to PCT claim 2 having novelty, inventive step and industrial application.

Signature **/Joseph P. Carrier/**	Date **October 28, 2011**
Name (Print/Typed) **Joseph P. Carrier**	Registration Number **31,748**

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

STATEMENT

I, the below named translator, hereby state that:

My name and post office address are as stated below:

I am knowledgeable in the English language and in the Japanese language, and I state that the English translation of the claims of the PCT Application No. **PCT/JP2010/057079** is accurate.

DATE: October 27. 2011
Full name of the translator: Fumio MITSUHASHI

Signature of the translator:

Post Office Address: Hayakawa-Tonakai Bldg. 3F,
12-5, Iwamoto-cho 2-chome,
Chiyoda-ku, Tokyo

English Translation of PCT Claims

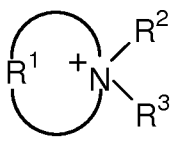
1. An electrolyte for a photoelectric conversion element comprising an organic salt compound (A) including a tertiary or quaternary cation, wherein

at least an organic salt compound (a1) including a tertiary or quaternary cation and a thiocyanate anion is used as the organic salt compound (A).

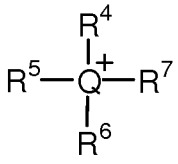
2. The electrolyte for a photoelectric conversion element according to claim 1, further comprising a lamellar clay mineral (B).

3. The electrolyte for a photoelectric conversion element according to claim 2, wherein the lamellar clay mineral (B) comprises an alkylsilyl group.

4. The electrolyte for a photoelectric conversion element according to any of claims 1 to 3, wherein the organic salt compound (A) comprises a cation that is expressed by the following Formula (1) or (2):



(1)



(2)

(wherein in Formula (1), R^1 is a hydrocarbon group having from 1 to 20 carbons that may contain a hetero atom, and may include a substituent having 1 to 20 carbons that may contain a hetero atom; R^2 and R^3 are each independently a hydrocarbon group having from 1 to 20

carbons that may contain a hetero atom; however, the R^3 moiety is absent if the nitrogen atom includes a double bond; in Formula (2), Q is a nitrogen, oxygen, phosphorus, or sulfur atom; and R^4, R^5, R^6, and R^7 are each independently a hydrocarbon group having 1 to 8 carbons that may contain a hetero atom; however, the R^7 moiety is absent if Q is an oxygen or a sulfur atom).

5. A photoelectric conversion element comprising: a photoelectrode including a transparent conductive film and a metal oxide semiconductor porous film;

a counterelectrode disposed opposite the photoelectrode; and

an electrolyte layer disposed between the photoelectrode and the counterelectrode, wherein

the electrolyte layer is an electrolyte for a photoelectric conversion element according to any of claims 1 to 4.

6. A dye-sensitized solar cell comprising the photoelectrode described in claim 5 carrying a photosensitized dye.

請求の範囲

[請求項1] 第３級または第４級カチオンを有する有機塩化合物（Ａ）を含有する光電変換素子用電解質であって、

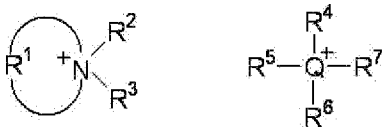
前記有機塩化合物（Ａ）として、少なくとも、第３級または第４級カチオンとチオシアネートアニオンとを有する有機塩化合物（ａ１）を用いる光電変換素子用電解質。

[請求項2] 更に、層状粘土鉱物（Ｂ）を含有する請求項１に記載の光電変換素子用電解質。

[請求項3] 前記層状粘土鉱物（Ｂ）が、アルキルシリル基を有する請求項２に記載の光電変換素子用電解質。

[請求項4] 前記有機塩化合物（Ａ）が、下記式（１）または（２）で表されるカチオンを有する請求項１～３のいずれかに記載の光電変換素子用電解質。

[化1]



(1) (2)

（式（１）中、R^1は、炭素数１～２０のヘテロ原子を含んでいてもよい炭化水素基を表し、炭素数１～２０のヘテロ原子を含んでいてもよい置換基を有していてもよい。R^2およびR^3は、それぞれ独立に炭素数１～２０の炭化水素基を表し、ヘテロ原子を含んでいてもよい。ただし、窒素原子が二重結合を含む場合、R^3は存在しない。式（２）中、Ｑは、窒素原子、酸素原子、リン原子または硫黄原子を表し、R^4、R^5、R^6およびR^7は、それぞれ独立に炭素数１～８の炭化水素基を表し、ヘテロ原子を含んでいてもよい。ただし、Ｑが酸素原子または硫黄原子の場合、R^7は存在しない。）

[請求項5] 透明導電膜および金属酸化物半導体多孔質膜を有する光電極と、

前記光電極に対向して配置される対向電極と、

前記光電極と前記対向電極との間に配された電解質層とを有し、

前記電解質層が、請求項１～４のいずれかに記載の光電変換素子用電解質である光電変換素子。

[請求項6] 請求項５に記載の光電極に光増感色素を担持させてなる色素増感太陽電池。

MultiLing

MULTILING JAPAN Y.K

ADAM B BIGELOW

Toshin Building,
4-17 Kaigan Dori, Naka-ku,
Yokohama, Kanagawa 231-0002

VOICE (801) 377-2000, x. 233
+81-45-315-3135
e-mail: abigelow@multiling.com

CERTIFICATE OF ACCURACY

TRANSLATION FROM _____*Japanese*_____

On this day, I **Adam B Bigelow** state:

that I am a professional translator of the Japanese and English languages, doing business as *MultiLing Japan Y.K.,* Toshin Building, 4-17 Kaigan Dori, Naka-ku, Yokohama, Kanagawa, 231-0002 JAPAN;

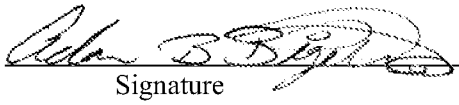
that I am thoroughly familiar with these languages and have carefully made and/or verified the attached translation from the original document

Written Opinion of the International Searching Authority (PCTJP2010057079)

as submitted to me in the

_____Japanese_____ language;

and that the said translation is a true, complete and correct English version of such original to the best of my knowledge and belief.



Signature

Oct. 20, 2011
Date

English translation of Written Opinion prepared by the Applicant

PATENT COOPERATION TREATY

From the Japan Patent Office
INTERNATIONAL SEARCHING AUTHORITY

To:
WATANABE, Mochitoshi

Hayakawa-tonakai Bldg. 3F,
12-5, Iwamoto-cho 2-chome,
Chiyoda-ku, Tokyo 1010032 Japan

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43*bis*.1)

Date of mailing *(day/month/year)*	03.08.2010
Applicant's or agent's file reference	FOR FURTHER ACTION See paragraph 2 below
W-4342PCT	

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/JP2010/057079	21.04.2010	30.04.2009

International Patent Classification (IPC) or both national classification and IPC
Int.Cl. H01M14/00(2006.01)i, H01L31/04(2006.01)i

Applicant
THE YOKOHAMA RUBBER CO., LTD.

1. This opinion contains indications relating to the following items:

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [x] Box No. IV Lack of unity of invention
- [x] Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [x] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Date of completion of this opinion	20.07.2010
Name and mailing address of the ISA/JP	Authorized officer
Japan Patent Office 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	4X 4493 Noriko SATAKE Telephone no. 03-3581-1101 Extension 3477

Form PCT/ISA/237 (cover sheet) (July 2009)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/057079

Box No. I **Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of:
   - [x] the international application in the language in which it was filed.
   - [ ] a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. [ ] This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(b)).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:

   a. (means)
   - [ ] on paper
   - [ ] in electronic form

   b. (time)
   - [ ] in the international application as filed
   - [ ] together with the international application in electronic form
   - [ ] subsequently to this Authority for the purposes of search

4. [ ] In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2010/057079

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:

   ☐ paid additional fees.

   ☐ paid additional fees under protest and, where applicable, the protest fee.

   ☐ paid additional fees under protest but the applicable protest fee was not paid.

   ☐ not paid additional fees.

2. ☑ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

   ☐ complied with.

   ☑ not complied with for the following reasons:

   Although the inventions in claims 1 - 6 are linked to each other by only the matter described in claim 1, said matters described in the following prior art document. Therefore, it is obvious that among a group of inventions in claims 1 - 6, there is no special technical feature for so linking the inventions as to form a single general inventive concept.

   [Prior Art Document]
   JP 2007-317446 A (Dai-Ichi Kogyo Seiyaku Co., Ltd.), 6 December 2007 (06.12.2007)
   [0084] - [0093], example 12, (Family: none)

4. Consequently, this opinion has been established in respect of the following parts of the international application:

   ☑ all parts.

   ☐ the parts relating to claims Nos. _____

Written Opinion of the ISA	International Filing Number: PCT/JP2010/057079

Part V Written opinion regarding PCT Rule 43, 2.1(a)(i) pertaining to novelty, inventive step, and industrial application; and citations and description supporting the same.

1. Written Opinion

Novelty (N)	Claims 2 and 3	Have novelty
	Claims 1 and 4-6	Lack novelty
Inventive Step (IS)	Claims 2 and 3	Involve an inventive step
	Claims 1 and 4-6	Do not involve an inventive step
Industrial Application (IA)	Claims 1-6	Have industrial applicability

2. Citations and Description

List of citations: The following documents were each cited in the international search report.

1. JP2007-317446A (Dai-Ichi Kogyo Seiyaku Co., Ltd.) Dec. 6, 2007
   [0084] – [0093], Working Example 12 (no family)
2. JP2007-531206A (The Yokohama Rubber Co., Ltd.) Nov. 1, 2007
   Full text of the Detailed Description of the Invention
   & US2005/0218381A1 & US2007/0275546A1 & US2008/0142074A1 &
   US2008/0217586A1 & WO2005/096392A

[Description]

(1) Claims 1 and 4-6

The invention according to claims 1 and 4-6 do not have novelty or inventive step over Citation 1, listed above. Citation 1 describes an electrolyte solution of a dye sensitized solar cell comprising EMImSCN (1-ethyl-3-methylimidazolium-thiocyanate) (see [0084]-[0093] and Working Example 12).

Here, EMImSCN is an "organic salt compound", and includes "1-ethyl-3-methylimidazolium" (a quaternary cation) as the cation and "thiocyanate anion" as the anion. Therefore, the invention described in Citation 1 can be said to "have a quaternary cation and a thiocyanate anion as the organic salt compound".

Thus, there is no difference between the inventions according to claims 1 and 4-6 of the present application and the invention described in Citation 1.

(2) Claims 2 and 3

No objections to novelty or inventive step are found for the inventions according to claims 2 and 3 from the descriptions of either Citation 1 or 2. Neither citation describes or implies a lamellar clay mineral being included in an electrolyte solution comprising an organic salt compound including a tertiary or quaternary cation and a thiocyanate anion.

特許協力条約

発信人　日本国特許庁（国際調査機関）

代理人
渡辺　望稔

様

あて名
〒101-0032
日本国東京都千代田区岩本町２丁目１２番５号　早川トナカイビル３階

AUG 4 2010

PCT
国際調査機関の見解書
（法施行規則第40条の2）
〔PCT規則43の2.1〕

出願人又は代理人の書類記号　W-4342PCT	今後の手続きについては、下記２を参照すること。
国際出願番号 PCT／JP2010／057079	国際出願日（日.月.年）　21．04．2010
優先日（日.月.年）　30．04．2009	
国際特許分類（IPC）Int.Cl. H01M14/00(2006.01)i, H01L31/04(2006.01)i	
出願人（氏名又は名称） 横浜ゴム株式会社	

発送日（日.月.年）　03．08．2010

１．この見解書は次の内容を含む。

- ☑ 第Ⅰ欄　見解の基礎
- ☐ 第Ⅱ欄　優先権
- ☐ 第Ⅲ欄　新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☑ 第Ⅳ欄　発明の単一性の欠如
- ☑ 第Ⅴ欄　PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☑ 第Ⅵ欄　ある種の引用文献
- ☐ 第Ⅶ欄　国際出願の不備
- ☐ 第Ⅷ欄　国際出願に対する意見

２．今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規則66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT／ISA／220を送付した日から３月又は優先日から２２月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT／ISA／220を参照すること。

３．さらなる詳細は、様式PCT／ISA／220の備考を参照すること。

見解書を作成した日
20．07．2010

名称及びあて先
日本国特許庁（ISA／JP）
郵便番号100－8915
東京都千代田区霞が関三丁目４番３号

特許庁審査官（権限のある職員）　4X　4493
佐武　紀子
電話番号　03－3581－1101　内線　3477

国際調査機関の見解書

国際出願番号 PCT／JP2010／057079

第Ⅰ欄 見解の基礎

1．言語に関し、この見解書は以下のものに基づき作成した。

☑ 出願時の言語による国際出願

☐ 出願時の言語から国際調査のための言語である＿＿＿＿＿＿＿＿語に翻訳された、この国際出願の翻訳文
（PCT規則12.3(a)及び23.1(b)）

2．☐ この見解書は、PCT規則91の規定により国際調査機関が認めた又は国際調査機関に通知された明らかな誤りの訂正を考慮して作成した（PCT規則43の2.1(b)）。

3．この国際出願で開示されたヌクレオチド又はアミノ酸配列に関して、提出された以下の配列表に基づき見解書を作成した。

a．提出手段
☐ 紙形式
☐ 電子形式

b．提出時期
☐ 出願時の国際出願に含まれていたもの
☐ この国際出願と共に電子形式により提出されたもの
☐ 出願後に、調査のために、この国際調査機関に提出されたもの

4．☐ さらに、複数の版の配列表又は配列表の写しを提出した場合、出願後に提出した配列の写し若しくは追加して提出した配列の写しが、出願時に提出した配列と同一である旨又は出願時の開示を超える事項を含まない旨の陳述書の提出があった。

5．補足意見：

国際調査機関の見解書

国際出願番号　ＰＣＴ／ＪＰ２０１０／０５７０７９

第Ⅳ欄　発明の単一性の欠如

1．☐ 追加手数料の納付命令書（様式ＰＣＴ／ＩＳＡ／２０６）に対して、出願人は、規定期間内に、

☐ 追加手数料を納付した。

☐ 追加手数料及び、該当する場合には、異議申立手数料の納付と共に、異議を申し立てた。

☐ 追加手数料の納付と共に異議を申し立てたが、規定の異議申立手数料を支払わなかった。

☐ 追加手数料を納付しなかった。

2．☑ 国際調査機関は、発明の単一性の要件を満たしていないと判断したが、追加手数料の納付を出願人に求めないこととした。

3．国際調査機関は、ＰＣＴ規則13.1、13.2及び13.3に規定する発明の単一性を次のように判断する。

☐ 満足する。

☑ 以下の理由により満足しない。

請求項１－６に係る発明は、請求項１に記載された事項でのみ連関しているが、該事項は、下記の先行技術文献に記載されているから、請求項１－６に係る一群の発明の間には、単一の一般的発明概念を形成するように連関させるための、特別な技術的特徴が存しないことは明らかである。

［先行技術文献一覧］
JP 2007-317446 A（第一工業製薬株式会社）2007.12.06,
【００８４】－【００９３】、実施例１２（ファミリーなし）

4．　したがって、国際出願の次の部分について、この見解書を作成した。

☑ すべての部分

☐ 請求項 ＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿＿ に関する部分

国際調査機関の見解書

国際出願番号 PCT／JP2010／057079

第Ⅴ欄 新規性、進歩性又は産業上の利用可能性についてのＰＣＴ規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1． 見解

新規性（N）	請求項	2，3	有
	請求項	1，4－6	無
進歩性（ＩＳ）	請求項	2，3	有
	請求項	1，4－6	無
産業上の利用可能性（ＩＡ）	請求項	1－6	有
	請求項		無

2． 文献及び説明

[文献一覧]下記の文献は何れも国際調査報告の際に引用した文献である。

1．JP 2007-317446 A（第一工業製薬株式会社）2007.12.06,
【００８４】－【００９３】、実施例１２（ファミリーなし）

2．JP 2007-531206 A（横浜ゴム株式会社）2007.11.01，発明の詳細な説明全体
& US 2005/0218381 A1 & US 2007/0275546 A1 & US 2008/0142074 A1
& US 2008/0217586 A1 & WO 2005/096392 A

[説明]

（1）請求項1，４－６について

請求項1，４－６に係る発明は、上記文献１の記載から新規性・進歩性を有さない。

文献１（【００８４】－【００９３】、実施例１２参照）には、ＥＭＩｍＳＣＮ（１－エチル－３－メチルイミダゾリウム－チオシアネート）を含有する色素増感太陽電池の電解液が記載されている。

ここで、ＥＭＩｍＳＣＮは「有機塩化合物」であり、また、カチオンとして、第４級カチオンである「１－エチル－３－メチルイミダゾリウム」を含み、アニオンとして「チオシアネートアニオン」を含むものであるから、文献１に記載された発明は、「有機塩化合物として、第４級カチオンとチオシアネートアニオンとを有する」ものといえる。

してみれば、この出願の請求項１，４－６に係る発明と文献１に記載された発明との間に、差異はない。

（2）請求項２，３について

請求項２，３に係る発明は、上記文献１，２の何れの記載からも新規性・進歩性を否定されない。何れの文献においても、第３級または第４級カチオンとチオシアネートアニオンとを有する有機塩化合物を含む電解質が、層状粘土鉱物を含有することについて、何ら記載も示唆もされていない。

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

CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI MI 48375

MAILED
FEB 22 2012
OFFICE OF PETITIONS

In re Application of
MARUYAMA
Application No.: 13/266,840
Filed: October 28, 2011
Attorney Docket No.: ION-107-A
For: ELECTROLYTE FOR PHOTOELECTRIC CONVERSION ELEMENTS, AND PHOTOELECTRIC...

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 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, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1), (2), and (5-7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (3-4) and (8).

Regarding the requirement of condition (8), the claims correspondence table submitted indicates claim 1 of the US application corresponds to claim 2 of the PCT application. However, a review of the record indicates that claim 2 of the US application does not correspond to claim one of the PCT application. Clarification is required. Since the requirement of condition (8) must be clarified, it cannot be determine whether the conditions of requirements (3) and (4) have been met.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED

MAR 01 2012

OFFICE OF PETITIONS

CARRIER BLACKMAN AND ASSOCIATES
43440 WEST TEN MILE ROAD
EATON CENTER
NOVI MI 48375

In re Application of
MARUYAMA
Application No.: 13/266,840
Filed: October 28, 2011
Attorney Docket No.: ION-107-A
For: ELECTROLYTE FOR PHOTOELECTRIC CONVERSION ELEMENTS, AND PHOTOELECTRIC...

CORRECTED
: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on October 28, 2011, to make the above-identified application special.

The request and petition are **GRANTED.**

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application is being forwarded to Technology Center 1725 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LERNER GREENBERG STEMER LLP
P O BOX 2480
HOLLYWOOD, FL 33022-2480

MAILED
JAN 27 2012
PCT LEGAL ADMINISTRATION

In re Application of LEHNER :
U.S. Application No.: 13/266,928 :
PCT Application No.: PCT/EP2010/002597 :
Int. Filing Date: 28 April 2010 : DECISION
Priority Date Claimed: 30 April 2009 :
Attorney Docket No.: H&W-09K02 :
For: METHOD FOR PRODUCING AT LEAST ONE APPLICATION GUIDE :

This is in response to applicant's request for refund filed 19 December 2011.

BACKGROUND

On 28 April 2010, applicant filed international application PCT/EP2010/002597, which claimed priority of an earlier Germany application filed 30 April 2009. A copy of the international application was communicated to the USPTO from the International Bureau on 04 November 2010. The thirty-month period for paying the basic national fee in the United States expired on 31 October 2011.

On 28 October 2011, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 19 December 2011, applicant filed the present request for refund under 37 CFR 1.26.

DISCUSSION

37 CFR 1.26 specifies that the Director may refund any fee paid by mistake or in excess of that required. The instant request states that applicant is entitled to a refund of $65.00 based on the international search report being provided to the Office. However, at the time the national stage papers were filed, the international search report had not been provided by applicant or communicated by the International Bureau to the Office. Accordingly, applicant was properly charged the search fee set forth in 37 CFR 1.492(b)(4). The fact that the international search

report was communicated to the Office subsequent to payment of the search fee is immaterial. Because applicant's payment of the search fee upon national stage entry was neither by mistake nor in excess of the amount required at the time of payment, a refund is not indicated in the present case.

CONCLUSION

For the reasons above, the request for refund under 37 CFR 1.26 is DISMISSED without prejudice.

Any further correspondence with respect to this matter may be filed electronically via EFS-Web selecting the document description "Petition for review and processing by the PCT Legal Office" or by mail addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

Bryan Lin
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DOUGLAS RAYMOND MARTIN et al.

Group Art Unit: 2858

Examiner: ASSOUAD, PATRICK J.

Serial No.: 13/267,038

Filed: October 06, 2011

For: VEHICLE GUIDANCE SYSTEM WITH INTERFACE

Attorney Docket No.: 83181282

STATEMENT SUPPORTING ELIGIBILITY REQUIREMENT OF THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is being filed concurrently with a Petition To Make Special Under the Green Technology Pilot Program (PTO/SB/420), 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. 68049 (Nov. 10, 2010).

Applicant respectfully submits that the above-identified application is eligible for the "Green Technology Pilot Program" as materially contributing to the more efficient utilization and conservation of energy resources or the reduction of greenhouse gas emissions.

As explained in the specification at paragraph [0002], battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs) may be connected to an external power supply for charging a vehicle battery. Such vehicles typically include a charge cord that extends from an external power supply and is physically connected to a vehicle charging port to facilitate charging of the vehicle battery. However, such charge cords are prone to operator error. For

example, if the user fails to properly connect the charge cord, or forgets to connect the charge cord altogether, then the battery will not be charged. Further the user may damage the charge cord or the vehicle if he or she forgets to disconnect the charge cord before driving away from the external power supply. Additionally, the charge cord must be stored in a secure location when not in use. For example, the charge cord may be damaged if the user leaves the charge cord on the ground and inadvertently drives over it.

As recited in claim 1, a vehicle guidance system is provided with a controller configured to receive input signals indicative of an instantaneous charging port position relative to an external charging pad. The controller is further configured to transmit a vehicle status signal in response to the input signals. An interface communicates with the controller and is configured to display a vehicle position indicator with a target element indicative of a target charging port position in response to the vehicle status signal.

As recited in claim 2, a vehicle guidance system is provided with a controller configured to receive input signals indicative of an instantaneous vehicle position relative to an external charging pad and a charging status. The controller is further configured to transmit a vehicle status signal in response to the input signals. An interface communicates with the controller and is configured to display a vehicle position indicator and a charging status message in response to the vehicle status signal.

As recited in claim 13, a vehicle is provided with a charging port and a controller configured to receive input signals indicative of an instantaneous charging port position relative to an external charging pad and a charging status. The controller is further configured to transmit a vehicle status signal in response to the input signals. An interface communicates with the controller and is configured to display a vehicle position indicator and a charging status message in response to the vehicle status signal.

The claimed invention facilities inductive charging of BEVs and PHEVs. As illustrated in Figure 1, the BEV or PHEV may be connected to an external power supply having a solar panel. As such, the claimed invention materially contributes to conservation of energy resources and/or the reduction of greenhouse gas emissions.

The Application is a non-reissue, non-provisional utility application filed 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 multiple dependent claims. A first Office action has not yet appeared in the Patent Application Information Retrieval System (PAIR).

The publication fee under 37 C.F.R. § 1.18(d) of $300 has been paid upon filing. Please charge any additional required fees to Deposit Account No. 06-1510 (Ford Global Technologies, LLC).

Respectfully submitted,

DOUGLAS RAYMOND MARTIN et al.

By: /Andrew B. Turner/
Andrew B. Turner
Reg. No. 63121
Agent for Applicant

Date: December 9, 2011

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351

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: 83181282	Application Number (if known): 13/267,038	Filing date: October 06, 2011

First Named Inventor: DOUGLAS RAYMOND MARTIN et al.

Title: VEHICLE GUIDANCE SYSTEM WITH INTERFACE

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 /Andrew B. Turner/	Date 12-09-2011
Name (Print/Typed) Andrew B. Turner	Registration Number 63121

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.
13/267,038	10/06/2011	Douglas Raymond Martin	83181282	8853

28395 7590 12/21/2011

BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD, MI 48075-1238

EXAMINER	
ASSOUAD, PATRICK J	
ART UNIT	PAPER NUMBER
2858	

MAIL DATE	DELIVERY MODE
12/21/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
MARTIN et al.	:	DECISION ON PETITION
Application No. 13/267,038	:	TO MAKE SPECIAL UNDER
Filed: October 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83181282	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 9, 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
www.uspto.gov

WARNER NORCROSS & JUDD, LLP
INTELLECTUAL PROPERTY GROUP
900 FIFTH THIRD CENTER
111 LYON STREET, N.W.
GRAND RAPIDS, MI 49503-2487

MAILED

OCT 19 2011

OFFICE OF PETITIONS

In re Application of :
Timothy R. Pryor :
Application No. 13/267,044 :DECISION ON PETITION
Filed: 00/00/0000 :TO MAKE SPECIAL UNDER
Attorney Docket No. 142356.145341-US : 37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 6, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required.

The instant petition includes a statement from attorney Charles E. Burpee[1] that sole inventor, Timothy R. Pryor, is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

This application file is being referred to the Office of Patent Application Processing for further processing in accordance with this decision.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. All other inquiries concerning the processing of the application should be addressed to the Office of Patent Application Processing at (571) 272-4000.

Andrea Smith
Petitions Examiner
Office of Petitions

[1] The instant petition is not signed by an attorney of record. However, in accordance with 37 CFR 1.34(a), the signature of Charles E. Burpee appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party on whose behalf he acts.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DOUGLAS RAYMOND MARTIN et al.

Group Art Unit: 3667

Examiner: TRAMMELL, JAMES P.

Serial No.: 13/267,061

Filed: October 06, 2011

For: VEHICLE GUIDANCE SYSTEM

Attorney Docket No.: 83181284

STATEMENT SUPPORTING ELIGIBILITY REQUIREMENT OF THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is being filed concurrently with a Petition To Make Special Under the Green Technology Pilot Program (PTO/SB/420), 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. 68049 (Nov. 10, 2010).

Applicant respectfully submits that the above-identified application is eligible for the "Green Technology Pilot Program" as materially contributing to the more efficient utilization and conservation of energy resources or the reduction of greenhouse gas emissions.

As explained in the specification at paragraph [0002], battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs) may be connected to an external power supply for charging a vehicle battery. Such vehicles typically include a charge cord that extends from an external power supply and is physically connected to a vehicle charging port to facilitate charging of the vehicle battery. However, such charge cords are prone to operator error. For

example, if the user fails to properly connect the charge cord, or forgets to connect the charge cord altogether, then the battery will not be charged. Further the user may damage the charge cord or the vehicle if he or she forgets to disconnect the charge cord before driving away from the external power supply. Additionally, the charge cord must be stored in a secure location when not in use. For example, the charge cord may be damaged if the user leaves the charge cord on the ground and inadvertently drives over it.

As recited in claim 1, a vehicle guidance system is provided with a controller configured to receive input indicative of a relative position between a charging port and a charging pad, and to provide output indicative of a distance vector therebetween in response to the input. An interface communicates with the controller and is configured to display a base element representing the charging port and target element representing the charging pad positioned relative to each other according to the distance vector.

As recited in claim 10, a vehicle guidance system is provided with a sensor array having at least two sensors and a microcontroller. Each sensor is configured to provide output indicative of a time when a signal was received from a transmitter. The microcontroller communicates with the sensors and is configured to provide output indicative of an angular direction between the sensor array and the transmitter. Wherein the angular direction is based on a difference between the times when the signals were received.

As recited in claim 15, a vehicle is provided with a charging port that is configured to receive an inductive charging current. The vehicle is also provided with at least two sensor arrays, and a controller. Each sensor array is configured to provide output indicative of an angular direction between the sensor array and a transmitter remote from the vehicle. The controller is configured to provide output indicative of a distance vector between the charging port and the transmitter based on the output indicative of the angular direction between the sensor arrays and transmitter. An interface communicates with the controller and is configured to display a base element representing the charging port and a target element representing a charging pad positioned relative to each other according to the distance vector.

The claimed invention facilities inductive charging of BEVs and PHEVs. As illustrated in Figure 1, the BEV or PHEV may be connected to an external power supply that includes a solar panel. As such, the claimed invention materially contributes to conservation of energy resources and/or the reduction of greenhouse gas emissions.

The Application is a non-reissue, non-provisional utility application filed 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 multiple dependent claims. A first Office action has not yet appeared in the Patent Application Information Retrieval System (PAIR).

The publication fee under 37 C.F.R. § 1.18(d) of $300 has been paid upon filing. Please charge any additional required fees to Deposit Account No. 06-1510 (Ford Global Technologies, LLC).

Respectfully submitted,

DOUGLAS RAYMOND MARTIN et al.

By: /Andrew B. Turner/
Andrew B. Turner
Reg. No. 63121
Agent for Applicant

Date: December 9, 2011

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351

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: 83181284	Application Number (if known): 13/267,061	Filing date: October 06, 2011

First Named Inventor: DOUGLAS RAYMOND MARTIN et al.

Title: VEHICLE GUIDANCE 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 /Andrew B. Turner/	Date 12-09-2011
Name (Print/Typed) Andrew B. Turner	Registration Number 63121

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.
13/267,061	10/06/2011	Douglas Raymond Martin	83181284	8360

28395 7590 12/15/2011
BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD, MI 48075-1238

EXAMINER	
TRAMMELL, JAMES P	
ART UNIT	PAPER NUMBER
3667	
MAIL DATE	DELIVERY MODE
12/15/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

12/15/2011

BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of	:	
Martin	:	DECISION ON PETITION
Application No. 13/267,061	:	TO MAKE SPECIAL UNDER
Filed: 10/6/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **83181284**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/9/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 3667 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: 30020-319001	Application Number (if known): 13/267,326	Filing date: October 6, 2011

First Named Inventor: Perry S. Schugart, et al.

Title: CENTRALIZED POWER CONDITIONING

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.

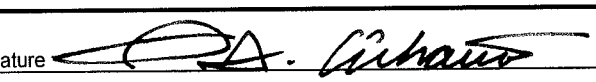
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. 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 Oct. 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.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: 30020-319001
Client Ref. No.: AMSC-920US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Perry S. Schugart, et al.	Art Unit	: Not yet assigned
Serial No.	: 13/267,326	Examiner	: Not yet assigned
Filed	: October 6, 2011	Conf. No.	: 7801
Title	: CENTRALIZED POWER CONDITIONING		

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 unconventional sources of electricity that produce DC voltage instead of the AC voltage generated by conventional rotating machines. Among these sources are photovoltaic cells and fuel cells.

Claim 3 is specifically directed to the case in which a photovoltaic array provides the power that is provided to a power conditioning unit to be conditioned to have selected electrical characteristics.

Claims 4 and 5 recite similar subject matter with the exception that the power source is a wind turbine and fuel cell respectively.

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 photovoltaic cells, which is normally generated as a DC voltage, to a utility grid that expects AC voltage provided by conventional rotating machines. Accordingly, Applicant requests that examination be accelerated under the Pilot Program.

[1] 74 Fed. Reg. 234 (December 8, 2009), page 64666 et seq., and 75 Fed. Reg. 98 (May 21, 2010).

No fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our Deposit Account No. 50-4189, referencing Attorney Docket No. 30020-319001.

Respectfully submitted,

Date: October 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
245362.doc

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.
13/267,326	10/06/2011	Perry S. Schugart	30020-319001	7801

80841 7590 11/10/2011

Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge, MA 02138

EXAMINER	
ART UNIT	PAPER NUMBER
1726	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

info@ORTPATENT.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

Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge MA 02138

11/10/11

In re Application of :
Schugart et al. : DECISION ON PETITION
Application No. 13/267,326 : TO MAKE SPECIAL UNDER
Filed: 10/6/2011 : THE GREEN TECHNOLOGY
Attorney Docket No. **30020-319001** : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/6/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1726 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

LARIVIERE, GRUBMAN & PAYNE, LLP
19 UPPER RAGSDALE DRIVE, SUITE 200
MONTEREY CA 93940

MAILED
MAR 08 2012
OFFICE OF PETITIONS

In re Application of :
Silvo Zupancic :
Application No. 13/267690 :
Filing or 371(c) Date: 10/06/2011 : ON PETITION
Attorney Docket Number: P2126 :

This is a notice regarding request for acceptance of a fee deficiency submission under 37 CFR 1.28. 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.

Telephone inquiries concerning this matter 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 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 20015/10073	Application Number (if known): 13/267,760	Filing date: October 6, 2011

First Named Inventor: Gregory S. Smith

Title: APPARATUS AND METHODS TO INCREASE THE EFFICIENCY OF ROLL-FORMING AND LEVELING 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 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 /Sergio D. Filice/	Date October 12, 2011
Name (Print/Typed) Sergio D. Filice	Registration Number 59,727

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.

PATENT
20015/10073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Smith et al. Serial No.: 13/267,760 Filed: October 6, 2011 For: APPARATUS AND METHODS TO INCREASE THE EFFICIENCY OF ROLL-FORMING AND LEVELING SYSTEMS Group Art Unit: 3725 Examiner: Not Yet Assigned	I hereby certify that this paper is being filed electronically with the U.S. Patent and Trademark Office on this date: **October 12, 2011** **/Margaret Spiker/** Margaret Spiker

STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Statement of Special Status for the Eligibility Requirement is filed 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 expanded by 75 Fed. Reg. 69049-69050 (Nov. 10, 2010).

Aspects of the above-referenced patent application materially contribute to energy conservation, namely, the more efficient use and conservation of energy in industrial equipment. It is clear on the face of the application that the claimed invention materially contributes to energy conservation and, thus, a statement explaining how the materiality standard is met is not required. For example, the claimed invention materially contributes to the reduction in energy consumption and/or the regeneration of energy in a roll-forming production system.

The application is a non-reissue, non-provisional utility application filed under 35 U.S.C. §111(a). After a preliminary amendment, the application contains no more than three (3) independent claims and twenty (20) total claims.

The Applicants respectfully request 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.

Submitted herewith is the early publication fee. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-2455.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC.
Customer No. 34431
150 South Wacker Drive
Suite 2100
Chicago, Illinois 60606
(312) 580-1020

By: **/Sergio D. Filice/**
Sergio D. Filice
Registration No. 59,727
Attorney for Applicants

October 12, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/267,760	10/06/2011	Gregory S. Smith	20015/10073	6967

34431 7590 11/25/2011

HANLEY, FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO, IL 60606

EXAMINER	
ART UNIT	PAPER NUMBER
3725	

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):

mhanley@hfzlaw.com
jflight@hfzlaw.com
docketing@hfzlaw.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

HANLEY, FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO IL 60606

In re Application of
SMITH, GREGORY S. et. al.
Application No. 13/267,760
Filed: October 6, 2011
Attorney Docket No. 20015/10073

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 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 **dismissed**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived. The petition lacks item # 4.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technology. This is not convincing. It is not clear how the claimed controller for 1st and 2nd drives in a strip material processing apparatus will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. There is no relationship between the statement and the claimed subject matter.

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. Currently, the application is undergoing pre-examination processing. Upon completion, the application will be forwarded to the Technology Center Art Unit 3725 for action in its regular turn.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

PATENT
20015/10073

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Smith et al. Serial No.: 13/267,760 Filed: October 6, 2011 For: APPARATUS AND METHODS TO INCREASE THE EFFICIENCY OF ROLL-FORMING AND LEVELING SYSTEMS Group Art Unit: 3725 Examiner: Not Yet Assigned	I hereby certify that this paper is being filed electronically with the U.S. Patent and Trademark Office on this date: **December 14, 2011** **/Joanna M. Stofko/** Joanna M. Stofko

REQUEST TO RECONSIDER THE DECISION DENYING THE PETITION UNDER 37 CFR 1.102

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants petition to make special under 37 CFR 1.102 (Green Technology Pilot Program) filed on October 12, 2011, was denied due to a lack of statement pertaining to the materiality standard relating to the basis for the special status of the invention. The applicants respectfully submit that the claimed invention materially contributes to energy conservation, for example, by contributing to the reduction in energy consumption and/or the regeneration of energy in a roll-forming production system.

Support for reducing energy consumption and/or regeneration of engery in a roll-forming production system can be found in at least paragraphs [0053] – [0056] of the specification. Paragraphs [0053]-[0056] generally describe a roll-forming production system implemented with an energy regeneration module 224. To

regenerate energy, the roll-forming production system includes a first controller to operate a first motor 203 and a second controller to operate a second motor 204 such that the controllers command the motors 203 and 204 to provide a torque mismatch between a first and second motors 203 and 204. In particular, the second motor 204 provides a greater torque output than the first motor 203, causing the first motor 203 to operate as a generator that produces or regenerates electricticity. More specifically, the torque mismatch between the motors 203 and 204 causes a pulling effect that imparts a rotational force or negative torque on the a shaft 206a of the first motor 203. This negative torque imparted to the first motor 203 enables the first motor 203 to regenerate electricity. The regenerated electricity is transferred to, for example, the regeneration module 224 that distributes the regenerated electricity to the second drive system 202 or the second motor 204, thereby conserving energy and increasing the efficiency of the roll-forming production system.

Further, at least claims 1, 10, 14, 20 and 21 relate to the statement pertaining to the materiality standard as to the basis for the special status of the invention.

Based on the forgoeing support, the applicants respectfully request reconsideration of the decision denying the Petition to Make Special Under the Green Technology Pilot Program and the application be accorded special status under the Green Technology Pilot Program.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-2455.

Respectfully submitted,

HANLEY, FLIGHT & ZIMMERMAN, LLC.
Customer No. 34431
150 South Wacker Drive
Suite 2100
Chicago, Illinois 60606
(312) 580-1020

By: **/Sergio D. Filice/**
Sergio D. Filice
Registration No. 59,727
Attorney for Applicants

December 14, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/267,760	10/06/2011	Gregory S. Smith	20015/10073	6967

34431 7590 12/23/2011

HANLEY, FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO, IL 60606

EXAMINER	
ART UNIT	PAPER NUMBER
3725	

NOTIFICATION DATE	DELIVERY MODE
12/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mhanley@hfzlaw.com
jflight@hfzlaw.com
docketing@hfzlaw.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

HANLEY, FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO IL 60606

12/23/2011

In re Application of	:	
Gregory S. Smith et al.	:	DECISION ON PETITION
Application No. 13/267,760	:	TO MAKE SPECIAL UNDER
Filed: October 06, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 20015/10073	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 14, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

Attorney Docket No. GEVO-027/06US 310142-2262 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re App'n of: Reid M. Renny FELDMAN *et al.* Confirmation No.: *To Be Assigned*

Serial No.: *To Be Assigned* (Div. of 12/820,505) Group Art Unit: *To Be Assigned*

Filed: October 6, 2011 Examiner: *To Be Assigned*

For: **YEAST ORGANISM PRODUCING ISOBUTANOL AT A HIGH YIELD**

VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL

STATEMENT OF SPECIAL STATUS AND REQUEST TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir,

Submitted herewith is the completed USPTO form PTO/SB/420 and a Petition to Make Special Pursuant to the Federal Register Notice of December 8, 2009, Vol. 74, No. 234, pp. 64666-8, to participate in the Green Technology Pilot Program as described in said Notice.

The above-reference application has been not yet been published. In accordance with the requirements for the Pilot Program, please charge Deposit Account No. 50-1283 for the publication fee set forth in 37 CFR 1.18(d).

Applicants submit that the application is directed to a single invention that relates to the development of renewable components for fuel blends, and as such, the claimed invention materially contributes to the discovery or development of renewable energy resources, enhances the quality of the environment and results in a more efficient utilization and conservation of energy resources.

If participation in the Green Technology Pilot Program is granted, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement if the Office determines that the claims are not directed to a single invention.

Filed concurrently with this petition is a divisional application which claims priority to US Patent Application No. 12/820,505 under 35 U.S.C. §120. The divisional application submitted herewith contains no more than three independent claims and twenty total claims and does not contain any multiple dependent claims.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: October 6, 2011

Respectfully submitted,
COOLEY LLP

CUSTOMER NO. 58249

By: /Paul A. Wickman/
Paul A. Wickman
Reg. No. 61,242

COOLEY LLP
ATTN: Patent Group
777 6th Street NW, Suite 1100
Washington, DC 20001
Tel: (720) 566-4250
Fax: (202) 842-7899

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: GEVO-027/06US	Application Number (if known): Not Yet Assigned	Filing date: October 6, 2011
First Named Inventor: Reid M. Renny FELDMAN		
Title: YEAST ORGANISM PRODUCING ISOBUTANOL AT A HIGH YIELD		

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 of Special Status

Signature /Paul A. Wickman/	Date October 6, 2011
Name (Print/Typed) Paul A. Wickman	Registration Number 61,242

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 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.

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.

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.
13/267,771	10/06/2011	Reid M. Renny Feldman	GEVO-027/06US 310142-2262	6149

58249 7590 11/04/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

MAIL DATE	DELIVERY MODE
11/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NOV 0 4 2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

In re Application of :

FELDMAN, Reid M *et al.*	:	DECISION ON PETITION
Application No. 13/267771	:	TO MAKE SPECIAL UNDER
Filed: October 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GEVO-027/06US 310142-2262	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to 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

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	13267838	Confirmation Number	5247	Filing Date	2011-10-06
Attorney Docket Number (optional)	AL-45	Art Unit		Examiner	
First Named Inventor	Armen P. Sarvazyan				
Title of Invention	A SIMPLIFIED HANDGRIP FOR ASSESSMENT OF COLONOSCOPE MANIPULATION				

Attention: Office of Petitions

An application may be made special for advancement of examination upon filing of a petition showing that the applicant is 65 years of age, or more. No fee is required with such a petition. See 37 CFR 1.102(c)(1) and MPEP 708.02 (IV).

APPLICANT HEREBY PETITIONS TO MAKE SPECIAL FOR ADVANCEMENT OF EXAMINATION IN THIS APPLICATION UNDER 37 CFR 1.102(c)(1) and MPEP 708.02 (IV) ON THE BASIS OF THE APPLICANT'S AGE.

A grantable petition requires one of the following items:
(1) Statement by one named inventor in the application that he/she is 65 years of age, or more; or
(2) Certification by a registered attorney/agent having evidence such as a birth certificate, passport, driver's license, etc. showing one named inventor in the application is 65 years of age, or more.

Name of Inventor who is 65 years of age, or older

Given Name	Middle Name	Family Name	Suffix
Armen	P.	SARVAZYAN	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

● (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/LESCHINSKY/	Date (YYYY-MM-DD)	2011-10-06
Name	Boris LESCHINSKY	Registration Number	41404

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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
Armen P. Sarvazyan

Application No. 13267838

Filed:

Attorney Docket No. AL-45

: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 06-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.

Docket No.: 2204819.00123US17
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	N/A
Application No.:	Not Yet Assigned	Art Unit:	N/A
Filed:	Concurrently Herewith	Examiner:	Not Yet Assigned
Title:	METHODS AND SYSTEMS FOR ISOLATING CAROTENOIDS AND OMEGA-3 RICH OIL PRODUCTS FROM ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for isolating nutraceuticals products from algae, in particular, of carotenoids and omega-3 rich oil. The methods disclosed in the instant application allow for the product of renewable food products. In preferred embodiments, the lipid products that remain in the biomass after nutraceutical extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste product. Its use to feed algae reduces levels of this major greenhouse gas. Furthermore, the nutraceutical products of the instant invention can be used as renewable sources of food and nutrients for humans as well as in animal

feedstocks. As the present invention is directed towards single and multistep extraction processes which allow for efficient separation of algal nutraceuticals, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US17, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6000 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 7, 2011

/Mary J. Edwards/
Mary J. Edwards
Registration No.: 55140
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

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: 2204819.00123US17	Application Number (if known): Filed Concurrent	Filing date: October 7, 2011

First Named Inventor: KALE, Aniket

Title: Methods and Systems for Isolating Carotenoids and Omega-3 Rich Oil Products from Algae

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Mary J. Edwards/	Date October 7, 2011
Name (Print/Typed) Mary J. Edwards	Registration Number 55140

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.
13/268,064	10/07/2011	Aniket Kale	2204819.00123US17	7152

23483 7590 11/10/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1655	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 10 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/268064	:	TO MAKE SPECIAL UNDER
Filed: October 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00123US17	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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.

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 1655 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.00123US18	Application Number (if known): Filed Concurrent	Filing date: October 7, 2011

First Named Inventor: KALE, Aniket

Title: Methods of Producing Biofuels from an Algal 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: _____

Signature /Mary J. Edwards/	Date October 7, 2011
Name (Print/Typed) Mary J. Edwards	Registration Number 55140

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.
13/268,072	10/07/2011	Aniket Kale	2204819.00123US18	7471

23483 7590 11/10/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1778	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

11/10/11

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of	:	
Kale	:	DECISION ON PETITION
Application No. 13/268,072	:	TO MAKE SPECIAL UNDER
Filed: 10/7/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **2204819.00123US18**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/7/2011, 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.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1778 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 2204819.00123US19	Application Number (if known): Filed Concurrent	Filing date: October 7, 2011

First Named Inventor: KALE, Aniket

Title: Liquid Fractionation Method for Producing Biofuels

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 /Mary J. Edwards/	Date October 7, 2011
Name (Print/Typed) Mary J. Edwards	Registration Number 55140

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.
13/268,272	10/07/2011	Aniket Kale	2204819.00123US19	7676

23483 7590 11/23/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
CUTLIFF, YATE KAI RENE	
ART UNIT	**PAPER NUMBER**
1622	

NOTIFICATION DATE	DELIVERY MODE
11/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 23 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/268272	:	TO MAKE SPECIAL UNDER
Filed: October 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00123US19	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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.

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 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (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: 83206877 (FMC2566PUS1)	Application Number (if known): 13/268,286	Filing date: October 7, 2011
First Named Inventor: Walter Joseph Ortmann		
Title: AUTO-SEEK ELECTRICAL CONNECTION FOR A PLUG-IN HYBRID ELECTRIC 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: Statement to Make Special

Signature /David S. Bir/	Date January 20, 2011
Name (Print/Typed) David S. Bir	Registration Number 38383

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.

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.

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:

Walter Joseph Ortmann

Group Art Unit: Unknown

Examiner: Unknown

Serial No.: 13/268,286

Filed: October 7, 2011

For: AUTO-SEEK ELECTRICAL CONNECTION FOR A PLUG-IN HYBRID ELECTRIC VEHICLE

Attorney Docket No.: 83206877 (FMC 2566 PUS1)

STATEMENT SUPPORTING ELIGBILITY REQUIREMENT OF THE GREEN TECHNOLOGY PILOT PROGRAM

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Statement of Special Status for the Eligibility Requirement is being filed concurrently with a Petition To Make Special Under the Green Technology Pilot Program (PTO/SB/420), 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. 68049 (Nov. 10, 2010).

Applicant respectfully submits that the above-identified application is eligible for the "Green Technology Pilot Program" as materially contributing to the development of renewable energy or energy conservation. In addition, the claimed subject matter is directed to an electric or hybrid electric vehicle that materially contributes to more efficient utilization and conservation of energy resources and the reduction of greenhouse gas emissions relative to a conventional carbon-based fuel vehicle.

Applicant believes that the application on its face meets the eligibility requirements because it is directed to an electric vehicle classified in USPC 180/65.1, which is one of the

originally eligible classifications as published in 74 Fed. Reg. 64,666 (Dec. 8, 2009). However, to the extent that additional justification or explanation is needed, the claimed system and method are directed to an electric vehicle that facilitate charging of the vehicle by providing a so-called "auto-seek" operating mode that uses electrical plug-in connector elements to automatically connect the vehicle's electrical system to a utility electrical grid for charging the battery. The connector elements will have built-in vehicle position sensors that can be identified by the vehicle specifications. One position sensor can be any short range radio frequency sensor or an optical type sensor, such as a sensor for a laser or other retro-reflective signal. Whenever the front of the vehicle is within a specified distance to a target connection point, the driver may place the vehicle in a so-called auto-seek plug-in connection mode. This mode automatically positions the vehicle to line up the vehicle side of the connector with the grid side. Because the claimed subject matter is directed to a system and method for charging an electric or hybrid electric vehicle, and widespread adoption of electric vehicles would not be possible without supporting infrastructure and such systems to facilitate user acceptance of electric and hybrid electric vehicles, it materially contributes to the more efficient utilization and conservation of energy resources as well as the reduction of greenhouse gas emissions relative to conventional vehicles.

The use of known control strategies in some prior art systems, such as a plug-in hybrid electric vehicle (PHEV) powertrain, for example, may result in low battery voltage situations as the battery's charge is depleted and may cause a reduced battery life. In such PHEV powertrains, an electric utility power grid will charge the battery when the vehicle is not being used; e.g., when the vehicle is parked. The driver may connect the vehicle battery to the power grid following partial depletion of the battery charge by using a specially designed extension cable to plug one end into a wall socket in a residence or garage, the other end being connected to a terminal on the vehicle. When the vehicle owner wishes to use the vehicle, the cable would be removed to disconnect the vehicle and the wall socket. This is an inconvenience that the owner of a conventional vehicle does not have. If the owner, through oversight, fails to plug-in the vehicle following vehicle operation during which the battery state-of-charge becomes partially

depleted, the benefit of the plug-in hybrid would be eliminated; for example, when the vehicle is to be used after the vehicle has been parked overnight.

Various embodiments according to the disclosure avoid limitations of known control systems of the kind previously described to avoid shortened battery life and improve operation of a hybrid electric vehicle. This is achieved using one strategy of the present invention by providing a so-called "auto-seek" operating mode. When the driver initiates the auto-seek plug-in connection operating mode, the control system will use the position sensors to detect the position of a grid connector element relative to the vehicle and then determine a trajectory that maps the position of a vehicle-mounted connector element relative to the grid connector element in an optimal fashion. That information may be combined with a known, front-looking object detector and a known roll/pitch/yaw sensor that would be included in an adjustable stability control for inclination and height adjustments to further improve the accuracy of the auto-seek system. Using the vehicle electric motor drive, a closed-loop control system will guide the vehicle to where the connector elements are aligned and then complete the connection. After the connection is made, the vehicle system controller will initiate a vehicle shut down.

For example, as recited in Claim 1, a system for charging the battery of a hybrid electric vehicle to avoid shortened battery life includes a controller configured to provide signals to the power steering system and motor to automatically maneuver the vehicle to align a stationary battery charging outlet with the charging connector in response to distance between the charging connector and charging outlet. By improving the battery life of the traction battery in the hybrid electric vehicle, the claimed subject matter reduces greenhouse gas emissions and limits reductions in the state-of-charge of the battery. For hybrid vehicle applications, this extends the vehicle range so that the internal combustion engine may not have to be used, or is used less than without such an automatic positioning/charging system. As such, the application is directed to subject matter that conserves energy resources and reduces greenhouse gas emissions.

The Application is a non-reissue, non-provisional utility application filed 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 multiple dependent claims. A first Office action has not yet appeared in the Patent Application Information Retrieval System (PAIR).

The publication fee under 37 C.F.R. § 1.18(d) of $300 has been paid upon filing. Please charge any additional required fees to Deposit Account No. 06-1510 (Ford Global Technologies, LLC).

Respectfully submitted,

Walter Joseph Ortmann

By: /David S. Bir/
David S. Bir
Reg. No. 38383
Attorney for Applicant

Date: January 20, 2012

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351

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.
13/268,286	10/07/2011	Walter Joseph Ortmann	83206877	8797

28395 7590 02/01/2012
BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD, MI 48075-1238

EXAMINER	
GURARI, EREZ	
ART UNIT	PAPER NUMBER
3618	
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.

(571) 272-1201 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

2/1/12

BROOKS KUSHMAN P.C./FGTL
1000 TOWN CENTER
22ND FLOOR
SOUTHFIELD MI 48075-1238

In re Application of :
Ortmann et al. :
Application No. 13/268,286 :
Filed: 10/7/2011 :
Attorney Docket No. **83206877** :

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 1/20/2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 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
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

STEPTOE & JOHNSON LLP
1330 CONNECTICUT AVENUE, N.W.
WASHINGTON DC 20036

MAILED

FEB 14 2012

OFFICE OF PETITIONS

In re Application of :
David P. Rounbehler et al. :
Application No. 13/269,106 : DECISION ON PETITION
Filed: October 7, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. **16250.0009 C2** : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed January 23, 2012, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) 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 and the inventor. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being forwarded to Technology Center AU 1771 for action on the merits commensurate with this decision.

/JoAnne Burke/
JoAnne Burke
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.
13/269,156	10/07/2011	Hanan Ahmed	HW 82756869US02	8491

74365 7590 11/08/2011

Slater & Matsil, L.L.P.
17950 Preston Road, Suite 1000
Dallas, TX 75252

EXAMINER	
ART UNIT	PAPER NUMBER
3627	

NOTIFICATION DATE	DELIVERY MODE
11/08/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@slater-matsil.com

Doc Code: TRACK1.GRANT NOV 10 2011

Decision Granting Request for Prioritized Examination (Track I)	Application No.: 13/269156

1. THE REQUEST FILED 10/07/2011 IS **GRANTED**.

   The above-identified application has met the requirements for prioritized examination (Track I).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

   A. filing a **petition for extension of time** to extend the time period for filing a reply;

   B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;

   C. filing a **request for continued examination**;

   D. filing a notice of appeal;

   E. filing a request for suspension of action;

   F. mailing of a notice of allowance;

   G. mailing of a final Office action;

   H. completion of examination as defined in 37 CFR 41.102; or

   I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to Robert Weinhardt at 571-272-6633. In his/her absence, calls may be directed to Steven Meyers at 571-272-6611.

[*Signature*] Business Practice Specialist
(Title)

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAILED
NOV 08 2011
OFFICE OF PETITIONS

NIXON PEABODY, LLP
300 S. Riverside Plaza, 16th Floor
CHICAGO IL 60606-6613

In re Application of	:	
Sakharam D. Mahurkar	:	
Application No. 13/269,179	:	DECISION ON PETITION
Filed: October 7, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 247123-000080USC1	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 17, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement by inventor Sakharam D. Mahurkar, 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 3765 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/269,272	Filing date:	October 7, 2011
First Named Inventor:	Armin Gaul		
Title of the Invention:	CHARGING CABLE LOCKING DEVICE AND METHOD FOR LOCKING A CABLE		

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/EP2010/054596

The international filing date of the corresponding PCT application(s) is/are: April 7, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/269,272
First Named Inventor:	Armin Gaul

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
Claims 1-8	Claims 1-8	Claims 1-8 directly correspond to Claims 1-8 of the PCT application in which all claims have been indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Michael J. Baima/	Date January 6, 2012
Name (Print/Typed) Michael J. Baima	Registration Number 62023

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

REINHART BOERNER VAN DEUREN P.C.
2215 PERRYGREEN WAY
ROCKFORD IL 61107

MAILED

JAN 31 2012

OFFICE OF PETITIONS

In re Application of
GAUL, et al
Application No.: 13/269,272
Filed: October 7, 2011
Attorney Docket No.: 508892
For: CHARGING CABLE LOCKING DEVICE AND METHOD LOCKING A CABLE

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 6, 2012, to make the above-identified application special.

The request and petition are **DISMISSED.**

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, IPAU, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

Requirements (1-5), and (7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

Regarding the requirement of condition (6), no statement of accuracy for the English translation of the international work product has been provided.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

REINHART BOERNER VAN DEUREN, P.C.
2215 PERRYGREEN WAY
ROCKFORD IL 61107

MAILED
FEB 13 2012
OFFICE OF PETITIONS

In re Application of
GAUL, et al
Application No.: 13/269,272
Filed: October 7, 2011
Attorney Docket No.: 508892
For: CHARGING CABLE LOCKING DEVICE AND METHOD FOR LOCKING A CABLE

CORRECTED
: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 6, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the Technology Center AU 2833 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PATENT DEPARTMENT
BAKER BOTTS, L.L.P.
ONE SHELL PLAZA
910 LOUISIANA
HOUSTON TX 77002

MAILED
OCT 18 2011
OFFICE OF PETITIONS

In re Application of :
Armand et al. :
Application No. 13/269,299 : ON PETITION
Date Deposited: October 7, 2011
Attorney Docket No. 078963.0150 :
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 7, 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.

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

Docket No.: 2204819.123US21
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Aniket Kale	Confirmation No.:	N/A
Application No.:	Not Yet Assigned	Art Unit:	N/A
Filed:	Concurrently Herewith	Examiner:	Not Yet Assigned
Title:	METHODS OF AND SYSTEMS FOR DEWATERING ALGAE AND RECYCLING WATER THEREFROM		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for dewatering algal cell cultures that can be used for the extraction and fractionation of algal proteins from a freshwater or saltwater algal biomass or algal culture. In preferred embodiments, the lipid products that remain in the biomass after selective protein extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is industrial waste. Its use to feed algae reduces levels of a major greenhouse gas and improves environmental quality. Furthermore, the proteins of the instant invention can be used as renewable sources of dietary protein for humans as well as in animal feedstocks. As the present

invention is directed towards single and multistep extraction processes which allow for efficient separation of algal proteins, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.123US21, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (202) 663-6093 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 7, 2011

/Jacob Steven Oyloe/
Jacob Steven Oyloe
Registration No.: 58,686
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000 (telephone)
(202) 663-6363 (facsimile)

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:	2204819.123US21	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Aniket KALE			
Title:	METHODS OF AND SYSTEMS FOR DEWATERING ALGAE AND RECYCLING WATER THEREFROM			

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	/Jacob Steven Oyloe/	Date	October 7, 2011
Name (Print/Typed)	Jacob Steven Oyloe	Registration Number	58,686

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.

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.
13/269,392	10/07/2011	Aniket Kale	2204819.123US21	2115

23483 7590 11/10/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1653	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 1 0 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/269392	:	TO MAKE SPECIAL UNDER
Filed: October 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.123US21	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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.

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

Docket No.: 2204819.123US20
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Aniket Kale	Confirmation No.:	N/A
Application No.:	Not Yet Assigned	Art Unit:	N/A
Filed:	October 7, 2011	Examiner:	Not Yet Assigned
Title:	SELECTIVE EXTRACTION OF PROTEIN FROM FRESHWATER OR SALTWATER ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for selective extraction and fractionation of algal proteins from a freshwater or saltwater algal biomass or algal culture. In preferred embodiments, the lipid products that remain in the biomass after selective protein extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is industrial waste. Its use to feed algae reduces levels of a major greenhouse gas and improves environmental quality. Furthermore, the proteins of the instant invention can be used as renewable sources of dietary protein for humans as well as in animal feedstocks. As the present invention is directed towards single and multistep extraction processes

which allow for efficient separation of algal proteins, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.123US20, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (202) 663-6093 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 7, 2011

/Jacob Steven Oyloe/
Jacob Steven Oyloe
Registration No.: 58,686
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000 (telephone)
(202) 663-6363 (facsimile)

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:	2204819.123US20	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Aniket KALE			
Title:	SELECTIVE EXTRACTION OF PROTEIN FROM FRESHWATER OR SALTWATER ALGAE			

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments:

Signature	/Jacob Steven Oyloe/	Date	October 7, 2011
Name (Print/Typed)	Jacob Steven Oyloe	Registration Number	58,686

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.

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.
13/269,400	10/07/2011	Aniket Kale	2204819.123US20	3042

23483 7590 11/10/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
LEE, JAE W	

ART UNIT	PAPER NUMBER
1656	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 10 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/269400	:	TO MAKE SPECIAL UNDER
Filed: October 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.123US20	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1656 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (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: GEVO-017/27US	Application Number (if known): Not Yet Assigned	Filing date: October 7, 2011
First Named Inventor: Andrew C. HAWKINS		
Title: METHODS FOR THE ECONOMICAL PRODUCTION OF BIOFUEL PRECURSOR THAT IS ALSO A BIOFUEL 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 /Paul A. Wickman/	Date October 7, 2011
Name (Print/Typed) Paul A. Wickman	Registration Number 61,242

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 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.

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.

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.

Attorney Docket No. GEVO-017/27US 310142-2257 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re App'n of: Andrew C. HAWKINS *et al.* Confirmation No.: *To Be Assigned*

Serial No.: *To Be Assigned* (Div. of 12/263,442) Group Art Unit: *To Be Assigned*

Filed: October 7, 2011 Examiner: *To Be Assigned*

For: **METHODS FOR THE ECONOMICAL PRODUCTION OF BIOFUEL PRECURSOR THAT IS ALSO A BIOFUEL FROM BIOMASS**

VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL

STATEMENT OF SPECIAL STATUS AND REQUEST TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir,

Submitted herewith is the completed USPTO form PTO/SB/420 and a Petition to Make Special Pursuant to the Federal Register Notice of December 8, 2009, Vol. 74, No. 234, pp. 64666-8, to participate in the Green Technology Pilot Program as described in said Notice.

The above-reference application has been not yet been published. In accordance with the requirements for the Pilot Program, please charge Deposit Account No. 50-1283 for the publication fee set forth in 37 CFR 1.18(d).

Applicants submit that the application is directed to a single invention that relates to the development of renewable components for fuel blends, and as such, the claimed invention materially contributes to the discovery or development of renewable energy resources, enhances the quality of the environment and results in a more efficient utilization and conservation of energy resources.

If participation in the Green Technology Pilot Program is granted, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement if the Office determines that the claims are not directed to a single invention.

Filed concurrently with this petition is a divisional application which claims priority to US Patent Application No. 12/263,442 under 35 U.S.C. §120. The divisional application submitted herewith contains no more than three independent claims and twenty total claims and does not contain any multiple dependent claims.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: October 7, 2011

Respectfully submitted,
COOLEY LLP

CUSTOMER NO. 58249

By: /Paul A. Wickman/
Paul A. Wickman
Reg. No. 61,242

COOLEY LLP
ATTN: Patent Group
777 6th Street NW, Suite 1100
Washington, DC 20001
Tel: (720) 566-4250
Fax: (202) 842-7899

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.
13/269,457	10/07/2011	Andrew C. Hawkins	GEVO-017/27US 310142-2257	1838

58249 7590 11/17/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
KIM, ALEXANDER D	
ART UNIT	**PAPER NUMBER**
1656	

MAIL DATE	DELIVERY MODE
11/17/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NOV 17 2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

In re Application of :

HAWKINS Andrew *et al.*	:	DECISION ON PETITION
Application No. 13/269457	:	TO MAKE SPECIAL UNDER
Filed: October 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GEVO-017/27US 310142-2257	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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.

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

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1656 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Attorney's Docket No. 38328-518001US
Customer Number 64046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	13/269,541	TC/Art Unit:	
Applicant:	James M. Cleeves	Conf. No.:	
Filing Date:	October 7, 2011	Examiner:	
Title:	VARIABLE COMPRESSION RATIO SYSTEMS FOR OPPOSED-PISTON AND OTHER INTERNAL COMBUSTION ENGINES, AND RELATED METHODS OF MANUFACTURE AND USE		

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION IN SUPPORT OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

The following pages include items submitted in support of the attached *Petition to Make Special Under the Green Technology Pilot Program.* Prompt consideration and grant of this petition is hereby requested in light of the statements on the following pages.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted to the Patent and Trademark Office on the date indicated below in accordance with 37 CFR 1.8(a)(1)(i)(C).

January 20, 2011
Date of Transmission

/mff/
Signature

Maria Fambro
Typed or Printed Name of Person Signing Certificate

REMARKS

Number of Claims. The instant application, which is a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), contains no more than three (3) independent claims and twenty (20) total claims and no multiple dependent claims. A preliminary amendment is submitted with to cancel claims in excess of these requirements.

Early Publication Request. Per the attached Petition to Make Special Under the Green Technology Pilot Program (Form PTO/SB/420), a request for early publication is hereby submitted in compliance with 37 CFR §1.219. The publication fee set forth in 37 CFR §1.18(d) is also paid in association with this submission.

No first Office Action Yet Mailed. As of the date of this filing, no first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system.

Single Invention. The claims of the instant application are believed to be directed to a single invention. If the Office determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), the Office is requested to initiate a telephonic interview to the undersigned who agrees to elect, without traverse, an invention that meets the eligibility requirements of the Green Technology Pilot Program.

Statement of Special Status for the Eligibility Requirement. The subject matter of the currently pending claims of this application materially enhances the quality of the environment and/or materially contributes to: (1) the discovery or development of renewable energy resources, (2) the more efficient utilization and conservation of energy resources, and/or (3) green house gas emission reduction.

The claims of the instant application are drawn to systems, methods, and the like for enabling a variable compression ratio ability in an opposed-piston engine. As noted in the specification, the phase angle between the crankshafts driven by the two or more opposed pistons can be changed to reduce or increase the compression ratio in the corresponding combustion chamber. This approach can be used to dynamically (e.g. between successive engine cycles) adapting the engine compression ratio to a specific set of engine operating conditions (e.g. engine load, type of fuel, engine speed, etc.) to thereby optimize or at least improve engine performance and efficiency.

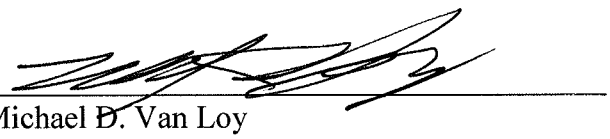
CONCLUSION

On the basis of the foregoing, the instant application is believed to be in condition for acceptance into the *Green Technology Pilot Program.* The Statement of Special Status submitted herein discusses one or more advantages relating to implementations of the instantly claimed subject matter that can enhance the environment or contribute to energy conservation or renewable energy generation or to reduction in greenhouse gas emissions. Other advantages or benefits may also flow from implementations of the current subject matter. Nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

As noted above, the Publication Fee set forth in 37 CFR §1.18(d) is paid in association with this submission. No other fees are believed to be due. However, the Commissioner is hereby authorized to charge any additional claim fees and any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 38328-518001US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

Date: January 20, 2012



Michael D. Van Loy
Reg. No. 52,315

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Customer No. 64046
Tel.: 858/314-1559
Fax: 858/314-1501

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: 38328-518001US	Application Number (if known): 13/269,541	Filing date: October 7, 2011
First Named Inventor: James M. Cleeves		
Title: VARIABLE COMPRESSION RATIO SYSTEMS FOR OPPOSED-PISTON AND OTHER		

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature	Date January 20, 2012
Name (Print/Typed) Michael D. Van Loy	Registration Number 52,315

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/269,541	10/07/2011	James M. Cleeves	766738002US2	9162

64046 7590 02/01/2012

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C
ONE FINANCIAL CENTER
BOSTON, MA 02111

EXAMINER	
ART UNIT	PAPER NUMBER
3783	

MAIL DATE	DELIVERY MODE
02/01/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C
ONE FINANCIAL CENTER
BOSTON MA 02111

In re Application of		
CLEEVES, JAMES M.	:	DECISION ON PETITION
Application No. 13/269,541	:	TO MAKE SPECIAL UNDER
Filed: Oct, 7, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 766738002US2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed January 20, 2012 to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by

a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d). The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

In regard to item 4, petitioner should note that the instant petition includes a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. However, as stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard. Petitioner states that the claimed invention relates to green technology. This is not convincing. It is not clear how the claimed varying the compression ratio in opposite-piston engine will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction. There is no connection between the claimed subject matter and the green technology.

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee $300.00 as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

Telephone inquires concerning this decision should be directed to Mike Cuff at 571-272-6778. This application will be forwarded to the Technology Center Art Unit 3783 for action on the merits commensurate with this decision.

/Henry C. Yuen/

Henry C. Yuen
Quality Assurance Specialist
Technology Center TC 3700

Attorney's Docket No. 38328-518001US
Customer Number 64046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	13/269,541	TC/Art Unit:	3783
Applicant:	James M. Cleeves	Conf. No.:	9162
Filing Date:	October 7, 2011	Examiner:	Not Yet Assigned
Title:	VARIABLE COMPRESSION RATIO SYSTEMS FOR OPPOSED-PISTON AND OTHER INTERNAL COMBUSTION ENGINES, AND RELATED METHODS OF MANUFACTURE AND USE		

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

The following pages include items submitted in support of the *Petition to Make Special Under the Green Technology Pilot Program* filed on January 20, 2012 and in response to the *Decision* mailed by the Office in regards to the *Petition* on February 1, 2012. This request is timely filed within 30 days of the mailing date of the *Decision.* Prompt reconsideration and grant of the *Petition* is hereby requested in light of the statements on the following pages.

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted to the Patent and Trademark Office on the date indicated below in accordance with 37 CFR 1.8(a)(1)(i)(C).

March 2, 2012
Date of Transmission

/mff/
Signature

Maria Fambro
Typed or Printed Name of Person Signing Certificate

REMARKS

Revised Statement of Special Status for the Eligibility Requirement. The decision alleges that the *Petition* filed on January 20, 2012 fails to provide a statement pertaining to the materiality standard in regards to the relation of the subject matter claimed in the instant application as it relates to energy efficiency. The following additional supporting information is provided in support of the *Petition* and of this *Request for Reconsideration.*

The subject matter of the currently pending claims of this application materially enhances the quality of the environment and/or materially contributes to: more efficient utilization and conservation of energy resources, and, due to the potential for reduced oil consumption, to the reduction of green house gas emissions.

The claims of the instant application are drawn to systems, methods, and the like for enabling the ability to a dynamically change the compression ratio in an opposed piston engine (e.g. an engine in which a first piston and a second piston are moved back and forth between first and second bottom dead center (BDC) positions, respectively, and first and second top dead center (TDC) positions, respectively, according to first and second piston timings, respectively). Thus, according to claim 1, for example, the first and the second piston can be moved according to the first piston timing and the second piston timing, respectively, while the valve timing of the engine is maintained such that the compression ratio of the engine is varied by changing the first piston timing relative to the valve timing and changing the second piston timing relative to the valve timing.

As noted in the specification, the phase angle between the crankshafts driven by the first and the second opposed pistons (which share a common cylinder) can be changed to reduce or increase the compression ratio in the corresponding combustion chamber. This approach can be

used to dynamically (e.g. between successive engine cycles) adapt the engine compression ratio to a specific set of engine operating conditions (e.g. engine load, type of fuel, engine speed, etc.) to thereby optimize or at least improve engine performance and efficiency. As explicitly noted in, for example, ¶[0019] of the instant specification, "incorporating variable compression ratio capability enables the engine to operate more efficiently at light loads and more powerfully at relatively high loads." Because a typical, real world drive cycle under which an internal combustion engine is typically used can include a wide variability in engine loads, the ability to dynamically alter a compression ratio of the engine to operate at higher efficiency, lower power conditions under lower loads and at lower efficiency, higher power conditions under sporadic higher loads can be extremely beneficial from a fuel economy standpoint.

CONCLUSION

On the basis of the foregoing, the instant application is believed to be in condition for acceptance into the *Green Technology Pilot Program.* The Revised Statement of Special Status submitted herein discusses one or more advantages relating to implementations of the instantly claimed subject matter that can contribute to energy conservation and to reduction in greenhouse gas emissions. Other advantages or benefits may also flow from implementations of the current subject matter. Nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper.

No other fees are believed to be due. However, the Commissioner is hereby authorized to charge any additional claim fees and any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 38328-518001US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,

Date: March 2, 2012

Michael D. Van Loy
Reg. No. 52,315

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Customer No. 64046
Tel.: 858/314-1559
Fax: 858/314-1501

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.
13/269,541	10/07/2011	James M. Cleeves	38328-518001US	9162

64046 7590 03/21/2012

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C
ONE FINANCIAL CENTER
BOSTON, MA 02111

EXAMINER	
ART UNIT	PAPER NUMBER
3783	

MAIL DATE	DELIVERY MODE
03/21/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MAR 2 1 2012

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO, P.C
ONE FINANCIAL CENTER
BOSTON MA 02111

In re Application of :
James M. Cleeves : DECISION ON PETITION
Application No. 13/269,541 : TO MAKE SPECIAL UNDER
Filed: October 07, 2011 : THE GREEN TECHNOLOGY
Attorney Docket No. 38328-518001US : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed March 02, 2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010), 75 Federal Register Notice 69049 (November 10, 2010) and 76 Federal Register Notice 77979 (December 15, 2011).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

The application is being forwarded to the examiner for action on the merits commensurate with this decision.

/Blaine Copenheaver/

Blaine Copenheaver
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PEARNE & GORDON LLP
1801 EAST 9TH STREET
SUITE 1200
CLEVELAND OH 44114-3108

MAILED

FEB 15 2012

OFFICE OF PETITIONS

In re Application of :
Marhefka et al. :
Application No. 13/269,824 : ON PETITION
Filed: 10/10/2011 :
Attorney Docket No. KENT-42956US1 :

This is in response to the Petition Under 37 C.F.R. § 1.84(a)(2) to Accept Color Drawings, filed in the United States Patent and Trademark Office (USPTO) on October 10, 2011.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

> The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

The Office has determined, however, that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented.

As color drawings or photographs are not required for an understanding of the invention sought to be patented, the petition is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2629.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/269,862	10/10/2011	Shujun Dang	HW708998	8417

77399 7590 12/13/2011

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER	
ART UNIT	PAPER NUMBER
2475	

NOTIFICATION DATE	DELIVERY MODE
12/13/2011	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):

Chgpatent@leydig.com
uspatent@huawei.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

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago IL 60601

MAILED

DEC 13 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

In re Application of:
DANG, SHUJUN et al.
Serial No.: 13/269862
Filed: October 10, 2011
Docket: HW708998
Title: METHOD FOR ALLOCATING TIME AND FREQUENCY RESOURCE FOR RESOURCE REQUEST INDICATOR, METHOD FOR TRANSMITTING RESOURCE REQUEST INDICATOR AND DEVICE THEREOF

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. §1.102

This is a decision on the petition filed on October 10, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(a).

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), M.P.E.P. §708.02(a) 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 C.F.R. §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 C.F.R. §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; 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 C.F.R. §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 C.F.R. §1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the

showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition meets conditions II.1 through II.5.1, and II.5.3-II.6.6 above. However, the petition does not meet conditions II.5.2 above. Regarding the conditions set forth in II.5.2 above, based upon the claimed subject matter of the instant application, a search in the following classes and subclasses is recommended in order to provide full coverage of where the most pertinent references are most likely to be found: Class 370, subclasses 209, 335, 342, and 441 (to cover subject matter recited in claims 1-4).

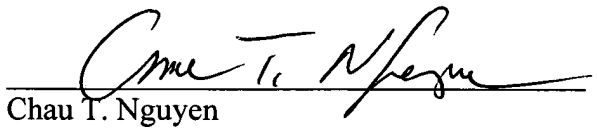
DECISION

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) is available) 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 the undersigned at (571) 272-3126.



Chau T. Nguyen
Quality Assurance Specialist
Technology Center 2400
Network, Multiplexing, Cable and Security

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.
13/269,862	10/10/2011	Shujun Dang	HW708998	8417

77399 7590 12/23/2011

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER	
ART UNIT	PAPER NUMBER
2475	

NOTIFICATION DATE	DELIVERY MODE
12/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com
uspatent@huawei.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

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago IL 60601

MAILED

DEC 23 2011

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

In re Application of:
DANG, SHUJUN et al.
Serial No.: 13/269862
Filed: October 10, 2011
Docket: HW708998
Title: METHOD FOR ALLOCATING TIME AND FREQUENCY RESOURCE FOR RESOURCE REQUEST INDICATOR, METHOD FOR TRANSMITTING RESOURCE REQUEST INDICATOR AND DEVICE THEREOF

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. §1.102

This is a decision on the petition filed on October 10, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(a).

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), M.P.E.P. §708.02(a) 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 C.F.R. §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 C.F.R. §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; 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 C.F.R. §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 C.F.R. §1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the

showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists; and

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition meets conditions II.1 through II.5.1, and II.5.3-II.6.6 above. However, the petition does not meet conditions II.5.2 above. Regarding the conditions set forth in II.5.2 above, based upon the claimed subject matter of the instant application, a search in the following classes and subclasses is recommended in order to provide full coverage of where the most pertinent references are most likely to be found: Class 370, subclasses 209, 335, 342, and 441 (to cover subject matter recited in claims 1-4).

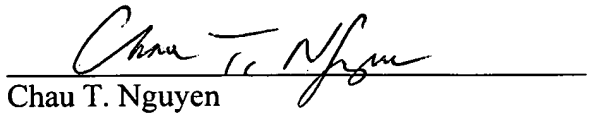
DECISION

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) is available) 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 the undersigned at (571) 272-3126.



Chau T. Nguyen
Quality Assurance Specialist
Technology Center 2400
Network, Multiplexing, Cable and Security

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.
13/269,862	10/10/2011	Shujun Dang	HW708998	8417

77399 7590 02/02/2012

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER	
PHAM, CHI H	

ART UNIT	PAPER NUMBER
2471	

NOTIFICATION DATE	DELIVERY MODE
02/02/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com
uspatent@huawei.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

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago IL 60601

MAILED

FEB 01 2012

DIRECTOR OFFICE
TECHNOLOGY CENTER 2400

In re Application of:
DANG, SHUJUN et al.
Serial No.: 13/269862
Filed: October 10, 2011
Docket: HW708998
Title: METHOD FOR ALLOCATING TIME AND FREQUENCY RESOURCE FOR RESOURCE REQUEST INDICATOR, METHOD FOR TRANSMITTING RESOURCE REQUEST INDICATOR AND DEVICE THEREOF

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. §1.102

This is a decision on the petition filed on January 13, 2012, to make the above-identified application special for accelerated examination procedure in accordance with 37 C.F.R. § 1.102(c)(2).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to M.P.E.P. §708.02(a) and to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

2. Restriction Practice:
   If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to M.P.E.P. §812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make

an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 C.F.R. §1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 C.F.R. §1.97 and §1.98.

7. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.
   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.
   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:
   If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 C.F.R. §1.181, §1.182 or §1.183), the application will be treated special before and after such proceeding.

10. Final Disposition:
    The twelve-month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition. However, the application retains its special status after the filing of an RCE.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to the undersigned at (571) 272-3126.

/Chau Nguyen/

Chau T. Nguyen
Quality Assurance Specialist
Technology Center 2400
Network, Multiplexing, Cable and Security

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

HESLIN ROTHENBERG FARLEY & MESITI PC
5 COLUMBIA CIRCLE
ALBANY NY 12203

MAILED

MAR 28 2012

OFFICE OF PETITIONS

In re Application:	:	
Shu Yuen Ron Hui	:	
Application No. 13/269,936	:	ON PETITION
Filed: October 10, 2011	:	
Attorney Docket No. 2055.018D	:	

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28 filed January 4, 2012.

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.

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 (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: GEVO-018/02US	Application Number (if known): Not Yet Assigned	Filing date: October 10, 2011
First Named Inventor: Thomas BUELTER		
Title: ENGINEERED MICROORGANISMS CAPABLE OF PRODUCING TARGET COMPOUNDS UNDER ANAEROBIC CONDITIONS		

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 /Paul A. Wickman/	Date October 10, 2011
Name (Print/Typed) Paul A. Wickman	Registration Number 61,242

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 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.

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.

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.

Attorney Docket No. GEVO-018/02US 310142-2256 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re App'n of: Thomas BUELTER *et al.* Confirmation No.: *To Be Assigned*

Serial No.: *To Be Assigned* (Div. of 12/610,784) Group Art Unit: *To Be Assigned*

Filed: October 10, 2011 Examiner: *To Be Assigned*

For: **ENGINEERED MICROORGANISMS CAPABLE OF PRODUCING TARGET COMPOUNDS UNDER ANAEROBIC CONDITIONS**

VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL

STATEMENT OF SPECIAL STATUS AND REQUEST TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM

Dear Sir,

Submitted herewith is the completed USPTO form PTO/SB/420 and a Petition to Make Special Pursuant to the Federal Register Notice of December 8, 2009, Vol. 74, No. 234, pp. 64666-8, to participate in the Green Technology Pilot Program as described in said Notice.

The above-reference application has been not yet been published. In accordance with the requirements for the Pilot Program, please charge Deposit Account No. 50-1283 for the publication fee set forth in 37 CFR 1.18(d).

Applicants submit that the application is directed to a single invention that relates to the development of renewable components for fuel blends, and as such, the claimed invention materially contributes to the discovery or development of renewable energy resources, enhances the quality of the environment and results in a more efficient utilization and conservation of energy resources.

If participation in the Green Technology Pilot Program is granted, Applicants hereby agree to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirement if the Office determines that the claims are not directed to a single invention.

Filed concurrently with this petition is a divisional application which claims priority to US Patent Application No. 12/610,784 under 35 U.S.C. §120. The divisional application submitted herewith contains no more than three independent claims and twenty total claims and does not contain any multiple dependent claims.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: October 10, 2011

Respectfully submitted,
COOLEY LLP

CUSTOMER NO. 58249

By: /Paul A. Wickman/
Paul A. Wickman
Reg. No. 61,242

COOLEY LLP
ATTN: Patent Group
777 6th Street NW, Suite 1100
Washington, DC 20001
Tel: (720) 566-4250
Fax: (202) 842-7899

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.
13/269,937	10/10/2011	Thomas Buelter	GEVO-018/02US 310142-2256	4293

58249 7590 11/04/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

MAIL DATE	DELIVERY MODE
11/04/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NOV 0 4 2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

In re Application of :

BUELTER, Thomas *et al.*	:	DECISION ON PETITION
Application No. 13/269937	:	TO MAKE SPECIAL UNDER
Filed: October 10, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GEVO-018/02US 310142-2256	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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 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

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.
13/270,089	10/10/2011	Michael ROBERTS	HW709000	5001

77399 7590 10/27/2011

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago, IL 60601

EXAMINER	
ART UNIT	PAPER NUMBER
2617	

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):

Chgpatent@leydig.com
uspatent@huawei.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

Leydig, Voit & Mayer, Ltd
(for Huawei Technologies Co., Ltd)
Two Prudential Plaza Suite 4900
180 North Stetson Avenue
Chicago IL 60601

In re Application of: **ROBERTS, MICHAEL** et al.
Serial No.: **13/270,089**
Filed: **October 11, 2011**
Attorney Docket Number: **HW709000**
Title: **METHOD, TERMINAL, AND SYSTEM FOR CELL RESELECTION**

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 October 11, 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

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	Not Yet Assigned	Filing date:	Herewith
First Named Inventor:	Kenneth Stanwood		
Title of the Invention:	SYSTEMS AND METHODS FOR INTELLIGENT DISCARD IN A COMMUNICATION NETWORK		

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/US2010/038357

The international filing date of the corresponding PCT application(s) is/are: June 11, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	Not Yet Assigned
First Named Inventor:	Kenneth Stanwood

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
1-36	1-36	Except for a minor change to the preamble of claim 1, the claims filed in the PCT application are identical to those filed in the U.S. patent application.
37-46	70-79	Except for the changes in the numbering of the claims, the claims filed in the PCT application are identical to those filed in the U.S. patent application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Richard E. Campbell/	Date 10/10/2011
Name (Print/Typed) Richard E. Campbell	Registration Number 34,790

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.
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:

KING JEFFREY S.

SUITE 2200 525 B STREET SAN DIEGO CA 92101 USA

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 11671900IPCT	Date of mailing *(day/month/year)* 01 FEBRUARY 2011 (01.02.2011) **FOR FURTHER ACTION** See paragraphs 1 and 4 below
International application No. **PCT/US2010/038357**	International filing date *(day/month/year)* **11 JUNE 2010 (11.06.2010)**

Applicant

CYGNUS BROADBAND et al

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 - 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer COMMISSIONER Telephone No. 82-42-481-8753

* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

http://www.kipo.go.kr/en/ => PCT Services => PCT Services

ID : PCT international application number
PW : **UFPSOKFW**

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: http://www.ipkcenter.com
Email: ipkc@ipkcenter.com
Phone: +1 703 388 1066
Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
11671900[PCT		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2010/038357	**11 JUNE 2010 (11.06.2010)**	12 JUNE 2009 (12.06.2009)

Applicant

CYGNUS BROADBAND et al

This International search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 7 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of:
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. ☐ **Certain claims were found unsearchable** (See Box No. II)
3. ☐ **Unity of invention is lacking** (See Box No. III)
4. With regard to the **title**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 3
      ☒ as suggested by the applicant.
      ☐ as selected by this Authority, because the applicant failed to suggest a figure.
      ☐ as selected by this Authority, because this figure better characterizes the invention.
   b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/038357

A. CLASSIFICATION OF SUBJECT MATTER

H04L 27/26(2006.01)i, H04L 12/56(2006.01)i

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

H04L 27/26; G06F 17/00; H04L 27/28; H04K 1/10; H04L 9/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models

Japanese utility models and applications for utility models

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

eKOMPASS(KIPO internal) & Keywords: multivariate, control, interference, capacity, parameter

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2008-0126803 A1 (GINTER KARL L. et al.) 29 May 2008 See abstract; para. 0019-0020; fig. 1-4	1-87
A	US 2006-0171480 A1 (RICHARD ERVING et al.) 03 August 2006 See abstract; para. 0012-0026; fig. 1-3	1-87
A	US 2009-0010350 A1 (LEE HAK-JU et al.) 08 January 2009 See abstract; para. 0021-0027; fig. 1-5	1-87

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents,such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
28 JANUARY 2011 (28.01.2011)	**01 FEBRUARY 2011 (01.02.2011)**

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

CHOI, Junho

Telephone No. 042 481 5496

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2008-0126803 A1	29.05.2008	AU 1996-63266 B2	21.10.1999
		AU 1997-36816 B2	11.10.2001
		AU 1997-36840 B2	18.10.2001
		CA 2212574 C	02.02.2010
		CA 2212574-A1	06.09.1996
		CA 2265473 C	22.10.2002
		CA 2265473-A1	05.03.1998
		CA 2373508 C	10.04.2007
		CA 2373508-A1	05.03.1998
		CA 2373542 C	12.11.2002
		CA 2373542-A1	05.03.1998
		CA 2619600-A1	05.03.1998
		CA 2619962-A1	05.03.1998
		CA 2683230-A1	06.09.1996
		CN 100365535 C	30.01.2008
		CN 100452071 C	14.01.2009
		CN 100452071 C0	14.01.2009
		CN 100452072 C	14.01.2009
		CN 100452072 C0	14.01.2009
		CN 100501713 C	17.06.2009
		CN 100501754 C	17.06.2009
		CN 101300717 A	12.11.2008
		CN 101300717 C0	12.11.2008
		CN 101359350 A	04.02.2009
		CN 101396871 A	01.04.2009
		CN 1139067 C0	18.02.2004
		CN 1183841 A0	03.06.1998
		CN 1225739 A0	11.08.1999
		CN 1276321 C	20.09.2006
		CN 1577205 C0	20.09.2006
		CN 1601429 A	30.03.2005
		CN 1601429 C0	25.04.2007
		CN 1722049 A	18.01.2006
		CN 1722049 C0	30.01.2008
		CN 1869997 A	29.11.2006
		CN 1869997 C0	29.11.2006
		CN 1900942 A	24.01.2007
		CN 1900943 A	24.01.2007
		CN 1900943 C0	24.01.2007
		CN 1908921 A	07.02.2007
		CN 1908921 C0	07.02.2007
		CN 1908922 A	07.02.2007
		CN 1908922 C0	07.02.2007
		CN 1912885 A	14.02.2007
		CN 1912885 C0	14.02.2007
		CN 1916878 A	21.02.2007
		CN 1916878 C0	21.02.2007
		CN 1936912 A	28.03.2007
		EP 0861461 A2	11.06.2008

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		EP 0861461 B1	29.10.2008
		EP 0898777 A2	01.06.2005
		EP 0898777 B1	11.04.2007
		EP 0922248 A1	13.07.2005
		EP 0974129 A1	26.01.2000
		EP 0974129 B1	16.08.2006
		EP 1431864 A2	23.06.2004
		EP 1431864 A3	16.02.2005
		EP 1431864 B1	31.12.2008
		EP 1515216 A2	16.03.2005
		EP 1515216 A3	23.03.2005
		EP 1526472 A2	27.04.2005
		EP 1526472 A3	26.07.2006
		EP 1531379 A2	18.05.2005
		EP 1531379 A3	22.02.2006
		EP 1531379 B1	02.09.2009
		EP 1555591 A2	20.07.2005
		EP 1555591 A3	23.11.2005
		EP 1621960 A2	01.02.2006
		EP 1621960 A3	10.01.2007
		EP 1621961 A2	01.02.2006
		EP 1621961 A3	21.01.2009
		EP 1640984 A2	29.03.2006
		EP 1640984 A3	25.02.2009
		EP 1643340 A2	05.04.2006
		EP 1643340 A3	31.05.2006
		EP 1662418 A2	31.05.2006
		EP 1662418 A3	26.07.2006
		EP 1796013 A2	13.06.2007
		EP 1796013 A3	04.02.2009
		EP 1796014 A2	13.06.2007
		EP 1798657 A2	20.06.2007
		EP 1914655 A2	23.04.2008
		EP 1923814 A2	21.05.2008
		EP 1923814 A3	25.06.2008
		EP 2015214 A2	14.01.2009
		EP 2015214 A3	16.12.2009
		EP 2110732 A2	21.10.2009
		EP 2110732 A3	09.12.2009
		JP 03-905489 B2	18.04.2007
		JP 03-950076 B2	25.07.2007
		JP 03-996532 B2	24.10.2007
		JP 04-005619 B2	07.11.2007
		JP 04-008937 B2	14.11.2007
		JP 04-008938 B2	14.11.2007
		JP 04-084392 B2	30.04.2008
		JP 04-128902 B2	30.07.2008
		JP 04-191710 B2	03.12.2008
		JP 04-237802 B2	11.03.2009
		JP 04-272192 B2	06.03.2009

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		JP 10-512074 A	17.11.1998
		JP 2000-516743 A	12.12.2000
		JP 2001-501763 A	06.02.2001
		JP 2004-005558 A	08.01.2004
		JP 2004-005601 A	08.01.2004
		JP 2004-005614 A	08.01.2004
		JP 2004-005625 A	08.01.2004
		JP 2004-005629 A	08.01.2004
		JP 2004-030600 A	29.01.2004
		JP 2004-139550 A	13.05.2004
		JP 2004-265358 A	24.09.2004
		JP 2005-222556 A	18.08.2005
		JP 2005-222557 A	18.08.2005
		JP 2005-243014 A	08.09.2005
		JP 2006-048716 A	16.02.2006
		JP 2006-053939 A	23.02.2006
		JP 2006-053940 A	23.02.2006
		JP 2006-073004 A	16.03.2006
		JP 2006-073005 A	16.03.2006
		JP 2006-079622 A	23.03.2006
		JP 2006-085691 A	30.03.2006
		JP 2006-085692 A	30.03.2006
		JP 2006-085693 A	30.03.2006
		JP 2006-209803 A	10.08.2006
		JP 2006-209804 A	10.08.2006
		JP 2006-260587 A	28.09.2006
		JP 2006-268867 A	05.10.2006
		JP 2007-183982 A	19.07.2007
		JP 2007-220131 A	30.08.2007
		JP 2008-065858 A	21.03.2008
		JP 2008-077679 A	03.04.2008
		JP 2008-090858 A	17.04.2008
		JP 2008-097645 A	24.04.2008
		JP 2008-123532 A	29.05.2008
		JP 2008-159072 A	10.07.2008
		JP 2008-243228 A	09.10.2008
		JP 2008-257743 A	23.10.2008
		JP 2008-287729 A	27.11.2008
		JP 2009-080830 A	16.04.2009
		JP 2009-080831 A	16.04.2009
		JP 2009-134726 A	18.06.2009
		JP 2009-157932 A	16.07.2009
		JP 2010-055624 A	11.03.2010
		JP 2010-061568 A	18.03.2010
		JP 2010-218575 A	30.09.2010
		JP 2010-218576 A	30.09.2010
		US 2001-026618 A1	04.10.2001
		US 2001-042043 A1	15.11.2001
		US 2002-023214 A1	21.02.2002
		US 2002-048369 A1	25.04.2002

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		US 2002-112171 A1	15.08.2002
		US 2003-002673 A1	02.01.2003
		US 2003-041239 A1	27.02.2003
		US 2003-088784 A1	08.05.2003
		US 2003-105721 A1	05.06.2003
		US 2003-163431 A1	28.08.2003
		US 2004-054630 A1	18.03.2004
		US 2004-103305 A1	27.05.2004
		US 2004-123129 A1	24.06.2004
		US 2004-133793 A1	08.07.2004
		US 2005-060584 A1	17.03.2005
		US 2005-177716 A1	11.08.2005
		US 2005-182956 A1	18.08.2005
		US 2005-240771 A1	27.10.2005
		US 2005-246541 A1	03.11.2005
		US 2006-069926 A1	30.03.2006
		US 2006-120525 A1	08.06.2006
		US 2006-174326 A1	03.08.2006
		US 2006-200392 A1	07.09.2006
		US 2006-206397 A1	14.09.2006
		US 2006-212370 A1	21.09.2006
		US 2006-212722 A1	21.09.2006
		US 2006-218651 A1	28.09.2006
		US 2006-224903 A1	05.10.2006
		US 2006-242075 A1	26.10.2006
		US 2006-248016 A1	02.11.2006
		US 2006-248353 A1	02.11.2006
		US 2006-277122 A1	07.12.2006
		US 2007-061594 A1	15.03.2007
		US 2007-064943 A1	22.03.2007
		US 2007-155813 A1	05.06.2007
		US 2007-192252 A1	16.08.2007
		US 2007-226807 A1	27.09.2007
		US 2007-234069 A1	04.10.2007
		US 2007-245403 A1	18.10.2007
		US 2007-250937 A1	25.10.2007
		US 2007-261125 A1	08.11.2007
		US 2007-266429 A1	15.11.2007
		US 2007-271463 A1	22.11.2007
		US 2007-276759 A1	29.11.2007
		US 2007-277031 A1	29.11.2007
		US 2007-288764 A1	13.12.2007
		US 2008-016361 A1	17.01.2008
		US 2008-021832 A1	24.01.2008
		US 2008-021835 A1	24.01.2008
		US 2008-022100 A1	24.01.2008
		US 2008-022137 A1	24.01.2008
		US 2008-031457 A1	07.02.2008
		US 2008-031461 A1	07.02.2008
		US 2008-033684 A1	07.02.2008

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		US 2008-034214 A1	07.02.2008
		US 2008-034227 A1	07.02.2008
		US 2008-034229 A1	07.02.2008
		US 2008-034230 A1	07.02.2008
		US 2008-034231 A1	07.02.2008
		US 2008-034406 A1	07.02.2008
		US 2008-052541 A1	28.02.2008
		US 2008-077531 A1	27.03.2008
		US 2008-114698 A1	15.05.2008
		US 2008-120240 A1	22.05.2008
		US 2008-126798 A1	29.05.2008
		US 2008-126803 A1	29.05.2008
		US 2008-127304 A1	29.05.2008
		US 2008-133415 A1	05.06.2008
		US 2008-141033 A1	12.06.2008
		US 2008-148056 A1	19.06.2008
		US 2008-250241 A1	09.10.2008
		US 5892900 A1	06.04.1999
		US 5910987 A1	08.06.1999
		US 5915019 A1	22.06.1999
		US 5917912 A1	29.06.1999
		US 5949876 A1	07.09.1999
		US 5982891 A1	09.11.1999
		US 6157721 A1	05.12.2000
		US 6185683 B1	06.02.2001
		US 6237786 B1	29.05.2001
		US 6240186 B1	29.05.2001
		US 6449367 B2	10.09.2002
		US 6618484 B2	09.09.2003
		US 7051212 B2	23.05.2006
		US 7095854 B1	22.08.2006
		US 7120802 B2	10.10.2006
		US 7124302 B2	17.10.2006
		US 7165174 B1	16.01.2007
US 2006-0171480 A1	03.08.2006	US 2003-0084394 A1	01.05.2003
		US 2003-084394 A1	01.05.2003
		US 2006-171480 A1	03.08.2006
		US 2009-092192 A1	09.04.2009
		US 2010-046664 A1	25.02.2010
		US 7139323 B2	21.11.2006
		US 7570706 B2	04.08.2009
		US 7627024 B2	01.12.2009
US 2009-0010350 A1	08.01.2009	KR 10-0975313 B1	12.08.2010

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
KING JEFFREY S.

SUITE 2200 525 B STREET SAN DIEGO CA 92101 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**01 FEBRUARY 2011 (01.02.2011)**
Applicant's or agent's file reference 116719001PCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2010/038357	**11 JUNE 2010 (11.06.2010)**	12 JUNE 2009 (12.06.2009)

International Patent Classification (IPC) or both national classification and IPC

H04L 27/26(2006.01)i, H04L 12/56(2006.01)i

Applicant

CYGNUS BROADBAND et al

1. This opinion contains indications relating to the following items:

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [x] Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR	Date of completion of this opinion	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	28 JANUARY 2011 (28.01.2011)	CHOI, Jinho Telephone No 042 481 5406

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

KING JEFFREY S.

SUITE 2200 525 B STREET SAN DIEGO CA 92101 USA

PCT

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing *(day/month/year)* 01 FEBRUARY 2011 (01.02.2011)

Applicant's or agent's file reference
11671900IPCT

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No.
PCT/US2010/038357

International filing date *(day/month/year)*
11 JUNE 2010 (11.06.2010)

Applicant

CYGNUS BROADBAND et al

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 338 82 70

For more detailed instructions, see *PCT Applicant's Guide*, International Phase, paragraphs 9.004 , 9.011.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ **With regard to any protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with any request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. Following the expiration of 30 months from the priority date, these comments will also be made available to the public.

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication (Rules 90bis.1 and 90bis.3).

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19months.

For details about the applicable time limits, Office by Office, see www.wipo.int/pct/en/texts/time_limits.html and the PCT Applicant's Guide, National Chapters.

Name and mailing address of the ISA/KR

Korean Intellectual Property Office
Government Complex-Daejeon, 139 Seonsa-ro,
Seo-gu, Daejeon 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-8753

Form PCT/ISA/220 (July 2010)

* Attention

Copies of the documents cited in the international search report can be searched in the following Korean Intellectual Property Office English website for three months from the date of mailing of the international search report.

http://www.kipo.go.kr/en/ => PCT Services => PCT Services

ID : PCT international application number
PW : **UFPSOKFW**

Inquiries related to PCT International Search Report or Written Opinion prepared by KIPO as an International Searching Authority can be answered not only by KIPO but also through IPKC (Intellectual Property Korea Center), located in Vienna, VA, which functions as a PCT Help Desk for PCT applicants.

Homepage: http://www.ipkcenter.com
Email: ipkc@ipkcenter.com
Phone: +1 703 388 1066
Fax: +1 703 388 1084

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
11671900IPCT		
International application No.	International filing date *(day/month/year)*	(Earliest) Priority Date *(day/month/year)*
PCT/US2010/038357	**11 JUNE 2010 (11.06.2010)**	12 JUNE 2009 (12.06.2009)

Applicant

CYGNUS BROADBAND et al

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 7 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**
   a. With regard to the **language**, the international search was carried out on the basis of :
      ☒ the international application in the language in which it was filed
      ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))
   b. ☐ This international search report has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43.6*bis*(a)).
   c. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.
2. ☐ **Certain claims were found unsearchable** (See Box No. II)
3. ☐ **Unity of invention is lacking** (See Box No. III)
4. With regard to the **title**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established by this Authority to read as follows:
5. With regard to the **abstract**,
   ☒ the text is approved as submitted by the applicant.
   ☐ the text has been established, according to Rule 38.2, by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.
6. With regard to the drawings,
   a. the figure of the **drawings** to be published with the abstract is Figure No. 3
      ☒ as suggested by the applicant.
      ☐ as selected by this Authority, because the applicant failed to suggest a figure.
      ☐ as selected by this Authority, because this figure better characterizes the invention.
   b. ☐ none of the figure is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2010/038357

A. CLASSIFICATION OF SUBJECT MATTER

H04L 27/26(2006.01)i, H04L 12/56(2006.01)i

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

H04L 27/26; G06F 17/00; H04L 27/28; H04K 1/10; H04L 9/00

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Korean utility models and applications for utility models

Japanese utility models and applications for utility models

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

eKOMPASS(KIPO internal) & Keywords: multivariate, control, interference, capacity, parameter

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2008-0126803 A1 (GUNTER KARL L. et al.) 29 May 2008 See abstract; para. 0019-0029; fig. 1-4	1-87
A	US 2006-0171480 A1 (RICHARD ERVING et al.) 03 August 2006 See abstract; para. 0012-0020; fig. 1-3	1-87
A	US 2009-0010350 A1 (LEE HAK-JU et al.) 08 January 2009 See abstract; para. 0021-0027; fig. 1-6	1-87

☐ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

* Special categories of cited documents:
"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier application or patent but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed
"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"&" document member of the same patent family

Date of the actual completion of the international search	Date of mailing of the international search report
28 JANUARY 2011 (28.01.2011)	**01 FEBRUARY 2011 (01.02.2011)**

Name and mailing address of the ISA/KR	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	CHOI, Jinho Telephone No. 042 481 5406

Form PCT/ISA/210 (second sheet) (July 2009)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 2008-0126603 A1	29.05.2008	AU 1996-63266 B2	21.10.1999
		AU 1997-36816 B2	11.10.2001
		AU 1997-36840 B2	18.10.2001
		CA 2212574 C	02.02.2010
		CA 2212574-A1	06.09.1996
		CA 2265473 C	22.10.2002
		CA 2265473-A1	05.03.1998
		CA 2373508 C	10.04.2007
		CA 2373508-A1	05.03.1998
		CA 2373542 C	12.11.2002
		CA 2373542-A1	05.03.1998
		CA 2619600-A1	05.03.1998
		CA 2619962-A1	05.03.1998
		CA 2683230-A1	06.09.1996
		CN 100365535 C	30.01.2008
		CN 100452071 C	14.01.2009
		CN 100452071 CO	14.01.2009
		CN 100452072 C	14.01.2009
		CN 100452072 CO	14.01.2009
		CN 100501713 C	17.06.2009
		CN 100501754 C	17.06.2009
		CN 101303717 A	12.11.2008
		CN 101303717 CO	12.11.2008
		CN 101359350 A	04.02.2009
		CN 101398871 A	01.04.2009
		CN 1139067 CO	18.02.2004
		CN 1183941 AO	03.06.1998
		CN 1225739 AO	11.08.1999
		CN 1276321 C	20.09.2006
		CN 1577205 CO	20.09.2006
		CN 1601429 A	30.03.2005
		CN 1601429 CO	25.04.2007
		CN 1722049 A	18.01.2006
		CN 1722049 CO	30.01.2008
		CN 1869997 A	29.11.2006
		CN 1869997 CO	29.11.2006
		CN 1900942 A	24.01.2007
		CN 1900943 A	24.01.2007
		CN 1900943 CO	24.01.2007
		CN 1908921 A	07.02.2007
		CN 1908921 CO	07.02.2007
		CN 1908922 A	07.02.2007
		CN 1908922 CO	07.02.2007
		CN 1912885 A	14.02.2007
		CN 1912885 CO	14.02.2007
		CN 1916878 A	21.02.2007
		CN 1916878 CO	21.02.2007
		CN 1936912 A	28.03.2007
		EP 0861461 A2	11.05.2005

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		EP 0861461 B1	29.10.2008
		EP 0898777 A2	01.06.2005
		EP 0898777 B1	11.04.2007
		EP 0922248 A1	13.07.2005
		EP 0974129 A1	26.01.2000
		EP 0974129 B1	16.08.2006
		EP 1431864 A2	23.06.2004
		EP 1431864 A3	16.02.2005
		EP 1431864 B1	31.12.2008
		EP 1515216 A2	16.03.2005
		EP 1515216 A3	23.03.2005
		EP 1526472 A2	27.04.2005
		EP 1526472 A3	26.07.2006
		EP 1531379 A2	18.05.2005
		EP 1531379 A3	22.02.2006
		EP 1531379 B1	02.09.2009
		EP 1555591 A2	20.07.2005
		EP 1555591 A3	23.11.2005
		EP 1621960 A2	01.02.2006
		EP 1621960 A3	10.01.2007
		EP 1621961 A2	01.02.2006
		EP 1621961 A3	21.01.2009
		EP 1640984 A2	29.03.2006
		EP 1640984 A3	25.02.2009
		EP 1643340 A2	05.04.2006
		EP 1643340 A3	31.05.2006
		EP 1662418 A2	31.05.2006
		EP 1662418 A3	26.07.2006
		EP 1796013 A2	13.06.2007
		EP 1796013 A3	04.02.2009
		EP 1796014 A2	13.06.2007
		EP 1798657 A2	20.06.2007
		EP 1914655 A2	23.04.2008
		EP 1923814 A2	21.05.2008
		EP 1923814 A3	25.06.2008
		EP 2016214 A2	14.01.2009
		EP 2016214 A3	16.12.2009
		EP 2110732 A2	21.10.2009
		EP 2110732 A3	09.12.2009
		JP 03-905489 B2	18.04.2007
		JP 03-950076 B2	25.07.2007
		JP 03-996532 B2	24.10.2007
		JP 04-005619 B2	07.11.2007
		JP 04-008937 B2	14.11.2007
		JP 04-008938 B2	14.11.2007
		JP 04-084392 B2	30.04.2008
		JP 04-128902 B2	30.07.2008
		JP 04-191710 B2	03.12.2008
		JP 04-237802 B2	11.03.2009
		JP 04-272192 B2	06.03.2009

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		JP 10-512074 A	17.11.1998
		JP 2000-516743 A	12.12.2000
		JP 2001-501763 A	06.02.2001
		JP 2004-005558 A	08.01.2004
		JP 2004-005601 A	08.01.2004
		JP 2004-005614 A	08.01.2004
		JP 2004-005625 A	08.01.2004
		JP 2004-005629 A	08.01.2004
		JP 2004-030600 A	29.01.2004
		JP 2004-139550 A	13.05.2004
		JP 2004-265358 A	24.09.2004
		JP 2005-222556 A	18.08.2005
		JP 2005-222557 A	18.08.2005
		JP 2005-243014 A	08.09.2005
		JP 2006-048716 A	16.02.2006
		JP 2006-053939 A	23.02.2006
		JP 2006-053940 A	23.02.2006
		JP 2006-073004 A	16.03.2006
		JP 2006-073005 A	16.03.2006
		JP 2006-079622 A	23.03.2006
		JP 2006-085691 A	30.03.2006
		JP 2006-085692 A	30.03.2006
		JP 2006-085693 A	30.03.2006
		JP 2006-209803 A	10.08.2006
		JP 2006-209804 A	10.08.2006
		JP 2006-260587 A	28.09.2006
		JP 2006-268867 A	05.10.2006
		JP 2007-183982 A	19.07.2007
		JP 2007-220131 A	30.08.2007
		JP 2008-065858 A	21.03.2008
		JP 2008-077679 A	03.04.2008
		JP 2008-090858 A	17.04.2008
		JP 2008-097645 A	24.04.2008
		JP 2008-123532 A	29.05.2008
		JP 2008-159072 A	10.07.2008
		JP 2008-243228 A	09.10.2008
		JP 2008-257743 A	23.10.2008
		JP 2008-287729 A	27.11.2008
		JP 2009-080830 A	16.04.2009
		JP 2009-080831 A	16.04.2009
		JP 2009-134726 A	18.06.2009
		JP 2009-157932 A	16.07.2009
		JP 2010-055624 A	11.03.2010
		JP 2010-061668 A	18.03.2010
		JP 2010-218575 A	30.09.2010
		JP 2010-218576 A	30.09.2010
		US 2001-026618 A1	04.10.2001
		US 2001-042043 A1	15.11.2001
		US 2002-023214 A1	21.02.2002
		US 2002-048369 A1	25.04.2002

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		US 2002-112171 A1	15.08.2002
		US 2003-002673 A1	02.01.2003
		US 2003-041239 A1	27.02.2003
		US 2003-088784 A1	08.05.2003
		US 2003-105721 A1	05.06.2003
		US 2003-163431 A1	28.08.2003
		US 2004-054630 A1	18.03.2004
		US 2004-103305 A1	27.05.2004
		US 2004-123129 A1	24.06.2004
		US 2004-133793 A1	08.07.2004
		US 2005-060584 A1	17.03.2005
		US 2005-177716 A1	11.08.2005
		US 2005-182956 A1	18.08.2005
		US 2005-240771 A1	27.10.2005
		US 2005-246541 A1	03.11.2005
		US 2006-069926 A1	30.03.2006
		US 2006-120525 A1	08.06.2006
		US 2006-174326 A1	03.08.2006
		US 2006-200392 A1	07.09.2006
		US 2006-206397 A1	14.09.2006
		US 2006-212370 A1	21.09.2006
		US 2006-212722 A1	21.09.2006
		US 2006-218651 A1	28.09.2006
		US 2006-224903 A1	05.10.2006
		US 2006-242075 A1	26.10.2006
		US 2006-248016 A1	02.11.2006
		US 2006-248353 A1	02.11.2006
		US 2006-277122 A1	07.12.2006
		US 2007-061594 A1	15.03.2007
		US 2007-064943 A1	22.03.2007
		US 2007-185813 A1	09.08.2007
		US 2007-192252 A1	16.08.2007
		US 2007-226807 A1	27.09.2007
		US 2007-234069 A1	04.10.2007
		US 2007-245403 A1	18.10.2007
		US 2007-250937 A1	25.10.2007
		US 2007-261125 A1	08.11.2007
		US 2007-266429 A1	15.11.2007
		US 2007-271463 A1	22.11.2007
		US 2007-276759 A1	29.11.2007
		US 2007-277031 A1	29.11.2007
		US 2007-288764 A1	13.12.2007
		US 2008-016361 A1	17.01.2008
		US 2008-021832 A1	24.01.2008
		US 2008-021835 A1	24.01.2008
		US 2008-022100 A1	24.01.2008
		US 2008-022137 A1	24.01.2008
		US 2008-031457 A1	07.02.2008
		US 2008-031461 A1	07.02.2008
		US 2008-033684 A1	07.02.2008

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No.
PCT/US2010/038357

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
		US 2008-034214 A1	07.02.2008
		US 2008-034227 A1	07.02.2008
		US 2008-034229 A1	07.02.2008
		US 2008-034230 A1	07.02.2008
		US 2008-034231 A1	07.02.2008
		US 2008-034406 A1	07.02.2008
		US 2008-052541 A1	28.02.2008
		US 2008-077531 A1	27.03.2008
		US 2008-114698 A1	15.05.2008
		US 2008-120240 A1	22.05.2008
		US 2008-126798 A1	29.05.2008
		US 2008-126803 A1	29.05.2008
		US 2008-127304 A1	29.05.2008
		US 2008-133415 A1	05.06.2008
		US 2008-141033 A1	12.06.2008
		US 2008-148056 A1	19.06.2008
		US 2008-250241 A1	09.10.2008
		US 5892900 A1	06.04.1999
		US 5910987 A1	08.06.1999
		US 5915019 A1	22.06.1999
		US 5917912 A1	29.06.1999
		US 5949876 A1	07.09.1999
		US 5982891 A1	09.11.1999
		US 6157721 A1	05.12.2000
		US 6185683 B1	06.02.2001
		US 6237786 B1	29.05.2001
		US 6240185 B1	29.05.2001
		US 6449367 B2	10.09.2002
		US 6618484 B2	09.09.2003
		US 7051212 B2	23.05.2006
		US 7095854 B1	22.08.2006
		US 7120802 B2	10.10.2006
		US 7124302 B2	17.10.2006
		US 7165174 B1	16.01.2007
US 2006-0171480 A1	03.08.2006	US 2003-0084394 A1	01.05.2003
		US 2003-084394 A1	01.05.2003
		US 2006-171480 A1	03.08.2006
		US 2009-092192 A1	09.04.2009
		US 2010-046664 A1	25.02.2010
		US 7139323 B2	21.11.2006
		US 7570706 B2	04.08.2009
		US 7627024 B2	01.12.2009
US 2009-0010350 A1	08.01.2009	KR 10-0975313 B1	12.08.2010

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
KING JEFFREY S.

SUITE 2200 525 B STREET SAN DIEGO CA 92101 USA

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	**01 FEBRUARY 2011 (01.02.2011)**
Applicant's or agent's file reference 11671960IPCT	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority date *(day/month/year)*
PCT/US2010/038357	**11 JUNE 2010 (11.06.2010)**	12 JUNE 2009 (12.06.2009)

International Patent Classification (IPC) or both national classification and IPC

H04L 27/26(2006.01)i, H04L 12/56(2006.01)i

Applicant

CYGNUS BROADBAND et al

1. This opinion contains indications relating to the following items:

- [x] Box No. I Basis of the opinion
- [ ] Box No. II Priority
- [ ] Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- [ ] Box No. IV Lack of unity of invention
- [x] Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- [ ] Box No. VI Certain documents cited
- [ ] Box No. VII Certain defects in the international application
- [ ] Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR	Date of completion of this opinion	Authorized officer
Korean Intellectual Property Office Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	28 JANUARY 2011 (28.01.2011)	CHOI, Jinho Telephone No.042 481 5406

Form PCT/ISA/237 (cover sheet) (July 2009)

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2010/038357

Box No. 1 Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of :

   ☒ the international application in the language in which it was filed

   ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43*bis*.1(a))

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of:

   a. a sequence listing filed or furnished

      ☐ on paper

      ☐ in electronic form

   b. time of filing or furnishing

      ☐ contained in the international application as filed.

      ☐ filed together with the international application in electronic form.

      ☐ furnished subsequently to this Authority for the purposes of search.

4. ☐ In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

5. Additional comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US2010/038357

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-87	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-87	YES
	Claims	NONE	NO
Industrial applicability (IA)	Claims	1-87	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1: US 2008-0126803 A1 (GINTER KARL L. et al.) 29 May 2008
D2: US 2006-0171480 A1 (RICHARD ESVING et al.) 03 August 2006
D3: US 2009-0010350 A1 (LEE HAE-JU et al.) 08 January 2009

I. Novelty and Inventive step

D1 relates to systems and methods for secure transaction management and electronic rights protection.

D2 relates to a method of controlling a communication device that is operable to transmit digital data over a plurality of frequency channels.

D3 relates to a signal detection apparatus and method in a Multiple Input Multiple Output (MIMO) wireless communication system.

Claims 1-36

The subject matter of claim 1 relates to a multivariate control system for mitigating the effects of various interference scenarios in a capacity and spectrum constrained, multiple-access communication network, the system comprising: a policy parameters module configured to receive policy parameters; an environment parameters module configured to receive environment parameters; control set points
module configured to receive policy parameters; a real-time profile module configured to receive environment parameters; an assessment module configured to receive real-time profiles; a control response module configured to receive the feedback signals from the assessment module.

The subject matter of claim 1 differs from the proposed prior art documents in that assessment module generates feedback signals and determines whether the current operating conditions meet the operational requirements.
In addition, that physical structure and concept is not obvious from the documents individually or in combination.

Thus claim 1 is considered to be novel and to involve an inventive step. Claims 2-36 also comply with PCT Article 33(2)-(3) as they are dependent on claim 1.

Claims 37-69

The technical features of claims 37-69 are the same as those of claims 1-36 except for category.

Continued on Supplemental Box

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of:

Box V

Therefore the same reasoning as in claims 1-36 applies to claims 37-69.
Thus claims 37-69 are considered to be novel and to involve an inventive step (PCT Article 33(2)-(3)).

Claims 70-79
Claims 70-79 relate to multivariate control system for managing bandwidth capacity. However claims 37-69 and claims 1-36 are same in terms of dominant components and technical principle.
Therefore the same reasoning as in claims 1-36 applies to claims 70-79.
Thus claims 37-69 are considered to be novel and to involve an inventive step (PCT Article 33(2)-(3)).

Claims 80-87
The technical features of claims 80-87 are the same as those of claims 70-79 except for category.
Therefore the same reasoning as in claims 70-79 applies to claims 80-87.
Thus claims 80-87 are considered to be novel and to involve an inventive step (PCT Article 33(2)-(3)).

II. Industrial Applicability

Claims 1-87 are industrially applicable under PCT Article 33(4).

Claims in PCT/US2010/03857

What is claimed is:

1. A multivariate control system for mitigating the effects of various interference scenarios in a capacity and spectrum constrained, multiple-access communication network, the system comprising:

a policy parameters module configured to receive policy parameters that define operational requirements for the communication network;

an environment parameters module configured to receive environment parameters that represent real-time information describing the operating status of the communication network;

a control set points module in communication with the policy parameters module and configured to receive policy parameters from the policy parameters module and to generate a set of control set points used to assess whether current operating status of the communication network meets the operational requirements defined in the policy parameters;

a real-time profile module in communication with the environment parameters module and configured to receive environment parameters from the environment parameters module and to generate a real-time profile of the communication network that represents current operating conditions of the communication network;

an assessment module in communication with the real-time profile module and the control set point module and configured to receive the real-time profile from the real-time profile module and the set of control set points from the control set point module, and to determine whether the current operating conditions of the communication network meet the operational requirements in the policy parameters, and to generate feedback signals indicating that the current operating conditions of the communication network do not meet the operational requirement; and

a control response module in communication with the assessment module and configured to receive the feedback signals from the assessment module and to generate control signals for one or more components of the communication system to adjust the operating parameters of the one or more components of the communication system.

2. The control system of claim 1 wherein the policy parameters comprise quality of service parameters and interference parameters.

3. The control system of claim 1 wherein the policy parameters comprise quality of service parameters.

4. The control system of claim 1 wherein the policy parameters comprise interference parameters.

5. The control system of claim 1 further comprising:

a patterns module in communication with the real-time profile module, the environment parameters module, and the control response module, the patterns module being configured to receive the real-time profile from the real-time profile module and the environment parameters from the environment parameters module, and to generate patterns that comprise a set of historical quantitative parameter patterns based on the real-time profile and environment parameters.

6. The control system of claim 5 wherein the patterns module is configured to generate feedforward signals based on the patterns, and wherein the control response module is configured to receive the feedforward signals and to generate control signals for one or more components of the communication system to adjust the operating parameters of the one or more components of the communication system.

7. The control system of claim 1 wherein the control system is implemented distributed between a base station and other core network elements.

8. The control system of claim 1 wherein the control system is implemented in user equipment.

9. The control system of claim 1 wherein the control system is implemented in a base station.

10. The control system of claim 9 wherein the base station is a picocell.

11. The control system of claim 9 wherein the base station is a femtocell.

12. The control system of claim 9 wherein the base station is a macrocell.

13. The control system of claim 9 wherein the control response module is configured to generate a control signal to instruct the base station to discard network packets to reduce

the demand for bandwidth if the current operating conditions of the communication network do not meet the operational requirements.

14. The control system of claim 13 wherein the assessment module is configured to determine whether an actual error rate exceeds a target error rate threshold, the target error rate being derived from the operating policy and the actual error rate being determined from the real-time profile.

15. The control system of claim 13 wherein if the actual error rate exceeds the target error rate threshold, the assessment module is configured to determine whether the base station can adjust the operating parameters of the base station to exceed a set of baseline interference parameters in order to reduce the actual error rate below the target error rate threshold.

16. The control system of claim 15 wherein the assessment module is configured to generate a feedback signal instructing the control response module to generate a control signal instructing the base station to adjust the transmission parameters to reduce the actual error rate below the target error rate threshold if the base station cannot adjust the operating parameters of the base station to exceed a set of baseline interference parameters.

17. The control system of claim 16 where the assessment module is configured to determine whether current available bandwidth has decreased below current demand for bandwidth as a result of adjusting the transmission parameters, and wherein the assessment module is configured to generate a feedback signal instructing the control response module to generate a control signal instructing the base station to selectively discard packets in order to decrease the current demand for bandwidth.

18. The control system of claim 15 wherein the assessment module is configured to generate a feedback signal instructing the control response module to generate a control signal instructing the base station to modify baseline network operating parameters, if the base station can adjust the operating parameters of the base station to exceed a set of baseline interference parameters.

19. The control system of claim 18, wherein the base station is a first base station of at least two base stations, if the first base station can adjust the operating parameters of the

first base station to exceed the set of baseline interference parameters, wherein exceeding the baseline interference pattern causes the throughput of a second base station to decrease, and wherein the second base station is configured to mitigate over subscription caused by modifying the operating parameters of the first base station by selectively discarding packets.

20. The control system of claim 18, wherein if the base station can adjust the operating parameters of the base station to exceed the set of baseline interference parameters, wherein the base station is configured to allocate bandwidth to a device, wherein the device is configured to mitigate oversubscription by selectively discarding packets, wherein the base station is configured to coordinate with the device to selectively discard packets to mitigate oversubscription, and wherein the base station is configured to adjust the operating parameters to exceed the set of baseline interference parameters.

21. The control system of claim 13 wherein the control response module is configured to use reactive intelligent discard to mitigate oversubscription.

22. The control system of claim 21 wherein the control response module is configured to.

identify a level of quality of service importance associated with packets of network traffic; and

selectively discard packets having a lower level of quality of service importance associated with the packets.

23. The control system of claim 22 wherein the control response module is further configured to:

identify a set of services requiring an allocation of bandwidth;

identify services for which selectively discarding packets would result in a least amount of relative degradation of quality of service if the packets were discarded; and

discard packets from the identified services to reduce the demand for bandwidth.

24. The control system of claim 23 wherein the control response module when identifying services for which selectively discarding packets would result in the least amount of relative degradation of quality of service if packets were discarded, is further configured to:

calculate a set of scores for a set of possible throughput levels for each service, each score representing a relative level of observed quality for each throughput level;

select a target throughput level for one or more services based on the set of scores associated with the set of throughput levels associated with each service; and

discard packets associated with the one more services so that a throughput level associated with the service reaches the target throughput level.

25. The control system of claim 13 wherein the control response module is configured to use proactive intelligent discard to mitigate predicted oversubscription.

26. The control system of claim 25 wherein the control response module is configured to discard packets to mitigate potential oversubscription in response to one or more network events that are likely to decrease network throughput.

27. The control system of claim 26 wherein the one or more network events are likely to decrease network throughput due to interference from one or more neighboring base stations or based on interference to the one or more neighboring base stations.

28. The control system of claim 25 wherein executing the proactive intelligent discard method is conditioned on the occurrence of a trigger event.

29. The control system of claim 28 wherein the trigger event for executing the proactive intelligent discard is a determination that a user device is motion and is exceeding a predetermined speed threshold, and wherein the control response module is configured to discard packets associated with the user device in response to the determination.

30. The control system of claim 28 wherein the control system is configured to determine the likelihood that a particular user device will be handed off to another base station; and wherein the control response module is configured to trigger the selective discard of packets associated with the user device if the likelihood that the user device will be handed off to another base station exceeds a predetermined threshold.

31. The control system of claim 28 wherein the discard is triggered at a predetermined date and time.

32. The control system of claim 28 wherein the trigger event comprises identification of a number of active user devices within a cell associated with the base station, and wherein control response module is configure to discard packets if the number of active user devices exceeds a predetermined threshold.

33. The control system of claim 28 wherein the control response module is configured to:

monitor usage and available resources to determine if available resources have fallen below a predetermined threshold; and

if available resources have fallen below a predetermined threshold, trigger selective proactive discard of packets to decrease the usage of resources to increase the available resources in reserve for other services.

34. The control system of claim 25 wherein the trigger event comprises changes to the operating parameters of one or more neighboring cells.

35. The control system of claim 25 wherein the control response module is configured to:

select packets to be discarded in the event that an anticipated shortfall of resources occurs;

tag the selected packets for deletion in the event the shortfall occurs; and

discard the selected packets only if the anticipated shortfall occurs.

36. The control system of claim 21 wherein the control response module is configured to increase a packet transmission rate in an attempt to avoid an anticipated shortfall of resources.

37. A method for mitigating the effects of various interference scenarios in a capacity and spectrum constrained, multiple-access communication network, the method comprising:

obtaining environment inputs comprising real-time information describing the operating status of the communication network;

deriving a real-time profile of the network based on the environment inputs, the real-time profile representing current operating conditions of the communication network;

determining whether the real-time profile satisfies a set of control set points, the control set points representing operational requirements for the communication network based on policy parameters;

generating a feedback adjustment signal if the real-time profile does not satisfy at least one control set point; and

generating control signals based on the feedback adjustment signal for one or more components of the communication system to adjust the operating parameters of the one or more components of the communication system.

38. The method of claim 37 further comprising:

determining whether new operator policy information has been received; and

if new operator policy information has been received, deriving a new set of control set points from the operator policy information.

39. The method of claim 38 further comprising:

deriving a current set of historical patterns from the real-time profile; and

determine whether the current set of historical patterns is different than a previous set of historical patterns; and

if the current set of historical patterns is different than the previous set of historical patterns, generating a feedforward adjustment signal.

40. The method of claim 39 wherein the method is implemented in a base station.

41. The method of claim 40 wherein the base station is a picocell.

42. The method of claim 40 wherein the base station is a femtocell.

43. The method of claim 40 wherein the base station is a macrocell.

44. The method of claim 39 wherein the control system is implemented distributed between a base station and other core network elements.

45. The method of claim 39 wherein the control system is implemented in user equipment.

46. The method of claim 40 further comprising:

generating a control signal to instruct the base station to discard network packets to reduce the demand for bandwidth if the current operating conditions of the communication network do not meet the operational requirements.

47. The method of claim 46 further comprising:

determining whether an actual error rate exceeds a target error rate threshold, the target error rate being derived from the operating policy and the actual error rate being determined from the real-time profile.

48. The method of claim 47 further comprising:

if the actual error rate exceeds the target error rate threshold, determining whether the base station can adjust the operating parameters of the base station to exceed a set of

baseline interference parameters in order to reduce the actual error rate exceeds below the target error rate threshold.

49. The method of claim 48 further comprising:

generating a control signal instructing the base station to adjust the transmission parameters to reduce the actual error rate below the target error rate threshold if the base station cannot adjust the operating parameters of the base station to exceed a set of baseline interference parameters.

50. The method of claim 49 further comprising:

determining whether current available bandwidth has decreased below current demand for bandwidth as a result of adjusting the transmission parameters; and

generating a control signal instructing the base station to selectively discard packets in order to decrease the current demand for bandwidth.

51. The method of claim 48 further comprising:

generating a control signal instructing the base station to modify baseline network operating parameters, if the base station can adjust the operating parameters of the base station to exceed a set of baseline interference parameters.

52. The method of claim 51, wherein the base station is a first base station of at least two base stations and if the first base station can adjust the operating parameters of the first base station to exceed the set of baseline interference parameters, wherein exceeding the baseline interference pattern causes the throughput of a second base station to decrease, and wherein the second base station is configured to mitigate over subscription caused by modifying the operating parameters of the first base station by selectively discarding packets, the method further comprising:

coordinating with the second base station to selectively discard packets to mitigate oversubscription.

53. The method of claim 51, wherein if the base station can adjust the operating parameters of the base station to exceed the set of baseline interference parameters, wherein the base station is configured to allocate bandwidth to a device, wherein the device is configured to mitigate oversubscription by selectively discarding packets, wherein the base station is configured to coordinate with the device to selectively discard packets to mitigate oversubscription, and wherein the base station is configured to adjust

the operating parameters to exceed the set of baseline interference parameters, the method further comprising:

coordinating with the device to selectively discard packets to mitigate oversubscription.

54. The method of claim 40 wherein generating control signals based on the feedback adjustment signal for one or more components of the communication system to adjust the operating parameters of the one or more components of the communication system further comprises

selectively discarding network packets in order to mitigate oversubscription.

55. The method of claim 54 wherein selectively discarding network packets in order to mitigate oversubscription further comprises:

identifying a level of quality of service importance associated with packets of network traffic; and

discarding packets having a lower level of quality of service importance associated with the packets.

56. The method of claim 55 wherein discarding packets having a lower level of quality of service importance associated with the packets further comprises:

identifying a set of services requiring an allocation of bandwidth;

identifying services for which selectively discarding packets would result in a least amount of relative degradation of quality of service if the packets were discarded; and

discarding packets from the identified services to reduce demand for bandwidth.

57. The method of claim 56 wherein identifying services for which selectively discarding packets would result in a least amount of relative degradation of quality of service if the packets were discarded further comprises:

calculating a set of scores for a set of possible throughput levels for each service, the each score representing a relative level of observed quality for each throughput level;

selecting a target throughput level for one or more services based on the set of scores associated with the set of throughput levels associated with each service; and

discarding packets associated with the one more services so that a throughput level associated with the service reaches the target throughput level.

58. The method of claim 40 wherein generating control signals based on the feedback adjustment signal for one or more components of the communication system to adjust the operating parameters of the one or more components of the communication system further comprises

selectively discarding network packets in order to mitigate predicted oversubscription.

59. The method of claim 58 wherein selectively discarding network packets in order to mitigate predicted oversubscription is performed in response to one or more network events that are likely to decrease network throughput.

60. The method of claim 59 wherein the one or more network events are likely to decrease network throughput due to interference from one or more neighboring base stations or based on interference to the one or more neighboring base stations.

61. The method of claim 51 wherein selectively discarding network packets in order to mitigate predicted oversubscription is conditioned on the occurrence of a trigger event.

62. The method of claim 61 wherein the trigger event for executing the proactive intelligent discard is a determination that a user device is motion and is exceeding a predetermined speed threshold, and wherein discarding network packets in order to mitigate predicted oversubscription further comprises discarding packets associated with the user device in response to the determination.

63. The method of claim 61 further comprising:

determining a likelihood that a particular user device will be handed off to another base station; and

triggering the selective discard of packets associated with the user device if the likelihood that the user device will be handed off to another base station exceeds a predetermined threshold.

64. The method of claim 61 further comprising:

selectively discarding packets beginning at a predetermined date and time.

65. The method of claim 61 further comprising:

identifying a number of active user devices within a cell associated with the base station; and

selectively discard packets to decrease oversubscription if the number of active user devices exceeds a predetermined threshold.

66. The method of claim 61 further comprising:

monitoring usage and available resources to determine if available resources have fallen below a predetermined threshold; and

if available resources have fallen below a predetermined threshold, triggering selective discard of packets to decrease the usage of resources to increase the available resources in reserve for other services.

67. The method of claim 61 wherein the trigger event comprises changes to the operating parameters of one or more neighboring cells.

68. The method of claim 58 further comprising:

selecting packets to be discarded in the event that an anticipated shortfall of resources occurs;

tagging the selected packets for deletion in the event the shortfall occurs; and

discarding the selected packets only if the anticipated shortfall occurs.

69. The method of claim 58 further comprising:

increasing a packet transmission rate in an attempt avoid an anticipated shortfall of resources.

70. A multivariate control system for managing bandwidth capacity in a capacity and spectrum constrained, multiple-access communication network, the system comprising:

an environment parameters module configured to receive environment parameters that represent real-time information describing the operating status of the communication network including current available bandwidth and current demand for bandwidth;

a real-time profile module in communication with the environment parameters module and configured to receive environment parameters from the environment parameters module and to generate a real-time profile of the communication network that represents the current demand for bandwidth and current available bandwidth on the communication network;

an assessment module in communication with the real-time profile module and the control set point module and configured to

receive the real-time profile from the real-time profile module and the set of control set points from the control set point module,

determine whether the current demand for bandwidth exceeds the current available bandwidth based on the real-time profile, and

generate feedback signals indicating that the control response module should discard network packets to mitigate oversubscription based on the policy parameters; and

a control response module in communication with the assessment module and configured to receive the feedback signals from the assessment module and to selectively discard packets to reduce the current demand for bandwidth.

71. The control system of claim 70 wherein the control response module is configured to.

identify a level of quality of service importance associated with packets of network traffic; and

selectively discard packets having a lower level of quality of service importance associated with the packets.

72. The control system of claim 71 wherein the control response module is further configured to:

identify a set of services requiring an allocation of bandwidth;

identify services for which selectively discarding packets would result in a least amount of relative degradation of quality of service if the packets were discarded; and

discard packets from the identified services to reduce the demand for bandwidth.

73. The control system of claim 72 wherein the control response module when identifying services for which selectively discarding packets would result in the least amount of relative degradation of quality of service if packets were discarded, is further configured to:

calculate a set of scores for a set of possible throughput levels for each service, each score representing a relative level of observed quality for each throughput level;

select a target throughput level for one or more services based on the set of scores associated with the set of throughput levels associated with each service; and

discard packets associated with the one more services so that a throughput level associated with the service reaches the target throughput level.

74. The control system of claim 70 wherein the control response module is configured to use proactive intelligent discard to mitigate predicted oversubscription.

75. The control system of claim 74 wherein the control response module is configured to discard packets to mitigate potential oversubscription in response to one or more network events that are likely to decrease network throughput.

76. The control system of claim 75 wherein the one or more network events are likely to decrease network throughput due to interference from one or more neighboring base stations or based on interference to the one or more neighboring base stations.

77. The control system of claim 74 wherein executing the proactive intelligent discard method is conditioned on the occurrence of a trigger event.

78. The control system of claim 74 wherein the control response module is configured to:

select packets to be discarded in the event that an anticipated shortfall of resources occurs;

tag the selected packets for deletion in the event the shortfall occurs; and

discard the selected packets only if the anticipated shortfall occurs.

79. The control system of claim 70 wherein the control response module is configured to increase a packet transmission rate in an attempt to avoid an anticipated shortfall of resources.

80. A method for managing bandwidth capacity in a capacity and spectrum constrained, multiple-access communication network, the method comprising:

obtaining environment inputs comprising real-time information describing the operating status of the communication network, the real-time information including current available bandwidth and current demand for bandwidth;

deriving a real-time profile of the network based on the environment inputs, the real-time profile representing the current available bandwidth and the current demand for bandwidth on the communication network;

determining whether the current demand for bandwidth exceeds the current available bandwidth;

generating control signals based on the policy parameters instructing one or more components of the communication system to selectively discard packets to reduce the current demand for bandwidth.

81. The method of claim 80 wherein selectively discarding network packets further comprises:

identifying a level of quality of service importance associated with packets of network traffic; and

discarding packets having a lower level of quality of service importance associated with the packets.

82. The method of claim 81 wherein discarding packets having a lower level of quality of service importance associated with the packets further comprises:

identifying a set of services requiring an allocation of bandwidth;

identifying services for which selectively discarding packets would result in a least amount of relative degradation of quality of service if the packets were discarded; and

discarding packets from the identified services to reduce demand for bandwidth.

83. The method of claim 82 wherein identifying services for which selectively discarding packets would result in a least amount of relative degradation of quality of service if the packets were discarded further comprises:

calculating a set of scores for a set of possible throughput levels for each service, the each score representing a relative level of observed quality for each throughput level;

selecting a target throughput level for one or more services based on the set of scores associated with the set of throughput levels associated with each service; and

discarding packets associated with the one more services so that a throughput level associated with the service reaches the target throughput level.

84. The method of claim 80 further comprising:

generating control signals based on the policy parameters instructing one or more components of the communication system to selectively discard packets to reduce the predicted demand for bandwidth.

85. The method of claim 84 wherein generating control signals based on the policy parameters instructing one or more components of the communication system to

selectively discard packets to reduce the predicted demand for bandwidth is performed in response to one or more network events that are likely to decrease network throughput.

86. The method of claim 85 wherein the one or more network events are likely to decrease network throughput due to interference from one or more neighboring base stations or based on interference to the one or more neighboring base stations.

87. The method of claim 84 wherein selectively discarding network packets in order to mitigate predicted oversubscription is conditioned on the occurrence of a trigger event.

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.
13/270,122	10/10/2011	Kenneth Stanwood	116719-01CON2	7563

27189 7590 11/15/2011

PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
525 B STREET
SUITE 2200
SAN DIEGO, CA 92101

EXAMINER	
ART UNIT	PAPER NUMBER
2614	

NOTIFICATION DATE	DELIVERY MODE
11/15/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com
PTONotifications@procopio.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

PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
525 B STREET
SUITE 2200
SAN DIEGO CA 92101

In re Application of
STANWOOD et al.
Application No.: 13/270,122
Filed: 10 October 2011
Attorney Docket No.: 116719-01CON2
For: SYSTEMS AND METHODS FOR INTELLIGENT DISCARD IN A COMMUNICATION NETWORK

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 10 October 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-3) and (5-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (4).

Regarding the requirement of condition (4), applicant has failed to ensure that the claims in the U.S. application sufficiently correspond to the claims that have novelty, inventive step, and industrial applicability in the PCT application. Specifically, PCT claim 1 requires "A multivariate control system for mitigating the effects of various interference scenarios" while US claim 1 requires "A multivariate control system for managing bandwidth capacity." These limitations are not of the same scope and accordingly do not sufficiently correspond.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

Lee W. Young
Quality Assurance Specialist
Technology Center 2600

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE KOREAN INTELLECTUAL PROPERTY OFFICE (KIPO) AND THE USPTO

Application No:	13/270,122	Filing date:	October 10, 2011
First Named Inventor:	Kenneth Stanwood		
Title of the Invention:	SYSTEMS AND METHODS FOR INTELLIGENT DISCARD IN A COMMUNICATION NETWORK		

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/US2010/038357

The international filing date of the corresponding PCT application(s) is/are: June 11, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☐ Is attached.

☑ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-KR (06-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE KIPO AND THE USPTO

(continued)

Application No.:	13/270,122
First Named Inventor:	Kenneth Stanwood

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 10, 2011

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on October 10, 2011

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1-36	1-36	The claims filed in the PCT application are identical to those filed in the U.S. patent application.
37-46	70-79	Except for the changes in the numbering of the claims, the claims filed in the PCT application are identical to those filed in the U.S. patent application.

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Daniel L. Essig/	Date December 6, 2011
Name (Print/Typed) Daniel L. Essig	Registration Number 61,575

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

PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
525 B STREET
SUITE 2200
SAN DIEGO CA 92101

MAILED
MAR 05 2012
OFFICE OF PETITIONS

In re Application of
Kenneth Stanwood, et al.
Application No.: 13/270,122
Filed: October 10, 2011
Attorney Docket No.: SYSTEMS AND METHODS FOR INTELLIGENT DISCARD IN A COMMUNICATION NETWORK

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)
:

This is a decision on the renewed request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 6, 2011, to make the above-identified application special.

The request and petition are **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 the present petition fails meet condition (4) above.

In this regard, since examination of the application began January 30, 2012, the present petition cannot be granted.

Telephone inquiries concerning this decision should be directed to Terri Johnson at (571) 272-2991. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

This application is being referred to Technology Center Art Unit 2463 to await a response to the Office action mailed January 30, 2012.

Anthony Knight
Director
Office of Petitions

PTO/SB/420 (11-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 37836-740.201	Application Number (if known): Unassigned	Filing date: October 10, 2011
First Named Inventor: Patrick O'Mullan, et al.		
Title: BIOCATALYSTS SYNTHESIZING DEREGULATED CELLULASES		

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 10, 2011
Name (Print/Typed) David W. Van Goor	Registration Number 67,263

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. 37836-740.201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Patrick O'Mullan, et al.	Confirmation No.: Unassigned
Application No.: Unassigned	Examiner: Unassigned
Filed: October 10, 2011	Group Art Unit: Unassigned
Title: BIOCATALYSTS SYNTHESIZING DEREGULATED CELLULASES	Customer No. **21971**

FILED ELECTRONICALLY ON: October 10, 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 enhances the development of renewable energy resources. Applicants' invention relates to the bioconversion woody and nonwoody plant material, algae, and nonvascular plants, as well as waste materials and side products from the processing of plant or algal matter, into high value transportation fuels and other energy forms or chemicals. For example, embodiments of the invention provide microorganisms and methods that enhance production of cellulosic ethanol and 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. 37836-740.201).

Respectfully submitted,

By: _____
David W. Van Goor, Ph.D.
Registration No 67,263

WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050
Direct Dial: (650) 493-9300
Customer No. 21971

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.
13/270,166	10/10/2011	Patrick O'Mullan	37836-740.201	7542

21971 7590 12/16/2011
WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

MAIL DATE	DELIVERY MODE
12/16/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/270,166	10/10/2011	Patrick O'Mullan	37836-740.201	7542

21971 7590 01/17/2012

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO, CA 94304-1050

EXAMINER	
MEAH, MOHAMMAD Y	
ART UNIT	PAPER NUMBER
1652	
MAIL DATE	DELIVERY MODE
01/17/2012	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

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WILSON, SONSINI, GOODRICH & ROSATI
650 PAGE MILL ROAD
PALO ALTO CA 94304-1050

In re Application of :

O'MULLAN, Patrick *et al.*	:	DECISION ON PETITION
Application No. 13/270166	:	TO MAKE SPECIAL UNDER
Filed: October 10, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 836-740.201	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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 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

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.
13/270,474	10/11/2011	Mark Raymond	279739.101_CIP	4912

42161 7590 02/29/2012

MEYER UNKOVIC & SCOTT LLP
535 Smithfield Street
Suite 1300
Pittsburgh, PA 15222-2315

EXAMINER
STAMBER, ERIC W

ART UNIT	PAPER NUMBER
3622	

MAIL DATE	DELIVERY MODE
02/29/2012	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 29 2012

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MEYER UNKOVIC & SCOTT LLP
535 SMITHFIELD STREET
SUITE 1300
PITTSBURGH PA 15222-2315

In re application of:
RAYMOND, Mark, et al.
Application No. 13/270,474
Filed: October 11, 2011
For: ELECTRONIC COUPON SYSTEM

: **DECISION ON PETITION**
: **TO MAKE SPECIAL FOR**
: **NEW APPLICATION**
: **UNDER 37 CFR 1.102**

This decision is regarding the petition filed on October 11, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims is patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 USC 112, sixth paragraph; if the application claims the benefit of one or more applications

under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;

6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

REVIEW OF FACTS

The petition in this case fails to comply with Conditions II.5 and II.6.5.

As to Condition II.5, this section requires that the petition include a statement that identifies the *search logic* used as a query, the name of the *file(s) searched*, and the *date of the search.* With respect to the US field of search and the "Database Searches", the "Date Conducted" indicates a search parameter for the documents retrieved and not the date on which the search was performed as required. Further with respect to the "Database Searches", while the name of the database service is provided, e.g. USPTO EAST, there is no identification of the file(s) searched within each service (as appropriate). For example, in USPTO EAST, the possible files searched include USPAT, US-PGPUB, EPO, JPO, etc. Finally, for the "Database Searches" no "search logic used as a query" has been provided. While applicant has provided a list of keywords, this does not provide the actual queries or logic used.

In providing the search logic, applicant is reminded that this logic must encompass all of the features of the claims per II.5.2, which includes the features of the dependent claims as well as those features indicated as patentable in the Support Document. Applicant is also reminded to update the Support Document in the event that relevant art is discovered in any new searches.

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 the written description of the specification. Applicant has provided a general statement corresponding to the support for claim 1, but this does not specifically show the support each for each limitation of claim 1, nor does it cover each limitation of the dependent claims. Note also that this application claims benefit to PCT/US2011/001191 as a continuation-in-part. Per II.6.5 the showing must include where each limitation finds support in the parent application.

DECISION

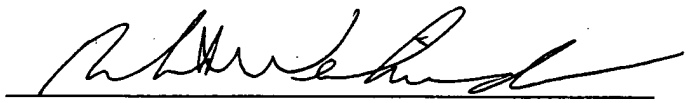
For the above stated reasons, the petition is **DISMISSED**.

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/2/28/12

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: 5121-0003	Application Number (if known): 13/270,857	Filing date: October 11, 2011

First Named Inventor: WooSik LIM

Title: 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 November 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.
13/270,857	10/11/2011	WooSik LIM	5121-0003	1004

22429 7590 11/10/2011
LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA, VA 22314

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
11/10/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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

LOWE HAUPTMAN HAM & BERNER, LLP
1700 DIAGONAL ROAD
SUITE 300
ALEXANDRIA VA 22314

In re Application of	:	
LIM et al.	:	DECISION ON PETITION
Application No. 13/270,857	:	TO MAKE SPECIAL UNDER
Filed: October 11, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 5121-0003	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 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
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: ASOK0005*	Application Number (if known): 13/270,896	Filing date: October 11, 2011

First Named Inventor: Mingyao XIA

Title: Green Energy Database Including Verifiable Information for Implementing a National Level Green Energy Policy

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature /MAG/	Date 2011-11-23
Name (Print/Typed) Michael A. Glenn	Registration Number 30176

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

First Named Inventor	:	Mingyao XIA
Serial No.	:	13/270,896
Filed	:	October 11, 2011
Art Unit	:	2121
Confirmation Number	:	7037
Examiner	:	Not yet assigned
Title	:	Green Energy Database Including Verifiable Information for Implementing a National Level Green Energy Policy
Attorney Docket No.	:	ASOK0005

November 23, 2011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SPECIAL STATUS

Applicant requests Special Status in connection with the Green Technology Pilot Program on the basis of the energy conservation afforded by the invention claimed in the subject application.

While Applicant considers this aspect of the invention for which patent protection is sought to be clear on the face of the application disclosure, Applicant nonetheless provides the following statement pertaining to the materiality standard in connection with such request for Special Status. That is, the invention reduces the carbon foot print of in-home equipment by appropriate use of devices for power monitoring, data collection, and control and communication of said equipment over power lines. Implementation of green technologies requires monitoring and control of the carbon footprint of homes and offices and has created a need to assess the power usage pattern and the magnitude of

usage remotely, and to supervise and control the power remotely. It is necessary to monitor and control the power use on a micro level for the consumer, who can exercise the necessary constraints on use if the proper tools are provided. It is also necessary to monitor the usage pattern and collect data on a macro level to develop policies that are beneficial to the overall reduction of the carbon foot print at the home and office level, as well as on a national level. Empowering the individual and the society to exercise the necessary controls by monitoring the power usage is an area where the power line communication and control can be effectively and optimally used.

In one embodiment of the invention, the devices include an intelligent master sensor and its sub-sets, such as a communication and power management sensor and a power control switch sensor. The master device is configured to collect, compile, and communicate the collected data via the web or other communication medium to the outside world. The master device also receives and distributes control instructions that are used to control the power usage via the associated switches in the home or office. The sensors are used in the home or office environment to provide integrated sensing and control of home power usage and power management, while establishing a LAN having communication capability, including streaming media delivery capability.

Respectfully submitted,

Michael A. Glenn
Attorney for Applicant
Reg. No. 30,176

Customer No. 22862

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.
13/270,896	10/11/2011	Mingyao XIA	ASOK0005	7037

22862 7590 12/21/2011

GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER	
ART UNIT	PAPER NUMBER
2121	

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):

ptomatters@glenn-law.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

GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK CA 94025

In re Application of:

XIA, Mingyao et al. : DECISION ON PETITION
Application No. 13/270,896 : TO MAKE SPECIAL UNDER
Filed: October 11, 2011 : THE GREEN TECHNOLOGY
Title: **GREEN ENERGY DATABASE INCLUDING VERIFIABLE INFORMATION FOR IMPLEMENTING A NATIONAL LEVEL GREEN ENERGY POLICY** : 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.

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

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

MAILED
FEB 22 2012
OFFICE OF PETITIONS

In re Application of
Joseph DEUTSCH et al.
Application No.: 13/270,960
Filed: October 11, 2011
Attorney Docket No.: 11809.0004-01
For: Personalized Multimedia Messaging System

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY PILOT
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) pilot program and the petition under 37 CFR 1.102(a), filed December 21, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PPH pilot program and petition to make special require:

(1) The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the EPO;

(2) Applicant must submit a copy of the allowable/patentable claim(s) from the EPO application(s) along with an English translation thereof and a statement that the English translation is accurate;

(3) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the EPO application(s);

(4) Examination of the U.S. application has not begun;

(5) Applicant must submit a copy of all the office actions from each of the EPO application(s) containing the allowable/patentable claim(s) along with an English translation thereof and a statement that the English translation is accurate; and

(6) Applicant must submit an IDS listing the documents cited by the EPO examiner in the EPO office action along with copies of documents except U.S. patents or U.S. patent application publications.

This request to participate in the PPH program and petition is assessed as follows:

Requirements (2-6), above, are considered to have been met. However the request to participate in the PPH program fails to meet requirement (1).

Regarding requirement (1), applicant has not indicated any priority under 119(a) to EP 09012015.5 and EP 0472268.7.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Joanne Hama at (571) 272-2911 or to the undersigned at (571) 272-7099.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

David Bucci
Petitions Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Decision Date : April 11, 2012

In re Application of :

Eric Sonnabend

Application No : 13271016

Filed : 11-Oct-2011

Attorney Docket No : PM-003

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 April 11, 2012

The request is **APPROVED.**

The request was signed by Daniar Hussain (registration no. 59026) on behalf of all attorneys/agents associated with Customer Number 65513 . All attorneys/agents associated with Cusotmer Number 65513 have been withdrawn.

Since there are no remaining attorneys of record, all future communications from the Office will be directed to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71, with correspondence address:

Name	Eric L. Sonnabend
Name2	parkme LLC
Address 1	228 Beacon Street
Address 2	
City	Boston
State	MA
Postal Code	02116
Country	US

As a reminder, requester is required to inform the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71 of the electronically processed petition.

Telephone inquiries concerning this decision should be directed to the Patent Electronic Business Center (EBC) at 866-217-9197.

Office of Petitions

Doc Code: PET.AUTO **Document Description: Petition automatically granted by EFS-Web**	PTO/SB/83 U.S. Patent and Trademark Office Department of Commerce

Electronic Petition Request	**REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS**
Application Number	13271016
Filing Date	11-Oct-2011
First Named Inventor	Eric Sonnabend
Art Unit	2612
Examiner Name	JOHN TWEEL JR
Attorney Docket Number	PM-003
Title	PARKING INFORMATION COLLECTION SYSTEM AND METHOD

◉ Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number: 65513

The reason(s) for this request are those described in 37 CFR:

10.40(c)(1)(vi)

10.40(c)(5)

Certifications

☒ I/We have given reasonable notice to the client, prior to the expiration of the response period, that the practitioner(s) intend to withdraw from employment

☒ I/We have delivered to the client or a duly authorized representative of the client all papers and property (including funds) to which the client is entitled

☒ I/We have notified the client of any responses that may be due and the time frame within which the client must respond

Change the correspondence address and direct all future correspondence to the first named inventor or assignee that has properly made itself of record pursuant to 37 CFR 3.71:

Name	Eric L. Sonnabend parkme LLC
Address	228 Beacon Street
City	Boston
State	MA
Postal Code	02116

Country	US
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/Daniar Hussain/
Name	Daniar Hussain
Registration Number	59026

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: GEVO-018/03US	Application Number (if known): Not Yet Assigned	Filing date: October 11, 2011
First Named Inventor: Thomas BUELTER		
Title: ENGINEERED MICROORGANISMS CAPABLE OF PRODUCING TARGET COMPOUNDS UNDER ANAEROBIC CONDITIONS		

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 /Paul A. Wickman/	Date October 11, 2011
Name (Print/Typed) Paul A. Wickman	Registration Number 61,242

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 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.

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.

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.
13/271,084	10/11/2011	Thomas Buelter	GEVO-018/03US 310142-2255	2399

58249 7590 12/12/2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON, DC 20001

EXAMINER	
ART UNIT	PAPER NUMBER
1652	

MAIL DATE	DELIVERY MODE
12/12/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DEC 12 2011

COOLEY LLP
ATTN: Patent Group
Suite 1100
777 - 6th Street, NW
WASHINGTON DC 20001

In re Application of :

BUELTER, Thomas *et al.*	:	DECISION ON PETITION
Application No. 13/271084	:	TO MAKE SPECIAL UNDER
Filed: October 11, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GEVO-018/03US 310142-2255	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 11, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a

request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to 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

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.
13/271,099	10/11/2011	Florence C.I. Pagan	NOMDX.011A2C1	8229

20995 7590 11/23/2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
DADA, BEEMNET W	
ART UNIT	**PAPER NUMBER**
2435	

NOTIFICATION DATE	DELIVERY MODE
11/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Charles Duan
Knobbe Martens Olson & Bear LLP
2040 Main Street
Fourteenth Floor
Irvine CA 92614

In re Application of:
Pagan et al
Serial No.: 13/271099
Filed: October 11, 2011
Docket: NOMDX.011A2C1
For: **Systems and Method for Authorizing a Portable Communication Device**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition filed on October 11, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);

2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.

3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;

4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;

5.3. encompass the disclosed features that may be claimed.

6. must provide in support of the petition an accelerated examination support document.

An accelerated examination support document must include:

6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;

6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);

6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);

6.5. a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 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 1-4 and II 5.1, 5.3, II 6.1-6.6 above are considered to have been met. However, the petition fails to comply with condition II 5.2 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

Regarding the requirement of MPEP § 708.02(a)(I.)(H)[1] and items II.5.2 above, the preexamination search does not encompass all of the features of the claims, and does not appear to have given the claims the broadest reasonable interpretation.

Finally, based upon the claimed subject matter of the instant application, a search in the following class and subclasses is recommended in order to provide full coverage of where the most pertinent references are most likely to be found: **Class 726 INFORMATION SECURITY: Subclasses 2-4, 11, 13, 21 and 26-27** (authorization or credential) for subject matter related to for authorization based on a factor which is not in a user profile or a query for authentication information.

This additional search area was confirmed with an examiner in the pertinent art area.

Petitioner should review all claim limitations, especially those asserted as patentable distinctions from the cited references to ensure that the search covers these concepts, and update the search and/or provide any clarifications if deemed necessary.

DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Tod Swann, Quality Assurance Specialist, at (571) 272-3612. A second point of Contact is Chris Grant at (571)-272-7294.

Tod R Swann, WQAS 2430
Technology Center 2400
Networking, Multiplex, Cable and Information Security

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.
13/271,099	10/11/2011	Florence C.I. Pagan	NOMDX.011A2C1	8229

20995 7590 12/21/2011

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
DADA, BEEMNET W	

ART UNIT	PAPER NUMBER
2435	

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):

jcartee@kmob.com
efiling@kmob.com
eOAPilot@kmob.com

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Charles Duan
Knobbe Martens Olson & Bear LLP
2040 Main Street
Fourteenth Floor
Irvine CA 92614

In re Application of:
Pagan et al
Serial No.: 13/271099
Filed: October 11, 2011
Docket: NOMDX.011A2C1
For: **Systems and Method for Authorizing a Portable Communication Device**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

This is a decision on the petition re-filed on December 19, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). The original petition was filed on October 11, 2011 and dismissed on November 22, 2011.

The petition to make the application special is **GRANTED** as the papers filed on December 19, 2011 including the Pre-Examination Search Document now meet the requirements of 37 C.F.R. § 1.102(d) and MPEP 708.02(a)(I) as the search is now encompasses all claim scope.

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.

1. 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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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 Tod Swann, Quality Assurance Specialist, at (571) 272-3612. A second point of Contact is Chris Grant at (571)-272-7294.

Tod R Swann, WQAS 2430
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.
13/271,330	10/12/2011	Robert K. Lazzara	0007207.0017	2094

34755 7590 11/29/2011

ADAM K. SACHAROFF
MUCH SHELIST DENENBERG AMENT & RUBENSTEIN
191 N. WACKER DRIVE, Suite 1800
CHICAGO, IL 60606-1615

EXAMINER	
ART UNIT	PAPER NUMBER
3661	

NOTIFICATION DATE	DELIVERY MODE
11/29/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocket@muchshelist.com

Doc Code: TRACK1.GRANT

NOV 2 9 2011

Decision Granting Request for Prioritized Examination (Track I)	Application No.: 13/271,330

1. THE REQUEST FILED 10/12/11 IS **GRANTED**.

The above-identified application has met the requirements for prioritized examination (Track I).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

   A. filing a **petition for extension of time** to extend the time period for filing a reply;

   B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;

   C. filing a **request for continued examination**;

   D. filing a notice of appeal;

   E. filing a request for suspension of action;

   F. mailing of a notice of allowance;

   G. mailing of a final Office action;

   H. completion of examination as defined in 37 CFR 41.102; or

   I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to STEVEN MEYERS at (571) 272-6611. In his/her absence, calls may be directed to ROBERT WEINHARDT (571) 272-6633.

[Signature]

TC QUALITY ASSURANCE SPECIALIST
(Title)

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.
13/271,389	10/12/2011	Robert K. Lazzara	0007207.0018	1097

34755 7590 11/22/2011

ADAM K. SACHAROFF
MUCH SHELIST DENENBERG AMENT & RUBENSTEIN
191 N. WACKER DRIVE, Suite 1800
CHICAGO, IL 60606-1615

EXAMINER	
ART UNIT	PAPER NUMBER
3661	

NOTIFICATION DATE	DELIVERY MODE
11/22/2011	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):

ipdocket@muchshelist.com

Doc Code: TRACK1.GRANT NOV 2 3 2011

Decision Granting Request for Prioritized Examination (Track I)	Application No.: 13/271,389

1. THE REQUEST FILED 10/12/11 IS **GRANTED**.

The above-identified application has met the requirements for prioritized examination (Track I).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

   A. filing a **petition for extension of time** to extend the time period for filing a reply;

   B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;

   C. filing a **request for continued examination**;

   D. filing a notice of appeal;

   E. filing a request for suspension of action;

   F. mailing of a notice of allowance;

   G. mailing of a final Office action;

   H. completion of examination as defined in 37 CFR 41.102; or

   I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to STEVEN MEYERS at (571) 272-6611. In his/her absence, calls may be directed to ROBERT WEINHARDT (571) 272-6633.

[Signature]

TC QUALITY ASSURANCE SPECIALIST
(Title)

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.
13/271,464	10/12/2011	Gregory J. Mesaros	EWIN-010COB	9833

28661 7590 04/10/2012

Lewis and Roca LLP
2440 W. El Camino Real, 6th Floor
Mountain View, CA 94040

EXAMINER	
RUDY, ANDREW J	

ART UNIT	PAPER NUMBER
3687	

MAIL DATE	DELIVERY MODE
04/10/2012	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

APR 10 2012

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Lewis and Roca LLP
2440 W. El Camino Real, 6th Floor
Mountain View CA 94040

In re application of:
MESAROS, Gregory J.
Application No.: 13/271,464
Filed: October 12, 2011
For: DEAL MATCHING SYSTEM

: **DECISION ON PETITION**
: **TO MAKE SPECIAL FOR**
: **NEW APPLICATION**
: **UNDER 37 CFR 1.102**

This is a decision on the petition filed on October 12, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **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/4/9/12

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
Brenda F. HATTER

Application No. 13271605

Filed: October 12,2011

Attorney Docket No. JH03-05U

:DECISION ON PETITION TO MAKE SPECIAL
:UNDER 37 CFR 1.102(c)(1)

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 15-FEB-2012 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc code : PET.OP.AGE
Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)
Approved for use through 07/31/2012. OMB 0651- 0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)

Application Information

Application Number	13/271,605	Confirmation Number	9082	Filing Date	2012-10-12
Attorney Docket Number (optional)	JH03-05U	Art Unit	2431	Examiner	
First Named Inventor	Hatter				
Title of Invention	METHOD AND SYSTEM FOR A REAL-TIME INTERACTIVE WEB/MEDIA-BASED ELECTRONIC NEW OR REMOTE HIRE DOCUMENT PROCESSING SYSTEM INTERFACED/INTERLINK TO AN EMPLOYER AUTHORIZED DISTAL/REMOTE NOTARIES PUBLIC OR 3RD PARTY AGENT				

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
Audrella	Marie	Jackson	

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	/Kirk A. Buhler/	Date (YYYY-MM-DD)	2012-02-15
Name	Kirk A. Buhler	Registration Number	52670

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.

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: K-1331	Application Number (if known): 13/271,670	Filing date: October 12 ,2011

First Named Inventor: Hwan Hee JEONG

Title: LIGHT EMITTING DIODE, AND BACK LIGHT UNIT 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	Date October 12, 2011
Name (Print/Typed) Daniel Y.J. Kim	Registration Number 36,186

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

■ *Total of 2 forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: **K-1331** PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	Confirmation No.: **9194**
Hwan Hee JEONG; Sang Youl LEE; June O SONG and Kwang Ki CHOI	Group Art Unit: **To Be Assigned**
Serial No.: **13/271,670**	Examiner: **To Be Assigned**
Filed: **October 12, 2011**	Customer No.: **34610**

For: **LIGHT EMITTING DIODE, AND BACK LIGHT UNIT INCLUDING THE SAME**

STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

U.S. Patent and Trademark Office
Customer Service Window, **MAIL STOP PETITIONS**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Special status is sought under 37 CFR §1.102 because the invention materially contributes to the more efficient utilization and conservation of energy resources.

Respectfully submitted,
KED & ASSOCIATES, LLP

Daniel Y.J. Kim
Registration No. 36,186

Correspondence Address:
P.O. Box 8638
Reston, VA 20195
703 766-3777 DYK/dak

Date: October 12, 2011

Please direct all correspondence to Customer Number 34610

Q:\Documents\2016-1573\300213

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.
13/271,670	10/12/2011	Hwan Hee JEONG	K-1331	9194

34610 7590 11/10/2011

KED & ASSOCIATES, LLP
P.O. Box 8638
Reston, VA 20195

EXAMINER	
ART UNIT	PAPER NUMBER
2811	

MAIL DATE	DELIVERY MODE
11/10/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	:	
JEONG et al.	:	DECISION ON PETITION
Application No. 13/271,670	:	TO MAKE SPECIAL UNDER
Filed: October 12, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. K-1331	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 12, 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
www.uspto.gov

SHERR & VAUGHN, PLLC
620 HERNDON PARKWAY
SUITE 320
HERNDON VA 20170

MAILED

FEB 15 2012

OFFICE OF PETITIONS

In re Application of :
Kwon et al. :
Application No. 13/271,674 : ON PETITION
Filed: 10/12/2011 :
Attorney Docket No. 582-0003 :

This is in response to the Petition to Accept Color Drawings Under 37 C.F.R. §1.84, filed in the United States Patent and Trademark Office (USPTO) on October 12, 2011, which is treated as a petition under 37 CFR 1.84(a)(2).

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled, "Renewed Petition under 37 CFR 1.84(a)(2)". No further petition fee is required for a renewed petition.

37 CFR 1.84(a)(2) states that the Office will accept color drawings only after granting a petition explaining why color drawings are necessary. The petition must include:

(i) The fee set forth in 1.17(h);

(ii) Three (3) sets of color drawings;[1]

(iii) An amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

[1] The requirement for three (3) sets of color drawings is not applicable to color drawings submitted via EFS-Web. Therefore, only one set of color drawings is necessary when filing via EFS-Web. See MPEP 502.05(VIII)(C).

In addition, MPEP 608.02 states that a petition to accept color drawings will only be granted where the Office "has determined that a color drawings or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Petitioners assert that color drawings are necessary to understand the Applicant's disclosure.

The Office has determined, however, that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented.

As color drawings or photographs are not required for an understanding of the invention sought to be patented, the petition is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

By FAX: 571-273-8300
Attn: Office of Petitions

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 1785.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3231.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

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.
13/272,144	10/12/2011	Gregory J. Mesaros	GEDP110USI(707_CON_FT)	7100

23623 7590 12/05/2011

TUROCY & WATSON, LLP
127 Public Square
57th Floor, Key Tower
CLEVELAND, OH 44114

EXAMINER	
OUELLETTE, JONATHAN P	

ART UNIT	PAPER NUMBER
3629	

NOTIFICATION DATE	DELIVERY MODE
12/05/2011	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):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
swati@thepatentattorneys.com

Doc Code: TRACK1.GRANT DEC 0 5 2011

Decision Granting Request for Prioritized Examination (Track I)	Application No.: 13/272144

1. THE REQUEST FILED 10/12/2011 IS **GRANTED**.

   The above-identified application has met the requirements for prioritized examination (Track I).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

   A. filing a **petition for extension of time** to extend the time period for filing a reply;

   B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;

   C. filing a **request for continued examination**;

   D. filing a notice of appeal;

   E. filing a request for suspension of action;

   F. mailing of a notice of allowance;

   G. mailing of a final Office action;

   H. completion of examination as defined in 37 CFR 41.102; or

   I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to Robert Weinhardt at 571-272-6633. In his/her absence, calls may be directed to Steven Meyers at 571-272-6611.

[*Signature*]

Business Practice Specialist
(Title)

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.
13/272,147	10/12/2011	Gregory J. Mesaros	GEDP115USC(419_CON_FT)	1069

23623 7590 12/05/2011

TUROCY & WATSON, LLP
127 Public Square
57th Floor, Key Tower
CLEVELAND, OH 44114

EXAMINER	
ROSEN, NICHOLAS D	
ART UNIT	**PAPER NUMBER**
3625	

NOTIFICATION DATE	DELIVERY MODE
12/05/2011	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):

docket1@thepatentattorneys.com
hholmes@thepatentattorneys.com
swati@thepatentattorneys.com

Doc Code: TRACK1.GRANT DEC 0 5 2011

Decision Granting Request for Prioritized Examination (Track I)	Application No.: 13/272147

1. THE REQUEST FILED 10/12/2011 IS **GRANTED.**

   The above-identified application has met the requirements for prioritized examination (Track I).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

   A. filing a **petition for extension of time** to extend the time period for filing a reply;

   B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;

   C. filing a **request for continued examination**;

   D. filing a notice of appeal;

   E. filing a request for suspension of action;

   F. mailing of a notice of allowance;

   G. mailing of a final Office action;

   H. completion of examination as defined in 37 CFR 41.102; or

   I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to Robert Weinhardt at 571-272-6633. In his/her absence, calls may be directed to Steven Meyers at 571-272-6611.

[*Signature*]

Business Practice Specialist
(Title)

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.
13/272,222	10/13/2011	DAVID HYMAN	00017.00012AE1	1066

55952 7590 03/05/2012

Raj Abhyanker
Raj Abhyanker
1580 W. El Camino Real
Suite 8
Mountain View, CA 94040

EXAMINER	
SPIELER, WILLIAM	
ART UNIT	**PAPER NUMBER**
2159	

NOTIFICATION DATE	DELIVERY MODE
03/05/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@rajpatent.com

Best Available Copy

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

Raj Abhyanker
Raj Abhyanker
1580 W. El Camino Real
Suite 8
Mountain View CA 94040

In re Application of:
HYMAN, David
Serial No.: 13/272,222
Filed: October 13, 2011
Title: **DYNAMIC CONTROL OF SONG FREQUENCY IN A PLAYLIST PROVIDED THROUGH A MUSIC SERVICE**

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 October 13, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **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:

Best Available Copy

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

3. include a statement that applicant agrees to make an election without traverse in a telephone interview.

4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.

5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the filed of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;

5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable 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 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

Best Available Copy

The conditions of items I1-I4, II1-II5, II5.1- II5.3, II6.1-II6.4, and II6.6 above are considered to have been met.

However, the petition fails to comply with condition II6.5 above, for the reasons listed below. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

ANALYSIS

A requirement under item II.6.5 is the examination support document provides "a showing of where each limitation of the claims finds support under 35 USC 112, first paragraph, in the written description of the specification." This is not a conditional requirement predicated on whether the claims invoke 35 USC 112, 6th paragraph. Item II6.5 further requires that "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." The instant application is a continuing application of 12/703,801. Accordingly, the accelerated examination support document must include where each limitation of the claims finds support under 35 USC 112, first paragraph, in the specification of parent application 12/703,801. Thus, in order to fully comply with this requirement, applicant must refile the examination support document containing a complete mapping of all the limitations of each claim to the specification of the instant application and the specification of the parent application.

DECISION

For the above-stated reasons, the petition is **DISMISSED**.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Eddie C. Lee at (571) 272-1732.

/Eddie C. Lee/

Eddie C. Lee
Quality Assurance Specialist
Technology Center 2100

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/272,318	Filing date:	October 13, 2011
First Named Inventor:	Michael Joseph Kwiecien		
Title of the Invention:	METHOD OF MAKING A SKIN ENGAGING MEMBER		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/US2011/056116

The international filing date of the corresponding PCT application(s) is/are: OCTOBER 13, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/272,318
First Named Inventor:	MICHAEL JOSEPH KWIECIEN

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US Claim 1 has the same elements as claim 1 of the corresponding PCT application
2	2	US Claim 2 has the same elements as claim 2 of the corresponding PCT application
4	3	US Claim 4 has the same elements as claim 3 of the corresponding PCT application
5	4	US Claim 5 has the same elements as claim 4 of the corresponding PCT application
6	5	US Claim 6 has the same elements as claim 5 of the corresponding PCT application
7	6	US Claim 7 has the same elements as claim 6 of the corresponding PCT application
8	7	US Claim 8 has the same elements as claim 7 of the corresponding PCT application
9	8	US Claim 9 has the same elements as claim 8 of the corresponding PCT application
10	9	US Claim10 has the same elements as claim 9 of the corresponding PCT application
11	10	US Claim 11 has the same elements as claim 10 of the corresponding PCT application
12	11	US Claim 12 has the same elements as claim 11 of the corresponding PCT application
13	12	US Claim 13 has the same elements as claim 12 of the corresponding PCT application
14	13	US Claim 14 has the same elements as claim 13 of the corresponding PCT application
15	14	US Claim 15 has the same elements as claim 14 of the corresponding PCT application
16	15	US Claim 16 has the same elements as claim 15 of the corresponding PCT application

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Ronald Terk Sia/	Date February 2, 2012
Name (Print/Typed) Ronald Terk Sia	Registration Number 58,871

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

THE PROCTER & GAMBLE COMPANY
GLOBAL LEGAL DEPARTMENT – IP
SYCAMORE BUILDING – 4TH FLOOR
299 EAST SIXTH STREET
CINCINNATI OH 45202

MAILED
MAR 26 2012
OFFICE OF PETITIONS

In re Application of
Michael Joseph Kwiecien
Application No.: 13/272,318
Filed: October 13, 2011
Attorney Docket No.: Z-8523M
For: METHOD OF MAKING A SKIN ENGAGING MEMBER

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on February 2, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/SDB/

Sherry D. Brinkley
Petition Examiner
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

DINSMORE & SHOHL, LLP
FIFTH THIRD CENTER
ONE SOUTH MAIN STREET
SUITE 1300
DAYTON OH 45402

MAILED

MAR 29 2012

OFFICE OF PETITIONS

In re Application of
Norbert Wild :
Application No. 13/272,399 : ON PETITION
Filed: October 13, 2011 :
Attorney Docket No: 26148 US; 33510-283 :

This is a decision on the petition under 37 CFR 1.182 filed March 9, 2012, to Correct the Name of the Inventor due to marriage.

The petition is **DISMISSED**.

Petitioner has requested that the inventor formerly known as Julia Kloeckner be listed as Julia Riedlinger. The petition fee, an ADS identifying the inventor as Julia Riedlinger and of how the change was effected, marriage, has been submitted. However, petitioner has not provided proof of the name change, to be in compliance with 37 CFR 1.182.

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 matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED

FEB 02 2012

OFFICE OF PETITIONS

MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND OH 44115

In re Application of : DECISION ON REQUEST TO
Masayuki TOYAMA : PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/272,534 : AND PETITION TO MAKE SPECIAL
Filed: October 13, 2011 : UNDER 37 CFR 1.102(a)
Atty. Docket No.: SHINP0105USA :
For: INTERFACE DEVICE FOR HOST DEVICE, INTERFACE DEVICE FOR SLAVE DEVICE, HOST DEVICE, SLAVE DEVICE, COMMUNICATION SYSTEM AND INTERFACE VOLTAGE SWITCHING METHOD

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and the petition under 37 CFR 1.102(a), filed October 13, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to Technology Center Art Unit 2836 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

/DS/ FOR

David Bucci
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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:	13/272,563	Filing date:	October 13, 2011
First Named Inventor:	Masayuki TOYAMA et al.		
Title of the Invention:	INTERFACE DEVICE FOR HOST DEVICE, INTERFACE DEVICE FOR SLAVE DEVICE, HOST 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/JP2009/000908

The international date of the corresponding PCT application(s) is/are: February 27, 2009

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☑ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-JP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE JPO AND THE USPTO

(continued)

Application No.:	13/272,563
First Named Inventor:	Masayuki TOYAMA et al.

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☑ Has already been filed in the above-identified U.S. application on the same date herewith

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☐ Are attached.

☑ Have already been filed in the above-identified U.S. application on the same date herewith

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
See attached sheet		

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Kenneth W. Fafrak/	Date October 13, 2011
Name (Print/Typed) Kenneth W. Fafrak	Registration Number 50,689

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450

MAILED
DEC 06 2011
OFFICE OF PETITIONS

MARK D. SARALINO (PAN)
RENNER, OTTO, BOISSELLE & SKLAR, LLP
1621 EUCLID AVENUE
19TH FLOOR
CLEVELAND OH 44115

In re Application of	: DECISION ON REQUEST TO
Masayuki TOYAMA et al.	: PARTICIPATE IN PCT-PPH PROGRAM
Application No. 13/272,563	: AND PETITION TO MAKE SPECIAL
Filed: October 13, 2011	: UNDER 37 CFR 1.102(a)
Atty. Docket No.: SHINP0105USB	:

For: INTERFACE DEVICE FOR HOST DEVICE, INTERFACE DEVICE FOR SLAVE DEVICE, HOST DEVICE, SLAVE DEVICE, COMMUNICATION SYSTEM AND INTERFACE VOLTAGE SWITCHING METHOD

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) program and petition under 37 CFR 1.102(a), filed October 13, 2011, to make the above-identified application special.

The request is **GRANTED**.

A grantable request to participate in the PCT –PPH program and petition to make special under 37 CFR 1.102(a) require:

(1) the U.S. application must have an eligible relationship to one or more PCT application where the ISA or IPEA are the JPO, EPO, KIPO, IPAU, Russia, Spain, Finland, Austria, or USPTO;

(2) at least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) examination of the U.S. application has not begun;

(6) applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof;

(7) applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications; and

(8) applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step, and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Robert DeWitty, Petitions Attorney, Office of Petitions (571-272-8427). All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to Technology Center Art Unit 2836 for action on the merits commensurate with this decision once the application's formality reviews have been completed.

/David Bucci/
Petitions Examiner
Office of Petitions

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:	2204819.00123US15	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Aniket KALE			
Title:	SELECTIVE EXTRACTION OF PROTEINS FROM FRESHWATER ALGAE			

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments:

Signature	/Jonathan Ben-Ur Roses/	Date	October 13, 2011
Name (Print/Typed)	Jonathan B. Roses	Registration Number	61,115

***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.

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.
13/272,807	10/13/2011	Aniket Kale	2204819.00123US15	9814

23483 7590 11/10/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
LEE, JAE W	

ART UNIT	PAPER NUMBER
1656	

NOTIFICATION DATE	DELIVERY MODE
11/10/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

NOV 30 2011

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/272807	:	TO MAKE SPECIAL UNDER
Filed: October 13, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00123US15	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1656 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number:	2204819.00123US16	Application Number (if known):	Not Yet Assigned	Filing date:	Concurrently Herewith
First Named Inventor:	Aniket KALE				
Title:	SELECTIVE EXTRACTION OF PROTEINS FROM SALTWATER ALGAE				

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments:

Signature	/Jonathan Ben-Ur Roses/	Date	October 13, 2011
Name (Print/Typed)	Jonathan B. Roses	Registration Number	61,115

***Note**: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms if more than one signature, see below*.*

☐ *Total of 1 forms are submitted.

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with 37 CFR § 1.6(a)(4).

Dated: October 13, 2011 Signature: _____ (John V. Hobgood)

Docket No.: 2204819.123US16
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	TBD
Application No.:	TBD	Art Unit:	TBD
Filed:	October 13, 2011	Examiner:	TBD
Title:	SELECTIVE EXTRACTION OF PROTEINS FROM SALTWATER ALGAE		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for selective extraction and fractionation of algal proteins from a saltwater algal biomass or algal culture. In preferred embodiments, the lipid products that remain in the biomass after selective protein extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures convert carbon dioxide into carbon chains. This removes carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste. Feeding the carbon dioxide generated from industrial processes reduces levels of this major greenhouse gas. Furthermore, the proteins of the instant invention can be used as renewable sources of dietary protein for humans as well as in animal feedstocks. As the present

invention is directed towards single and multistep extraction processes which allow for efficient separation of algal proteins, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00123US16, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6048 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 13, 2011

__/Jonathan Ben-Ur Roses/__
Jonathan B. Roses
Registration No.: 61,115
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)

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.
13/272,812	10/13/2011	Aniket Kale	2204819.00123US16	6490

23483 7590 11/09/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1656	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/272812	:	TO MAKE SPECIAL UNDER
Filed: October 13, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00123US16	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1656 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

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.
13/272,977	10/13/2011	Susan Walvius	29712-0002003	4915

26161 7590 11/22/2011
FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER	
POLITO, NICHOLAS F	
ART UNIT	**PAPER NUMBER**
3673	

NOTIFICATION DATE	DELIVERY MODE
11/22/2011	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):

PATDOCTC@fr.com

Doc Code: TRACK1.GRANT NOV 2 3 2011

Decision Granting Request for Prioritized Examination (Track I)	Application No.: 13/272,977

1. THE REQUEST FILED 10/13/11 IS **GRANTED**.

The above-identified application has met the requirements for prioritized examination (Track I).

2. **The above-identified application will undergo prioritized examination.** The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:

   A. filing a **petition for extension of time** to extend the time period for filing a reply;

   B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims**, or a multiple dependent claim;

   C. filing a **request for continued examination**;

   D. filing a notice of appeal;

   E. filing a request for suspension of action;

   F. mailing of a notice of allowance;

   G. mailing of a final Office action;

   H. completion of examination as defined in 37 CFR 41.102; or

   I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to STEVEN MEYERS at (571) 272-6611. In his/her absence, calls may be directed to ROBERT WEINHARDT (571) 272-6633.

[Signature]

TC QUALITY ASSURANCE SPECIALIST
(Title)

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:	2204819.00135US5	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Qiang HU			
Title:	ALGAE HARVESTING DEVICES 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:

Signature	/Jacob Steven Oyloe/	Date	October 13, 2011
Name (Print/Typed)	Jacob Steven Oyloe	Registration Number	58,686

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.

Docket No.: 2204819.00135US5
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HU, Qiang *et al.*	Confirmation No.:	
Application No.:	TBD	Art Unit:	TBD
Filed:	October 13, 2011	Examiner:	TBD
Title:	ALGAE HARVESTING DEVICES AND METHODS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for filtering and separating algal cells from water and/or growth medium.

Algal cultures convert carbon dioxide into carbon chains. This removes carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. Its use to feed algae reduces levels of a major greenhouse gas and improves environmental quality. In a certain embodiments, the filtration system and method utilizes a piston, water, or pressurized air to scrape, scour and collect the filtered algae from the filter. The novel filtration methods allow for the efficient separation of algal cells from fluid to generate an algal biomass. This algal biomass can be used to generate algal products such as biofuels and nutraceuticals. The novel filtration methods reduce the energy consumption and consumption of filter substrates

required by traditional algal filtration, thereby reducing the energy required to convert an algal mass into a biofuel feedstock. As such, the claimed invention should be classified under Art Unit 1771 or 1772.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00135US5, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 13, 2011

/Jacob Steven Oyloe/
Jacob Steven Oyloe
Registration No.: 58,686
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000 (telephone)
(202) 663-6363 (facsimile)

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.
13/273,036	10/13/2011	Qiang Hu	2204819.00135US5	2889

23483 7590 11/18/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
MELLON, DAVID C	
ART UNIT	**PAPER NUMBER**
1777	
NOTIFICATION DATE	**DELIVERY MODE**
11/18/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

11/18/11

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of :
Hu et al. :
Application No. 13/273,036 :
Filed: 10/13/2011 :
Attorney Docket No. **2204819.00135US5** :

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 10/13/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1777 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:	2204819.00132US4	Application Number (if known):	Not Yet Assigned	Filing date:	Concurrently Herewith
First Named Inventor:	Aniket KALE				
Title:	EXTRACTION WITH FRACTIONATION OF OIL AND CO-PRODUCTS FROM OLEAGINOUS MATERIAL				

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments:

Signature	/Cyndra Crenshaw/	Date	October 13, 2011
Name (Print/Typed)	Cyndra T. Crenshaw	Registration Number	66,194

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.

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.
13/273,159	10/13/2011	Aniket Kale	2204819.00132 US4	9845

23483 7590 12/16/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
DENTZ, BERNARD I	

ART UNIT	PAPER NUMBER
1622	

NOTIFICATION DATE	DELIVERY MODE
12/16/2011	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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 16 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket *et al.*	:	DECISION ON PETITION
Application No. 13/273159	:	TO MAKE SPECIAL UNDER
Filed: October 13, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00132 US4	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 13, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquires concerning this decision should be directed to 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: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:	13/273,302	Filing date:	October 14, 2011
First Named Inventor:	Gary G. DENG		
Title of the Invention:	CATHEPSIN S INHIBITOR COMPOUNDS		

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/US2011/056244

The international filing date of the corresponding PCT application(s) is/are: October 14, 2011

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/273,302
First Named Inventor:	Gary G. Deng

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☒ Is attached

☐ Has already been filed in the above-identified U.S. application on _____

(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

☒ Are attached.

☐ Have already been filed in the above-identified U.S. application on _____

II. Claims Correspondence Table:

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Amended to correct typographical error/preference
2	2	Same
3	3	Amended to remove multiple dependency
4	4	Amended to remove multiple dependency
5	5	Amended to remove multiple dependency
6	5	Amended to remove multiple dependency, as dependent on Claim 3
7	6	Amended to remove multiple dependency
8	7	Same
9	8	Same
10	8	Amended to narrow to claim to freebase form of compound only
11	9	Amended to remove multiple dependency and write in independent form
12	9	Amended to remove multiple dependency, as dependent on Claim 7
13	9	Amended to remove multiple dependency, as dependent on Claim 8
14	9	Amended to remove multiple dependency, as dependent on Claim 8, and to narrow claim to freebase form of compound only
15	14	Amended to U.S. method of treatment style Claim from EP medical use style claim and to remove multiple dependency
16	14	Amended to U.S. method of treatment style Claim from EP medical use style claim and to remove multiple dependency
17	14	Amended to U.S. method of treatment style Claim from EP medical use style claim and to remove multiple dependency
18	14	Amended to U.S. method of treatment style Claim, to remove multiple dependency, and narrow use to human
19 & 20	14	Amended to U.S. method of treatment style Claim, to remove multiple dependency, and narrow use to human

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /R. Craig Tucker/	Date January 6, 2012
Name (Print/Typed) R. Craig Tucker	Registration Number 45,165

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)

Due 19 Aug. 2012

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/US2011/056244 ✓	14.10.2011 ✓	19.10.2010 ✓

International Patent Classification (IPC) or both national classification and IPC
INV. C07D407/04 C07D407/14 A61K31/496 A61P9/00

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	Usuelli, Ambrogio Telephone No. +49 89 2399-7366

Form PCT/ISA/237 (Cover Sheet) (July 2009)

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

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1- Reference is made to the following documents:

d1: BIOORGANIC & MEDICINAL CHEMISTRY LETTERS, vol. 16, no. 19, 1 October 2006 (2006-10-01), pages 5107-5111

d2: BIOORGANIC & MEDICINAL CHEMISTRY LETTERS, vol. 15, no. 6, 15 March 2005 (2005-03-15), pages 1687-1691

d3: WO 02/40462 A2 (MEDIVIR UK LTD [GB]; GENZYME CORP [US]) 23 May 2002 (2002-05-23)

d4: WO 2005/039496 A2 (IRM LLC [US]; LIU HONG [US]; ALPER PHILLIP B [US]; MUTNICK DANIEL [US]) 6 May 2005 (2005-05-06)

2- The invention is direct toward compounds which are capable of inhibiting the enzyme cathepsin S. The biological activity of the compounds is supported by the experimental data disclosed from page 42 of the description.

D1 to d4 relate to compounds having the same activity of the compounds of the invention. The molecules disclosed in these documents are structurally very different from present formula (I).

In view of the above, it is considered that the subject-matter claimed meets the requirements of Art. 33.3 and 33.3 PCT.

3- Claims 10-12 relate to 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 recognize as patentable claims to the use of a compound in medical treatment, but may allow, however, claims to a product for a first or further medical treatment.

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

BNSDOCID: <XS___200704010CK_I_>

Bitte beachten Sie, dass angeführte Nichtpatentliteratur (wie z. B. wissenschaftliche oder technische Dokumente) je nach geltendem Recht dem Urheberrechtsschutz und/oder anderen Schutzarten für schriftliche Werke unterliegen könnte. Die Vervielfältigung urheberrechtlich geschützter Texte, ihre Verwendung in anderen elektronischen oder gedruckten Publikationen und ihre Weitergabe an Dritte ist ohne ausdrückliche Zustimmung des Rechtsinhabers nicht gestattet.

Veuillez noter que les ouvrages de la littérature non-brevets qui sont cités, par exemple les documents scientifiques ou techniques, etc., peuvent être protégés par des droits d'auteur et/ou toute autre protection des écrits prévue par les législations applicables. Les textes ainsi protégés ne peuvent être reproduits ni utilisés dans d'autres publications électroniques ou imprimées, ni rediffusés sans l'autorisation expresse du titulaire du droit d'auteur.

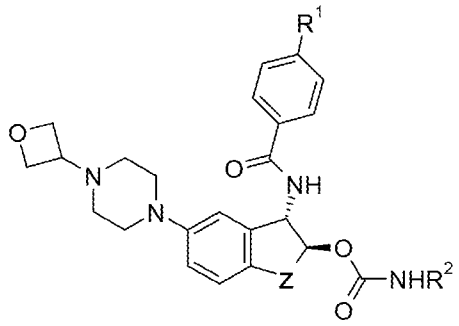
Please be aware that cited works of non-patent literature such as scientific or technical documents or the like may be subject to copyright protection and/or any other protection of written works as appropriate based on applicable laws. Copyrighted texts may not be copied or used in other electronic or printed publications or re-distributed without the express permission of the copyright holder.

XS CPRTENFRDE

BNSDOCID: <XS_____20061001030F_I_>

WE CLAIM:

1. A compound of Formula (I)



wherein,

Z is $-CH_2-$, $-CH_2CH_2-$, $-OCH_2-$, $-CH_2CH_2CH_2-$, or $-OCH_2CH_2-$;

R^1 is H, F, or Cl;

R^2 is H, methyl, ethyl, propyl, or isopropyl;

or a pharmaceutically acceptable salt thereof.

2. The compound according to claim 1, wherein R_1 is H or F, or a pharmaceutically acceptable salt thereof.

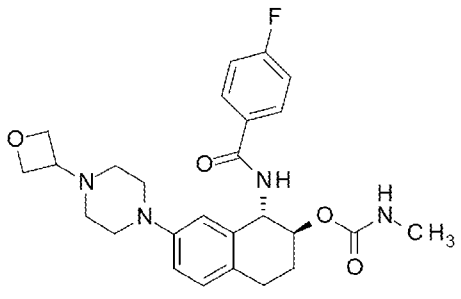
3. The compound according to claims 1 or 2, wherein R_1 is F, or a pharmaceutically acceptable salt thereof.

4. The compound according to any one of claims 1 to 3, wherein R_2 is methyl or ethyl, or a pharmaceutically acceptable salt thereof.

5. The compound according to any one of claims 1 to 4, wherein R_2 is methyl, or a pharmaceutically acceptable salt thereof.

6. The compound according to any one of claims 1 to 5, wherein Z is $-CH_2CH_2-$ or $-OCH_2-$, or a pharmaceutically acceptable salt thereof.

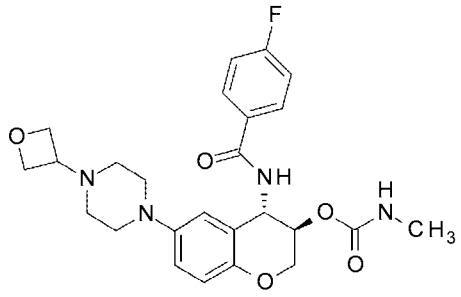
7. The compound according to claim 1, having the formula:



,

or a pharmaceutically acceptable salt thereof.

8. The compound according to claim 1, having the formula:



or a pharmaceutically acceptable salt thereof.

9. A pharmaceutical composition comprising a compound according to any one of claims 1 to 8, and a pharmaceutically acceptable diluent or carrier.

10. A method for treatment of abdominal aortic aneurysm, plaque instability, atherosclerosis, rheumatoid arthritis, psoriasis, or lupus in a mammal in need thereof, comprising administering to said mammal a therapeutically effective amount of a compound or pharmaceutically acceptable salt thereof according to any one of claims 1-8.

11. A method for treatment of abdominal aortic aneurysm, plaque instability, atherosclerosis, rheumatoid arthritis, psoriasis, or lupus in a mammal in need thereof, comprising administering to said mammal a therapeutically effective amount of a pharmaceutical composition according to claim 9.

12. A method according to claims 10 or 11, wherein said mammal is a human.

13. A compound according to any one of claims 1-8, or a pharmaceutically acceptable salt thereof, for use in therapy.

14. A compound according to any one of claims 1-8, or a pharmaceutically acceptable salt thereof, for use in the treatment of abdominal aortic aneurysm, plaque instability, atherosclerosis, rheumatoid arthritis, psoriasis, or lupus.

15. The use of a compound as claimed in any one of claims 1 to 8, or a pharmaceutically acceptable salt thereof, for the manufacture of a medicament for the treatment of abdominal aortic aneurysm, plaque instability, atherosclerosis, rheumatoid arthritis, psoriasis, or lupus.

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

ELI LILLY & COMPANY
PATENT DIVISION
P.O. BOX 6288
INDIANAPOLIS IN 46206-6288

MAILED
FEB 13 2012
OFFICE OF PETITIONS

In re Application of
DENG, et al
Application No.: 13/273,302
Filed: October 14, 2011
Attorney Docket No.: X18795
For: CATHEPSIN S INHIBITOR COMPOUNDS

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 6, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, Australia, Austria, KIPO, NPI, Russia, Spain, Sweden, Finland, China, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-6735.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the Technology Center AU 1629 for action on the merits commensurate with this decision.

/Diane Goodwyn/
Diane Goodwyn
Petitions Examiner
Office of Petitions

Doc Code: PPH.PCT.652
Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-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:	13/273,804	Filing date:	October 14, 2011
First Named Inventor:	Dietmar Oberhoff		
Title of the Invention:	ULTRASONIC TESTING SYSTEM		

THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML

APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.

The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application, or (5) a continuing application of a U.S. application that satisfies one of (1) to (4) above, or (6) a U.S. application that claims domestic benefit to a U.S. provisional application which forms the basis for the priority claim in the corresponding PCT application.

The corresponding PCT application number(s) is/are: PCT/EP2010/054954

The international filing date of the corresponding PCT application(s) is/are: April 15, 2010

I. List of Required Documents:

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above–identified corresponding PCT application(s)**

☒ Is attached

☐ Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

☒ Is attached.

☐ Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

This collection of information is required by 35 U.S.C. 119, 37 CFR 1.55, and 37 CFR 1.102(d). The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

PTO/SB/20PCT-EP (05-10)
Approved for use through 01/31/2012. OMB 0651-0058
U.S.Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM BETWEEN THE EPO AND THE USPTO

(continued)

Application No.:	13/273,804
First Named Inventor:	Dietmar Oberhoff

d. **(1) An information disclosure statement listing the documents cited in the international work products (ISR, WO/ISA, WO/IPEA, IPER) of the corresponding PCT application.**

☐ Is attached

☒ Has already been filed in the above-identified U.S. application on January 6, 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	1	Claims substantially identical
2	2	Claims substantially identical
3	3	Claims substantially identical except for multiple dependency
4	3	Claims substantially identical except for multiple dependency

III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.

Signature /Gordon M. Wright/	Date January 9, 2012
Name (Print/Typed) Gordon M. Wright	Registration Number 62506

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

MAILED

MAR 15 2012

OFFICE OF PETITIONS

REINHART BOERNER VAN DEUREN
P.C.
2215 PERRYGREEN WAY
ROCKFORD IL 61107

In re Application of
Dietmar Oberhoff et al.
Application No.: 13/273,804
Filed: October 14, 2011
Atty. Docket No.: 508793
For: Ultrasonic Testing System

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 9, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, JPO, EPO, KIPO, IPAU, SIPO, NPI, Russia, Spain, Finland, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding the requirement of condition (3), applicant has failed to submit a copy of the PCT claims in the foreign language.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

Reinhart
Attorneys at Law

Reinhart Boerner Van Deuren P.C.
2215 Perrygreen Way
Rockford, IL 61107

Telephone: 815-633-5300
Facsimile: 815-654-5770
reinhartlaw.com

March 22, 2012

Gordon M. Wright
Direct Dial: (815) 654-5646
gwright@reinhartlaw.com

Filed Electronically with the USPTO Only

United States Patent and Trademark Office
Attn: Kimberly Inabinet
P.O. Box 1450
Alexandria, VA 22313-1450

In re Application of:	Dietmar Oberhoff et al.
Application No.:	13/273,804
Filed:	October 14, 2011
For:	Ultrasonic Testing System
Decision on Request to Participate in the Patent Prosecution Highway Dated:	March 15, 2012
Our Ref.	508793

Dear Kimberly:

Pursuant to our telephone conversation today, we request reconsideration of the above-identified Decision on the Request to Participate in the Patent Prosecution Highway Program and Petition to Make Special Under 37 CFR 1.102(a) since the Claims filed with the Request were filed in English. A copy of the Decision is attached for your reference.

Yours very truly,

Gordon M. Wright

8475992GMW:AMF
Enclosure

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

RECEIVED
JAN 9 2012
REINHART BOERNER VAN DEUREN P.C.
JJM AJH LEC JRB GMW MJ
CJG TMB DM JMC AMF MAG
ADL TRP ALG LKC MCV SPA

MAILED
MAR 15 2012
OFFICE OF PETITIONS

REINHART BOERNER VAN DEUREN P.C.
2215 PERRYGREEN WAY
ROCKFORD IL 61107

In re Application of
Dietmar Oberhoff et al.
Application No.: 13/273,804
Filed: October 14, 2011
Atty. Docket No.: 508793
For: Ultrasonic Testing System

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 9, 2012, to make the above-identified application special.

The request and petition are **DISMISSED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

(1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, JPO, EPO, KIPO, IPAU, SIPO, NPI, Russia, Spain, Finland, or USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PPH pilot program and petition fail to meet requirement (3).

Regarding the requirement of condition (3), applicant has failed to submit a copy of the PCT claims in the foreign language.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc/index.html.

David Bucci
Petitions Examiner
Office of Petitions

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

REINHART BOERNER VAN DEUREN
P.C.
2215 PERRYGREEN WAY
ROCKFORD IL 61107

MAILED
APR 02 2012
OFFICE OF PETITIONS

In re Application of
Dietmar Oberhoff et al.
Application No.: 13/273,804
Filed: October 14, 2011
Atty. Docket No.: 508793
For: Ultrasonic Testing System

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(a)

This is a decision on the renewed request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on March 22, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;

(2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;

(3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

(6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at http://www.uspto.gov/ebc.index.html.

This application will be forwarded to the examiner for action on the merits commensurate with this decision.

Thurman K. Page
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:	2204819.00138US2	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Aniket KALE			
Title:	METHODS OF PRODUCING BIOFUELS, CHLOROPHYLLS AND CAROTENOIDS			

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	/Cyndra Crenshaw/	Date	October 14, 2011
Name (Print/Typed)	Cyndra T. Crenshaw	Registration Number	66,194

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.

Docket No.: 2204819.138US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KALE, Aniket	Confirmation No.:	TBD
Application No.:	TBD	Art Unit:	TBD
Filed:	October 14, 2011	Examiner:	TBD
Title:	METHODS OF PRODUCING BIOFUELS, CHLOROPHYLLS AND CAROTENOIDS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for isolating chlorophyll and other algal products from algae, in particular, of carotenoids and omega-3 rich oil.

In the present process for making algal biofuels, chlorophyll and carotenoids are removed from the algal oils by a method that allows them to be recovered economically while improving the quality of the refining stock. In the production of biofuels, chlorophyll and carotenoids are generally waste products. Their ring structures are undesirable in ASTM standardized fuels. However, they are also valuable nutraceuticals products, and chlorophyll has potential in cancer treatment..

The methods disclosed in the instant application allow for the production of renewable food products and supplements. In preferred embodiments, the lipid products that remain in the biomass after chlorophyll extraction can be processed to generate biofuels, a source of renewable energy. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, the carbon dioxide provided to the algae is an industrial waste product. Its use to feed algae reduces levels of this major greenhouse gas. Furthermore, the chlorophyll products of the instant invention can be used as renewable sources of food and nutrients for humans as well as in animal feedstocks. As the present invention is directed towards solvent based extraction processes which allow for efficient separation of algal chlorophylls and other algal products, the claimed invention should be classified under Art Unit 1771, 1772, or 1782.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00138US2, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 14, 2011

/Cyndra Crenshaw/
Cyndra T. Crenshaw
Registration No.: 66,194
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000 (telephone)
(202) 663-6363 (facsimile)

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.
13/274,201	10/14/2011	Aniket KALE	2204819.00138US2	2413

23483 7590 12/12/2011
WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
CARR, DEBORAH D	
ART UNIT	PAPER NUMBER
1622	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 12 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

KALE, Aniket et al.	:	DECISION ON PETITION
Application No. 13/274201	:	TO MAKE SPECIAL UNDER
Filed: October 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 819.00138US2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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 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

Docket No.: 2204819.133US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HU, Qiang	Confirmation No.:	TBD
Application No.:	TBD	Art Unit:	TBD
Filed:	October 14, 2011	Examiner:	TBD
Title:	ALGAL MEDIUM CHAIN LENGTH FATTY ACIDS AND HYDROCARBONS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir/Madam:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for culturing algae to produce algal medium chain length fatty acids. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, *Pinguiococcus pyrenoidosus* algae are cultured to produce oil which can be further processed to produce fuels which can be used to obtain jet fuel blend stocks and/or diesel blend stocks. As such, the claimed invention should be classified under Art Unit 1761.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to

charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00133US3, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 14, 2011

/Jacob Steven Oyloe/
Jacob Steven Oyloe
Registration No.: 58,686
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000 (telephone)
(202) 663-6363 (facsimile)

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:	2204819.00133US3	Application Number (if known):	Not Yet Assigned	Filing date:	Concurrently Herewith
First Named Inventor:	Qiang HU				
Title:	ALGAL MEDIUM CHAIN LENGTH FATTY ACIDS AND HYDROCARBONS				

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	/Jacob Steven Oyloe/	Date	October 14, 2011
Name (Print/Typed)	Jacob Steven Oyloe	Registration Number	58,686

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.

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.
13/274,214	10/14/2011	QIANG HU	2204819.00133US3	5103

23483 7590 11/17/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1651	

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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

HU Qiang *et al.*	:	DECISION ON PETITION
Application No. 13/274214	:	TO MAKE SPECIAL UNDER
Filed: October 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00133US3	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1651 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

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:	2204819.00134US3	Application Number (if known):	Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor:	Qiang HU			
Title:	ALGAL MEDIUM CHAIN LENGTH FATTY ACIDS AND HYDROCARBONS			

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	/Jacob Steven Oyloe/	Date	October 14, 2011
Name (Print/Typed)	Jacob Steven Oyloe	Registration Number	58,686

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.

Docket No.: 2204819.134US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HU, Qiang	Confirmation No.:	TBD
Application No.:	TBD	Art Unit:	TBD
Filed:	October 14, 2011	Examiner:	TBD
Title:	ALGAL MEDIUM CHAIN LENGTH FATTY ACIDS AND HYDROCARBONS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statements of Special Status for the Eligibility Requirement

for the Green Technology Pilot Program

Dear Sir/Madam:

Applicants herewith file a Petition to Make Special Under the Green Technology Pilot Program (PTO/SB/420). Applicants respectfully submit that the claimed invention materially contributes to the discovery or development of renewable energy resources, to greenhouse gas reduction and improvement of environmental quality by providing, in at least one embodiment, methods for culturing algae to produce algal medium chain length fatty acids. Algal cultures remove carbon dioxide from the atmosphere while creating carbon chains that can be processed to make biofuels. In at least one embodiment, *Nannochloropsis* algae strains are cultured to produce oil which can be further processed to produce kerosene and other fuels which can be used to obtain jet fuel blend stocks and/or diesel blend stocks. As such, the claimed invention should be classified under Art Unit 1761.

Applicants enclose herewith the publication fee of $300, pursuant to 37 CFR 1.18(d). No other fees are believed due with this submission, however the Director is hereby authorized to

charge any additional fees or apply any overages to our Deposit Account No. 08-0219, under Order No. 2204819.00134US3, from which the undersigned is authorized to draw.

Applicants respectfully request the grant of the Petition filed herewith and a favorable and prompt decision regarding the present application. The Examiner is invited to telephone the undersigned at (617) 526-6613 if a phone conference may help advance prosecution.

Respectfully submitted,

Dated: October 14, 2011

/Jacob Steven Oyloe/
Jacob Steven Oyloe
Registration No.: 58,686
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000 (telephone)
(202) 663-6363 (facsimile)

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.
13/274,281	10/14/2011	Qiang HU	2204819.00134US3	6079

23483 7590 12/27/2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON, MA 02109

EXAMINER	
ART UNIT	PAPER NUMBER
1629	

NOTIFICATION DATE	DELIVERY MODE
12/27/2011	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):

teresa.carvalho@wilmerhale.com
whipusptopairs@wilmerhale.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 7 2011

WILMERHALE/BOSTON
60 STATE STREET
BOSTON MA 02109

In re Application of

HU, Qiang *et al.*	:	DECISION ON PETITION
Application No. 13/274281	:	TO MAKE SPECIAL UNDER
Filed: October 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00134US3	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed October 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 Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1629 for action on the merits commensurate with this decision.

/Manjunath Rao/

Manjunath Rao
Supervisory Patent Examiner &
POC for TC 1600 Green Tech Petitions
Technology Center 1600

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: Andersen-Recycle-NProv	Application Number (if known): 13274328	Filing date: 2011-10-15

First Named Inventor: Dean R. Andersen

Title: Systems for Isotropic Quantization Sorting of Automobile Shredder Residue to Enhance Recovery of Recyclable Resources

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Firm Letter of Transmittal, Electronic Patent Application Fee Transmittal

Signature /Nicole A. Ressue/	Date 2011-10-19
Name (Print/Typed) Nicole A. Ressue	Registration Number 48665

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.

Filed via Electronic Filing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number:	13274328
Filed:	October 15, 2011
Applicants:	Dean R. Andersen
Title:	Systems for Isotropic Quantization Sorting of Automobile Shredder Residue to Enhance Recovery of Recyclable Resources
Assignee:	Dean Andersen Trust
Attorney Docket:	Andersen-Recycle-NProv
Customer No.:	33549
Confirmation No:	6416

STATEMENT OF THE BASIS FOR SPECIAL STATUS

The basis for special status is that the invention materially contributes to enhancement of the quality of the environment. Conventional recycling of automobile shredder residues often may suffer from unacceptable waste disposal which still includes recyclable components due to inefficient sorting systems. This invention complies with the materiality standard by providing methods and apparatus focused on sorting techniques specifically tailored to efficiently increase recovery of recyclable materials from automobile shredder residue and decrease the amount of waste from automobile shredder residue which may ultimately end up as waste in a landfill.

Dated this 19th day of October, 2011.

Respectfully submitted,
SANTANGELO LAW OFFICES, P.C.

By: /Nicole A. Ressue/
Nicole A. Ressue
Attorney for Assignee
PTO No. 48,665
125 South Howes, Third Floor
Fort Collins, Colorado 80521
(970) 224-3100

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.
13/274,328	10/15/2011	Dean R. Andersen	Andersen-Recycle-NProv	6416

33549 7590 11/25/2011

SANTANGELO LAW OFFICES, P.C.
125 SOUTH HOWES, THIRD FLOOR
FORT COLLINS, CO 80521

EXAMINER	
ART UNIT	PAPER NUMBER
3725	

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):

CherylS@idea-asset.com
SallyH@idea-asset.com
SantangeloLawOfficesPTOnotices@yahoo.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

SANTANGELO LAW OFFICES, P.C.
125 SOUTH HOWES, THIRD FLOOR
FORT COLLINS CO 80521

In re Application of	:	
ANDERSEN, DEAN R.	:	DECISION ON PETITION
Application No. 13/274,328	:	TO MAKE SPECIAL UNDER
Filed: October 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. Andersen-Recycle-NProv	:	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 3725 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.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	13274350	Confirmation Number	1108	Filing Date	2011-10-16
Attorney Docket Number (optional)	02.015	Art Unit		Examiner	
First Named Inventor	Paul L. Culler				
Title of Invention	Wastewater Concentrator				

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
Paul	L.	Culler	

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	/Alan M. Flum/	Date (YYYY-MM-DD)	2011-10-15
Name	Alan M. Flum	Registration Number	64843

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
Paul L. Culler

Application No. 13274350

Filed:

Attorney Docket No. 02.015

: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 16-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.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MICHAEL N. HAYNES
1341 HUNTERSFIELD CLOSE
KESWICK, VA 22947

MAILED

MAR 14 2012

OFFICE OF PETITIONS

In re Application of :
Dwight Duston, et. al. :
Application No. 13/274,527 : DECISION ON PETITION
Filed: October 17, 2011 : TO WITHDRAW FROM
Attorney Docket No. 1149-258 : RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR §§ 1.36(b) or 10.40 filed February 28, 2012.

The request is **NOT APPROVED**.

The present 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 *that 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)[1] with the current assignee information of record in the present application, and since the current address information for the first named inventor was not provided, the Office cannot change the correspondence address to the address listed in the Request to Withdraw.

[1] See USPTO Form No. PTO/SB/96.

Additionally, the Office will no longer change the correspondence address to that of a new practitioner unless the Request is accompanied by a power of attorney to a new practitioner (*See* USPTO Form PTO/SB/82).

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) 272-3226.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

cc: e-Vision Smart Optics, Inc.
5241 Valleypark Drive
Roanoke, VA 24019

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MICHAEL N. HAYNES
1341 HUNTERSFIELD CLOSE
KESWICK, VA 22947

MAILED

APR 06 2012

OFFICE OF PETITIONS

In re Application of :
Dwight Duston, et. al. :
Application No. 13/274,527 : DECISION ON PETITION
Filed: October 17, 2011 : TO WITHDRAW FROM
Attorney Docket No. 1149-258 : RECORD

This is a decision on the renewed Request to Withdraw as attorney or agent of record under 37 CFR §§ 1.36(b) or 37 CFR 10.40, filed March 26, 2012.

The request is **APPROVED**.

The request was signed by Michael N. Haynes on behalf of himself and all the attorneys/agents associated with Customer Number 34060. Therefore, Michael N. Haynes and all the attorneys/agents associated with Customer Number 34060 have been withdrawn.

Applicant is reminded that there are no attorneys/agents of record at this time.

All future communications from the Office will be directed to the address listed below until otherwise properly notified by the applicant.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

/Andrea Smith/
Andrea Smith
Petitions Examiner
Office of Petitions

cc: e-Vision Smart Optics, Inc.
5241 Valleypark Drive
Roanoke, VA 24019

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/274,527	10/17/2011	Dwight Duston	1149-258

CONFIRMATION NO. 2744

34060
MICHAEL N. HAYNES
1341 HUNTERSFIELD CLOSE
KESWICK, VA 22947

POWER OF ATTORNEY NOTICE

OC000000053535703

Date Mailed: 04/04/2012

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/26/2012.

- 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.

/amsmith/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

In re Application of
Lanny L. Johnson

Application No. 13274571

Filed:

Attorney Docket No. RXPT-014CIP-A

: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-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
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	13274571	Confirmation Number	1002	Filing Date	
Attorney Docket Number (optional)	RXPT-080505.014CIP-A	Art Unit		Examiner	
First Named Inventor	Lanny L. Johnson				
Title of Invention	GOLF GRIP				

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
LANNY	L.	JOHNSON	

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18.
Please see 37 CFR 1.4(d) for the format of the signature.

Select (1) or (2) :

○ (1) I am an inventor in this application and I am 65 years of age, or more.

● (2) I am an attorney or agent registered to practice before the Patent and Trademark Office, and I certify that I am in possession of evidence, and will retain such in the application file record, showing that the inventor listed above is 65 years of age, or more.

Signature	/David J. Dawsey/	Date (YYYY-MM-DD)	2011-10-17
Name	David J. Dawsey	Registration Number	51044

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

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.
13/274,612	10/17/2011	Ryuji UENO	A10687	1062

23373 7590 11/23/2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
GEMBEH, SHIRLEY V	
ART UNIT	**PAPER NUMBER**
1628	

NOTIFICATION DATE	DELIVERY MODE
11/23/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
sughrue@sughrue.com
PPROCESSING@SUGHRUE.COM

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NOV 23 2011

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON DC 20037

In re Application of:
Ryuji Ueno

Serial No.: 13/274,612

Filed: : October 17, 2011

Docket: **A10687**

DECISION ON PETITION TO MAKE SPECIAL FOR NEW APPLICATION UNDER 37 C.F.R. § 1.102 & M.P.E.P. § 708.02

Title: **ANTI-CONSTIPATION COMPOSITION**

This is a decision on the petition of October 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:
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the

examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:
   If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:
   An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:
   A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

   For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

   To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):
7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:
   To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:
   To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

   Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

   On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:
    If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:
    The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Calfee, Halter & Griswold LLP
800 Superior Ave E
Suite 1400
Cleveland OH 44114

MAILED
NOV 16 2011
OFFICE OF PETITIONS

In re Application of :
Robert P. Collier et al. :
Application No. 13/274,660 : DECISION ON PETITION
Filed: October 17, 2011 : TO MAKE SPECIAL UNDER
Attorney Docket No. 27544/04335 : 37 CFR 1.102(c)(1)
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 17, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required .

The instant petition includes a declaration by inventor Robert P. Collier, 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 3633 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet
Petitions Examiner
Office of Petitions

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: O2-0839	Application Number (if known):	Filing date: 2011-10-17

First Named Inventor: Da LIU

Title: CIRCUITS AND METHODS FOR DRIVING LIGHT SOURCES

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Yue Li/	Date 2011-10-17
Name (Print/Typed) Yue Li	Registration Number L0346

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of _____ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

***The following is a summary of the requirements** (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):*

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/274,663	10/17/2011	Da LIU	0839	1032

71271 7590 12/01/2011

PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA, CA 95054

EXAMINER	
ART UNIT	PAPER NUMBER
2821	

MAIL DATE	DELIVERY MODE
12/01/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PATENT PROSECUTION
O2MIRCO , INC.
3118 PATRICK HENRY DRIVE
SANTA CLARA CA 95054

DEC 1 2011

In re Application of	:	
LIU et al.	:	DECISION ON PETITION
Application No. 13/274,663	:	TO MAKE SPECIAL UNDER
Filed: October 17, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 0839	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on October 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
TQAS, TC 2800

Doc Code: PET.GREEN
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 41525US	Application Number (if known):	Filing date: October 17, 2011

First Named Inventor: Edgar Lotero Alegria

Title: HYDROCARBONS FROM PYROLYSIS OIL

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 /Kyle W. Sherrill/	Date 2011-October-17
Name (Print/Typed) Kyle W. Sherrill	Registration Number 62130

Note: *Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.*

☐ *Total of 2 forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/420 (05-10)
Approved for use through 01/31/2011. OMB 0651-0062
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Instruction Sheet for Petition to Make Special Under the Green Technology Pilot Program

(Not to be Submitted to the USPTO)

***The following is a summary of the requirements** (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" and (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," available on the USPTO web site at http://www.uspto.gov/patents/init_events/green_tech.jsp):*

(1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371. The application must be previously filed before the publication date of the notice cited above. Reexamination proceedings are excluded from this pilot program.

(2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.

(3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.

(4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.

(5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.

(6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/274,754	10/17/2011	Edgar Lotero ALEGRIA	41525US	7952

28841 7590 11/18/2011

ConocoPhillips Company
IP Services Group Attn: DOCKETING
600 N. Dairy Ashford
Bldg. ML-1065
Houston, TX 77079

EXAMINER	
ART UNIT	PAPER NUMBER
1771	

NOTIFICATION DATE	DELIVERY MODE
11/18/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Legal-IP@conocophillips.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

ConocoPhillips Company
IP Services Group Attn: DOCKETING
600 N. Dairy Ashford
Bldg. ML-1065
Houston TX 77079

11/18/11

In re Application of	:	
Alegria et al.	:	DECISION ON PETITION
Application No. 13/274,754	:	TO MAKE SPECIAL UNDER
Filed: 10/17/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **41525US**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, 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 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No.

MAILED
DEC 01 2011
OFFICE OF PETITIONS

CONNOLLY BOVE LODGE & HUTZ LLP
P.O. BOX 2207
WILMINGTON DE 19899

In re Application of :
Eberhardt et al. :
Application No. 13/274,772 :
Filed: October 17, 2011 :
Attorney Docket No. 13156-00439-US :
Title: PROCESS FOR PREPARING :
AMINOALKYLNITRILES AND DIAMINES :
FROM SUCH NITRILES :

DECISION ON PETITION
PURSUANT TO
37 C.F.R. § 1.182

This is a decision on the "PETIITON FOR A FILING DATE," filed on November 11, 2011, requesting that the above-referenced application be accorded a filing date of October 17, 2011. This submission is being treated as a petition pursuant to 37 C.F.R. § 1.182.

Application papers in the above-identified application were deposited on October 17, 2011. However, on November 1, 2011, the Office of Data Management mailed Applicant a "Notice of Incomplete Nonprovisional Application," notifying Applicant that the application papers had not been accorded a filing date because the application was deposited without drawings.[1]

In response, Applicant timely filed this petition, where it is argued that "drawings are not required for a complete application."[2] Applicant has further included the petition fee.

Applicant's arguments have been considered and have been found to be persuasive. A review of the application confirms that as filed the application contained at least one process claim. MPEP § 601.01(f) provides that:

---

[1] The electronic file has been reviewed, and there is no indication that drawings were provided on filing.
[2] Petition, page 1.

> It has been USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence).

Thus, pursuant to MPEP § 601.01(f), a drawing is not considered essential for a filing date. Thus, the application is entitled to a filing date without drawings present in the application. Accordingly, the Office should have mailed a Notice of Omitted Items and not a Notice of Incomplete Nonprovisional Application.

It follows that no petition is required.

It is noted that with this petition, Petitioner has included one sheet of drawings and an amendment directing the entry of the same. The amendment will, of course, be reviewed by the examiner in due course for new matter.[3]

To the extent the present petition requests a filing date of October 17, 2011 with no drawings present in the application, the petition is **GRANTED**.

Given the basis for granting this petition, the petition fee will be refunded to Applicant's credit card in due course.

Pursuant to this decision, the application will be referred to the Office of Patent Application Processing (OPAP) for:

- **correction of the filing date to October 17, 2011;**
- **for indication in Office records, as appropriate, that "0" sheets of drawings were present on filing, and;**
- **for issuance of a filing receipt.**

The single page of drawings that was submitted concurrently with this petition will not be entered at the present time.

Petitioner will receive appropriate notifications regarding the fees owed, if any, and other information in due course from OPAP.

---

3 See MPEP §§ 608.02(h) and 608.04.

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.[4]

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

[4] 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.

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: 105163.010506	Application Number (if known): 13/275,079	Filing date: October 17, 2011

First Named Inventor: Wladyslaw Walukiewicz

Title: Single P-N Junction Tandem Photovoltaic Device

APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. **See Instruction Sheet on page 2.**

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

   Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: _____

Signature /Bradley D. Blanche/	Date October 25, 2011
Name (Print/Typed) Bradley D. Blanche	Registration Number 38,387

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.
13/275,079	10/17/2011	Wladyslaw Walukiewicz	105163-010506	7430

33717 7590 11/18/2011

GREENBERG TRAURIG LLP (LA)
c/o: Greenberg Traurig LLP Chicago Office
77 West Wacker Drive, Suite 3100
INTELLECTUAL PROPERTY DEPARTMENT
Chicago, IL 60601

EXAMINER	
YOON, KEVIN E	
ART UNIT	**PAPER NUMBER**
1735	

NOTIFICATION DATE	DELIVERY MODE
11/18/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

laipmail@gtlaw.com
clairt@gtlaw.com
cadanoc@gtlaw.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

11/18/11

AMPACC Law Group, PLLC
6100 219th Street SW, Suite 580
Mountlake Terrace WA 98043

In re Application of	:	
Kim et al.	:	DECISION ON PETITION
Application No. 13/275,079	:	TO MAKE SPECIAL UNDER
Filed: 10/27/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. **913RO-001300US**	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 10/27/2011, 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 1726 for action on the merits commensurate with this decision.

/Tom Dunn/

Tom Dunn
Quality Assurance Specialist
Technology Center 1700