

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KALE, Aniket Confirmation No.: TBD  
Application No.: TBD Art Unit: TBD  
Filed: November 18, 2011 Examiner: TBD  
Title: SELECTIVE EXTRACTION OF PROLAMIN PROTEINS 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. 2204819.00123US25, 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: November 18, 2011

/Nishat A. Shaikh/  
Nishat A. Shaikh  
Registration No.: 66,183  
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)

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: 2204819.00123US25	Application Number (if known): Not Yet Assigned	Filing date: Concurrently Herewith
First Named Inventor: Aniket KALE		
Title: SELECTIVE EXTRACTION OF PROLAMIN PROTEINS FROM FRESHWATER OR SALTWATER ALGAE		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<b><u>Applicant is requesting early publication:</u> 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.</b>		
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	/Nishat A. Shaikh/	Date	November 18, 2011
Name (Print/Typed)	Nishat Shaikh	Registration Number	66,183
<b>Note:</b> 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*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/299,893	11/18/2011	Aniket Kale	2204819-00123US25	8487
23483	7590	12/16/2011	EXAMINER	
WILMERHALE/BOSTON			LEE, JAE W	
60 STATE STREET			ART UNIT	PAPER NUMBER
BOSTON, MA 02109			1656	
			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



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/

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



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Commissioner for Patents  
United States Patent and Trademark Office  
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Beyer Law Group, LLP  
P.O. BOX 1687  
Cupertino, CA 95015-1687

**MAILED**

**NOV 28 2011**

In re Application of  
William R. Wells  
Application No. 13/300,344  
Filed: 00/00/0000  
Attorney Docket No. LFG1P001D1

: **OFFICE OF PETITIONS**  
:  
: **DECISION ON PETITION**  
: **TO MAKE SPECIAL UNDER**  
: **37 CFR 1.102(c)(1)**

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 21, 2011, to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

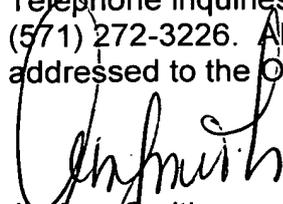
The petition is **GRANTED**.

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

The instant petition includes a statement from the attorney of record, David P. Olynick, that sole inventor William R. Wells 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

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: **AFL-011C2** Application Number (if known): **13300598** Filing date: **20-11-2011**

First Named Inventor: **Bao Tran**

Title: **SOLID STATE LIGHT SYSTEM WITH BROADBAND OPTICAL COMMUNICATION CAPABILITY**

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: \_\_\_\_\_

Signature **/bqt/**

Date **12/26/11**

Name (Print/Typed) **Bao Tran**

Registration Number **37955**

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/300,598	11/20/2011	Bao Q. Tran	AFL-011C2	3722
31688	7590	01/06/2012	EXAMINER	
TRAN & ASSOCIATES P.O. Box 68 Saratoga, CA 95071-0068			ART UNIT	PAPER NUMBER
			2878	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



TRAN & ASSOCIATES  
P.O. Box 68  
Saratoga CA 95071-0068

JAN 6 2012

In re Application of	:	
TRAN, BAO Q.	:	DECISION ON PETITION
Application No. 13/300,598	:	TO MAKE SPECIAL UNDER
Filed: November 20, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. AFL-011C2	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 27, 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/

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Colleen Dunn  
TQAS, TC 2800



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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Mohan M. Vijay

:  
:

Application No. 13301083

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

Filed:

:

Attorney Docket No. GOW-12CON-3

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 21-NOV-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	13301083	Confirmation Number	6601	Filing Date	2011-11-21
Attorney Docket Number (optional)	GOW-12CON-3	Art Unit		Examiner	
First Named Inventor	Mohan M. Vijay				
Title of Invention	Ultrasonic Waterjet Apparatus				
<b>Attention: Office of Petitions</b> 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.					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Mohan	M.	Vijay			
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) :					
<input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input checked="" type="radio"/> (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	/Marisa J. Zink/		Date (YYYY-MM-DD)	2011-11-21	
Name	Marisa J. Zink		Registration Number	48064	

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/301,203	11/21/2011	Motoki Kato	450100-03108.5AE	3045
20999	7590	01/31/2012	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			ART UNIT	PAPER NUMBER
			2482	
			MAIL DATE	DELIVERY MODE
			01/31/2012	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  
WASHINGTON, DC 20231  
www.uspto.gov

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK NY 10151

In re Application of: KATO, M.  
Serial No.: **13/301,203**  
Filed: November 21, 2011  
Docket: 450100-03108.5AE  
For: APPARATUS FOR ENCODING AND  
DECODING HEADER DATA IN A  
PICTURE SIGNAL TRANSMISSION

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 **November 21, 2011** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

### REGULATION AND PRACTICE

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

#### I. Conditions Regarding the Application:

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

#### II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

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

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

## REVIEW OF FACTS

The conditions **I.(1-4)**, **II. (5.1-5.3)** and **II. (6.1, 6.4 and 6.6)** above are considered to have been met. However, the petition fails to comply with condition **II.6.2, 6.3 and 6.5** 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)(2) and item **II. 6.2** above, the accelerated examination support document fails to provide an identification of all the limitations in the claims that are disclosed by each cited reference specifying where the limitation is disclosed in the cited reference.

The support document appears to only generally discuss the cited reference and does not provide a discussion of what particular limitation of the claims is disclosed by the reference. The support document fails to set forth the particular limitations from the claims followed by a specific citation to the disclosure in the cited reference. For proper formatting, please see the example accelerated examination support document provided online at the following web address: [www.uspto.gov/patents/process/file/accelerated/](http://www.uspto.gov/patents/process/file/accelerated/).

Regarding the requirement of MPEP § 708.02(a)(I)(3) and item **II. 6.3** above, the accelerated examination support document fails to include a detailed explanation of how each of the **claims** are patentable over the references cited.

It appears the support document merges sections 9(b) and 9(c) together. This presents multiple explanations of how each of the references is distinct from the claims but does not provide a single detailed explanation of how the claims are patentable over the references cited. For proper formatting and example of a detailed explanation, please see the example accelerated examination support document provided online at the following web address: [www.uspto.gov/patents/process/file/accelerated/](http://www.uspto.gov/patents/process/file/accelerated/).

Regarding the requirement of MPEP § 708.02(a)(I)(5) and item **II. 6.5** above, the accelerated examination support document fails to provide a showing of the 112-1<sup>st</sup> support for each and every claim feature in the written description of the specification.

More particularly, 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 showing of support is only directed towards the specification of the parent application, **12/428,566**. The support document must identify where each limitation of the claims finds support in the instant application as well as all continuation applications including the Japanese application. If the paragraph and/or drawing citations are exactly the same (or offset by a known factor) between applications, a statement explaining the exact correspondence must be included.

### 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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of contact is Christopher Grant whose number is (571)-272-7294.

/Beatriz Prieto/

Quality Assurance Specialist  
Technology Center 2400



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/301,203	11/21/2011	Motoki Kato	450100-03108.5AE	3045

20999 7590 03/13/2012  
FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER
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ART UNIT	PAPER NUMBER
2482	3

MAIL DATE	DELIVERY MODE
03/13/2012	PAPER

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

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



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FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK NY 10151

In re Application of: KATO, M.  
Serial No.: **13/301,203**  
Filed: November 21, 2011  
Docket: 450100-03108.5AE  
For: APPARATUS FOR ENCODING AND  
DECODING HEADER DATA IN A  
PICTURE SIGNAL TRANSMISSION

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

This is a decision on the renewed petition filed on February 28, 2012 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). The original petition, submitted on November 21, 2011 was dismissed in the decision mailed on January 31, 2012.

The petition to make the application special is **GRANTED** as the revised Information Disclosure Statements, Support Document and Pre-Examination Search Document meet the requirements of condition II 6.3 and 6.5.

The application is eligible for accelerated examination and the renewed 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) as the original identified deficiencies for failing to comply with the requirements have been corrected.

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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902.

          /Beatriz Prieto  
Beatriz Prieto, Quality Assurance Specialist  
Technology Center 2400



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/301,203	11/21/2011	Motoki Kato	450100-03108.5AE	3045
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FROMMER LAWRENCE & HAUG  
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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.

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

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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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902.

          /Beatriz Prieto  
Beatriz Prieto, Quality Assurance Specialist  
Technology Center 2400

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

<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13/301,579	Confirmation Number	9234	Filing Date	2011-11-21
Attorney Docket Number (optional)	11-PRE/101	Art Unit	NA	Examiner	NA
First Named Inventor	PRESS, Richard U.				
Title of Invention	RAISED AXLE AND SUSPENSION SYSTEM				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Richard	U.	Press			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Richard D. Clarke/		Date (YYYY-MM-DD)	2011-12-05	
Name	Richard D. Clarke		Registration Number	38846	

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



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P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Richard U. Press

:  
:

Application No. 13301579

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

Filed: November 21, 2011

:

Attorney Docket No. 11-PRE/101

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 05-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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



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**MAILED**

**FEB 22 2012**

**SEED INTELLECTUAL PROPERTY  
LAW GROUP PLLC  
701 FIFTH AVENUE, SUITE 5400  
SEATTLE WA 98104**

**OFFICE OF PETITIONS**

**In re Application of  
NAKAO, et al  
Application No.: 13/301,643  
Filed: November 21, 2011  
Attorney Docket No.: 733156.411C4  
For: BASE STATION APPARATUS AND  
RADIO COMMUNICATION METHOD**

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 22, 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) 272-6735.

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

This application is being forwarded to Technology Center Art Unit 2472 for action on the merits commensurate with this decision.

/Diane Goodwyn/  
Diane Goodwyn  
Petitions Examiner  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/301,663	11/21/2011	Chih-Hsiang Wu	62019-8020.US02	6097
25096	7590	01/11/2012	EXAMINER	
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247			ART UNIT	PAPER NUMBER
			2472	
			NOTIFICATION DATE	DELIVERY MODE
			01/11/2012	ELECTRONIC

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

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

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

patentprocurement@perkinscoie.com



UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

PERKINS COIE LLP  
PATENT-SEA  
P.O. BOX 1247  
SEATTLE WA 98111-1247

In re Application of:  
WU, CHIH-HSIANG  
Serial No.: 13/301,663  
Filed: November 21, 2011

Title: **METHODS AND SYSTEMS FOR RATING  
PRIVACY RISK OF APPLICATIONS FOR  
SMART PHONES AND OTHER MOBILE  
PLATFORMS**

:  
:  
: 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 November 21, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

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

The application as filed is not eligible for accelerated examination under 37 C.F.R. § 1.102(d) because the application, at the time of filing, is not in compliance with item 3.) above.

The application was incomplete at the time of filing. A Notice to File Missing Parts of Nonprovisional Application was mailed December 1, 2011. The application will be taken up by the examiner for action in its regular turn.

Any inquiry regarding this decision should be directed to Wellington Chin, Quality Assurance Specialist, at (571) 272-3134.

/ Wellington Chin /

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Wellington Chin  
Quality Assurance Specialist  
Technology Center 2600  
Communications

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: <b>1143-001</b>	Application Number (if known):	Filing date: <b>November 21, 2011</b>
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First Named Inventor: **Samit A. Khedekar**

Title: VERTICAL AXIS WIND TURBINE WITH ELECTRONICALLY CONTROLLED ASSISTED START MECHANISM AND CONTROLLED AIRFLOW

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: Statement Concerning the Basis for Special Status

Signature <b>/Patrick D. Richards/</b>	Date <b>November 21, 2011</b>
--	-------------------------------

Name (Print/Typed) <b>Patrick Richards</b>	Registration Number <b>48,905</b>
--	-----------------------------------

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

\*Total of 1 forms are submitted.

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

Docket No. 1143-001

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Appl. No.** : unassigned                      **Confirmation No.** : unassigned  
**Applicant** : Samit A. Khedekar  
**Filed** : November 21, 2011  
**Art Unit.** : unassigned  
**Examiner** : unassigned

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

**STATEMENT CONCERNING THE BASIS FOR SPECIAL STATUS**

Sir:

Applicant respectfully submits Special Status is sought on the basis that the present invention materially contributes to the development of renewable energy resources or energy conservation. The undersigned attorney may be contacted at the number below to facilitate the resolution of any matters.

Respectfully submitted,

RICHARDS PATENT LAW PC



Patrick D. Richards  
Registration. No. 48,905

**Please recognize Customer No. 88,360  
as the correspondence address.**

Richards Patent Law P.C.  
3501 N. Southport Ave.  
Suite 493  
Chicago, IL 60657  
Phone: 773.697.8732  
**Date: November 21, 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.
13/301,755	11/21/2011	Samit A. Khedekar	1143-001	8441
88360	7590	12/21/2011	EXAMINER	
Richards Patent Law P.C. 3501 N. Southport Ave., Suite 493 Chicago, IL 60657			ART UNIT	PAPER NUMBER
			2839	
			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.



Richards Patent Law P.C.  
3501 N. Southport Ave., Suite 493  
Chicago IL 60657

In re Application of	:	
KHEDEKAR et al.	:	DECISION ON PETITION
Application No. 13/301,755	:	TO MAKE SPECIAL UNDER
Filed: November 21, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 1143-001	:	PILOT PROGRAM

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

The petition is **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/

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Colleen Dunn  
TQAS, TC 2800

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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.

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: 8736.00467.US00	Application Number (if known): TBA	Filing date: November 22, 2011
First Named Inventor: Yoonsil JIN		
Title: SOLAR CELL		

**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 /Yong S. Choi/	Date November 22, 2011
Name (Print/Typed) Yong S. Choi	Registration Number 43,324
<b>Note:</b> Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature see below*.	
*Total of _____ forms are submitted.	

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/301,947	11/22/2011	Yoonsil JIN	8736.00467.US00	4515
30827	7590	12/21/2011	EXAMINER	
MCKENNA LONG & ALDRIDGE LLP 1900 K STREET, NW WASHINGTON, DC 20006			ART UNIT	PAPER NUMBER
			2827	
			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.



MCKENNA LONG & ALDRIDGE LLP  
1900 K STREET, NW  
WASHINGTON DC 20006

In re Application of :  
JIN et al. : DECISION ON PETITION  
Application No. 13/301,947 : TO MAKE SPECIAL UNDER  
Filed: November 22, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. 8736.00467.US00 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on November 22, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

Telephone inquiries concerning this decision should be directed to 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/

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Colleen Dunn  
TQAS, TC 2800

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## Refine Search

### Search Results

Terms	Documents
L4 and ((put\$4 or lay\$3) near5 (color or texture))	16

**Database:**

- US Pre-Grant Publication Full-Text Database
- US Patents Full-Text Database
- US Patents OCR Backfile
- EPO Abstracts Database
- JPO Abstracts Database
- Derwent World Patents Index
- IBM Technical Disclosure Bulletin Database

**Search Type:**    **Prior Art**    **Interference**

**Search:**

L6

Refine Search

Recall Text

Clear

Interrupt

### Search History

**DATE:** **Monday, January 16, 2012**   [Purge Queries](#)   [Printable Copy](#)   [Create Case](#)

<u>Set Name</u> Side by Side	<u>Query</u>	<u>Hit Count</u>	<u>Set Name Result Set</u>	<u>Set Name Grid</u>
<i>Prior Art Searches</i>				
<i>DB=PGPB,USPT,USOC,EPAB,JPAB,DWPI,TDBD; PLUR=YES; OP=ADJ</i>				
<a href="#">L6</a>	L4 and ((put\$4 or lay\$3) near5 (color or texture))	16	<a href="#">L6</a>	<a href="#">L6</a>
<a href="#">L5</a>	L4 and (((put\$4 or lay\$3) near5 (color or texture)) same (background near5 (text or phrase or document or sentence)))	2	<a href="#">L5</a>	<a href="#">L5</a>
<a href="#">L4</a>	L3 and ((highlight\$4 or \$2emphasiz\$3) near5 (text or document or phrase or sentence)) same ((color or texture) near5 background)	203	<a href="#">L4</a>	<a href="#">L4</a>
<a href="#">L3</a>	((review\$3 or read\$3) near5 (document or text or phrase or sentence))	142587	<a href="#">L3</a>	<a href="#">L3</a>
<a href="#">L2</a>	L1 and similar\$5 and differen\$5	2	<a href="#">L2</a>	<a href="#">L2</a>

[L1](#) 20060271883 and contrast and highlight\$4 and color

2

[L1](#)

[L1](#)

END OF SEARCH HISTORY



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GREENBERG TRAUERIG (BOS)  
ONE INTERNATIONAL PLACE, 20<sup>TH</sup> FL.  
ATTN: PATENT ADMINISTRATOR  
BOSTON, MA 02110

**MAILED**

**DEC 15 2011**

**OFFICE OF PETITIONS**

In re Application of :  
Robert A. RABINER et al. :  
Application No. 13/302,227 :  
Filed : November 22, 2011 :  
Attorney Docket No.: 101667-011602/DIV :

DECISION ON PETITION

This is in response to the petition under 37 CFR 1.102(c)(1) filed November 22, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from David J. Dykeman an attorney or agent registered to practice before the Patent and Trademark Office certifying that he is in possession of and will retain evidence that applicant Raoul L. Rabiner is 65 years of age or older as required under MPEP § 708.02. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Joanne Hama at 571-272-2911 or in her absence the undersigned at 571-272-7099.

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

  
David Buccini  
Petitions Examiner  
Office of Petitions



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BRADLEY ARANT BOULT CUMMINGS LLP  
200 CLINTON AVE. WEST  
SUITE 900  
HUNTSVILLE, AL 35801

**MAILED**  
**DEC 14 2011**

In re Application of :  
Gregory LAUE et al. :  
Application No. 13/302,382 :  
Filed : November 22, 2011 :  
Attorney Docket No.: 0N9001-301007 :

**OFFICE OF PETITIONS**  
**DECISION ON PETITION**

This is in response to the petition under 37 CFR 1.102(c)(1) filed November 22, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant, William R. Clayton, who signed a statement indicating that he is 65 years of age or older as required under MPEP § 708.02. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Joanne Hama at 571-272-2911 or in her absence the undersigned at 571-272-7099.

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

  
David Bacci  
Petitions Examiner  
Office of Petitions



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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Totada R Shantha

:  
:

Application No. 13302601

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

Filed:

:

Attorney Docket No. 0901108-028

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 22-NOV-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

<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13302601	Confirmation Number	5158	Filing Date	2011-11-22
Attorney Docket Number (optional)	0901108-028	Art Unit		Examiner	
First Named Inventor	Totada R SHANTHA				
Title of Invention	ROTATING UTILITY KNIFE SCRAPER				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Totada	R	SHANTHA			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/mark david torche/		Date (YYYY-MM-DD)	2011-11-22	
Name	Mark David Torche		Registration Number	45823	

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



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PATTON BOGGS LLP  
8484 WESTPARK DRIVE  
SUITE 900  
MCLEAN, VA 22102

**MAILED**  
**MAR 09 2012**  
**OFFICE OF PETITIONS**

In re Application of :  
LINDENBAUM, et al :  
Application No. 13/302,662 : **DECISION ON PETITION**  
Filed: November 22, 2011 : **TO WITHDRAW**  
Attorney Docket No. 023372.0110N2N1 : **FROM RECORD**  
:

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed February 9, 2012.

The request is **NOT APPROVED** because it is moot.

A review of the file record indicates that the power of attorney to Scott A. Chambers, has been revoked by the assignee of the patent application on February 29, 2012. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is moot.

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

/Diane Goodwyn/  
Diane Goodwyn  
Petitions Examiner  
Office of Petitions

cc: **CARDIODEX LTD.**  
**3 HATOHEN ST.**  
**P.O.B. 3097**  
**CESAREA BUSINESS PARK 38900 ISRAEL**

Under the 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-048/05US 310142-2269	Application Number (if known): 310142-2269	Filing date: November 22, 2011
--	--	--------------------------------

First Named Inventor: EVANKO, William A.
--

Title: RECOVERY OF HIGHER ALCOHOLS FROM DILUTE AQUEOUS SOLUTIONS
--

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

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

1. By filing this petition:

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

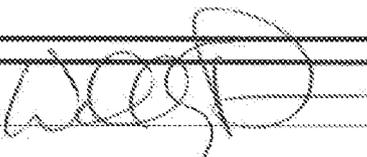
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention.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

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

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

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

6. Other attachments:

Signature 	Date November 22, 2011
---	------------------------

Name (Print/Typed) William E. Brow	Registration Number 64209
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**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below\*. \*Total of \_\_\_ forms are submitted.

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

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



Attorney Docket No. GEVO-048/05US 310142-2269

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: William A. EVANKO *et al.* Confirmation No.: Unassigned

Application No.: Unassigned

Group Art Unit: Unassigned

Filed: November 22, 2011

Examiner: Unassigned

For: **RECOVERY OF HIGHER ALCOHOLS FROM DILUTE AQUEOUS SOLUTIONS**

---

**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**

SIR,

Submitted herewith is a completed USPTO form 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.

Applicants submit that the present application is directed to a single invention that relates to the recovery of renewable, fermentation-derived isobutanol from a fermentation medium. As such, the claimed invention materially contributes to the discovery or development of renewable materials, reduces the need for petroleum-derived materials, and thereby 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.

The present application contains no more than three independent claims, no more than twenty total claims, and contains no 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: November 22, 2011

COOLEY LLP  
ATTN: Patent Group  
777 6<sup>th</sup> Street NW, Suite 1100  
Washington, DC 20001  
Tel: 202-842-7800  
Fax: (202) 842-7899

Respectfully submitted,

**COOLEY LLP**

By:



William E. Brow, Ph.D.

Reg. No. 64,209



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/302,775	11/22/2011	William A. Evanko	GEVO-048/05US 310142-2269	1596
58249	7590	12/27/2011	EXAMINER	
COOLEY LLP ATTN: Patent Group Suite 1100 777 - 6th Street, NW WASHINGTON, DC 20001			GEBREYESUS, KAGNEW H	
			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.



DEC 27 2011

COOLEY LLP  
ATTN: Patent Group  
Suite 1100  
777 - 6th Street, NW  
WASHINGTON DC 20001

In re Application of :  
EVANKO, William *et al.* : DECISION ON PETITION  
Application No. 13/302775 : TO MAKE SPECIAL UNDER  
Filed: November 22, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. GEVO-048/05US 310142- : PILOT PROGRAM  
2269

This is a decision on the petition under 37 CFR 1.102, filed November 22, 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 inquiries concerning this decision should be directed to Manjunath Rao at 571-272-0939.

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

/Manjunath Rao/

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



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SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

**MAILED**  
FEB 14 2012  
**OFFICE OF PETITIONS**

**In re Application of**  
**Kunihiko FUJIWARA**  
**Application No.: 13/302,841**  
**Filed: November 22, 2011**  
**Attorney Docket No.: Q127663**  
**For: Optical Connector Cleaning Tool**

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

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

The request and petition are **DISMISSED**.

**Discussion**

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

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

- iii. contains no priority claim;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s);
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must:
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has 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);

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 indicates in the request for participation in the PPH program that the instant US case has a relationship with Japanese application 2010-105720. However, there is no record (e.g. foreign priority) that the instant case has such relationship.

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



REED SMITH LLP  
2500 ONE LIBERTY PLACE  
1650 MARKET STREET  
PHILADELPHIA PA 19103

JAN 17 2012

In re Application of: David B. Grimes :  
Application No.: 13/304208 :  
Filed: November 23, 2011 :  
Title: SEPARATION OF MATERIALS COMPRISING :  
SUPER ABSORBENT POLYMERS USING REDUCED :  
WATER :  
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 November 23, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

#### REGULATION AND PRACTICE

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

##### I. Conditions Regarding the Application:

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

##### II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

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

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

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

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

The preexamination search must:

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

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

5.3. encompass the disclosed features that may be claimed.

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

An accelerated examination support document must include:

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

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

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

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

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

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

## REVIEW OF FACTS

The conditions I:1-4, II: 1-5, 6, 6.1, and 6.4 above are considered to have been met. However, the petition fails to comply with conditions II : 5.1, 5.2, 5.3, 6.2, 6.3, 6.5, and 6.6 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

### Discussion

When referring to “the petition” hereinbelow, the received papers under consideration include the PTO/SB/28 form, the “pre-examination search document” including pages 1-8; the “accelerated examination support document” comprising pages 1-17, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 241 subclasses 21, 22, 23, 25, 24.18 and 24.19; and class 162 subclasses 23, 24, 26. The text search does not broadly include the terms recited in the claims such as shredding, salt, agitating, heating, steam, pressurizing, depressurizing, autoclave, and aluminum sulfate with the materials being separated.

Regarding the requirements of section II element 5.3 outlined above, it is not clear whether the search included features which may be later claimed.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat “the independent claims”, nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on the IDS. As is published on [www.uspto.gov/web/patents/accelerated/](http://www.uspto.gov/web/patents/accelerated/) in “Guidelines for Applicants under the new accelerated examination procedures”):

*For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the*

*reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. There is no claim element comparisons with the elements found or not found in the prior art references. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference. The general description of what is disclosed by the reference does not provide this comparison. If petitioner considers JP4685973 (Cho), to be one of the closely related references, it must be included in the support document since the publication date of May 18, 2011 is earlier than the filing date of the current application and full support for the claimed subject matter has been shown for priority applications 12/780293, 61/216342, and 61/216363.

Additionally, every reference found in the IDS is not discussed. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, petitioner has not discussed all references found in the IDS, see discussion in section II element 6.2.

A statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

Regarding the requirements of section II element 6.5 outlined above, the requirements of this section are not met. A grantable petition requires petitioner to provide a showing of where each

limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such support exists. In the instant petition, a full showing of support under 35 U.S.C. 112, first paragraph, in the written description of the specification has not been made for the priority documents 12/780293, 61/216342, and 61/216363 as required. The support provided for application 12/780293 is not provided claim limitation by claim limitation. If a claim limitation is not supported, a statement to such should be provided to ensure that no claim limitations were omitted by mistake.

Finally, regarding the requirements of section II element 6.6, the petition does not provide a proper an identification of any cited references that may be disqualified under 35 U.S.C. 103(c). While petitioner has addressed references in the Nordic Patent Institute search report and the IPDR, it does not cover any references that petitioner may have been aware of by any other means. A generic statement to address all known prior art should be made.

#### DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

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

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Special Programs Examiner, at (571) 272-4391.

/Linda J. Sholl/  
Linda J. Sholl  
Special Programs Examiner  
Technology Center 3700



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REED SMITH LLP  
2500 ONE LIBERTY PLACE  
1650 MARKET STREET  
PHILADELPHIA PA 19103

**MAR 13 2012**

In re Application of: David B. Grimes	:	
Application No.: 13/304208	:	DECISION ON PETITION TO
Filed: November 23, 2011	:	MAKE SPECIAL FOR NEW
Title: SEPARATION OF MATERIALS	:	APPLICATION UNDER 37
COMPRISING SUPER ABSORBENT	:	C.F.R. § 1.102 & M.P.E.P. §
POLYMERS USING REDUCED WATER	:	708.02

This is a decision on the renewed petition filed on February 17, 2012 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.

Decision on Petition

---

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.

Decision on Petition

---

7. Post-Allowance Processing:

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

8. After-Final and Appeal Procedures:

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

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

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

9. Proceedings Outside the Normal Examination Process:

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

10. Final Disposition:

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

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

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391

/Linda Sholl/  
Linda Sholl  
Special Programs Examiner  
Technology Center 3700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/304,292	11/23/2011	Glenn D. Prestwich	BB-1002XL	3650
31673	7590	12/01/2011	EXAMINER	
TED W. WHITLOCK REGISTERED PATENT ATTORNEY, P.A. 5323 SW 38TH AVENUE FT. LAUDERDALE, FL 33314			ART UNIT	PAPER NUMBER
			1645	
			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.



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TED W. WHITLOCK REGISTERED PATENT ATTORNEY, P.A.  
5323 SW 38TH AVENUE  
FT. LAUDERDALE FL 33314

In re Application of:  
Prestwich et al.

Serial No.: 13/304,292

Filed: : November 23, 2011

Docket: **BB-1002XL**

Title: **ALKYLATED SEMI SYNTHETIC  
GLYCOSAMINOGLYCOSAN  
ETHERS, AND METHODS FOR  
MAKING AND USING THEREOF**

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 of November 23, 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 been 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):

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

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: PBC-0330	Application Number (if known): 13/304,510	Filing date: October 25, 2011
First Named Inventor: Hongboem JIN		
Title: LIGHT EMITTING DEVICE PACKAGE		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<b><u>Applicant is requesting early publication:</u> 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.</b>		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims.		
6. Other attachments: _____		
Signature	Date	November 28, 2011
Name (Print/Typed) Daniel Y.J. Kim	Registration Number	36,186
<b>Note:</b> 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 <del>37 CFR 1.4(d)</del> for the form of the signature. If necessary, submit multiple forms for more than one signature, see below*.		
<input checked="" type="checkbox"/> *Total of <u>2</u> forms are submitted.		

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

Docket No.: **PBC-0330**

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Confirmation No.: **5774**

**Hongboem JIN**

Group Art Unit: **To Be Assigned**

Serial No.: **13/304,510**

Examiner: **To Be Assigned**

Filed: **November 25, 2011**

Customer No.: **34610**

For: **LIGHT EMITTING DEVICE PACKAGE**

**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: November 28, 2011**

**Please direct all correspondence to Customer Number 34610**

Q:\Documents\2122-330\305619



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/304,510	11/25/2011	Hongboem JIN	PBC-0330	5774
34610	7590	12/21/2011	EXAMINER	
KED & ASSOCIATES, LLP P.O. Box 8638 Reston, VA 20195			ART UNIT	PAPER NUMBER
			2811	
			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.



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

In re Application of :  
JIN, HONGBOEM : DECISION ON PETITION  
Application No. 13/304,510 : TO MAKE SPECIAL UNDER  
Filed: November 25, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. PBC-0330 : PILOT PROGRAM

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

The petition is **GRANTED**.

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

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

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

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

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

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

/Colleen Dunn/

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Colleen Dunn  
TQAS, TC 2800

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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	13304685	Confirmation Number	1054	Filing Date	2011-11-27
Attorney Docket Number (optional)	51900-SPRAGUE-003	Art Unit		Examiner	
First Named Inventor	Alden C. Sprague				
Title of Invention	VACUUM ACTIVATED POWER TOWER				
<b>Attention: Office of Petitions</b> 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.					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Alden	C.	Sprague			
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) :					
<input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input checked="" type="radio"/> (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	/Stanley H. Kremen/		Date (YYYY-MM-DD)	2011-11-27	
Name	Stanley H. Kremen		Registration Number	51900	

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



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Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Alden C. Sprague

:  
:

Application No. 13304685

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

Filed:

:

Attorney Docket No. 51900-SPRAGUE-003

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 28-NOV-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/304,846	11/28/2011	Kim R. Smith	P09629US02 - 2769USU2	8830
22885	7590	12/20/2011	EXAMINER	
MCKEE, VOORHEES & SEASE, P.L.C. 801 GRAND AVENUE SUITE 3200 DES MOINES, IA 50309-2721			ART UNIT	PAPER NUMBER
			1761	
			NOTIFICATION DATE	DELIVERY MODE
			12/20/2011	ELECTRONIC

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

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

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

patatty@ipmvs.com



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HP

*In re* Application of Smith, Kim R. et al.  
Serial No.: 13/304,846  
Filed: November 28, 2011

**DECISION ON PETITION  
UNDER 37 CFR §1.84(b)(b)**

Title: SOIL RESISTANT CLEANER AND SURFACE TREATMENT

This is a decision on the PETITION TO ACCEPT COLOR PHOTOGRAPHS AS DRAWINGS filed November 28, 2011 to accept color photographs as drawings under 37 C.F.R. § 1.84(b)(b).

It is noted that the applicant has met the requirements of 37 C.F.R. § 1.84(a)(iii) by (i) providing one set of the photographs as drawings filed electronically via EFS-Web; and; (ii) providing a Preliminary Amendment to the specification to include necessary wording regarding color photograph drawings; and (iii) providing the processing fee set forth in 37 C.F.R. § 1.17(h).

The request is **GRANTED**.

The application file is being forwarded to the appropriate section of the Patent and Trademark Office for correction of the record.

/Harold Y. Pyon/

Harold Y. Pyon  
Supervisory Patent Examiner  
Art Unit 1761  
Technology Center 1700

Jill N. Link  
McKee, Voorhees & Sease, P.L.C.  
801 Grand - Suite 3200  
Des Moines, Iowa 50309-2721

12/19/2011



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**Sunstein Kann Murphy & Timbers LLP  
125 SUMMER STREET  
BOSTON MA 02110-1618**

**MAILED  
MAR 26 2012  
OFFICE OF PETITIONS**

In re Application of	:	
Philip C. Carling	:	
Application No. 13/305,136	:	DECISION ON PETITION
Filed: November 28, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 2952/106	:	37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed February 16, 2012, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by inventor Philip C. Carling, 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.

This application will be referred to Technology Center 1761 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet  
Petitions Examiner  
Office of Petitions



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Alexandria, VA 22313-1450  
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In re Application of  
Qi Ning Mai

:  
:

Application No. 13305458

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

Filed: November 28, 2011

:

Attorney Docket No. QMAI.001P1C2

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 20-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

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

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<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13305458	Confirmation Number	6994	Filing Date	2011-11-28
Attorney Docket Number (optional)	QMAI.001P1C2	Art Unit	2858	Examiner	Unassigned
First Named Inventor	Qi Ning Mai				
Title of Invention	METHOD AND APPARATUS FOR REDUCING DEPOSITS IN PETROLEUM PIPES				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Qi	Ning	Mai			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Steven P. Ruden/		Date (YYYY-MM-DD)	2011-12-20	
Name	Steven P. Ruden		Registration Number	53538	

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



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In re Application of  
Andrew F. Fanton

:  
:

Application No. 13305740

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

Filed:

:

Attorney Docket No. FORT-007518

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 06-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

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

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<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13305740	Confirmation Number	7843	Filing Date	2011-11-28
Attorney Docket Number (optional)	FORT-007518	Art Unit		Examiner	
First Named Inventor	Andrew F. Fanton				
Title of Invention	CLOUD-BASED APPLICATION WHITELISTING				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Edwin	L.	Harper			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Michael A DeSanctis/		Date (YYYY-MM-DD)	2011-12-06	
Name	Michael A. DeSanctis		Registration Number	39957	

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/306,061	11/29/2011	Motoki Kato	450100-03108.7	4182
20999	7590	01/04/2012	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			ART UNIT	PAPER NUMBER
			2482	
			MAIL DATE	DELIVERY MODE
			01/04/2012	PAPER

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

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



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COMMISSIONER FOR PATENTS  
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WASHINGTON, DC 20231  
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FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK NY 10151

In re Application of: KATO, M.  
Serial No.: 13/306,061  
Filed: November 29, 2011  
Atty Docket No.: 450100-03108.7  
For: APPARATUS FOR ENCODING AND  
DECODING HEADER DATA IN A  
PICTURE SIGNAL TRANSMISSION

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 **November 29, 2011** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

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

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any 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 pre-examination 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 pre-examination 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 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

## REVIEW OF FACTS

The conditions **I. (1-4), II. (5.1 - 5.3) and II. (6.1, 6.4 and 6.6)** above are considered to have been met. However, the petition fails to comply with condition **II.6.2, 6.3 and 6.5** 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.)(2) and item **II. 6.2** above, the accelerated examination support document (AESD) fails to provide an identification of all the limitations in the claims that are disclosed by each cited reference specifying where the limitation is disclosed in the cited reference.

The AESD fails to set forth the explicit claim limitations from the claims followed by a specific citation to the disclosure in the cited reference. For example, the AESD states:

The '88i patent describes a still video frame memory. While the '881 patent discloses a compression processor (30) and a memory (20), the '881 patent is directed to allocation of the low bytes of foyer memory banks as storage space for the R-Y color difference signal, the B-Y color difference signal and compressed data. (see '881 patent Figure 5) However, there is no indication as to what claim is addressed nor does claims 1-2 recite a "compressor", "memory" or "allocation of the low bytes of foyer memory banks as storage space for the R-Y color difference signal, the B-Y color difference signal and compressed data.", thus, it unclear what claim or claim limitations are identified, as required. This requirement can be easily met by incorporating after each limitation of the claim specifying where the limitation is disclosed in the cited reference.

All references cited on section 9(B) *Identification of limitations disclosed by reference* appear to have the same format/structure as the above example, correction is required. Petitioner is encouraged to see the example accelerated examination support document provided online at the following web address: [www.uspto.gov/patents/process/file/accelerated/](http://www.uspto.gov/patents/process/file/accelerated/)

Regarding the requirement of MPEP § 708.02(a) (I.)(3) and item **II. 6.3** above, the accelerated examination support document (AESD) fails to include a detailed explanation of how each of the **claims** are patentable over the references cited.

It appears the AESD merges sections 9(b) and 9(c) together. This presents multiple explanations of how each of the references is distinct from the claims but does not provide a single detailed explanation of how the claims are patentable over the references cited.

The AESD's section 9(C) "Statement of Patentability" should include 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). Meaning, it should include "pointing out the specific distinctions believed to render the claims, patentable over any applied references." Given that a prima facie case of obviousness or reliance on common knowledge supported with documentary evidence is sufficient to conclude that the claimed invention would have been obvious, identification of the limitations that are allegedly not disclosed by the references *individually* does not meet the requirements of section 9(C). Hence, it is not clear whether or not the applied reference(s) teaches or suggest alone or in

obvious combination the claimed invention. The statement of patentability should include a discussion of what "all of the references identified fail to teach .... required in claims 1 and 2" to meet the requirements of this section.

(see example of AESD at <http://www.uspto.gov/web/patents/accelerated/>)

Regarding the requirement of MPEP §708.02(a)(I)(5) and item **II 6.5** above, the accelerated examination support document (AESD) must include: a showing of where each limitation of the claim finds support under 35 USC 112, first paragraph, in the written description of the specification. More particularly, 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;

According to the specification/oath as filed 11/29/11, instant application in addition to application 12/428,566, claims domestic priority benefits under 35 U.S.C. §120 to non-provisional applications **11/170,963** filed 06/30/2005, non-provisional application **08/634,122** filed 04/19/96, non-provision application **08/180,613** filed 01/13/94 and Japanese application **P05-0005493** filed 01/18/93.

As such, showing must also include where each limitation of the claims finds support under 35 USC §112, first paragraph, in all the above-mentioned applications, where supports exists.

Regarding the requirement of MPEP §708.02(a)(I)(5) and item **II 6.5** above, the accelerated examination support document (AESD) must include: (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 UDC 112, sixth paragraph.

It is noted that under the new guidelines, "[t]he structure corresponding to a § 112, ¶ 6 claim limitation for a computer-implemented function must include the algorithm needed to transform the general purpose computer or microprocessor disclosed in the specification. The corresponding structure is not simply a general purpose computer by itself but the special purpose computer as programmed to perform the disclosed algorithm (i.e. a finite sequence of steps for solving a logical or mathematical problem or performing a task). Thus, the specification must sufficiently disclose an algorithm to transform a general purpose microprocessor to the special purpose computer. (see Supplemental Guidelines, Fed. Reg. vol. 76, No. 27, Feb 09, 2011, p. 7168, Section C (3) Computer-Implemented Means-Plus-Function Limitations).

Thus, presented "[t]he "means receiving the bit stream" is supported by the structure of Figure 3 (3A and 3B) and input terminals (10) and (26); and the "means for decoding the bit stream" is supported by the structure of Figure 6 (6A and 6B) does not meet the requirement of MPEP §708.02(a) (I) (5) and item **II 6.5** above.

### DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of contact is Christopher Grant whose number is (571)-272-7294.

/Beatriz Prieto/  
Quality Assurance Specialist  
Technology Center 2400

ACCELERATED EXAMINATION (AE) APPLICATION  
DECISION ON PETITION ROUTING SLIP

Application No.: 13/306,061  
Art Unit : 2482

**For TC 2400 Director Secretaries:**

Granted       Denied       **DISMISSED**

- Enter the petition and decision in PALM (code 646)
- Copy Decision, Send to Scanning, Mail Decision
- Print mail coversheet
- Return Yellow Folder to the respective WQAS with Stamp date

Additional Comments:

---

**TC2400 AE CONTACT LIST (For Questions on AE procedure)**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, DC 20231  
www.uspto.gov

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK NY 10151

In re Application of: KATO, M.  
Serial No.: **13/306,061**  
Filed: November 29, 2011  
Atty Docket No.: 450100-03108.7  
For: APPARATUS FOR ENCODING AND  
DECODING HEADER DATA IN A  
PICTURE SIGNAL TRANSMISSION

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

This is a decision on the renewed petition filed on **February 03, 2012** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). The original petition, submitted on November 29, 2011 was dismissed in the decision mailed on January 04, 2012.

The petition to make the application special is **GRANTED** as the revised Accelerated Examination Support Document (AESD) meets the requirements of condition II 6.2, II 6.3, and II 6.5.

The application is eligible for accelerated examination and the renewed 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) as the original identified deficiencies have been corrected.

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 must 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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902.

/Beatriz Prieto/

---

Beatriz Prieto, Quality Assurance Specialist  
Technology Center 2400



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/306,147	11/29/2011	Motoki Kato	450100-03108.6	1135

20999 7590 01/04/2012  
FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER
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ART UNIT	PAPER NUMBER
2482	

MAIL DATE	DELIVERY MODE
01/04/2012	PAPER

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

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



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WASHINGTON, DC 20231  
www.uspto.gov

FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK NY 10151

In re Application of: KATO, M.  
Serial No.: 13/306,147  
Filed: November 29, 2011  
Atty Docket No.: 450100-03108.6  
For: APPARATUS FOR ENCODING AND  
DECODING HEADER DATA IN A  
PICTURE SIGNAL TRANSMISSION

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 **November 29, 2011** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

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

REGULATION AND PRACTICE

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

I. Conditions Regarding the Application:

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

II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;
2. include a statement that applicant agrees not to separately argue the patentability of any 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 pre-examination 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 pre-examination 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 UDC 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 UDC 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 USC 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 USC 103(c).

## REVIEW OF FACTS

The conditions **I. (1-4)**, **II. (5.1 - 5.3)** and **II. (6.1, 6.4 and 6.6)** above are considered to have been met. However, the petition fails to comply with condition **II.6.2, 6.3 and 6.5** 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.) (2) and item **II. 6.2** above, the accelerated examination support document (AESD) fails to provide an identification of all the limitations in the claims that are disclosed by each cited reference specifying where the limitation is disclosed in the cited reference.

The AESD fails to set forth the explicit claim limitations from the claims followed by a specific citation to the disclosure in the cited reference. For example, the AESD states:

The '88i patent describes a still video frame memory. While the '881 patent discloses a compression processor (30) and a memory (20), the '881 patent is directed to allocation of the low bytes of foyer memory banks as storage space for the R-Y color difference signal, the B-Y color difference signal and compressed data. (see '881 patent Figure 5) However, there is no indication as to what claim is addressed nor does claims 1-2 recite a "compressor", "memory" or "allocation of the low bytes of foyer memory banks as storage space for the R-Y color difference signal, the B-Y color difference signal and compressed data.", thus, it unclear what claim or claim limitations are identified, as required. This requirement can be easily met by incorporating after each limitation of the claim specifying where the limitation is disclosed in the cited reference.

All references cited on section 9(B) *Identification of limitations disclosed by reference* appear to have the same format/structure as the above example, correction is required. Petitioner is encouraged to see the example accelerated examination support document provided online at the following web address:  
[www.uspto.gov/patents/process/file/accelerated/](http://www.uspto.gov/patents/process/file/accelerated/)

Regarding the requirement of MPEP § 708.02(a) (I.) (3) and item **II. 6.3** above, the accelerated examination support document (AESD) fails to include a detailed explanation of how each of the **claims** are patentable over the references cited.

It appears the AESD merges sections 9(B) and 9(C) together. This presents multiple explanations of how each of the references is distinct from the claims but does not provide a single detailed explanation of how the claims are patentable over the references cited.

The AESD's section 9(C) "Statement of Patentability" should include 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). Meaning, it should include "pointing out the specific distinctions believed to render the claims, patentable over any applied references." Given that a prima facie case of obviousness or reliance on common knowledge supported with documentary evidence is sufficient to conclude that the claimed invention would have been obvious, identification of the limitations that are allegedly not disclosed by the references individually does not meet the requirements of section 9(C).

Hence, it is not clear whether or not the applied reference(s) teaches or suggest alone or in obvious combination the claimed invention. The statement of patentability should include a discussion of what "all of the references identified fail to teach .... required in claims 1 and 2" to meet the requirements of this section.

(see example of AESD at <http://www.uspto.gov/web/patents/accelerated/>)

Regarding the requirement of MPEP §708.02(a)(I)(5) and item II 6.5 above, the accelerated examination support document (AESD) must include: a showing of where each limitation of the claim finds support under 35 USC §112, first paragraph, in the written description of the specification. More particularly, 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;

According to the specification/oath as filed 11/29/11, instant application in addition to application 12/428,566, claims domestic priority benefits under 35 U.S.C. §120 to non-provisional applications **11/170,963** filed 06/30/2005, non-provisional application **08/634,122** filed 04/19/96, non-provision application **08/180,613** filed 01/13/94 and Japanese application **P05-0005493** filed 01/18/93.

As such, showing must also include where each limitation of the claims finds support under 35 USC §112, first paragraph, in all the above-mentioned applications, where supports exists.

Regarding the requirement of MPEP §708.02(a)(I)(5) and item II 6.5 above, the accelerated examination support document (AESD) must include: (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.

It is noted that under the new guidelines, "[t]he structure corresponding to a 35 USC § 112, ¶ 6 claim limitation for a computer-implemented function must include the algorithm needed to transform the general purpose computer or microprocessor disclosed in the specification. The corresponding structure is not simply a general purpose computer by itself but the special purpose computer as programmed to perform the disclosed algorithm (i.e. a finite sequence of steps for solving a logical or mathematical problem or performing a task). Thus, the specification must sufficiently disclose an algorithm to transform a general purpose microprocessor to the special purpose computer. (see Supplemental Guidelines, Fed. Reg. vol. 76, No. 27, Feb 09, 2011, p. 7168, Section C (3) Computer-Implemented Means-Plus-Function Limitations).

Thus, presented "[t]he "means receiving the bit stream" is supported by the structure of Figure 3 (3A and 3B) and input terminals (10) and (26); and the "means for decoding the bit stream" is supported by the structure of Figure 6 (6A and 6B) does not meet the requirement of MPEP §708.02(a) (I) (5) and item II 6.5 above.

### DECISION

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

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902. A second point of contact is Christopher Grant whose number is (571)-272-7294.

/Beatriz Prieto/  
Quality Assurance Specialist  
Technology Center 2400

**ACCELERATED EXAMINATION (AE) APPLICATION  
DECISION ON PETITION ROUTING SLIP**

Application No.: 13/306,147  
Art Unit : 2482

**For TC 2400 Director Secretaries:**

Granted       Denied       **DISMISSED**

- Enter the petition and decision in PALM (code 646)
- Copy Decision, Send to Scanning, Mail Decision
- Print mail coversheet
- Return Yellow Folder to the respective WQAS with Stamp date

Additional Comments:

---

**TC2400 AE CONTACT LIST (For Questions on AE procedure)**

**TCAED**  
**(WQAS 2440/50)**

Beatriz Prieto  
Jefferson 3D59  
(571)272-4147

**WQAS 2430**

Tod Swann  
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**WQAS 2416/19**

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**WQAS 2420**

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FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK NY 10151

In re Application of: KATO, M.  
Serial No.: **13/306,147**  
Filed: November 29, 2011  
Atty Docket No.: 450100-03108.6  
For: APPARATUS FOR ENCODING AND  
DECODING HEADER DATA IN A  
PICTURE SIGNAL TRANSMISSION

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

This is a decision on the renewed petition filed on **February 03, 2012** to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d). The original petition, submitted on November 29, 2011 was dismissed in the decision mailed on January 04, 2012.

The petition to make the application special is **GRANTED** as the revised Accelerated Examination Support Document (AESD) meets the requirements of condition II 6.2, II 6.3, and II 6.5.

The application is eligible for accelerated examination and the renewed 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) as the original identified deficiencies have been corrected.

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.

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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 must 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 Beatriz Prieto, Quality Assurance Specialist, at (571) 272-3902.

/Beatriz Prieto/

---

Beatriz Prieto, Quality Assurance Specialist  
Technology Center 2400

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 05/31/2010. OMB 0651-0062  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: SUS-046/7304632001	Application Number (if known): 13/307,163	Filing date: November 30, 2011
First Named Inventor: Benjamin R. Bollinger		
Title: FLUID-FLOW CONTROL IN ENERGY STORAGE AND RECOVERY SYSTEMS		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:  <b><u>Applicant is requesting early publication:</u> 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.</b>		
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.		
3. This request is accompanied by statements of special status for the eligibility requirement.		
4. The application contains no more than three (3) independent claims and twenty (20) total claims.		
5. The application does not contain any multiple dependent claims		
6. Other attachments: Preliminary Amendment Statement of Special Status		

Signature	/Matthew T. Currie/	Date	December 16, 2011
Name (Print/Typed)	Matthew T. Currie	Registration Number	58,533
<b>Note:</b> 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*.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS:           Bollinger *et al.*  
SERIAL NO.:           13/307,163                   GROUP NO.:           1733  
FILING DATE:         November 30, 2011   EXAMINER:           Not yet assigned  
TITLE:                 FLUID-FLOW CONTROL IN ENERGY STORAGE AND  
                          RECOVERY SYSTEMS

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

**STATEMENT OF SPECIAL STATUS IN SUPPORT OF PETITION TO MAKE  
SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

In accordance with the Federal Register notices published December 8, 2009, May 21, 2010, and November 10, 2010, Applicants hereby request to participate in the Green Technology Pilot Program for the above-identified application. Applicants submit that the invention claimed in the above-identified application materially contributes to the development of renewable energy resources and the conservation of energy resources at least because the invention solves a persistent problem with intermittent energy-generation systems (e.g., wind and solar renewable energy) by providing systems for storing and recovering the energy from these sources, thereby making them deployable on a widespread and practical basis – thereby enhancing and promoting the deployment of such systems. Thus, the claimed invention directly contributes to the conservation of energy resources by increasing the practicality and acceptance of renewable energy sources, thereby enabling them to replace fossil-fuel-dependent energy sources.

Specifically, the claimed energy storage and recovery system is useful for the conversion of clean energy stored in the form of compressed gas into, e.g., usable electricity, and vice versa, and facilitates the development and proliferation of renewable energy resources via, at least in part, by increasing efficiency of energy storage and recovery by careful control of the valving metering the flow of compressed gas into and out of the system. The system includes a cylinder assembly for compressing gas to store energy and expanding gas to recover energy, and the cylinder assembly has an interior compartment and an end cap disposed at one end. First and second valves are integrated within the end cap, and first and second actuation mechanisms

actuate the valves. A control system controls the actuation mechanisms to reduce a pressure differential through at least one of the valves during fluid flow therethrough, thereby increasing efficiency of the energy storage and recovery. As demonstrated by dependent claim 42, the claimed system also encompasses storage of energy originating from an intermittent renewable energy source of wind or solar energy connected to the cylinder assembly, as well as recovery of energy when the intermittent renewable energy source is nonfunctional. Thus, power demands are addressed consistently, regardless of the energy output of the renewable energy source at any particular time.

Applicants believe no additional fees are necessitated by the filing of this paper. However, if any additional fee is due, please charge said fee occasioned by this paper to our Deposit Account No. 50-4047.

Respectfully submitted,

Date: December 16, 2011  
Reg. No. 58,533

Tel. No.: (617) 951-8293  
Fax No.: (617) 951-8736

Electronic Signature: /Matthew T. Currie/  
Matthew T. Currie  
Attorney for Applicants  
Bingham McCutchen LLP  
One Federal Street  
Boston, Massachusetts 02110



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/307,163	11/30/2011	Benjamin R. Bollinger	SUS-046/7304632001	3813

23517 7590 02/01/2012  
BINGHAM MCCUTCHEN LLP  
2020 K Street, N.W.  
Intellectual Property Department  
WASHINGTON, DC 20006

EXAMINER
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ART UNIT	PAPER NUMBER
3745	

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.



BINGHAM MCCUTCHEN LLP  
2020 K Street, N.W.  
Intellectual Property Department  
WASHINGTON DC 20006

2/1/12

In re Application of	:	
Bollinger et al.	:	DECISION ON PETITION
Application No. 13/307,163	:	TO MAKE SPECIAL UNDER
Filed: 11/30/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. SUS-046/7304632001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/16/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1733 for action on the merits commensurate with this decision.

/Tom Dunn/

---

Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/307,683	11/30/2011	Zhe Wang	4202-17200	2976
97698	7590	01/06/2012	EXAMINER	
Huawei Technologies Co., Ltd. c/o Conley Rose, P.C. 5601 Granite Parkway Plano, TX 75024			ART UNIT	PAPER NUMBER
			2626	
			MAIL DATE	DELIVERY MODE
			01/06/2012	PAPER

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

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



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Huawei Technologies Co., Ltd.  
c/o Conley Rose, P.C.  
5601 Granite Parkway  
Plano TX 75024

In re Application of:  
WANG, ZHE  
Serial No.: 13/307,683  
Filed: November 30, 2011

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

Title: **VOICE ACTIVITY DETECTION  
METHOD AND APPARATUS, AND  
ELECTRONIC DEVICE**

The petition requesting to make the application special filed November 30, 2011 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 John Peng, Quality Assurance Specialist, at (571) 272-7272.

/John Peng/

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John Peng  
Quality Assurance Specialist  
Technology Center 2600  
Communications



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**THOMPSON HINE L.L.P.**  
**Intellectual Property Group**  
**10050 Innovation Drive**  
**Suite 400**  
**DAYTON OH 45342-4934**

**MAILED**

**DEC 21 2011**

**OFFICE OF PETITIONS**

In re Application of :  
Gholam A. Peyman :  
Application No. 13/307,916 :  
Effectively Filed: November 30, 2011 :  
Attorney Docket No. 075200.28 :  
: **DECISION ON PETITION**  
: **TO MAKE SPECIAL UNDER**  
: **37 CFR 1.102(c)(1)**  
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 30, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by inventor Gholam A. Peyman, attesting to his/her age. The above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

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

Upon completion of the pre-examination processing by the Office of Patent Application Processing, this application will be referred to Technology Center 3739 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet  
Petitions Examiner  
Office of Petitions



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**BARNES & THORNBURG LLP  
600 ONE SUMMIT SQUARE  
FORT WAYNE IN 46802**

**MAILED  
JAN 04 2012  
OFFICE OF PETITIONS**

In re Application of	:	
Malik M. Hasan, et al.	:	
Application No. 13/307,972	:	DECISION ON PETITION
Filed: November 30, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. 47789/83968	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 2, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant Malik M. Hasan declaring that he is 65 years of age or older. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

The application is being forwarded to the Technology Center Art Unit 3626 for action on the merits commensurate with this decision.

/Terri Johnson/  
Terri Johnson  
Petitions Examiner  
Office of Petitions

# Freeform Search

**Database:** 
 US Pre-Grant Publication Full-Text Database  
 US Patents Full-Text Database  
 US Patents GCR Backfile  
 EPO Abstracts Database  
 JPO Abstracts Database  
 Derwent World Patents Index  
 IBM Technical Disclosure Bulletin Database

**Search Type:**  **Prior Art**  **Interference**

**Term:**   
 

**Display:**  **Documents in Display Format:**  **Starting with Number**

**Generate:**  **Hit List**  **Hit Count**  **Side by Side**  **Image**

## Search History

**DATE:** **Monday, January 16, 2012**    [Purge Queries](#)    [Printable Copy](#)    [Create Case](#)

<u>Set Name</u> Side by Side	<u>Query</u>	<u>Hit Count</u>	<u>Set Name</u> Result Set	<u>Set Name</u> Grid
<i>Prior Art Searches</i>				
<i>DB=PGPB,USPT,USOC,EPAB,JPAB,DWPI,TDBD; PLUR=YES; OP=ADJ</i>				
<u>L8</u>	L7 and color palette	30	<u>L8</u>	<u>L8</u>
<u>L7</u>	L6 and ((choos\$3 or select\$3) near5 color)	32	<u>L7</u>	<u>L7</u>
<u>L6</u>	(13 or 14 or 15) and (((compar\$3 or match\$3 or identical\$2 or similar\$2) near5 color)	32	<u>L6</u>	<u>L6</u>
<u>L5</u>	(12 or L3) and (((render\$3 or display\$3) near5 color) same palette)	55	<u>L5</u>	<u>L5</u>
<u>L4</u>	(12 or L3) and (\$3dominant near5 color)	13	<u>L4</u>	<u>L4</u>
<u>L3</u>	L1 and (background near5 screen saver)	7	<u>L3</u>	<u>L3</u>
<u>L2</u>	L1 and (background near5 (image or picture or object or graphic or text))	75	<u>L2</u>	<u>L2</u>

<u>L1</u>	(((identif\$5 or specif\$5 or input\$4) near5 color) same (gui or user interface)) and (palette adj3 color)	446	<u>L1</u>	<u>L1</u>
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END OF SEARCH HISTORY

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: **83189003** Application Number (if known): **13308698** Filing date: **2011-12-01**

First Named Inventor: **George S. Luckey**

Title: **A System and Method For Manufacturing An F-Temper 7xxx Series Aluminum Alloy**

**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 **/Matthew M. Mietzel/** Date **December 1, 2001**

Name (Print/Typed) **Matthew M. Mietzel** Registration Number **46929**

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/308,698	12/01/2011	George S. Luckey	83189003	5651
28395	7590	12/20/2011	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			ART UNIT	PAPER NUMBER
			3725	
			MAIL DATE	DELIVERY MODE
			12/20/2011	PAPER

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

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



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 formation of Al alloy relates to green technology. This is not convincing. For example, it is not clear how the claimed process of “providing an F-temper aluminum alloy blank; heating the blank; providing a die set; positioning the blank in the die set such that the blank does not touch the die set; and closing the die set on the blank to form the blank into a part while simultaneously quenching the part” will provide and enhance the quality of the environment or contribute to development of renewable energy resources or energy conservation or greenhouse gas reduction.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of “Petition for Green Tech Pilot” on the EFS-Web screen. Telephone inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. The application will be forwarded to the Technology Center Art Unit 3725 for action in its regular turn.

/Henry C. Yuen/

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Henry C. Yuen  
Quality Assurance Specialist  
Technology Center 3700

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

George S. Luckey et al.

Serial No.: 13/308,698

Filed: December 1, 2011

For: A System And Method For Manufacturing An F-Temper 7xxx  
Series Aluminum Alloy

Group Art Unit: 3725

Examiner: Unknown

Attorney Docket No.: 83189003

**REQUEST FOR RECONSIDERATION OF  
PETITION TO MAKE SPECIAL UNDER  
THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Decision on Petition To Make Special Under the Green Technology Pilot Program mailed December 20, 2011 (“Decision”), Applicant respectfully requests reconsideration in view of the following remarks.

The Decision stated that the Petition filed on December 1, 2011 lacked “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” (see Decision, page 2). Applicant respectfully believes that such a statement was included with the Petition. More specifically, the Statement Supporting Eligibility Requirement of The Green Technology Pilot Program (“Statement”) filed with the Petition states:

The claimed invention includes a method of forming an automotive body panel from a 7xxx series aluminum alloy to achieve T6 or T7x tempers. ... Thus, a part made following the teachings of this application may replace a steel structural part with an aluminum alloy structural part without sacrificing safety and at the same time reducing overall vehicle weight. In a vehicular application, a lighter automotive part, such as a body structure component including but not limited to a rocker panel, roof rail, bumper structure, or A, B or C pillar, ***will reduce vehicle weight and will result in reduced fuel consumption and energy conservation.*** (see Statement, page 2, emphasis added).

Thus, the present application is believed to contribute to more efficient utilization and conservation of energy resources by reducing vehicle weight and fuel consumption. Since the claimed invention materially contributes to the more efficient utilization and conservation of energy resources, the materiality standard is believed to be met.

Applicant also believes that the application on its face meets the materiality standard. The Decision referenced claim 1, but did not consider claim 16 (see Decision, page 2, second full paragraph which quotes claim 1 only). Applicant therefore directs the Quality Assurance Specialist to independent claim 16 of the Application. Claim 16 recites a “method of forming an F-temper aluminum alloy into an ***automotive body panel***” (emphasis added). Thus, claim 16 associates the method to an automotive body panel. The specification clearly relates the method of forming an F-temper aluminum alloy into an automotive body panel to reduce weight, reduce fuel consumption, and to contribute to energy conservation. For example, the specification states in part:

Thus a part made following the ***teachings of this application may replace a steel structural part with an aluminum alloy structural part without sacrificing safety and at the same time reducing overall vehicle weight.*** In a vehicular application, a lighter automotive part, ***such as a body structure component*** including but not limited to a rocker panel, roof rail, bumper structure, or A, B or C pillar, ***may reduce vehicle weight and may result in reduced fuel consumption and energy conservation.*** (Paragraph 0045, emphasis added.)

Methods for producing lighter vehicle components reduce overall vehicle weight. It is well known by those skilled in the art that lighter vehicles are more efficient in the utilization and conservation of energy resources (e.g., gasoline/oil) when compared to a heavier version of the same vehicle. Improved fuel efficiency and reduced fuel use clearly meet the materiality standard of more efficient utilization and conservation of energy resources, and the Application provides for improved fuel efficiency and reduced fuel use when producing automotive parts using the claimed and disclosed methods.

In further support to the above reasoning, many vehicle components require a certain level of strength and energy absorption characteristics, but lighter components having similar geometry are not currently available. As noted in the application, the claimed method produces “a high strength aluminum alloy part with similar strength and energy absorbing characteristics to that of high strength and ultra-high strength steels of similar geometry” and “a part made following the teachings of this application may replace a steel structural part with an aluminum alloy structural part without sacrificing safety and at the same time *reducing overall vehicle weight*” (see paragraph 0045, emphasis added).

In addition, although the Application and the Statement do not quantify the exact energy utilization and conservation achieved by reducing vehicle weight when practicing the claimed invention, the eligibility requirements for the “Green Technology Pilot Program” do not require the Applicant to quantify an amount of energy conserved or an amount of reduced emissions achieved.

For these reasons, Applicant respectfully believes 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. Applicant respectfully requests reconsideration and grant of the petition.

The publication fee under 37 C.F.R. § 1.18(d) of \$300 was paid upon filing of the petition. No additional fees are believed to be due. However, please charge any additional required fees to Ford Global Technologies, LLC Deposit Account No. 06-1510.

Respectfully submitted,

**George S. Luckey et al.**

By: Matthew M. Mietzel/  
Matthew M. Mietzel  
Reg. No. 46,929  
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.
13/308,698	12/01/2011	George S. Luckey	83189003	5651
28395	7590	01/30/2012	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			ART UNIT	PAPER NUMBER
			3725	
			MAIL DATE	DELIVERY MODE
			01/30/2012	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.



1/30/12

BROOKS KUSHMAN P.C./FGTL  
1000 TOWN CENTER  
22ND FLOOR  
SOUTHFIELD MI 48075-1238

In re Application of	:	
George S. Luckey et al.	:	DECISION ON PETITION
Application No. 13/308,698	:	TO MAKE SPECIAL UNDER
Filed: December 01, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83189003	:	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), 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 inquiries concerning this decision should be directed to Blaine Copenheaver at 571-272-1156.

/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

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

**MAILED**

**MAR 13 2012**

**OFFICE OF PETITIONS**

In re Application of

Toshiharu Ando, et al.

Application No.: 13/309,002

Filed: December 1, 2011

Attorney Docket No.: NUTRITION-

ENRICHED GAIN MANUFACTURING

APPARATUS AND GAIN.....

: 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 6, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

1. The U.S. application is

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

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

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

Inquiries concerning this decision should be directed to Terri Johnson at 571-272-2991.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once the formalities review has been completed.

  
David Bucci  
Petitions Examiner  
Office of Petitions



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

**LOWE HAUPTMAN HAM & BERNER, LLP**  
**1700 DIAGONAL ROAD**  
**SUITE 300**  
**ALEXANDRIA VA 22314**

**MAILED**  
**JAN 9 1 2012**  
**OFFICE OF PETITIONS**

In re Application of: : DECISION ON REQUEST TO  
Nakazono et al. : PARTICIPATE IN THE PATENT  
Application No. 13/309,006 : PROSECUTION HIGHWAY  
Filed: November 21, 2011 : PROGRAM AND PETITION  
Attorney Docket No. 5070-0006DIV2 : 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 1, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

**Discussion**

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

1. The U.S. application is
  - a. a Paris Convention application which either
    - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO, 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 JPO, 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 JPO, 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 JP application(s);
  - b. An English translation of the allowable/patentable claim(s), and
  - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
  - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JP 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 JP 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:
  - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and
  - b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

This request to participate in the PPH program and petition is assessed as follows:

Conditions (1-5) above are considered to have been met. However, the request to participate in the PPH pilot program and petition does not appear to meet condition (6).

Regarding the requirement of condition (6), petitioner has failed to submit an English translation of IDS document Taiwanese office action for application no. 099129095.

Telephone 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>.

/dab/  
David Bucci  
Petitions Examiner  
Office of Petitions

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Alexandria, VA 22313-1450  
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**LOWE HAUPTMAN HAM & BERNER, LLP**  
**1700 DIAGONAL ROAD**  
**SUITE 300**  
**ALEXANDRIA VA 22314**

**MAILED**

**FEB 24 2012**

**OFFICE OF PETITIONS**

In re Application of: :  
Nakazono et al. :  
Application No. 13/309,006 : **CORRECTED DECISION ON PETITION**  
Filed: December 1, 2011 :  
Attorney Docket No. 5070-0006DIV2 :

This is a corrected decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 1, 2011, to make the above-identified application special. This decision is being mailed to correct the failure to include in the previous decision the paragraph regarding applicant's reply period, however, as prosecution in the above-identified application has begun the petition must be denied as it fails to comply with item (4) below.

Therefore, in view of the above the Dismissed decision mailed January 31, 2012 is hereby withdrawn and replaced by the decision below.

The request and petition are **DENIED**.

**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 JPO, 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 JPO, 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,

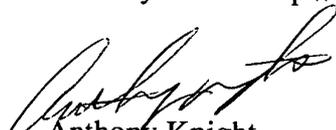
- or
- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
    - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the JPO, or
    - ii. validly claims priority under 35 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 JP application(s);
    - b. An English translation of the allowable/patentable claim(s), and
    - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
  3. Applicant must:
    - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JP 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 JP 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:
    - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already filed in this application); and
    - b. Copies of all the documents cited in the JPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

This request to participate in the PPH program and petition is assessed as follows:

Regarding the requirement of condition (4), the examination of the U.S. application has begun. Currently, a non-final Office Action was mailed February 7, 2012 in the above-identified application.

Telephone 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>.

  
Anthony Knight  
Director  
Office of Petitions

UNITED STATES PATENT AND TRADEMARK OFFICE



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**LOWE HAUPTMAN HAM & BERNER, LLP**  
**1700 DIAGONAL ROAD**  
**SUITE 300**  
**ALEXANDRIA VA 22314**

**MAILED**  
**MAR 30 2012**  
**OFFICE OF PETITIONS**

In re Application of: : DECISION ON REQUEST TO  
Nakazono et al. : PARTICIPATE IN THE PATENT  
Application No. 13/309,006 : PROSECUTION HIGHWAY  
Filed: December 1, 2011 : PROGRAM AND PETITION  
Attorney Docket No. 5070-0006DIV2 : TO MAKE SPECIAL UNDER  
: 37 CFR 1.102(a)

This is a decision on the third request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed February 24, 2012, to make the above-identified application special.

Petitioner is permitted only two attempts to qualify to participate in the Patent Prosecution Highway (PPH) program and petition under 37 CFR 1.102(a).

Further, the PPH agreement states –

In those instances where the request for participation in the PPH program does not meet all the requirements set forth above, the applicant will be notified and the defects in the request will be identified. The applicant will be given one opportunity to perfect the request in a renewed request for participation (which must be submitted via EFS-Web and indexed accordingly as noted above). Note that action on the application by the USPTO will NOT be suspended (37 CFR 1.103) awaiting a reply by the applicant to perfect the request in a renewed request for participation. That is, if the application is picked up for examination after the applicant has been notified of the defects in the request, any renewed request will be dismissed.

Therefore the request and petition are **DENIED**.

As noted in the previous February 24, 2012 decision, examination of the above-identified U.S. application has begun. Currently, a non-final Office Action was mailed February 7, 2012 that requires a reply.

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>.



Anthony Knight  
Director  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450

**MAILED**

**FEB 10 2012**

**OFFICE OF PETITIONS**

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

In re Application of : DECISION ON REQUEST TO  
Keita SUZUKI et al. : PARTICIPATE IN PPH PROGRAM  
Application No. 13/309,672 : AND PETITION TO MAKE SPECIAL  
Filed: December 2, 2011 : UNDER 37 CFR 1.102(a)  
Atty. Docket No.: 28297Z :  
For: TREATMENT INSTRUMENT FOR ENDOSCOPE

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed December 27, 2011 to make the above-identified application special.

The petition is **GRANTED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

(1) the U.S. application is a Paris Convention application which either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the JPO (Japanese Patent Office) or claims priority to a PCT application that contains no priority claims. Alternatively, it can be a national stage application under the PCT which validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims. It can also be a "bypass application" filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application validly claims priority to an application filed in the JPO or claims priority to a PCT application that contains no priority claims, or contains no priority claim;

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

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to 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 3779 for action commensurate with this decision.



David Bucci  
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: 233245-7	Application Number (if known): 13/309681	Filing date: 12-2-2011
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First Named Inventor: Lothar Wittekind

Title: WIND PLANT AND METHOD FOR INCREASING ENERGY CAPTURE IN A WIND PLANT

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

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

- 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.**
- 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.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement Concerning the Basis for the Special Status

Signature /Allison W. Mages/	Date 1-24-2012
------------------------------	----------------

Name Allison W .Mages (Print/Typed)	Registration Number 57,275
-------------------------------------	----------------------------

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

\*Total of ..... forms are submitted.

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

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

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

**Instruction Sheet for  
Petition to Make Special Under the Green Technology Pilot Program**  
(Not to be Submitted to the USPTO)

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

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/309,681	12/02/2011	Lothar WITTEKIND	233245/25229-0027-D1	1052
77749	7590	02/10/2012	EXAMINER	
McNees Wallace & Nurick LLC			GONZALEZ, JULIO C	
100 Pine Street			ART UNIT	PAPER NUMBER
P.O. Box 1166			2839	
Harrisburg, PA 17108-1166			MAIL DATE	DELIVERY MODE
			02/10/2012	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.



McNees Wallace & Nurick LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg PA 17108-1166

**FEB 10 2012**

In re Application of	:	
WITTEKIND et al.	:	DECISION ON PETITION
Application No. 13/309,681	:	TO MAKE SPECIAL UNDER
Filed: December 2, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.: 233245/25229-0027-D1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on January 24, 2012, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) 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/

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Colleen Dunn  
TQAS, TC 2800



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
William J. McBride

:  
:

Application No. 13309714

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

Filed: December 2, 2011

:

Attorney Docket No. IMM310US9

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 17-APR-2012 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

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	13309714	Confirmation Number	1442	Filing Date	2011-12-02
Attorney Docket Number (optional)	IMM310US9	Art Unit	1618	Examiner	To be assigned
First Named Inventor	William J. McBride				
Title of Invention	In vivo Copper-Free Click Chemistry for Delivery of Therapeutic and/or Diagnostic Agents				
<b>Attention: Office of Petitions</b> 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.					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
David	M.	Goldenberg			
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) :					
<input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input checked="" type="radio"/> (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	/Richard A. Nakashima/		Date (YYYY-MM-DD)	2012-04-17	
Name	Richard A. Nakashima		Registration Number	42023	

## 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 Freedom 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 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 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: 39605-219942 Application Number (if known): 13/309,909 Filing date: 12/02/2011

First Named Inventor: Patrick Chapman

Title: CONFIGURABLE POWER SUPPLY ASSEMBLY

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: STATEMENTS OF SPECIAL STATUS

Signature /Glen M. Kellett/

Date 12/02/2012

Name (Print/Typed) Glen M. Kellett

Registration Number 60,202

**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  
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Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/309,909	12/02/2011	Patrick Chapman	39605-219942	8800

23643 7590 01/06/2012  
BARNES & THORNBURG LLP  
11 SOUTH MERIDIAN  
INDIANAPOLIS, IN 46204

EXAMINER
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ART UNIT	PAPER NUMBER
2838	

NOTIFICATION DATE	DELIVERY MODE
01/06/2012	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):

indocket@btlaw.com



BARNES & THORNBURG LLP  
11 SOUTH MERIDIAN  
INDIANAPOLIS IN 46204

JAN 6 2012

In re Application of	:	
CHAPMAN, PATRICK	:	DECISION ON PETITION
Application No. 13/309,909	:	TO MAKE SPECIAL UNDER
Filed: December 2, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 39605-219942	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 2, 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/

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Colleen Dunn  
TQAS, TC 2800



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KORUS Patent, LLC  
3333 Warrenville Road, Suite 200  
Lisle, IL 60532

**MAILED**  
**MAR 15 2012**  
**OFFICE OF PETITIONS**

In re Application of	:
Yong Han Kim	: DECISION ON REQUEST TO
Application No.: 13/310,527	: PARTICIPATE IN THE PATENT
Filed: December 2, 2011	: PROSECUTION HIGHWAY
Attorney Docket No.: BR111005KYH1	: PROGRAM AND PETITION
For: UNIDENTIFIED RECIPIENTS	: TO MAKE SPECIAL UNDER
MESSAGE EXCHANGE SERVICE	: 37 CFR 1.102(a)
PROVIDING METHOD	:

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed January 18, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

1. The U.S. application is
  - a. a Paris Convention application which either
    - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,or
  - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
    - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    - iii. contains no priority claim,

- or
- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
  - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
  - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
  - iii. contains no priority claim;
- 2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the KIPO application(s);
  - b. An English translation of the allowable/patentable claim(s), and
  - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
- 3. Applicant must:
  - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KIPO application(s), and
  - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
  - a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KIPO application(s) containing the allowable/patentable claim(s);
  - b. An English language translation of the KIPO office action; and
  - c. A statement that the English translation is accurate (if the office actions are not in the English language);
- 6. Applicant must submit:
  - a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
  - b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

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

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226. 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

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 05/31/2010. OMB 0651-0062  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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

### PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **ENEC.P0009**

Application Number (if known): **N/A**

Filing date: **Herewith**

First Named Inventor: **Arturo Silva**

Title: **Inductive 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 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 **/Mani Adeli/**

Date **12/2/2011**

Name (Print/Typed) **Mani Adeli**

Registration Number **39,585**

**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.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/310,689	12/02/2011	Arturo Silva	ENEC.P0009	8395

48947 7590 01/06/2012

ADELI & TOLLEN, LLP  
11940 San Vicente Blvd., Suite 100  
LOS ANGELES, CA 90049

EXAMINER
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ART UNIT	PAPER NUMBER
2832	

MAIL DATE	DELIVERY MODE
01/06/2012	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.



ADELI & TOLLEN, LLP  
11940 San Vicente Blvd., Suite 100  
LOS ANGELES CA 90049

JAN 6 2012

In re Application of :  
SILVA, ARTURO : DECISION ON PETITION  
Application No. 13/310,689 : TO MAKE SPECIAL UNDER  
Filed: December 2, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. ENEC.P0009 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 2, 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/

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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: <b>5081-A1</b>	Application Number (if known):	Filing date:
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First Named Inventor: **Jeffery J. Bohl**

Title: **THERMOELECTRIC POWER GENERATION APPARATUS AND METHOD**

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

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

1. By filing this petition:

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

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

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

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

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

6. Other attachments: \_\_\_\_\_

Signature <b>/Thomas W. Galvani/</b>	Date <b>2011-12-02</b>
--------------------------------------	------------------------

Name (Print/Typed) <b>Thomas W. Galvani</b>	Registration Number <b>63598</b>
---	----------------------------------

**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.

**P A R S O N S & G O L T R Y**

**PATENT AND TRADEMARK ATTORNEYS AT LAW**

4000 NORTH CENTRAL AVENUE, SUITE 1220, PHOENIX, AZ 85012

T. 602.252.7494 | F. 602.252.7198 | WWW.PATENTSAVERS.COM

ROBERT A. PARSONS | RPARSONS@PATENTSAVERS.COM\*

MICHAEL W. GOLTRY | MGOLTRY@PATENTSAVERS.COM\*\*

\*REGISTERED UNITED STATES PATENT ATTORNEY | \*\*ALSO LICENSED IN IDAHO

December 2, 2011

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

Re: Petition to Make Special Under the Green Technology Pilot Program  
Title: THERMOELECTRIC POWER GENERATION  
APPARATUS AND METHOD  
Inventor: Jeffery J. Bohl  
Attorney Docket No.: 5081-A1

Dear Office of Petitions:

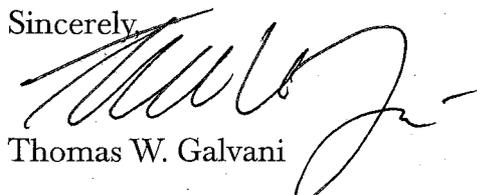
This statement supports the accompanying Petition to Make Special under the Green Technology Pilot Program for the application filed herewith and concerns the subject matter of that application.

Special status is sought because the invention pertains and materially contributes to the development of renewable energy resources. The invention is a power generation apparatus and method for generating power from solar and geothermal energy resources. More specifically, the invention is an apparatus including a thermoelectric device which has opposed surfaces and generates power in response to a temperature difference between the opposed surfaces. The temperatures of the opposed surfaces are provided by thermal energy radiated to the apparatus from the sun and from within the ground.

If the USPTO determines that the claims are directed to multiple inventions, 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 included in Federal Register Vol. 74 No. 234, dated Thursday, December 8, 2009, and is classified in one of the U.S. classifications listed in section VI of that notice.

In the accompanying Application Data Sheet, Applicant has requested early publication in compliance with 37 C.F.R. 1.219 and is including the publication fee set forth in 37 C.F.R. 1.18(d).

Sincerely,

  
Thomas W. Galvani



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/310,726	12/03/2011	Jeffery J. Bohl	5081-A1	2679

89709 7590 01/06/2012  
Thomas W. Galvani, P.C.  
3116 E Shea Blvd #231  
Phoenix, AZ 85028

EXAMINER
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ART UNIT	PAPER NUMBER
3744	

NOTIFICATION DATE	DELIVERY MODE
01/06/2012	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):

tom@galvanilegal.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

Thomas W. Galvani, P.C.  
3116 E Shea Blvd #231  
Phoenix AZ 85028

In re Application of  
BOHL, JEFFERY J. :  
Application No. 13/310,726 :  
Filed: Dec. 3, 2011 :  
Attorney Docket No. 5081-A1 :  
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 Dec. 3, 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 inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856.

This application will be forwarded to the Technology Center Art Unit 3744 for action on the merits commensurate with this decision.

/Henry C. Yuen/

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Henry C. Yuen  
Quality Assurance Specialist  
Technology Center TC 3700



UNITED STATES 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  
The Calfee Building  
1405 East Sixth Street  
Cleveland OH 44114-1607

**MAILED**  
**MAR 07 2012**  
**OFFICE OF PETITIONS**

In re Application of: :  
RICCARDI, et al. :  
Application No.: 13/311,108 :  
Filing Date: December 5, 2011 :  
Attorney Docket No.: 02946/04999 :

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

This is a decision on the petition to make special under 37 CFR 1.102(c)(1), filed February 14, 2012, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant, Bernard Lerner, who signed a statement indicating that said applicant is 65 years of age or older as required under MPEP § 708.02. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Brian W. Brown at (571) 272-5338.

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

Brian W. Brown  
Petitions Examiner  
Office of Petitions



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.
13/311,240	12/05/2011	Surinder Pal Singh	2251/72338-AAAA-PCT-US/JP	3618

23432 7590 01/23/2012  
COOPER & DUNHAM, LLP  
30 Rockefeller Plaza  
20th Floor  
NEW YORK, NY 10112

EXAMINER

FRONDA, CHRISTIAN L

ART UNIT PAPER NUMBER

1652

MAIL DATE DELIVERY MODE

01/23/2012

PAPER

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

JAN 23 2012

COOPER & DUNHAM, LLP  
30 Rockefeller Plaza  
20th Floor  
NEW YORK NY 10112

In re Application of:  
Singh, et al.

Serial No.: 13/311,240  
Filed: December 5, 2011  
Docket: 2251/72338-AAAA-PCT-US/JP  
Title:

**SYNTHESIS OF LONG-CHAIN  
POLYUNSATURATED FATTY ACIDS  
BY RECOMBINANT CELLS**

:  
:  
:  
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 of December 5, 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 been 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):

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

8. Post-Allowance Processing:

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

9. After-Final and Appeal Procedures:

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

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

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

10. Proceedings Outside the Normal Examination Process:

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

11. Final Disposition:

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

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

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

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

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (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: CEP10303DIV	Application Number (if known):	Filing date: December 5, 2011
First Named Inventor: Bob Sorensen		
Title: Radiative Heat Transfer via Fins in a Steam Reformer		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:  <b><u>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.</u></b>		
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, Specification, Drawings, Information Disclosure Statement 		
Signature /M. Matthews Hall/	Date December 5, 2011	
Name M. Matthews Hall (Print/Typed)	Registration Number 43,653	
<b>Note:</b> 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*.		
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.		

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

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

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

**Instruction Sheet for  
Petition to Make Special Under the Green Technology Pilot Program  
(Not to be Submitted to the USPTO)**

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

Applicants : Bob Sorensen et al.  
Application No. : Not yet assigned  
Filed : Herewith  
Title : RADIATIVE HEAT TRANSFER VIA FINS IN A STEAM REFORMER  
Docket No. : CEP10303DIV  
Date : December 5, 2011

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

**CERTIFICATE OF TRANSMISSION**

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

December 5, 2011  
Date

/Katherine D. Gardner/  
Katherine D. Gardner

**STATEMENTS OF SPECIAL STATUS**

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

*I. Statement concerning the basis for special status.*

Applicants submit that special status is sought on the following basis: the claimed invention materially contributes to the more efficient utilization and conservation of energy resources.

*II. Statement pertaining to the materiality standard.*

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

Applicants submit that the claimed invention materially contributes to the more efficient utilization and conservation of energy resources by conserving fossil fuels. Specifically, the claimed invention increases the amount of hydrogen produced by a reformer. As explained in the Background and Summary of the subject application, methane steam reformers can produce hydrogen for use as fuel to produce energy in a fuel cell. The reformer utilizes a catalyst and high temperatures to produce hydrogen from steam and methane. This reaction is endothermic and thus requires a heat source to maintain a temperature range under which the reaction can occur. In some examples, the steam reformer may include a burner outside of a reactor which heats the reactor and is fueled by the reformat. The claimed invention increases the efficiency by which the heat is delivered. For example, claim 1 recites:

A steam reformer, comprising:  
an exterior shell which includes a diffusion burner and angled fins, the angled fins extending away from an inner surface of the exterior shell and downward toward the diffusion burner, the exterior shell forming a cavity in which combustion occurs; and  
an interior reactor positioned at least partly within the exterior shell, wherein at least a portion of the cavity extends between the angled fins and the interior reactor.

That is, a steam reformer is provided comprising an exterior shell which includes a diffusion burner and angled fins. The angled fins extend away from an inner surface of the exterior shell and downward toward the diffusion burner, and the exterior shell forms a cavity in which combustion occurs. The steam reformer further comprises an interior reactor positioned at least partly within the exterior shell, and at least a portion of the cavity extends between the angled fins and the interior reactor. In this way, the angled fins behave as a baffle to direct flow of the combustion gases (e.g., burning hydrogen) from the cavity to the interior reactor, and as thermal radiation emitters. As such, an amount of heat transferred to the interior reactor may be at least partially controlled by a position, angle, and length of each angled fin coupled to an inner surface of the exterior shell. Further, the heat produced via combustion in the cavity may be redirected to the interior reactor by the angled fins. By controlling the amount of heat transferred to the interior reactor, a reforming reaction which occurs within the interior reactor may be driven toward the formation of more products. By forming more hydrogen for use in a

fuel cell, the use of the fuel cell can be increased, and more energy can be produced without combusting fossil fuels.

In this way, the claimed invention not only enables more efficient generation of hydrogen for the fuel cell, but also conserves fossil fuels both through the use of a fuel cell and through the more efficient operation of the fuel cell.

Please charge any cost incurred in this filing, along with any other costs, to Deposit Account No. 503397.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL &  
TUTTLE LLP

/M. Matthews Hall/

M. Matthews Hall

Registration No. 43,653

Customer No. 50488

Attorney for Assignee

806 S.W. Broadway, Suite 600

Portland, Oregon 97205

Telephone: (503) 459-4141

Facsimile: (503) 459-4142



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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/311,316	12/05/2011	Bob Sorensen	CEP10303DIV	9212
50488	7590	01/06/2012	EXAMINER	
ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP			BEST, ZACHARY P	
806 SW BROADWAY			ART UNIT	PAPER NUMBER
SUITE 600			1727	
PORTLAND, OR 97205-3335			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP  
806 SW BROADWAY  
SUITE 600  
PORTLAND OR 97205-3335

1/6/12

In re Application of :  
Sorensen et al. : DECISION ON PETITION  
Application No. 13/311,316 : TO MAKE SPECIAL UNDER  
Filed: 12/5/2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. CEP10303DIV : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/5/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1727 for action on the merits commensurate with this decision.

/Tom Dunn/

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Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

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

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

<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13311395	Confirmation Number	4487	Filing Date	2011-12-05
Attorney Docket Number (optional)	146/2/2	Art Unit		Examiner	
First Named Inventor	Stephen Dorozenski				
Title of Invention	Methods and Systems for Power Generation By Changing Density of A Fluid				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Leon		Hopper			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Justin R. Nifong/		Date (YYYY-MM-DD)	2011-12-05	
Name	Justin R. Nifong		Registration Number	59389	

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



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P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Stephen Dorozenski

:  
:

Application No. 13311395

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

Filed:

:

Attorney Docket No. 146/2/2 CIP

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 05-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc Code: PET.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: 20062.0023USC1 Application Number (if known): Unknown Filing date: Herewith

First Named Inventor: Attlesey

Title: SERVER CASE WITH OPTICAL INPUT/OUTPUT AND/OR WIRELESS POWER SUPPLY

**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: "Rittal White Paper 507: Understanding Data Center Cooling Energy Usage & Reduction Methods"

Signature /James A. Larson/ Date December 6, 2011

Name (Print/Typed) James A. Larson Registration Number 40,443

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/311,722	12/06/2011	Chad Daniel ATTLESEY	20062.0023USC1	1080
52835	7590	01/06/2012	EXAMINER	
HAMRE, SCHUMANN, MUELLER & LARSON, P.C. P.O. BOX 2902 MINNEAPOLIS, MN 55402-0902			ART UNIT	PAPER NUMBER
			2835	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



HAMRE, SCHUMANN, MUELLER & LARSON, P.C.  
P.O. BOX 2902  
MINNEAPOLIS MN 55402-0902

JAN 6 2012

In re Application of	:	
ATTLESEY, CHAD DANIEL	:	DECISION ON PETITION
Application No. 13/311,722	:	TO MAKE SPECIAL UNDER
Filed: December 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 20062.0023USC1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

/Colleen Dunn/

---

Colleen Dunn  
TQAS, TC 2800

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicants: Peter B. TILLES et al.

Serial No:

Group Art Unit:

Filed: December 6, 2011

Att. Docket No.: M1294/20016

Confirmation No.:

For: SYSTEM AND METHOD FOR FACILITATING CANDIDATE AND SUBJECT  
PARTICIPATION IN CLINICAL TRIAL STUDIES

**COMMUNICATION**

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

Sir:

In order to avoid a Notice of Missing Parts, regarding executed Declarations, applicants attach a Petition from the U.S. Patent and Trademark Office which was **GRANTED** from the parent application explaining the facts that several inventors had not signed the declaration required in the priority application. Copies of documents are attached for review.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

December 6, 2011

By           /robert w stevenson/          

Robert W. Stevenson  
Registration No. 31,064  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicants

Please charge or credit our  
Account No. 03-0075 as necessary  
to effect entry and/or ensure  
consideration of this submission.



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11TH FLOOR SEVEN PENN CENTER  
1635 MARKET STREET  
PHILADELPHIA PA 19103-2212

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MAR 23 2009

**OFFICE OF PETITIONS**

In re Application of :  
Tilles, et al. :  
Application No. 12/288,634 : DECISION ACCORDING STATUS  
Filed: October 21, 2008 : UNDER 37 CFR 1.47(a)  
Attorney Docket No. M1294/20004 :

This is in response to the petition under 37 CFR 1.47(a), filed February 19, 2009.

The petition under 37 CFR 1.47(a) is GRANTED.

On petition, petitioner has established that inventors Alter and Thomas have refused to sign the application papers. Specifically, petitioner has included a statement from Peter Tilles, who attested that Alter and Thomas made an oral refusal to sign the application papers.

The above-identified application and papers have been reviewed and found to be in compliance with 37 CFR 1.47(a). Accordingly, the above-identified application is hereby accorded Rule 1.47(a) status. As provided in 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the last known address provided on the declaration. Notice of the filing of this application will also be published in the Official Gazette.

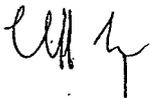
Application No. 12/288,634

Page 2

Petitioner submitted a petition fee in the amount of \$130. However, a petition under 37 CFR 1.47 requires a fee of \$200. An additional \$70 has been charged to Deposit Account No. 03-0075, as authorized.

The application is being forwarded to Group Art Unit 3626 for docketing and examination in due course.

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.



Cliff Congo  
Petitions Attorney  
Office of Petitions

**CERTIFICATE OF MAILING/TRANSMISSION PURSUANT TO 37 CFR 1.8**

I hereby certify that this correspondence and any attachments referenced therein are being transmitted to the USPTO by: EFS-Web (37 CFR § 1.6(a)(4)) on the date shown below.

Dated: February 19, 2009

By:



Robert W. Stevenson

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION**

Applicants: Peter B. Tilles et al.

Serial No: 12/288,634

Filed: October 21, 2008

Attorney Docket No.: M1294/20004

Confirmation No.: 1055

For: SYSTEM AND METHOD FOR FACILITATING CANDIDATE AND SUBJECT  
PARTICIPATION IN CLINICAL TRIAL STUDIES

**COMMUNICATION RE**  
**REQUEST FOR SUSPENSION ON NOTICE OF MISSING PARTS**

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

Sir:

A Continuation patent application was deposited by U.S. Mail via Express Mail EV 722523989 to the U.S. Patent and Trademark Office on October 21, 2008.

In this case, we received a Notice of Missing Parts on November 19, 2008 that related to the fact that several of the named inventors had not signed the declarations required for filing. Also included with this filing, we filed a Petition under 37 C.F.R. 1.47(a) for Filing when Inventor Refuses to Sign, that explained that the inventors in question had refused to sign the declaration in question. That petition is included among the papers listed in PAIR as TRNA (dated 10-21-08; 11 sheets). Perhaps because that petition is buried among those papers, the Petitions Branch is unaware of that Petition.

We request that the Petition Branch grant that Petition, just as it did with a Petition explaining the same facts in the parent application to this case, U.S. Patent Application Serial No. 10/076,738, filed February 14, 2002.

In addition, we now request that the Patent Office suspend action on the Notice of Missing Parts until such time as the Petitions Branch acts on the Petition under 37 C.F.R. 1.47(a)

Application Serial No. 12/288,634  
Request for Suspension on Notice of Missing Parts February 19, 2009

for Filing when Inventor Refuses to Sign filed in this case. We would like to avoid this case becoming abandoned unnecessarily because the Petitions Branch has not acted on this case.

If there are any questions or suggestions relating to this matter, please contact the undersigned at the telephone number set forth below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

February 19, 2009

Please charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

By:



Robert W. Stevenson  
Registration No. 31,064  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicants

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicants: Peter B. Tilles et al.

Serial No: Not Yet Assigned

Group Art Unit:

Filed: Herewith

Att. Docket No.: M1294/20004

Confirmation No.:

For: SYSTEM AND METHOD FOR FACILITATING CANDIDATE AND SUBJECT  
PARTICIPATION IN CLINICAL TRIAL STUDIES

**PETITION UNDER 37 C.F.R. 1.47 (a) FOR FILING WHEN INVENTOR REFUSES TO SIGN**

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

Sir:

This is a petition under 37 C.F.R. 1.47(a) to accept the filing of the above referenced patent application even though two of the three named inventors have refused to sign the declaration. The Commissioner is hereby authorized to charge the petition fee of \$130 set forth in 37 C.F.R. 1.17(h) Deposit Account No. 03000. The Fee Transmittal Form is being filed concurrently herewith.

For the reasons set forth below, Inventor Peter B. Tilles (hereinafter the "Rule 47(a) Applicant") requests that the above-reference application be accepted as filed, and accorded a filing date of February 13, 2002.

Identity of Inventors

The following persons are inventors of one or more claims of the above-referenced patent application:

Peter B. Tilles

Carol L. Alter

H. Mikel Thomas

Carol L. Alter and H. Mikel Thomas have refused to sign the application.

Circumstances of Refusal to Sign

A *bona fide* attempt was made by the Rule 1.47(a) Applicant to present the above-referenced patent application with drawings to Alter and Thomas via e-mail on January 22 and 23, 2002, as set forth in the accompanying Statement of Facts. After the application and drawings were presented, the Rule 1.47(a) Applicant requested via teleconference on February 13, 2002 that Alter and Thomas execute the application listing Alter, Thomas and the Rule 1.47(a) Applicant as inventors. Alter and Thomas refused, alleging that the patent application had no value. This allegation is incorrect. A Statement of Facts from the Rule 1.47(a) Applicant, detailing the refusal of Alter and Thomas to join in the above-referenced patent application, is attached hereto.

Last Known Addresses of the Nonsigning Inventors

The last known addresses of nonsigning inventors Alter and Thomas are given below. It is believed these are the last known addresses at which the nonsigning inventor customarily receives mail.

Carol L. Alter  
87 Autobahn Drive  
Princeton, NJ 08450

H. Mikel Thomas  
9421 Manor Road  
Leawood, KS 66206

It is also believed that Alter and Thomas are represented by James Woods, Esq., and that they can be reached via Mr. Woods at the following address:

James Woods, Esq.  
Brown Raysman Millstein Felder & Steiner LLP  
900 Third Avenue  
New York, New York 10022  
Direct Dial: (212) 827-2007  
Main No. (212) 827-2000  
Fax: (212) 827-2900

Conclusion

Alter, Thomas and the Rule 1.47(a) Applicant are inventors of the above-referenced patent application. However, Alter and Thomas refused to join in and execute the application when the Rule 1.47(a) Applicant made a bona fide attempt to present the application with drawings to Alter and Thomas. Therefore, the Rule 1.47(a) Applicant is entitled to file the application on behalf of himself and Alter and Thomas in the absence of their signatures on the declaration. The Rule 1.47(a) Applicant hereby requests that the Commissioner grant this petition, and that the above-referenced application be accepted as filed and accorded a filing date of February 13, 2002. .

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

By: 

Robert W. Stevenson  
Registration No. 31,064  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicants

October 21, 2008

Please charge or credit our  
Account No. 03-0075 as necessary  
to effect entry and/or ensure  
consideration of this submission.

PATENT

Attorney Docket No.: 42924-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of Peter B. Tilles et al. :  
Serial No.: not yet assigned : Group Art Unit: not yet assigned  
Filed: herewith : Examiner: not yet assigned  
For: SYSTEM AND METHOD FOR FACILITATING CANDIDATE AND SUBJECT PARTICIPATION IN CLINICAL TRIAL STUDIES :

Statement of Facts by Peter B. Tilles Accompanying the Petition Under 37 C.F.R. 1.47(a) for Filing a Patent Application When Inventor Refuses to Sign

Box New Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

I, Peter B. Tilles, hereby declare:

1. That I am an inventor of one or more claims of the above referenced patent application, which is filed herewith.

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. 1.10

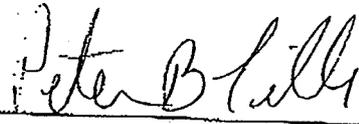
EXPRESS MAIL Mailing Label Number: EL 8844 78885 45  
Date of Deposit: FEB. 19 2002

I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL-POST OFFICE TO ADDRESSEE" service under 37CFR 1.10, on the date indicated above, and addressed to: Box New Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Therese McKinley  
Signature of person mailing page:  
THERESE MCKINLEY  
Type or print name of person

2. That Carol L. Alter and H. Mikel Thomas are also inventors of one or more claims of the above referenced patent application.
3. That I presented Alter and Thomas with the above referenced patent application via e-mail on January 22, 2002, and with the accompanying drawings via e-mail on January 23, 2002. Copies of the e-mails with which the application and drawings were forwarded are attached hereto as Exhibits A and B, respectively.
4. That after presentation of the application and drawings to Alter and Thomas, I requested of both via teleconference on February 13, 2002 that they join in executing the application listing myself, Alter and Thomas as inventors. Also present via teleconference on that date was Lori Hoberman, Esq. of Brown, Raysman, Millstein, Felder & Steiner LLP, 900 Third Avenue, New York, New York 10022. During the February 13, 2002 teleconference, Alter and Thomas stated to me that they refused to join in the application because they believed the patent application had no value.

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

x   
 \_\_\_\_\_  
 PETER B. TILLES

**Exhibit A**

**From:** Peter Tilles <ptilles@rcn.com>  
**Date:** Tue, 22 Jan 2002 11:44:25 -0500  
**To:** Carol Alter <calter1@rcn.com>, Mikel Thomas  
<mthomas1101@aol.com>  
**Subject:** FW: Revised draft application

Carol/Mikel,

Here is the revised patent from Jim Woods minus the drawings which will be forwarded tomorrow. Jim thinks it is in pretty good shape although Seth may still be looking at it.

We should review to see if there are still any issues.

Peter

**Exhibit B**

**From:** Peter Tilles <ptilles@rcn.com>  
**Date:** Wed, 23 Jan 2002 15:05:38 -0500  
**To:** Carol Alter <calter1@rcn.com>, Mikel Thomas  
<mthomas1101@aol.com>  
**Subject:** FW: Revised drawings in .pdf format

----- Forwarded Message

**From:** "Woods, James" <JWoods@brownraysman.com>  
**Date:** Wed, 23 Jan 2002 14:57:16 -0500  
**To:** "ptilles@rcn.com" <ptilles@rcn.com>  
**Subject:** Revised drawings in .pdf format

Hi Peter.

Attached is a .pdf file containing the revised drawings.

Speak to you soon,

Jim  
James J. Woods  
Brown Raysman Millstein  
Felder & Steiner LLP  
900 Third Avenue  
New York, New York 10022-4728  
Direct Dial: (212) 895-2007  
Mobile No.: (201) 725-7459  
Main No. (212) 895-2000  
Fax: (212) 895-2900  
e-mail: [jwoods@brownraysman.com](mailto:jwoods@brownraysman.com)  
Web Site: [www.brownraysman.com](http://www.brownraysman.com) <<http://www.brownraysman.com/>>

----- End of Forwarded Message

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	13312123	Confirmation Number	1023	Filing Date	2011-12-06
Attorney Docket Number (optional)	FORT-007517	Art Unit		Examiner	
First Named Inventor	Andrew F. Fanton				
Title of Invention	APPLICATION CONTROL CONSTRAINT ENFORCEMENT				
<b>Attention: Office of Petitions</b> 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.					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Edwin	L.	Harper			
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) :					
<input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input checked="" type="radio"/> (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	/Michael A DeSanctis/		Date (YYYY-MM-DD)	2011-12-06	
Name	Michael A. DeSanctis		Registration Number	39957	

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



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Andrew F. Fanton

:  
:

Application No. 13312123

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

Filed:

:

Attorney Docket No. FORT-007517

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 06-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc Code: PET.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: 20062.0010USC3 Application Number (if known): Filing date: Herewith

First Named Inventor: Attlesey

Title: A CASE AND RACK SYSTEM FOR LIQUID SUBMERSION COOLING OF ELECTRONIC DEVICES CONNECTED IN AN ARRAY

**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: "Rittal White Paper 507: Understanding Data Center Cooling Energy Usage & Reduction Methods"

Signature /James A. Larson/ Date December 6, 2011

Name (Print/Typed) James A. Larson Registration Number 40,443

**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](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.
13/312,301	12/06/2011	Chad Daniel Attlescy	20062.0010USC3	8566

52835 7590 01/06/2012  
HAMRE, SCHUMANN, MUELLER & LARSON, P.C.  
P.O. BOX 2902  
MINNEAPOLIS, MN 55402-0902

EXAMINER
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ART UNIT	PAPER NUMBER
2835	

MAIL DATE	DELIVERY MODE
01/06/2012	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.



HAMRE, SCHUMANN, MUELLER & LARSON, P.C.  
P.O. BOX 2902  
MINNEAPOLIS MN 55402-0902

JAN 6 2012

In re Application of	:	
ATTLESEY, CHAD DANIEL	:	DECISION ON PETITION
Application No. 13/312,301	:	TO MAKE SPECIAL UNDER
Filed: December 6, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 20062.0010USC3	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

/Colleen Dunn/

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Colleen Dunn  
TQAS, TC 2800



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Richard B. Timmons

:  
:

Application No. 13312415

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

Filed:

:

Attorney Docket No. UTAR:1014DIV

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 06-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

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

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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)					
Application Information					
Application Number	13312415	Confirmation Number	9868	Filing Date	2011-12-06
Attorney Docket Number (optional)		Art Unit		Examiner	
First Named Inventor	Richard B. Timoons				
Title of Invention	COVALENTLY FUNCTIONALIZED PARTICLES FOR SYNTHESIS OF NEW COMPOSITE MATERIALS				
<p><b>Attention: Office of Petitions</b>                      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).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Richard	B.	Timmons			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Chainey P. Singleton/		Date (YYYY-MM-DD)	2011-12-06	
Name	Chainey P. Singleton		Registration Number	53598	

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



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LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090

**MAILED**  
**FEB 01 2012**  
**OFFICE OF PETITIONS**

In re Application of :  
Edward Weisselberg, et al. :  
Application No. 13/312,428 :  
Filed: December 6, 2011 :  
Attorney Docket No. WYSSMONT 3.0-013 DIV I :  
: **DECISION ON PETITION**  
: **TO MAKE SPECIAL UNDER**  
: **37 CFR 1.102(c)(1)**  
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 13, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from applicant's representative that he/she is in possession of proof that Edward Weisselberg's age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

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

The application is being forwarded to the Technology Center Art Unit 3743 for action on the merits commensurate with this decision.

/AMW/  
April M. Wise  
Petitions Examiner  
Office of Petitions



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**LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK  
600 SOUTH AVENUE WEST  
WESTFIELD NJ 07090**

**MAILED**

**DEC 29 2011**

**OFFICE OF PETITIONS**

In re Application of	:	
Edward Weisselberg et al.	:	
Application No. 13/312,446	:	DECISION ON PETITION
Filed: December 6, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. WYSSMONT 3.0-013 DIV II	:	37 CFR 1.102(c)(1)
	:	

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 13, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by an attorney on behalf of inventor Edward Weisselberg, 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 1771 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet  
Petitions Examiner  
Office of Petitions

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Attorney Docket Number: GCOM-006/01US	Application Number (if known): Unassigned	Filing date: Herewith
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First Named Inventor: Eric INGERSOLL

Title: COMPRESSOR AND/OR EXPANDER DEVICE WITH ROLLING PISTON SEAL

**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.

- 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.
- 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.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Preliminary Amendment

Signature /Scott B. Weston/	Date December 6, 2011
-----------------------------	-----------------------

Name (Print/Typed) Scott B. Weston	Registration Number 55,854
------------------------------------	----------------------------

**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.

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/312,467	12/06/2011	Eric D. Ingersoll	GCOM-006/01US 312615-2065	5010
58249	7590	01/06/2012	EXAMINER	
COOLEY LLP ATTN: Patent Group Suite 1100 777 - 6th Street, NW WASHINGTON, DC 20001			ART UNIT	PAPER NUMBER
			3746	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



COOLEY LLP  
ATTN: Patent Group  
Suite 1100  
777 - 6th Street, NW  
WASHINGTON DC 20001

In re Application of  
INGERSOLL, ERIC D. et al. :  
Application No. 13/312,467 :  
Filed: Dec. 6, 2011 :  
Attorney Docket No. GCOM-006/01US 312615- :  
2065 :  
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 Dec. 6, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii)

greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

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

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

Telephone inquiries 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 3746 for action on the merits commensurate with this decision.

/Henry C. Yuen/

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Henry C. Yuen  
Quality Assurance Specialist  
Technology Center TC 3700

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 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.

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: <b>CEL 28-02</b>	Application Number (if known): <b>UNKNOWN</b>	Filing date: <b>HEREWITH</b>
First Named Inventor: <b>GADDY, James, et al.</b>		
Title: <b>Methods for Increasing the Production of Ethanol from Microbial Fermentation</b>		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition: <b><u>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.</u></b>		
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 	Date <b>DEC 7, 2011</b>
Name (Print/Typed) <b>Vik Panchal</b>	Registration Number <b>53,949</b>
<b>Note:</b> 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 1.18. 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*.	
<input checked="" type="checkbox"/> *Total of <u>1</u> 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.



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,136	12/07/2011	James L. Gaddy	CEL 28-02	1088

7590 01/23/2012  
INEOS BIO LIMITED  
3030 Warrenville Rd., S/650  
Lisle, IL 60532

EXAMINER
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ART UNIT	PAPER NUMBER
1651	

MAIL DATE	DELIVERY MODE
01/23/2012	PAPER

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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JAN 23 2012

INEOS BIO LIMITED  
3030 Warrenville Rd., S/650  
Lisle IL 60532

*In re* Application of :

GADDY, James *et al.* : DECISION ON PETITION  
Application No. 13/313136 : TO MAKE SPECIAL UNDER  
Filed: December 7, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. CEL 28-02 : PILOT PROGRAM

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

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

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

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2) The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an

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

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

The petition lacks item(s) 4 and 5.

In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

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

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

The application is being forwarded to the Technology Center Art Unit 1651 for action in its regular turn.

/Manjunath Rao/

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Manjunath Rao  
Supervisory Patent Examiner  
Technology Center 1600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.	13/313,136	)	Confirmation No. 1088
		)	
Applicant:	James L. Gaddy et al.	)	
		)	
Filed:	December 7, 2011	)	<u>CERTIFICATE OF MAILING OR</u>
		)	<u>TRANSMISSION</u>
For:	METHODS FOR INCREASING	)	I hereby certify that this paper is being
	THE PRODUCTION OF	)	electronically filed with the USPTO
	ETHANOL FROM MICROBIAL	)	EFS-Web on the following date:
	FERMENTATION	)	
		)	
Art Unit:	1651	)	
		)	
Examiner:	UNKNOWN	)	

Jan. 30, 2012   
Vik Panchal

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

**GREEN TECHNOLOGY PILOT PROGRAM PETITION TO MAKE SPECIAL STATEMENT**

To Whom It May Concern at the USPTO:

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010). This is in response to USPTO action dated January 23, 2012.

Please charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. 50-3573.

<b>Table of Contents</b>	
Amendments to the Specification	(none)
Amendments to the Claims	(none)
Amendments to the Drawings	(none)
Remarks	Page 3
Exhibit A – US DOE \$50M grant	
Exhibit B – USDA \$75M loan guarantee	

**REMARKS:**

**Statement:**

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010):

Applicants provide that the instant invention directed to methods for increasing production of alcohol from syngas fermentation:

- 1) materially enhances the quality of the environment by offering potential to utilize low cost carbon and waste to produce fuel and energy;
- 2) materially contributes to the development of renewable energy resources by offering sustainable alternatives to fossil fuels; and
- 3) materially contributes to green house gas reduction by providing a potential step change in green house gas emissions.

Moreover, please note the following excerpt from a press release dated December 4, 2009 (Attached as Exhibit A) indicating U.S. Department of Energy \$50 million dollar grant for technology related to the instant invention:

“The U.S. Department of Energy (DOE) today announced it has selected INEOS Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use INEOS Bio’s advanced BioEnergy technology, the world’s leading feedstock flexible technology for production of both bioethanol and renewable power.

...  
The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.”

Also, please note the following excerpt from a press release dated August 18, 2011 (Attached as Exhibit B) indicating U.S. Department of Agriculture \$75 million dollar loan guarantee for technology related to the instant invention:

"Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

...

The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill."

Accordingly, Applicant requests that the instant application meets the requirements pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

Respectfully submitted,



Vikrant B. Panchal  
Registration No. 53,949

Date: January 30, 2012

INEOS BIO LIMITED  
3030 Warrenville Rd. STE 650  
Lisle, IL 60532  
T: 630-857-7331  
F: 630-857-7328

Exhibit A

December 4, 2009  
INEOS Bio Press Release

“INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for  
Commercial BioEnergy Facility”

Press Release:

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for Commercial BioEnergy Facility  
December 4th 2009

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for Commercial BioEnergy Facility - Construction expected to begin in 2Q 2010 - Commercial-scale facility will be operational by late 2011

Lisle, IL - The U.S. Department of Energy (DOE) today announced it has selected INEOS

Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE

Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use

INEOS Bio's advanced BioEnergy technology, the world's leading feedstock flexible technology for production of both bioethanol and renewable power.

The INEOS New Planet BioEnergy Joint Venture will own and operate the commercial facility.

It will produce eight million gallons of third generation bioethanol per year from renewable

biomass including yard, wood and vegetative wastes. The facility will also generate clean renewable power for export to the Florida market. This investment will bring clean tech employment to the Treasure Coast region of Florida, creating approximately 120 construction

jobs over the next two years and 40-50 full time jobs.

In commenting on the grant, INEOS Bio CEO Peter Williams highlighted the benefits of the

INEOS Bio technology: "This breakthrough technology will substantially reduce net greenhouse gas emissions from cars and energy generation. Not only does it reduce the amount of waste going to landfills, but it also breaks the link between food crops and bioethanol production. The ability to make fuel from agricultural waste and municipal solid waste opens up a whole new avenue to achieving sustainable energy independence." Added Williams, "We appreciate the continued support of the DOE as we commercialize this world-class technology in the U.S."

Commenting on the announcement, W.L. "Tex" Carter, President of New Planet Energy, said:

"We are grateful to the U.S. Department of Energy for its endorsement of this worldchanging

technology. We intend to move forward to achieve full commercial production at the facility by late 2011.”

The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.

#### Notes to Editors

INEOS Bio is a BioEnergy company working to commercialize and license a highly innovative thermo-chemical and bio-chemical technology for the production of renewable biofuels and renewable power from a wide range of low-cost carbon materials. Its initial focus is the commercialization of the world’s leading third generation bioethanol technology process to serve the global renewable transport fuels market and the renewable energy market. For more information, visit [www.ineosbio.com](http://www.ineosbio.com)

INEOS Bio is one of the global businesses in INEOS. INEOS is the world’s third largest chemicals company and a leading manufacturer of petrochemicals, specialty chemicals, biofuels, and oil products. Comprising 17 businesses, with a production network spanning 64 manufacturing facilities in 14 countries, the company produces more than 30 million tons of petrochemicals, and 20 million tons per annum of crude oil refined products (fuels). INEOS employs 15,500 people and has sales of around \$47 Billion. For more information visit [www.ineos.com](http://www.ineos.com)

New Planet Energy LLC is engaged in the development and implementation of advanced biofuels and energy projects. For more information, visit [www.newplanetenergy.com](http://www.newplanetenergy.com)

Contacts:

INEOS Bio

Dan Cummings  
Business Manager – Americas  
(630) 857-7165

[biopress@ineos.com](mailto:biopress@ineos.com)

New Planet Energy, LLC

W.L. “Tex” Carter  
President,  
(321) 368-2044

Exhibit B

August 18, 2011  
INEOS Bio Press Release

“USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste”

Press Release:

USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste  
August 18th 2011

Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs.

WASHINGTON, August 18, 2011—Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

“Over the past two years, USDA has worked to help our nation develop a national biofuels economy that continues to help us grow and out-compete the rest of the world,” said Vilsack. “In the months ahead, USDA will continue to work with federal partners like the Department of Energy, the U.S. Navy and the Federal Aviation Administration to improve our country's energy security and provide sustainable jobs in communities across the country. This cutting-edge facility in Florida, and others like it across America, represents the kind of innovation we need to continue to build a competitively-priced, American-made, homegrown biofuels industry that helps to break our dependence on foreign oil and moves our nation toward a clean energy economy.”

The facility, estimated to be completed by the summer of 2012 and being constructed by INEOS New Plant Energy, LLC, will use a gas fermentation process to produce an estimated 8 million gallons of cellulosic ethanol from citrus fruit, vegetable and yard wastes. The plant will consume an estimated 300 dry tons per day of organic material and, in addition to ethanol, produce enough electricity to run the plant and provide for the power needs of 1,400 homes. It is estimated that the facility will create 380 jobs, including 175 construction jobs and 50 full-time jobs in Indian River County, Fla. Compared to gasoline, the ethanol produced by the plant will reduce greenhouse gas emissions by an estimated 90 percent.

Earlier this week, President Obama announced that the U.S. Departments of Agriculture, Energy and Navy will invest up to \$510 million during the next three years in partnership with the private sector to produce advanced drop-in aviation and marine biofuels to

power military and commercial transportation. The initiative responds to a directive from President Obama issued in March as part of his Blueprint for A Secure Energy Future, the Administration's framework for reducing dependence on foreign oil. Vilsack joined Energy Secretary Steven Chu and Secretary of the Navy Ray Mabus to sign a joint Memorandum of Understanding committing the departments to the initiative.

The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill.

USDA Rural Development's mission is to increase economic opportunity and improve the quality of life for rural residents. Rural Development fosters growth in homeownership, finances business development, and supports the creation of critical community and technology infrastructure. Further information on rural programs is available at a local USDA Rural Development office or by visiting USDA Rural Development's web site at [www.rurdev.usda.gov/rbs/busp/bprogs.htm](http://www.rurdev.usda.gov/rbs/busp/bprogs.htm). #

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,136	12/07/2011	James L. Gaddy	CEL 28-02	1088
7590 02/10/2012				
INEOS BIO LIMITED		EXAMINER		
3030 Warrenville Rd., S/650		ART UNIT PAPER NUMBER		
Lisle, IL 60532		1651		
		MAIL DATE DELIVERY MODE		
		02/10/2012 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.



INEOS BIO LIMITED  
3030 Warrenville Rd., S/650  
Lisle IL 60532

FEB 10 2012

In re Application of	:	
James L. Gaddy et al.	:	DECISION ON PETITION
Application No. 13/313,136	:	TO MAKE SPECIAL UNDER
Filed: December 07, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. CEL 28-02	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed January 30, 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.

/Blaine Copenheaver/

---

Blaine Copenheaver  
Quality Assurance Specialist  
Technology Center 1700

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Attorney Docket Number: **GMA-P0001** Application Number (if known): **13/313,254** Filing date: **December 7, 2011**

First Named Inventor: **ALBERT, George M.**

Title: **METHOD FOR MAKING CONCRETE FROM DRILLING WASTE BYPRODUCTS**

**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 **/Damon A. Neagle/** Date **December 21, 2011**

Name (Print/Typed) **Damon A. Neagle** Registration Number **44,964**

**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 one forms are submitted.

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



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/313,254	12/07/2011	George M. Albert	GMA-P0001	7220
35775	7590	02/01/2012	EXAMINER	
DESIGN IP, P.C. 5100 W. TILGHMAN STREET SUITE 205 ALLENTOWN, PA 18104			ART UNIT	PAPER NUMBER
			1731	
			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.



DESIGN IP, P.C.  
5100 W. TILGHMAN STREET  
SUITE 205  
ALLENTOWN PA 18104

FEB 01 2012

In re Application of	:	
Albert	:	DECISION ON PETITION
Application No. 13/313,254	:	TO MAKE SPECIAL UNDER
Filed: 12/7/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. GMA-P0001	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/21/2011, 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 inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1731 for action on the merits commensurate with this decision.

/Tom Dunn/

---

Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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**KLEIN, DENATALE, GOLDNER, COOPER ET. AL.**  
**P.O. BOX 11172**  
**BAKERSFIELD CA 93389-1172**

**MAILED**

**JAN 17 2012**

**OFFICE OF PETITIONS**

In re Application of :  
Gary I. Hays :  
Application No. 13/313,260 : **ON PETITION**  
Filed: December 7, 2011 :  
Attorney Docket No. 10691-05DIV :  
:

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

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

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

Application No:		Filing date:	
-----------------	--	--------------	--

First Named Inventor:	Grabowski
-----------------------	-----------

Title of the Invention:	DYNAMIC TRANSMISSION CONTROL FOR A WIRELESS NETWORK
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**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](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/US2010/048539

**The international filing date of the corresponding PCT application(s) is/are:** 09/10/2010

**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.**

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

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

(continued)

Application No.:

First Named Inventor: Grabowsky

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	2	
2	3	
3, 4		Claims 4 and 5 in corresponding PCT
5	6	
6-12		Claims 7 -13 in corresponding PCT
13	14	
14	15	
15		Claim 16 in corresponding PCT
16	6	
17	14	
18	15	
19	20	
20	21	
21-31		Claims 18, 19, 25-33 in corresponding PCT
32	22	
33	23	
34	24	
33-34		Claims 23-24 in corresponding PCT

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

Signature /Christopher R. Balzan, Reg#40901/

Date 10/03/2011

Name (Print/Typed) Christopher R. Balzan

Registration Number 40,901

## Privacy Act Statement

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

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

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

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Alexandria, VA 22313-1450  
www.uspto.gov

**BALZAN INTELLECTUAL PROPERTY LAW, PC**  
**674 COUNTY SQUARE DRIVE**  
**SUITE 105**  
**VENTURA CA 93003**

**MAILED**

FEB 22 2012

OFFICE OF PETITIONS

In re Application of:	: DECISION ON REQUEST TO
Grabowsky et al.	: PARTICIPATE IN THE PATENT
Application No. 13/313,652	: PROSECUTION HIGHWAY
Filed: December 7, 2011	: PROGRAM AND PETITION
Attorney Docket No. AERO/004-09-NP-CN1	: TO MAKE SPECIAL UNDER
	: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on December 7, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

#### Discussion

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

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

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

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

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

Telephone inquiries concerning this decision should be directed to 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

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
WAI MUN LEE

:  
:

Application No. 13314020

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

Filed:

:

Attorney Docket No. 091708-0003DIV

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 08-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

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

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PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)					
Application Information					
Application Number	13314020	Confirmation Number	9518	Filing Date	2011-12-07
Attorney Docket Number (optional)	091708-0003DIV	Art Unit		Examiner	
First Named Inventor	WAI MUN LEE				
Title of Invention	COMPOSITION AND METHOD FOR TREATING SEMICONDUCTOR SUBSTRATE SURFACE				
<b>Attention: Office of Petitions</b> 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.					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
WAI MUN		LEE			
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) :					
<input checked="" type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.					
<input type="radio"/> (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	/WAI MUN LEE/	Date (YYYY-MM-DD)	2011-12-08		
Name	WAI MUN LEE				

## Privacy Act Statement

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

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public 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: **382835-999002** Application Number (if known): Filing date: **December 7, 2011**

First Named Inventor: **James S. Lamoureux**

Title: **FUELS AND FUEL ADDITIVES COMPRISING BUTANOL AND PENTANOL**

**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 **/Kam W. Law/** Date **December 7, 2011**

Name (Print/Typed) **Kam W. Law** Registration Number **44,205**

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/314,156	12/07/2011	JAMES S. LAMOUREAUX	382835-999002	1325

64944 7590 02/01/2012  
JONES DAY  
29TH FLOOR, EDINBURGH TOWER, THE LANDMARK,  
15 QUEEN'S ROAD, CENTRAL  
HONG KONG,  
CHINA

EXAMINER
----------

ART UNIT	PAPER NUMBER
1771	

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.



JONES DAY  
29TH FLOOR, EDINBURGH TOWER, THE LANDMARK,  
15 QUEEN'S ROAD, CENTRAL  
HONG KONG CN CHINA

2/1/12

In re Application of	:	
Lamoureux et al.	:	DECISION ON PETITION
Application No. 13/314,156	:	TO MAKE SPECIAL UNDER
Filed: 12/7/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 382835-999002	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/7/2011, 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 1771 for action on the merits commensurate with this decision.

/Tom Dunn/

---

Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700



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P.O. Box 1450  
Alexandria, VA 22313-1450  
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DAVID W HIGHET VP & CHIEF IP COUNSEL  
BECTON DICKINSON AND COMPANY  
(HOFFMAN & BARON)  
1 BECTON DRIVE MC 110  
FRANKLIN LAKES NJ 07417-1880

**MAILED**  
**JAN 12 2012**  
**OFFICE OF PETITIONS**

In re Application of :  
Bendek, et al. :  
Application No. 13/314,292 : **DECISION ACCORDING STATUS**  
Filed: December 8, 2011 : **UNDER 37 CFR 1.47(a)**  
Attorney Docket No. 102- :  
568PCT/US/CON-P6167C1 :

This is in response to the petition under 37 C.F.R. § 1.47(a),  
filed December 8, 2011.

The petition under 37 C.F.R. § 1.47(a) is **GRANTED**.

The petition and declaration have been reviewed and determined to  
be in compliance with 37 C.F.R. § 1.47(b). Specifically,  
petitioner has included a copy of a decision according Rule 47  
application from the parent application.

The application is hereby accorded Rule 47 status.

The application is being forwarded to Group Art Unit 3763 for  
docketing and examination in due course.

Telephone inquiries related to this decision may be directed to  
the undersigned at (571)272-3207.

Cliff Congo  
Petitions Attorney  
Office of Petitions



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HARNESS DICKEY & PIERCE PLC  
PO BOX 8910  
RESTON VA 20195

**MAILED**  
FEB 21 2012  
OFFICE OF PETITIONS

In re Application of : **DECISION**  
Kim, et al. : **ON PETITION**  
Application No. 13/314,633 :  
Filed: December 8, 2011 : **ACCEPTANCE OF**  
Attorney Docket Number: 6661-000104/US/DVA : **COLOR DRAWINGS**

This is in response to the petition under 37 CFR 1.84(a)(2), filed December 8, 2011, for acceptance of color drawings.

The petition is **GRANTED**.

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

- (1) The fee set forth in 37 C.F.R. 1.17(h);
- (2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and
- (3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

Here, the petition was accompanied by the required fee and drawings. The specification contains the appropriate language. Therefore, the petition is granted.

The application is being forwarded to Group Art Unit 2891.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo  
Petitions Attorney  
Office of Petitions

**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:	13/314,639	Filing date:	December 8, 2011
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First Named Inventor:	Christopher L. Cole
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Title of the Invention:	BATTERY CHARGING AND MANAGEMENT SYSTEMS AND RELATED METHODS
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**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](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/US2010/061899

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



## 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.

**PCT-PATENT PROSECUTION HIGHWAY REQUEST**  
**FOR U.S. PAT. APP. NO. 13/314,639**  
**CLAIMS INDICATED AS HAVING NOVELTY, INVENTIVE STEP, AND**  
**INDUSTRIAL APPLICABILITY IN CORRESPONDING**  
**INTERNATIONAL PCT PATENT APPLICATION PCT/US2010/061899**

1. A system comprising:
  - a charging station configured to control a charging of one or more rechargeable batteries;
  - a power generator coupled to the charging station and configured to generate an input power; and
  - a first charger module of one or more charger modules configured to couple to the charging station;wherein:
  - the power generator comprises:
    - a solar power generator configured to convert a solar energy to a solar DC power portion of the input power;
  - the charging station comprises:
    - a first system battery configured to collect a storage charge derived from the input power;
    - one or more receptacles configured to couple the one or more charger modules to the charging station; and
    - a system controller configured to control a concurrent transmission of an output power to each of the one or more receptacles based on charger module parameters of the one or more charger modules;
  - the output power is sourced from the storage charge of the first system battery;
  - the first charger module comprises a first battery charge controller set configured to individually and variably charge, with the output power received at a first receptacle of the one or more receptacles, one or more first batteries of a first battery set of the one or more rechargeable batteries;
  - the first battery charge controller set comprises a first battery charge controller;
  - the one or more first batteries comprises a first battery;
  - and
  - the first charger module is configured to:
    - interchangeably couple to the charging station via the first receptacle; and
    - couple the first battery charge controller set with the first battery set.

2. The system of claim 1, wherein:

the first battery charge controller set is configured to charge the first battery set based on charging parameters received from the system controller; and  
the charging parameters from the system controller are based on the charger module parameters received by the system controller from the first charger module.

3. The system of claim 2, wherein:

the charging parameters comprise, for each of the one or more first batteries of the first battery set, at least one of:

- a charging rate; or
- a charge intensity.

4. The system of any one of claims 1-3, wherein:

the charger module parameters comprise at least two of:

- a battery type of the first battery set;
- a battery quantity of the first battery set;
- a battery temperature of each of the one or more of the first batteries;
- a battery charge of each of the one or more first batteries; or
- a battery chemistry of each of the one or more of the first batteries.

30. A method comprising:

providing a charging station to control a charging of one or more rechargeable batteries;  
providing a power generator coupled to the charging station to generate an input power; and  
providing a first charger module of one or more charger modules to couple to the charging station a first battery set of the one or more rechargeable batteries;

wherein:

providing the power generator comprises:

providing a solar power generator to convert a solar energy to a solar power for the input power;

providing the charging station comprises:

providing a first system battery to collect a storage charge derived from the input power;

providing one or more receptacles configured to couple the one or more charger modules to the charging station; and

providing a system controller to control an output power to each of the one or more receptacles based on charger module parameters received from the one or more charger modules;

the output power is sourced from the storage charge of the first system battery;

providing the first charger module comprises:

configuring the first charger module to interchangeably couple to the charging station via a first receptacle selectable from the one or more receptacles; and

providing a first battery charge controller set to:

couple with one or more batteries of the first battery set;

receive charging parameters from the system controller for each of the one or more batteries of the first battery set; and

variably charge each of the one or more batteries, based on the charging parameters from the system controller, with the output power received at the first receptacle;

and

the charging parameters are generated by the system controller based on the charger module parameters from the first charger module.

31. The method of claim 30, wherein:

the charger module parameters comprise at least two of:

- a battery type of the first battery set;
- a battery quantity of the first battery set;
- a battery temperature of each of the one or more of the batteries;
- a battery charge of each of the one or more of the batteries; or
- a battery chemistry of each of the one or more of the batteries;

and

the charging parameters comprise, for each of the one or more batteries of the first battery set, at least one of:

- a charging range; or
- a charge intensity.

32. The method of any one of claims 30-31, wherein:

providing the first charger module comprises:

- configuring the first charger module to interchangeably couple to two or more of the receptacles; and

providing a status display in real-time for each of the one or more first batteries, the status display comprising at least two of:

- a low charge indicator;
- a charging-in-progress indicator;
- a full charge indicator; or
- a battery malfunction indicator.

40. A method comprising:
- providing a charging station;
  - coupling a solar power generator to the charging station;
  - collecting a storage charge at a system battery of the charging station, the storage charge derived from solar power received from the solar power generator;
  - coupling a first charger module of a plurality of charger modules to a first receptacle of one or more receptacles of the charging station;
  - coupling a first battery set to the first charger module;
  - receiving, at the charging station, charger module parameters from first charger module, the charger module parameters comprising at least two of:
    - a battery type of the first battery set;
    - a battery quantity of the first battery set;
    - a battery temperature of each battery of the first battery set; or
    - a battery chemistry of each battery of the first battery set;
  - and
  - receiving, at the first charger module, charging parameters from the charging station for each battery of the first battery set;
- wherein the plurality of charger modules are interchangeably connectable to the one or more receptacles for coupling to the charging station.

**PCT-PATENT PROSECUTION HIGHWAY REQUEST**  
**FOR U.S. PAT. APP. NO. 13/314,639**

**COMMENTS REGARDING OBSERVATIONS IN BOX VIII OF  
INTERNATIONAL WRITTEN OPINION FOR CORRESPONDING  
INTERNATIONAL PCT PATENT APPLICATION PCT/US2010/061899**

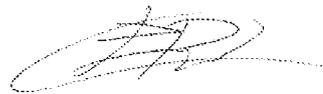
Applicant notes that, in Box VIII of the International Written Opinion for corresponding International PCT Patent Application PCT/US2010/061899, the International Searching Authority observed as follows:

“The term ‘a charging rage’ used in claim 31 is vague and unclear, thereby rendering the claim 31 unclear (PCT Article 6).”

Applicant notes that the text of claim 31 as filed in the U.S. has been amended to correct the typo noted in Box VIII, amending “a charging rage” to read “a charging rate.” In light of the above, Applicant submits that claim 31 as currently pending in the U.S. is thus allowable and not subject to the observations described in Box VIII of the International Written Opinion.

Respectfully submitted,

BRYAN CAVE LLP  
Two North Central Avenue  
Suite 2200  
Phoenix, AZ 85004-4406



Pedro J. Rivera  
Attorney for Applicants  
Reg. No. 60,407  
Tel. (602) 364-7000



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**MAILED**  
**JAN 27 2012**  
**OFFICE OF PETITIONS**

**BRYAN CAVE LLP (PHOENIX)  
TWO NORTH CENTRAL AVENUE,  
SUITE 2200  
PHOENIX AZ 85004**

**In re Application of  
COLE**

**Application No.: 13/314,639**

**Filed: December 8, 2011**

**Attorney Docket No.: 0230074-US**

**For: BATTERY CHARGING AND  
MANAGEMENT SYSTEMS AND  
RELATED METHODS**

**: 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 **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 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 2858 for action on the merits commensurate with this decision.

  
David Buccini  
Petitions Examiner  
Office of Petitions

Doc Code: PET.GREEN

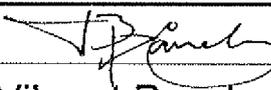
Document Description: Petition for Green Tech Pilot

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.

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: <b>CEL 28-03</b>	Application Number (if known): <b>UNKNOWN</b>	Filing date: <b>HEREWITH</b>
First Named Inventor: <b>GADDY, James et al.</b>		
Title: <b>Methods for Increasing the Production of Ethanol from Microbial Fermentation</b>		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:  <b><u>Applicant is requesting early publication:</u> 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.</b>		
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 	Date	
Name (Print/Typed) <b>Vikrant Panchal</b>	Registration Number <b>53,949</b>	
<b>Note:</b> 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*.		
<input checked="" type="checkbox"/> *Total of <u>1</u> 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.



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.
13/314,862	12/08/2011	James L. Gaddy	CEL 28-03	8010

7590 01/23/2012  
INEOS BIO LIMITED  
3030 Warrenville Rd., S/650  
Lisle, IL 60532

EXAMINER
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ART UNIT	PAPER NUMBER
1651	

MAIL DATE	DELIVERY MODE
01/23/2012	PAPER

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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

JAN 23 2012

INEOS BIO LIMITED  
3030 Warrenville Rd., S/650  
Lisle IL 60532

*In re* Application of :

GADDY, James *et al.* :  
Application No. 13/314862 :  
Filed: December 8, 2011 :  
Attorney Docket No. CEL 28-03 :

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

The petition is **DISMISSED**.

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

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

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2) The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an

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

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

The petition lacks item(s) 4 and 5.

In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

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

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

The application is being forwarded to the Technology Center Art Unit 1651 for action in its regular turn.

/Manjunath Rao/

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Manjunath Rao  
Supervisory Patent Examiner  
Technology Center 1600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.	13/314,862	)	Confirmation No. 8010
		)	
		)	
Applicant:	James L. Gaddy et al.	)	
		)	
Filed:	December 8, 2011	)	<u>CERTIFICATE OF MAILING OR</u>
		)	<u>TRANSMISSION</u>
		)	I hereby certify that this paper is being
For:	METHODS FOR INCREASING	)	electronically filed with the USPTO
	THE PRODUCTION OF	)	EFS-Web on the following date:
	ETHANOL FROM MICROBIAL	)	
	FERMENTATION	)	
		)	
Art Unit:	1651	)	
		)	
		)	
Examiner:	UNKNOWN	)	
		)	
		)	
		)	Jan. 30, 2012 
		)	Vik Panchal

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

**GREEN TECHNOLOGY PILOT PROGRAM PETITION TO MAKE SPECIAL STATEMENT**

To Whom It May Concern at the USPTO:

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010). This is in response to USPTO action dated January 23, 2012.

Please charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. 50-3573.

<b>Table of Contents</b>	
Amendments to the Specification	(none)
Amendments to the Claims	(none)
Amendments to the Drawings	(none)
Remarks	Page 3
Exhibit A – US DOE \$50M grant	
Exhibit B – USDA \$75M loan guarantee	

**REMARKS:**

**Statement:**

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010):

Applicants provide that the instant invention directed to methods for increasing production of alcohol from syngas fermentation:

- 1) materially enhances the quality of the environment by offering potential to utilize low cost carbon and waste to produce fuel and energy;
- 2) materially contributes to the development of renewable energy resources by offering sustainable alternatives to fossil fuels; and
- 3) materially contributes to green house gas reduction by providing a potential step change in green house gas emissions.

Moreover, please note the following excerpt from a press release dated December 4, 2009 (Attached as Exhibit A) indicating U.S. Department of Energy \$50 million dollar grant for technology related to the instant invention:

“The U.S. Department of Energy (DOE) today announced it has selected INEOS Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use INEOS Bio’s advanced BioEnergy technology, the world’s leading feedstock flexible technology for production of both bioethanol and renewable power.

...  
The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.”

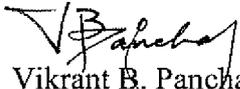
Also, please note the following excerpt from a press release dated August 18, 2011 (Attached as Exhibit B) indicating U.S. Department of Agriculture \$75 million dollar loan guarantee for technology related to the instant invention:

"Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

...  
The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill."

Accordingly, Applicant requests that the instant application meets the requirements pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

Respectfully submitted,

  
Vikrant B. Panchal  
Registration No. 53,949

Date: January 30, 2012

INEOS BIO LIMITED  
3030 Warrenville Rd. STE 650  
Lisle, IL 60532  
T: 630-857-7331  
F: 630-857-7328

Exhibit A

December 4, 2009  
INEOS Bio Press Release

“INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for  
Commercial BioEnergy Facility”

Press Release:

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for Commercial BioEnergy Facility  
December 4th 2009

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for Commercial BioEnergy Facility - Construction expected to begin in 2Q 2010 - Commercial-scale facility will be operational by late 2011

Lisle, IL - The U.S. Department of Energy (DOE) today announced it has selected INEOS

Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE

Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use

INEOS Bio's advanced BioEnergy technology, the world's leading feedstock flexible technology for production of both bioethanol and renewable power.

The INEOS New Planet BioEnergy Joint Venture will own and operate the commercial facility.

It will produce eight million gallons of third generation bioethanol per year from renewable

biomass including yard, wood and vegetative wastes. The facility will also generate clean renewable power for export to the Florida market. This investment will bring clean tech employment to the Treasure Coast region of Florida, creating approximately 120 construction

jobs over the next two years and 40-50 full time jobs.

In commenting on the grant, INEOS Bio CEO Peter Williams highlighted the benefits of the

INEOS Bio technology: "This breakthrough technology will substantially reduce net greenhouse gas emissions from cars and energy generation. Not only does it reduce the amount of waste going to landfills, but it also breaks the link between food crops and bioethanol production. The ability to make fuel from agricultural waste and municipal solid waste opens up a whole new avenue to achieving sustainable energy independence." Added Williams, "We appreciate the continued support of the DOE as we commercialize this world-class technology in the U.S."

Commenting on the announcement, W.L. "Tex" Carter, President of New Planet Energy, said:

"We are grateful to the U.S. Department of Energy for its endorsement of this worldchanging

technology. We intend to move forward to achieve full commercial production at the facility by late 2011.”

The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.

#### Notes to Editors

INEOS Bio is a BioEnergy company working to commercialize and license a highly innovative thermo-chemical and bio-chemical technology for the production of renewable biofuels and renewable power from a wide range of low-cost carbon materials. Its initial focus is the commercialization of the world’s leading third generation bioethanol technology process to serve the global renewable transport fuels market and the renewable energy market. For more information, visit [www.ineosbio.com](http://www.ineosbio.com)

INEOS Bio is one of the global businesses in INEOS. INEOS is the world’s third largest chemicals company and a leading manufacturer of petrochemicals, specialty chemicals, biofuels, and oil products. Comprising 17 businesses, with a production network spanning 64 manufacturing facilities in 14 countries, the company produces more than 30 million tons of petrochemicals, and 20 million tons per annum of crude oil refined products (fuels). INEOS employs 15,500 people and has sales of around \$47 Billion. For more information visit [www.ineos.com](http://www.ineos.com)

New Planet Energy LLC is engaged in the development and implementation of advanced biofuels and energy projects. For more information, visit [www.newplanetenergy.com](http://www.newplanetenergy.com)

Contacts:

INEOS Bio

Dan Cummings  
Business Manager – Americas  
(630) 857-7165

[biopress@ineos.com](mailto:biopress@ineos.com)

New Planet Energy, LLC

W.L. “Tex” Carter  
President,  
(321) 368-2044

Exhibit B

August 18, 2011  
INEOS Bio Press Release

**“USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste”**

Press Release:

USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste  
August 18th 2011

Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs.

WASHINGTON, August 18, 2011—Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

“Over the past two years, USDA has worked to help our nation develop a national biofuels economy that continues to help us grow and out-compete the rest of the world,” said Vilsack. “In the months ahead, USDA will continue to work with federal partners like the Department of Energy, the U.S. Navy and the Federal Aviation Administration to improve our country's energy security and provide sustainable jobs in communities across the country. This cutting-edge facility in Florida, and others like it across America, represents the kind of innovation we need to continue to build a competitively-priced, American-made, homegrown biofuels industry that helps to break our dependence on foreign oil and moves our nation toward a clean energy economy.”

The facility, estimated to be completed by the summer of 2012 and being constructed by INEOS New Plant Energy, LLC, will use a gas fermentation process to produce an estimated 8 million gallons of cellulosic ethanol from citrus fruit, vegetable and yard wastes. The plant will consume an estimated 300 dry tons per day of organic material and, in addition to ethanol, produce enough electricity to run the plant and provide for the power needs of 1,400 homes. It is estimated that the facility will create 380 jobs, including 175 construction jobs and 50 full-time jobs in Indian River County, Fla. Compared to gasoline, the ethanol produced by the plant will reduce greenhouse gas emissions by an estimated 90 percent.

Earlier this week, President Obama announced that the U.S. Departments of Agriculture, Energy and Navy will invest up to \$510 million during the next three years in partnership with the private sector to produce advanced drop-in aviation and marine biofuels to

power military and commercial transportation. The initiative responds to a directive from President Obama issued in March as part of his Blueprint for A Secure Energy Future, the Administration's framework for reducing dependence on foreign oil. Vilsack joined Energy Secretary Steven Chu and Secretary of the Navy Ray Mabus to sign a joint Memorandum of Understanding committing the departments to the initiative.

The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill.

USDA Rural Development's mission is to increase economic opportunity and improve the quality of life for rural residents. Rural Development fosters growth in homeownership, finances business development, and supports the creation of critical community and technology infrastructure. Further information on rural programs is available at a local USDA Rural Development office or by visiting USDA Rural Development's web site at [www.rurdev.usda.gov/rbs/busp/bprogs.htm](http://www.rurdev.usda.gov/rbs/busp/bprogs.htm). #

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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.
13/314,862	12/08/2011	James L. Gaddy	CEL 28-03	8010
7590 02/22/2012				
INEOS BIO LIMITED 3030 Warrenville Rd., S/650 Lisle, IL 60532			EXAMINER	
			ART UNIT	PAPER NUMBER
			1651	
			MAIL DATE	DELIVERY MODE
			02/22/2012	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.



INEOS BIO LIMITED  
3030 Warrenville Rd., S/650  
Lisle IL 60532

**FEB 22 2012**

In re Application of	:	
Gaddy et al.	:	
Application No. 13/314,862	:	DECISION ON PETITION
Filed: 12/8/2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No. <b>CEL 28-03</b>	:	THE GREEN TECHNOLOGY
	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 1/30/2012, 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 1651 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 (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: 83198062 (FMC3726PUS)	Application Number (if known): 13/314,928	Filing date: December 8, 2011
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First Named Inventor: Clay Wesley Maranville

Title: THERMOELECTRIC COMFORT CONTROL SYSTEM FOR MOTOR 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.

- 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.**
- 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.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: Statement to Make Special

Signature /Gary A. Smith/	Date December 8, 2011
---------------------------	-----------------------

Name (Print/Typed) Gary A. Smith	Registration Number 39376
----------------------------------	---------------------------

**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.

Under the 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](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:

CLAY WESLEY MARANVILLE

Group Art Unit: Unknown

Examiner: Unknown

Serial No.: 13/314,928

Filed: December 8, 2011

For: Thermoelectric Comfort Control System for Motor Vehicle

Attorney Docket No.: 83198062 (FMC 3726 PUS)

**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 in Paras. [0001] and [0006], and recited in Claims 1, 11, and 18, for example, the system/apparatus disclosed/claimed in the above-identified application improves the overall energy efficiency of a vehicle by reducing the amount of electrical power needed to provide temperature control of the passenger cabin. This is achieved by exchanging

thermal energy between a drivetrain temperature control loop and a comfort control loop, thereby allowing the thermoelectric heat pumps (Peltier devices) to operate more efficiently and so provide passenger comfort without the need to use a conventional electrically powered heater or air conditioner. 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,

**CLAY WESLEY MARANVILLE**

By: /Gary A. Smith/

Gary A. Smith

Reg. No. 39,376

Attorney for Applicant

Date: December 8, 2011

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/314,928	12/08/2011	Clay Wesley Maranville	83198062	6779
28395	7590	01/06/2012	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			ART UNIT	PAPER NUMBER
			3744	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



BROOKS KUSHMAN P.C./FGTL  
1000 TOWN CENTER  
22ND FLOOR  
SOUTHFIELD MI 48075-1238

In re Application of	:	
MARANVILLE, CLAY WESLEY. et al.	:	DECISION ON PETITION
Application No. 13/314,928	:	TO MAKE SPECIAL UNDER
Filed: Dec. 8, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 83198062	:	PILOT PROGRAM

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

The petition is **granted**.

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

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

This application will be forwarded to the Technology Center Art Unit 3744 for action on the merits commensurate with this decision.

/Henry C. Yuen/

---

Henry C. Yuen  
Quality Assurance Specialist  
Technology Center TC 3700

# Freeform Search

**Database:** 
 US Pre-Grant Publication Full-Text Database  
 US Patents Full-Text Database  
 US Patents GCR Backfile  
 EPO Abstracts Database  
 JPO Abstracts Database  
 Derwent World Patents Index  
 IBM Technical Disclosure Bulletin Database

**Search Type:**  Prior Art  Interference

**Term:** 
 L3 and ((common or shar\$3 or match\$3 or similar\$2) near5 (data or data element or texel or texture))
   
Recall Text

**Display:** 50 Documents in Display Format: - Starting with Number 1

**Generate:**  Hit List  Hit Count  Side by Side  Image

Search
Clear
Interrupt

## Search History

**DATE:** Wednesday, January 18, 2012    [Purge Queries](#)    [Printable Copy](#)    [Create Case](#)

<u>Set Name</u> Side by Side	<u>Query</u>	<u>Hit Count</u>	<u>Set Name</u> Result Set	<u>Set Name</u> Grid
<i>Prior Art Searches</i>				
<i>DB=PGPB,USPT,USOC,EPAB,JPAB,DWPI,TDBD; PLUR=YES; OP=ADJ</i>				
<a href="#">L5</a>	L3 and ((common or shar\$3 or match\$3 or similar\$2) near5 (data or data element or texel or texture))	24	<a href="#">L5</a>	<a href="#">L5</a>
<a href="#">L4</a>	L3 and ((index\$3 or point\$3) near5 (texture or texel or data element))	18	<a href="#">L4</a>	<a href="#">L4</a>
<a href="#">L3</a>	L1 and ((block or sub\$block or array) near5 (texture or texel or data element)) and ((sub\$set or sub\$block) adj4 (texture or texel or data element))	29	<a href="#">L3</a>	<a href="#">L3</a>
<a href="#">L2</a>	L1 and (block adj4 texture) and (sub\$set adj4 texture)	7	<a href="#">L2</a>	<a href="#">L2</a>
<a href="#">L1</a>	(( \$3divid\$3 or segment\$4 or partition\$3) near5 (texture or texel or data element)) and ((encod\$3 or compress\$3) near5 (texture or texel or data element))	1000	<a href="#">L1</a>	<a href="#">L1</a>

END OF SEARCH HISTORY

**Doc Code: PET.GREEN**

**Document Description: Petition for Green Tech Pilot**

PTO/SB/420 (12-09)

Approved for use through 05/31/2010. OMB 0651-0062  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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

## PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 18002.8.3.1	Application Number (if known): 13/315,089	Filing date: December 8, 2011
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First Named Inventor: John M. Guynn

Title: NARROW PSD HYDRAULIC CEMENT, CEMENT-SCM BLENDS, AND METHODS FOR MAKING 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 requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that 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 /John M. Guynn 36153/	Date December 8, 2011
---------------------------------	-----------------------

Name (Print/Typed) John M. Guynn	Registration Number 36,153
----------------------------------	----------------------------

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

\*Total of \_\_\_\_\_ forms are submitted.

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

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

FILED ELECTRONICALLY

PATENT APPLICATION  
Docket No. 18002.8.3.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
 )  
 John M. Guynn et al. )  
 )  
 Serial No.: 13/315,089 ) Art Unit  
 ) 1731  
 Filed: December 8, 2011 )  
 )  
 Confirmation No.: 4438 )  
 )  
 For: NARROW PSD HYDRAULIC CEMENT, )  
 CEMENT-SCM BLENDS, AND METHODS )  
 FOR MAKING SAME )  
 )  
 Examiner: Not Yet Assigned )  
 )  
 Customer No.: 022913 )

**STATEMENT SUPPORTING PETITION TO MAKE SPECIAL  
UNDER GREEN TECHNOLOGY PILOT PROGRAM**

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

We, John M. Guynn and Andrew S. Hansen, co-inventors of the technology disclosed and claimed in the above-identified U.S. patent application, believe that the claimed technology qualifies for accelerated examination under the Green Technology Pilot Program as defined in the Federal Register, Vol. 74, No. 234, pp. 64666- 69 (Tuesday, December 8, 2009), Vol. 75, No. 98, pp. 28554-55 (Friday, May 21, 2010), and Vol. 75, No. 217, pp. 69049-50 (Wednesday, November 10, 2010).

The technology claimed in the Application involves compositions and methods that “materially contribute[] to ... (2) the more efficient utilization and conservation of energy resources [and] (3) greenhouse gas emission reduction”. Fed. Reg., Vol. 74, No. 234, p. 64667.

## **I. BACKGROUND OF THE INVENTION**

The present invention relates to modified Portland cement compositions that permit more efficient use of the cement and greater use of Supplementary Cementitious Materials (SCMs) when making concrete. Portland cement is made from clinker, which is manufactured by heating limestone and clay or shale in a kiln heated to approximately 1450°C. The clinker is then ground very finely to produce finished Portland cement powder.

The manufacture of Portland cement is one of the most energy intensive industrial processes on the planet and emits large amounts of CO<sub>2</sub> and other pollutants into the atmosphere. It has been estimated that, on average, for every ton of Portland cement produced, a ton of CO<sub>2</sub> is emitted into the atmosphere

The present invention provides for more efficient use of Portland cement when making concrete by narrowing the particle size distribution of the cement. This makes Portland cement more reactive by reducing or eliminating coarse cement particles that never fully hydrate and mostly provide a filler effect. It also reduces water demand by reducing the amount of ultrafine cement particles that rapidly dissolve and form viscous cement gel. Reducing the water demand reduces the amount of water required to provide concrete with workability, particularly when the cement is blended with complementary sized SCM particles that increase particle packing density and reduce interstitial space between particles that must otherwise be filled with water. This “pushes” more water out of the interstitial spaces and into the concrete where it can provide greater workability.

The net result is greater use of SCMs and reduction in the amount of Portland cement required to give concrete a desired strength. The technology permits replacement of approximately 30-70% of Portland cement with less expensive and more environmentally friendly SCMS. Examples of useful SCMs that can replace Portland cement include industrial waste products such as coal ash and slag, as well as fillers such as limestone and quartz.

## **II. DESCRIPTION OF WHY CLAIMED INVENTION IS GREEN TECHNOLOGY**

### **A. The Inventive Cement-SCM Blends Materially Contribute To “More Efficient Utilization And Conservation Of Energy Resources”**

As discussed throughout the Application, the invention relates to narrow PSD hydraulic cements and cement-SCM blends that greatly reduce Portland cement consumption when making concrete while providing the same or superior properties. These include strength, durability and resistance to chemical attack.

The manufacture of Portland cement is very energy intensive and consumes enormous quantities of energy resources, typically in the form of fossil fuels or other carbon-based materials (*e.g.*, tires). Heat energy is consumed during the process of calcining lime and clay or shale within a kiln to form cement clinker, which is formed by heating the materials to about 1450 °C. Additional energy is also consumed during the process of grinding cement clinker into reactive cement powder.

The claimed invention reduces the amount of Portland cement used to make concrete by replacing a substantial portion of the Portland cement with man-made or natural SCMs, such as fly ash, slag, volcanic ash, limestone, metakaolin, and silica fume. SCMs require less energy to produce and/or are essentially “energy neutral” because they are byproducts of industrial processes for which energy is expended for another purpose. Cement-SCM blends with complementary-sized cement and SCM particles better utilize the beneficial properties of the cement and SCMs compared to conventional methods.

Fly ash is a waste material produced in large quantities during the combustion of coal (*e.g.*, during electrical power generation). Slag is a waste product produced during the smelting of metal (*e.g.*, iron or steel). As a result, replacing a portion of the Portland cement in concrete with a similar quantity of fly ash, slag or other SCM results in a net reduction in the energy required to produce a given quantity of concrete. Incorporating industrial waste products such as

fly ash and slag into concrete also results in a corresponding reduction in the amount of such materials that would otherwise be discarded into the ground or sludge impoundment (*cf.*, December 2008 coal ash spill in Kingston, Tennessee).

Currently, blended cements comprise a tiny fraction of the total quantity of cement sold by cement manufacturers in the US to concrete manufacturers. That is because replacing Portland cement with SCM typically inhibits concrete strength development, especially in the early stages (*e.g.*, 1-7 days) when strength is often most critical. If concrete strength develops too slowly as a result of replacing Portland cement with an SCM such as fly ash, it can significantly delay the finishing process and/or the removal of forms or other support structures used in making concrete building structures, such as walls, foundations, structural pillars, and bridge elements. For that reason, there has been little market demand for blended cements. Instead, concrete manufacturers typically purchase Portland cement and fly ash separately, perform trial and error testing, and replace a limited quantity (typically 5-20%) of the Portland cement with fly ash. In some cases, the amount of added fly ash greatly exceeds the amount of Portland cement reduction (*e.g.*, 1.5:1 or 2:1) in order to maintain the same strength development as when using 100% Portland cement.

In contrast to the current practice of limited Portland cement replacement with SCMs such as fly ash and slag, the inventive cement-SCM blends can replace 30-70% of the Portland cement with SCM. Reducing 30-70% of the Portland cement required to produce a given quantity of concrete can result in a similar 30-70% reduction in the net amount of energy resources required to produce the cement. Thus, the compositions and methods of the present invention materially contribute to “the more efficient utilization and conservation of energy resources” associated with the manufacture of concrete and other cementitious compositions.

**B. The Inventive Cement Compositions And Methods Materially Contribute To  
“Greenhouse Gas Emission Reduction”**

In addition to conserving energy resources, replacing 30-70% of the Portland cement required to produce a given quantity of concrete with SCMs also results in a similar net reduction in greenhouse gases emitted into the atmosphere. The manufacture of Portland cement emits enormous quantities of carbon dioxide (CO<sub>2</sub>) (a greenhouse gas) into the atmosphere. Portland cement manufacturers constitute one of the largest emitters of greenhouse gases worldwide. It is estimated that for every ton of Portland cement manufactured, approximately a ton or more of CO<sub>2</sub> is emitted into the atmosphere. Some have estimated that the manufacture of Portland cement accounts for 5% or more of the total quantity of man-made CO<sub>2</sub> emitted into the atmosphere.

The manufacture of Portland cement produces CO<sub>2</sub> in at least two ways: (1) the burning of fossil fuels or other carbon-based fuels (*e.g.*, used tires) to form cement clinker from raw materials and (2) CO<sub>2</sub> released during the calcining of limestone (CaCO<sub>3</sub>) to form the reactive calcium-based minerals found in Portland cement (*e.g.*, tricalcium silicate, dicalcium silicate and tricalcium aluminate). The only possible way for the cement industry to reduce greenhouse emissions is to reduce the amount of energy consumed and CO<sub>2</sub> released during the manufacture of cement. The best (and perhaps only) way to achieve a substantial reduction in CO<sub>2</sub> emissions is to reduce the amount of Portland cement required to manufacture a given quantity of concrete.

The production of natural SCMs, such as volcanic ash and limestone, consumes only a fraction of the energy required to form an equivalent volume of Portland cement (*e.g.*, by mining and processing). Man-made pozzolans such as fly ash and slag are simply industrial waste products formed during coal combustion and metal smelting and are considered to be essentially carbon neutral. Therefore, replacing 30-70% of the Portland cement used to manufacture concrete with SCMs will result in a similar reduction in greenhouse gas emissions. Thus, the

compositions and methods of the present invention materially contribute to “greenhouse gas emission reduction” associated with the manufacture of concrete and other cementitious compositions.

**C. The Inventive Cement Compositions Are As Green Or More Green Than Those In U.S. Patent No. 7,799,128, Which Was Also Accelerated Under The Green Technology Pilot Program**

The inventive hydraulic cement compositions further decrease the amount of cement required to obtain concrete having a given strength than the cement compositions disclosed in U.S. Patent No. 7,799,128, which was previously accelerated under this program. The improvement of the present invention over the technology in U.S. Patent No. 7,799,128 is mainly provided by narrowing the PSD of the cement powder to remove ultrafine particles. Such particles were found through testing to increase water demand and reduce SCM substitution levels. Reducing the ultrafine cement particle further increases SCM substitution levels and greatly reduces water demand, with a corresponding increase in strength.

Thus, the inventive hydraulic cement compositions and cement-SCM blends are as green, or more green, than those already deemed to merit accelerated examination under the program.

**III. OFFER TO AMEND OR CANCEL CLAIMS**

If the USPTO grants this petition, Applicants agree to amend or cancel claims as needed in order to fully comply with the requirements of the Green Technology Pilot Program to the extent they do not already comply.

Dated this 8<sup>th</sup> day of December 2011.

Respectfully submitted,

/John\_M\_Guynn\_36153/

JOHN M. GUYNN  
Co-inventor

Application No. 13/315,089  
Statement in Support of Petition to Make Special

/Andrew\_S\_Hansen\_56370/

ANDREW S. HANSEN  
Co-inventor  
Customer No. 022913

JMG:kft  
3562456\_1



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/315,089	12/08/2011	John M. Guynn	18002.8.3.1	4438
22913	7590	02/01/2012	EXAMINER	
Workman Nydegger 1000 Eagle Gate Tower 60 East South Temple Salt Lake City, UT 84111			ART UNIT	PAPER NUMBER
			1731	
			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.



Workman Nydegger  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City UT 84111

2/1/12

In re Application of :  
Guynn et al. : DECISION ON PETITION  
Application No. 13/315,089 : TO MAKE SPECIAL UNDER  
Filed: 12/8/2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. 18002.8.3.1 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/8/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

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

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

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

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

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

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

The application is being forwarded to the Technology Center Art Unit 1731 for action on the merits commensurate with this decision.

/Tom Dunn/

---

Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700



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VOLPE AND KOENIG, P.C.  
UNITED PLAZA  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

**MAILED**  
**MAR 15 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Shuhei Kaneko, et. al.  
Application No.: 13/315,835  
Filed: December 9, 2011  
Attorney Docket No.: IPO-P2873.1  
For: DIGITAL CAMERA

: 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 9, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. Documentation of prior office action:

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
  - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
  - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
- Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
  - c. A statement that the English translation is accurate;
6. Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
  - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

Conditions (2-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (1).

Regarding the requirement of condition (1), the relationship of JPO 2011-130008 with the present application is unclear. Thus, applicant must identify the relationship between the JPO application with similar claims and the JPO priority 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 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



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UNITED PLAZA  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

**MAILED**  
**MAR 15 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Shuhei Kaneko, et. al.  
Application No.: 13/315,898  
Filed: December 9, 2011  
Attorney Docket No.: IPO-P2873.2  
For: DIGITAL CAMERA

: 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 9, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. Documentation of prior office action:

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
  - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
  - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
- Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
  - c. A statement that the English translation is accurate;
6. Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
  - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

Conditions (2-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (1).

Regarding the requirement of condition (1), the relationship of JPO 2011-055769 with the present application is unclear. Thus, applicant must identify the relationship between the JPO application with similar claims and the JPO priority 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 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



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UNITED PLAZA  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

**MAILED**  
**MAR 15 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Shuhei Kaneko, et. al.  
Application No.: 13/315,979  
Filed: December 9, 2011  
Attorney Docket No.: IPO-P2873.3  
For: DIGITAL CAMERA

: 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 9, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. Documentation of prior office action:

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
  - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
  - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
- Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
  - c. A statement that the English translation is accurate;
6. Applicant must submit:
- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
  - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

Conditions (2-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails to meet conditions (1).

Regarding the requirement of condition (1), the relationship of JPO 2011-130009 with the present application is unclear. Thus, applicant must identify the relationship between the JPO application with similar claims and the JPO priority application.

The Office acknowledges that the references cited in the JPO Office action were filed in parent Application No. 12/274,714.

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 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

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

<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13316156	Confirmation Number	3687	Filing Date	2011-12-09
Attorney Docket Number (optional)	A-75320-1	Art Unit		Examiner	
First Named Inventor	Anthony D. Williams				
Title of Invention	Continuous Diorama and Method of Making the Same				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name		Suffix	
Anthony	D.	Williams			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Edward S. Wright/		Date (YYYY-MM-DD)	2011-12-09	
Name	Edward S. Wright		Registration Number	24903	

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



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United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Anthony D. Williams

:  
:

Application No. 13316156

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

Filed:

:

Attorney Docket No. A-75320-1

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 09-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

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

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

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

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



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PERKINS COIE LLP  
PATENT-SEA  
P.O. BOX 1247  
SEATTLE WA 98111-1247

**MAILED**

DEC 30 2011

**OFFICE OF PETITIONS**

In re Application of :  
Roy E. McAlister :  
Application No. 13/316,395 :  
Filed: December 9, 2011 :  
Attorney Docket No. 695458106US1 :  
: DECISION ON PETITION  
: TO MAKE SPECIAL UNDER  
: 37 CFR 1.102(c)(1)  
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 9, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement by an attorney on behalf of inventor Roy Edward McAlister, 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 1726 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 (12-09)

Approved for use through 05/31/2010. OMB 0651-0062  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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

## PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: PA0001US\_Err\_C3 Application Number (if known): Filing date: December 11, 2011

First Named Inventor: C. E. Ramberg

Title: Porous Bodies 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 requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that 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 /CERamberg/

Date 12/11/2011

Name (Print/Typed) Charles E. Ramberg

Registration Number 55,562

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

\*Total of \_\_\_\_\_ forms are submitted.

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/316,534	12/11/2011	Charles E. Ramberg	PA0001US_Err_C3	9758
80311	7590	01/06/2012	EXAMINER	
Charles Ramberg P.O. Box 351 Los Altos, CA 94022			ART UNIT	PAPER NUMBER
			1774	
			MAIL DATE	DELIVERY MODE
			01/06/2012	PAPER

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

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



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Charles Ramberg  
P.O. Box 351  
Los Altos CA 94022

1/6/12

In re Application of :  
Ramberg et al. : DECISION ON PETITION  
Application No. 13/316,534 : TO MAKE SPECIAL UNDER  
Filed: 12/11/2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. PA0001US\_Err\_C3 : 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 inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1774 for action on the merits commensurate with this decision.

/Tom Dunn/

---

Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/316,765	12/12/2011	Lars Dyrskjot Andersen	SORGE-COL4A1	8209
93599	7590	02/06/2012	EXAMINER	
Eric P. Mirabel, JD, LLM 3783 Darcus Street Houston, TX 77005			HIBBERT, CATHERINE S	
			ART UNIT	PAPER NUMBER
			1636	
			NOTIFICATION DATE	DELIVERY MODE
			02/06/2012	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):

emirabel@comcast.net



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FEB 06 2012

Eric P. Mirabel, JD, LLM  
3783 Darcus Street  
Houston TX 77005

In re Application of:  
Andersen et al.

Serial No.: 13/316,765

Filed: December 12, 2011

Docket: **SORGE-COL4A1**

Title: **EXPRESSION LEVELS OF COL4A1  
AND OTHER MARKERS  
CORRELATING WITH  
PROGRESSION OR NON-  
PROGRESSION OF BLADDER  
CANCER**

:  
:  
:  
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:  
:  
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:  
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 December 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 **DISMISSED**.

REGULATION AND PRACTICE

To be eligible for accelerated examination under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), the following conditions must be satisfied:

1. The application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. The application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours;

3. The application, at the time of filing, must be complete under 37 CFR 1.51 and in condition for examination;

*Conditions for Examination:* The application must be in condition for examination at the time of filing. This means the application must include the following:

- (A) Basic filing fee, search fee, and examination fee, under 37 CFR 1.16 (*see* MPEP section 607(I)),
- (B) Application size fee under 37 CFR 1.16(s) (if the specification and drawings exceed 100 sheets of paper) (*see* MPEP section 607(II));
- (C) An executed oath or declaration in compliance with 37 CFR 1.63;
- (D) A specification (in compliance with 37 CFR 1.52) containing a description (37 CFR 1.71) and claims in compliance with 37 CFR 1.75;
- (E) A title and an abstract in compliance with 37 CFR 1.72;
- (F) Drawings in compliance with 37 CFR 1.84;
- (G) Electronic submissions of sequence listings in compliance with 37 CFR 1.821(c) or (e), large tables, or computer listings in compliance with 37 CFR 1.96, submitted via the USPTO's electronic filing system (EFS) in ASCII text as part of an associated file (if applicable);
- (H) Foreign priority claim under 35 U.S.C. 119(a)–(d) identified in the executed oath or declaration or an application data sheet (if applicable);
- (I) Domestic benefit claims under 35 U.S.C. 119(e), 120, 121, or 365(c) in compliance with 37 CFR 1.78 (*e.g.*, the specific reference to the prior application must be submitted in the first sentence(s) of the specification or in an application data sheet, and for any benefit claim to a non-English language provisional application, the application must include a statement that: (a) An English language translation, and (b) a statement that the translation is accurate, have been filed in the provisional application) (if applicable);
- (J) English language translation under 37 CFR 1.52(d), a statement that the translation is accurate, and the processing fee under 37 CFR 1.17(i) (if the specification is in a non-English language);
- (K) No preliminary amendments present on the filing date of the application; and
- (L) No petition under 37 CFR 1.47 for a non-signing inventor.

4. The application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

The application as filed is not eligible for the accelerated examination under 37 C.F.R. § 1.102(d) because it was in no in condition for examination due to the Examination Support Document. Specifically, the Examination Support Document (8 page ESD: annotated in EDAN) fails to discuss the relevancy of the three references to the claims (see 3b. and 3c. below)

See: PTO/SB/28: PETITION TO MAKE SPECIAL UNDER ACCELERATED EXAMINATION PROGRAM

### 3. Preexamination Search Statement and Accelerated Examination Support Document:

With this petition, applicant is providing: a preexamination search statement, in compliance with the requirements set forth in item 8 of the instruction sheet, and an “accelerated examination support document” that includes:

- a. An information disclosure statement in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;

- b. For each reference cited, an identification of all the limitations of the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- c. A detailed explanation of how each of the claims are patentable over the references cited with the particularity required by 37 CFR 1.111(b) and (c);
- d. A concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- e. An identification of any cited references that may be disqualified as prior art under 35 U.S.C. 103(c) as amended by the CREATE act;

For the above-stated reasons, the petition is **DISMISSED**.

**Applicant has one month to cure the deficiency set forth herein.**

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/316,765	12/12/2011	Lars Dyrskjot Andersen	SORGE-COL4A1	8209
93599	7590	03/01/2012	EXAMINER	
Eric P. Mirabel, JD, LLM 3783 Darcus Street Houston, TX 77005			HIBBERT, CATHERINE S	
			ART UNIT	PAPER NUMBER
			1636	
			NOTIFICATION DATE	DELIVERY MODE
			03/01/2012	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):

emirabel@comcast.net



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[www.uspto.gov](http://www.uspto.gov)

Eric P. Mirabel, JD, LLM  
3783 Darcus Street  
Houston TX 77005

MAR 01 2012

In re Application of: :  
Andersen et al. :  
Serial No.: 13/316,765 :  
Filed: December 12, 2011 :  
Docket: **SORGE-COL4A1** :  
Title: **EXPRESSION LEVELS OF COL4A1** :  
**AND OTHER MARKERS** :  
**CORRELATING WITH** :  
**PROGRESSION OR NON-** :  
**PROGRESSION OF BLADDER** :  
**CANCER** :

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 of December 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** in view of the supplemental materials submitted February 21, 2012.

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 been 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):

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

8. Post-Allowance Processing:

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

9. After-Final and Appeal Procedures:

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

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

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

10. Proceedings Outside the Normal Examination Process:

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

11. Final Disposition:

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

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

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

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



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/316,821	12/12/2011	Lars Dyrskjot Andersen	SRG-321-FAB	1078
93599	7590	02/09/2012	EXAMINER	
Eric P. Mirabel, JD, LLM 3783 Darcus Street Houston, TX 77005			HIBBERT, CATHERINE S	
			ART UNIT	PAPER NUMBER
			1636	
			NOTIFICATION DATE	DELIVERY MODE
			02/09/2012	ELECTRONIC

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

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

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

emirabel@comcast.net



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[www.uspto.gov](http://www.uspto.gov)

FEB 09 2012

Eric P. Mirabel, JD, LLM  
3783 Darcus Street  
Houston TX 77005

In re Application of:  
Andersen et al.

Serial No.: 13/316,821

Filed: December 12, 2011

Docket: **SRG-321-FAB**

Title: **EXPRESSION OF FABP4 AND OTHER  
GENES ASSOCIATED WITH  
BLADDER CANCER PROGRESSION**

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 of December 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 been 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):

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

8. Post-Allowance Processing:

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

9. After-Final and Appeal Procedures:

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

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

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

10. Proceedings Outside the Normal Examination Process:

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

11. Final Disposition:

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

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

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

/MC Seidel/

Marianne C. Seidel, Quality Assurance Specialist  
Technology Center 1600

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (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: <b>CEL 28-04</b>	Application Number (if known): <b>unknown</b>	Filing date: <b>herewith</b>
First Named Inventor: <b>GADDY, James L.</b>		
Title: <b>Methods for Increasing the Production of Ethanol from Microbial Fermentation</b>		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:  <b><u>Applicant is requesting early publication:</u> 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.</b>		
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 	Date <b>12/12/2011</b>	
Name (Print/Typed) <b>Vikrant Panchal</b>	Registration Number <b>53,949</b>	
<b>Note:</b> 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*.		
<input checked="" type="checkbox"/> *Total of <u>1</u> 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.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/316,963	12/12/2011	James L. Gaddy	CEL 28-04	9660

68261 7590 02/13/2012  
INEOS USA LLC  
3030 WARRENVILLE RD, S/650  
LISLE, IL 60532

EXAMINER
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ART UNIT	PAPER NUMBER
1651	

MAIL DATE	DELIVERY MODE
02/13/2012	PAPER

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

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



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FEB 13 2012

INEOS USA LLC  
3030 WARRENVILLE RD, S/650  
LISLE IL 60532

*In re* Application of :

GADDY, James *et al.* : DECISION ON PETITION  
Application No. 13/316963 : TO MAKE SPECIAL UNDER  
Filed: December 12, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. CEL 28-04 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed December 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**.

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

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

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2) The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an

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

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

The petition lacks item(s) 4, 5 and 8.

In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

In regard to item 8, petitioner should note that since no request in compliance with 37 CFR 1.219 has been made for the early publication of the present application and the publication fee as set forth in 37 CFR 1.18(d) has not been received, the petition is dismissed.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Telephone inquiries concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1651 for action in its regular turn.

/Manjunath Rao/

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Manjunath Rao  
Supervisory Patent Examiner  
Technology Center 1600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.	13/316,963	)	Confirmation No. 9660
		)	
Applicant:	James L. Gaddy et al.	)	
		)	
Filed:	December 12, 2011	)	<u>CERTIFICATE OF MAILING OR</u>
		)	<u>TRANSMISSION</u>
For:	METHODS FOR INCREASING	)	I hereby certify that this paper is being
	THE PRODUCTION OF	)	electronically filed with the USPTO
	ETHANOL FROM MICROBIAL	)	EFS-Web on the following date:
	FERMENTATION	)	
		)	
Art Unit:	1651	)	
		)	
Examiner:	UNKNOWN	)	

February 21, 2012

  
Vik Panchal

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

**GREEN TECHNOLOGY PILOT PROGRAM PETITION TO MAKE SPECIAL  
STATEMENT AND PROOF OF PAID PUBLICATION FEES**

Dear Examiner Rao:

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010). This is in response to USPTO action dated February 13, 2012.

Please charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. 50-3573.

<b>Table of Contents</b>	
Amendments to the Specification	(none)
Amendments to the Claims	(none)
Amendments to the Drawings	(none)
Remarks	Page 3
Exhibit A – US DOE \$50M grant	
Exhibit B – USDA \$75M loan guarantee	
Exhibit C – Publication Fee Paid	

**REMARKS:**

**Statement:**

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010):

Applicants provide that the instant invention directed to methods for increasing production of alcohol from syngas fermentation:

- 1) materially enhances the quality of the environment by offering potential to utilize low cost carbon and waste to produce fuel and energy;
- 2) materially contributes to the development of renewable energy resources by offering sustainable alternatives to fossil fuels; and
- 3) materially contributes to green house gas reduction by providing a potential step change in green house gas emissions.

Moreover, please note the following excerpt from a press release dated December 4, 2009 (Attached as Exhibit A) indicating U.S. Department of Energy \$50 million dollar grant for technology related to the instant invention:

“The U.S. Department of Energy (DOE) today announced it has selected INEOS Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use INEOS Bio’s advanced BioEnergy technology, the world’s leading feedstock flexible technology for production of both bioethanol and renewable power.

...

The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.”

Also, please note the following excerpt from a press release dated August 18, 2011 (Attached as Exhibit B) indicating U.S. Department of Agriculture \$75 million dollar loan guarantee for technology related to the instant invention:

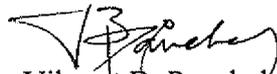
"Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

...  
The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill."

Moreover, early publication fee in the amount of US\$300 (Fee Code 1504) has already been paid for the instant application (See Exhibit C).

Accordingly, Applicant requests that the instant application meets the requirements pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

Respectfully submitted,



Vikrant B. Panchal  
Registration No. 53,949

Date: February 21, 2012

INEOS BIO LIMITED  
3030 Warrenville Rd. STE 650  
Lisle, IL 60532  
T: 630-857-7331  
F: 630-857-7328

Exhibit A

December 4, 2009  
INEOS Bio Press Release

**“INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for  
Commercial BioEnergy Facility”**

Press Release:

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for Commercial BioEnergy Facility  
December 4th 2009

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for Commercial BioEnergy Facility - Construction expected to begin in 2Q 2010 - Commercial-scale facility will be operational by late 2011

Lisle, IL - The U.S. Department of Energy (DOE) today announced it has selected INEOS Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use INEOS Bio's advanced BioEnergy technology, the world's leading feedstock flexible technology for production of both bioethanol and renewable power.

The INEOS New Planet BioEnergy Joint Venture will own and operate the commercial facility. It will produce eight million gallons of third generation bioethanol per year from renewable biomass including yard, wood and vegetative wastes. The facility will also generate clean renewable power for export to the Florida market. This investment will bring clean tech employment to the Treasure Coast region of Florida, creating approximately 120 construction jobs over the next two years and 40-50 full time jobs.

In commenting on the grant, INEOS Bio CEO Peter Williams highlighted the benefits of the INEOS Bio technology: "This breakthrough technology will substantially reduce net greenhouse gas emissions from cars and energy generation. Not only does it reduce the amount of waste going to landfills, but it also breaks the link between food crops and bioethanol production. The ability to make fuel from agricultural waste and municipal solid waste opens up a whole new avenue to achieving sustainable energy independence." Added Williams, "We appreciate the continued support of the DOE as we commercialize this world-class technology in the U.S."

Commenting on the announcement, W.L. "Tex" Carter, President of New Planet Energy, said:  
"We are grateful to the U.S. Department of Energy for its endorsement of this worldchanging

technology. We intend to move forward to achieve full commercial production at the facility by late 2011.”

The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.

#### Notes to Editors

INEOS Bio is a BioEnergy company working to commercialize and license a highly innovative thermo-chemical and bio-chemical technology for the production of renewable biofuels and renewable power from a wide range of low-cost carbon materials. Its initial focus is the commercialization of the world’s leading third generation bioethanol technology process to serve the global renewable transport fuels market and the renewable energy market. For more information, visit [www.ineosbio.com](http://www.ineosbio.com)

INEOS Bio is one of the global businesses in INEOS. INEOS is the world’s third largest chemicals company and a leading manufacturer of petrochemicals, specialty chemicals, biofuels, and oil products. Comprising 17 businesses, with a production network spanning 64 manufacturing facilities in 14 countries, the company produces more than 30 million tons of petrochemicals, and 20 million tons per annum of crude oil refined products (fuels). INEOS employs 15,500 people and has sales of around \$47 Billion. For more information visit [www.ineos.com](http://www.ineos.com)

New Planet Energy LLC is engaged in the development and implementation of advanced biofuels and energy projects. For more information, visit [www.newplanetenergy.com](http://www.newplanetenergy.com)

Contacts:

INEOS Bio

Dan Cummings  
Business Manager – Americas  
(630) 857-7165

[biopress@ineos.com](mailto:biopress@ineos.com)

New Planet Energy, LLC

W.L. "Tex" Carter  
President,  
(321) 368-2044

Exhibit B

August 18, 2011  
INEOS Bio Press Release

**“USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste”**

Press Release:

USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste  
August 18th 2011

Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs.

WASHINGTON, August 18, 2011—Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

“Over the past two years, USDA has worked to help our nation develop a national biofuels economy that continues to help us grow and out-compete the rest of the world,” said Vilsack. “In the months ahead, USDA will continue to work with federal partners like the Department of Energy, the U.S. Navy and the Federal Aviation Administration to improve our country's energy security and provide sustainable jobs in communities across the country. This cutting-edge facility in Florida, and others like it across America, represents the kind of innovation we need to continue to build a competitively-priced, American-made, homegrown biofuels industry that helps to break our dependence on foreign oil and moves our nation toward a clean energy economy.”

The facility, estimated to be completed by the summer of 2012 and being constructed by INEOS New Plant Energy, LLC, will use a gas fermentation process to produce an estimated 8 million gallons of cellulosic ethanol from citrus fruit, vegetable and yard wastes. The plant will consume an estimated 300 dry tons per day of organic material and, in addition to ethanol, produce enough electricity to run the plant and provide for the power needs of 1,400 homes. It is estimated that the facility will create 380 jobs, including 175 construction jobs and 50 full-time jobs in Indian River County, Fla. Compared to gasoline, the ethanol produced by the plant will reduce greenhouse gas emissions by an estimated 90 percent.

Earlier this week, President Obama announced that the U.S. Departments of Agriculture, Energy and Navy will invest up to \$510 million during the next three years in partnership with the private sector to produce advanced drop-in aviation and marine biofuels to

power military and commercial transportation. The initiative responds to a directive from President Obama issued in March as part of his Blueprint for A Secure Energy Future, the Administration's framework for reducing dependence on foreign oil. Vilsack joined Energy Secretary Steven Chu and Secretary of the Navy Ray Mabus to sign a joint Memorandum of Understanding committing the departments to the initiative.

The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill.

USDA Rural Development's mission is to increase economic opportunity and improve the quality of life for rural residents. Rural Development fosters growth in homeownership, finances business development, and supports the creation of critical community and technology infrastructure. Further information on rural programs is available at a local USDA Rural Development office or by visiting USDA Rural Development's web site at [www.rurdev.usda.gov/rbs/busp/bprogs.htm](http://www.rurdev.usda.gov/rbs/busp/bprogs.htm). #

USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Ave., S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice), or (202) 720-6382 (TDD)

Exhibit C

Publication Fee Paid

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13316963			
<b>Filing Date:</b>	12-Dec-2011			
<b>Title of Invention:</b>	Methods for Increasing the Production of Ethanol from Microbial Fermentation			
<b>First Named Inventor/Applicant Name:</b>	James L. Gaddy			
<b>Filer:</b>	Vikrant Bhupen Panchal			
<b>Attorney Docket Number:</b>	CEL 28-04			
Filed as Large Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
Publ. Fee- early, voluntary, or normal	1504	1	300	300
<b>Petition:</b>				
Petition fee- 37 CFR 1.17(f) (Group I)	1462	1	400	400
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>700</b>



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UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/316,963	12/12/2011	James L. Gaddy	CEL 28-04	9660
68261	7590	03/05/2012	EXAMINER	
INEOS USA LLC 3030 WARRENVILLE RD, S/650 LISLE, IL 60532			MARX, IRENE	
			ART UNIT	PAPER NUMBER
			1651	
			MAIL DATE	DELIVERY MODE
			03/05/2012	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.



INEOS USA LLC  
3030 WARRENVILLE RD, S/650  
LISLE IL 60532

MAR 05 2012

In re Application of	:	
James L. Gaddy et al.	:	DECISION ON PETITION
Application No. 13/316,963	:	TO MAKE SPECIAL UNDER
Filed: December 12, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. CEL 28-04	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 21, 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



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**Iris G. Zhao-Baker  
# D7  
18207 1st. Avenue South  
Normandy Park WA 98148**

**MAILED**

**DEC 05 2011**

**OFFICE OF PETITIONS**

In re Application of	:	
Iris Ginron Zhao	:	
Application No. 13/317,044	:	DECISION ON PETITION
Filed: October 8, 2011	:	TO MAKE SPECIAL UNDER
Attorney Docket No.	:	37 CFR 1.102(c)(1)

This is a decision on the petition under 37 CFR 1.102(c)(1), filed November 9, 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 Iris Ginron Zhao, 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 3738 for action on the merits commensurate with this decision.

/Kimberly Inabinet/

Kimberly Inabinet  
Petitions Examiner  
Office of Petitions



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**DANIEL LUCH**  
**17161 COPPER HILL DRIVE**  
**MORGAN HILL, CA 95037**

**MAILED**

**OCT 20 2011**

**OFFICE OF PETITIONS**

In re Application of :  
Daniel Luch :  
Application No. 13/317,070 :  
Date Deposited: October 7, 2011 :  
Title: Substrate Structures For Integrated :  
Series Connected Photovoltaic Arrays And :  
Process Of Manufacture Of Such Arrays :

**ON PETITION**

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 Declaration by applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/  
Joan Olszewski  
Petitions Examiner  
Office of Petitions



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**DANIEL LUCH**  
**17161 COPPER HILL DRIVE**  
**MORGAN HILL, CA 95037**

**MAILED**

OCT 20 2011

OFFICE OF PETITIONS

In re Application of	:	
Daniel Luch	:	
Application No. 13/317,075	:	ON PETITION
Date Deposited: October 6, 2011	:	
Title: Substrate Structures For Integrated	:	
Series Connected Photovoltaic Arrays And	:	
Process Of Manufacture Of Such Arrays	:	

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 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 applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/  
Joan Olszewski  
Petitions Examiner  
Office of Petitions



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**DANIEL LUCH**  
**17161 COPPER HILL DRIVE**  
**MORGAN HILL, CA 95037**

**MAILED**

OCT 20 2011

OFFICE OF PETITIONS

ON PETITION

In re Application of :  
Daniel Luch :  
Application No. 13/317,076 :  
Date Deposited: October 6, 2011 :  
Title: Substrate And Collector Grid Structures :  
For Integrated Series Connected Photovoltaic :  
Arrays And Process Of Manufacture Of Such :  
Arrays :

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 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 applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

The application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision on petition.

/Joan Olszewski/  
Joan Olszewski  
Petitions Examiner  
Office of Petitions



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**DANIEL LUCH**  
**17161 COPPER HILL DRIVE**  
**MORGAN HILL CA 95037**

**MAILED**  
**NOV 08 2011**  
**OFFICE OF PETITIONS**

In re Application of :  
LUCH :  
Application No. 13/317,117 :  
Filed: October 11, 2011 :  
Attorney Docket No. :  
: DECISION ON PETITION  
: TO MAKE SPECIAL UNDER  
: 37 CFR 1.102(c)(1)  
:

This is a decision on the petition under 37 CFR 1.102(c)(1), filed October 11, 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 statement signed by the applicant and a copy of the applicant's driver license. Accordingly, the above-identified application has been accorded "special" status.

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

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center at (571) 272-1700.

The application is being forwarded to Technology Center Art Unit 1725 for action on the merits commensurate with this decision.

/Diane Goodwyn/  
Diane Goodwyn  
Petitions Examiner  
Office of Petitions



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CHRISTIE PARKER & HALE LLP  
PO BOX 29001  
GLENDALE CA 91209-9001

**MAILED**  
JAN 26 2012  
OFFICE OF PETITIONS

In re Application of :  
Wagenaar, et al. :  
Application No. 13/317,219 : ON PETITION  
Filed: October 11, 2011 :  
Attorney Docket Number: 68437/G517 :

This is in response to the petition under 37 CFR 1.84(a)(2), filed October 11, 2011, for acceptance of color drawings.

The petition is **DISMISSED**.

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

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;<sup>1</sup>
- (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:

---

<sup>1</sup> 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 when the Office "has determined that a color drawing or photograph is the only practical medium by which to disclose in a printed utility patent the subject matter to be patented."

Here, the Office has determined that color drawings for Figures 10 - 15 are not the only practical medium by which to disclose the subject matter. Petitioner asserts that the "subject matter could not be adequately represented by black and white images, and in fact black and white images could misrepresent the particular representations." Petitioner's argument has been considered, but is not persuasive. See, e.g. MPEP 608.02, Section IX, which states that drawing symbols should be used to indicate various materials where the material is an important feature of the invention.

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

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

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

The application is being forwarded to Group Art Unit 2884.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.



Cliff Congo  
Petitions Attorney  
Office of Petitions



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CHEMIMAGE CORPORATION  
7301 PENN AVENUE  
PITTSBURGH PA 15208

**MAILED**

**MAR 19 2012**

**OFFICE OF PETITIONS**

In re Application of :  
Priore et al. :  
Application No. 13/317,333 : ON PETITION  
Filed: 10/14/2011 :  
Attorney Docket No. CI 038 US :

This is in response to the PETITION UNDER 37 C.F.R. §1.84 TO ACCEPT COLOR DRAWINGS IN A UTILITY PATENT APPLICATION, filed in the United States Patent and Trademark Office (USPTO) on October 14, 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;<sup>1</sup>
- (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.

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

The petition is not accompanied by an amendment to the specification to insert (unless the specification contains or has been previously amended to contain) the following language as the first paragraph of the brief description of the drawings: The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

The statement regarding the color drawings is included in the specification, but is not located in the first paragraph of the brief description of the drawings. An amendment in accordance with the above must be provided.

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 information conveyed by the color drawings Figures 2A-5D and 6C-8E in the instant application cannot be adequately or accurately conveyed using a black-and-white image or drawing for these Figures.

Petitioner's argument has been considered, but is not persuasive. The Office has determined that color drawings or photographs are not the only practical medium by which to disclose in a printed utility patent the subject matter to be patented. As such, color drawings or photographs are not necessary for an understanding of the invention sought to be patented. The petition is therefore dismissed.

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

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

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

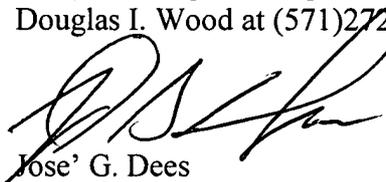
A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2857.

Application No. 13/317,333

Page 3

Telephone inquiries regarding this decision should be directed to Senior Petitions Attorney Douglas I. Wood at (571)272-3231.

A handwritten signature in black ink, appearing to read 'Jose' G. Dees', is written over the printed name.

Jose' G. Dees  
Petitions Examiner  
Office of Petitions

<b>Doc Code: PET.AUTO</b>		PTO/SB/83
<b>Document Description: Petition automatically granted by EFS-Web</b>		U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	<b>REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT AND CHANGE OF CORRESPONDENCE ADDRESS</b>	
Application Number	13317354	
Filing Date	11-Oct-2011	
First Named Inventor	Robert Alexander	
Art Unit	2614	
Examiner Name		
Attorney Docket Number	080881/00001.3	
Title	Method Of Providing An Emergency Call Center	
<input checked="" type="radio"/> Please withdraw me as attorney or agent for the above identified patent application and the practitioners of record associated with Customer Number:		025223
The reason(s) for this request are those described in 37 CFR: 10.40(b)(4) 10.40(c)(1)(vi)		
<b>Certifications</b>		
<input checked="" type="checkbox"/> 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		
<input checked="" type="checkbox"/> 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		
<input checked="" type="checkbox"/> 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	Robert L. Alexander SR	
Address	11701 Locust Dale Court	
City	Mitchellville	
State	MD	
Postal Code	20721	

Country	US
I am authorized to sign on behalf of myself and all withdrawing practitioners.	
Signature	/gms/
Name	Gregory M. Stone
Registration Number	43165



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Decision Date : January 29, 2012

In re Application of :

Robert Alexander

Application No : 13317354

Filed : 11-Oct-2011

Attorney Docket No : 080881/00001.3

DECISION ON REQUEST TO WITHDRAW AS  
ATTORNEY/AGENT OF RECORD

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

The request is **APPROVED**.

The request was signed by Gregory M. Stone (registration no. 43165) on behalf of all attorneys/agents associated with Customer Number 025223. All attorneys/agents associated with Customer Number 025223 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 Robert L. Alexander SR  
Name2  
Address 1 11701 Locust Dale Court  
Address 2  
City Mitchellville  
State MD  
Postal Code 20721  
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



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CHEMIMAGE CORPORATION  
7301 PENN AVENUE  
PITTSBURGH PA 15208

**MAILED**  
**MAR 22 2012**  
**OFFICE OF PETITIONS**

In re Application of	:	DECISION
Michael Fuhrman	:	ON PETITION
Application No. 13/317,497	:	
Filed: October 19, 2011	:	
Attorney Docket Number: CI 039 US	:	

This is in response to the petition under 37 CFR 1.84, filed October 19, 2011, for acceptance of color drawings.

The petition is **DISMISSED**.

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

A grantable petition under 37 C.F.R. 1.84(a)(2) must be accompanied by the following:

- (1) The fee set forth in 37 C.F.R. 1.17(h);
- (2) Three (3) sets of color drawings, or one (1) set if filed via EFS, and
- (3) The specification contains appropriate language referring to the color drawings as the first paragraph in that portion of the specification relating to the brief description of the drawings.

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

Here, the instant petition has not met requirement (3) above. In addition, the Office has determined that color drawings are not necessary for an understanding of the invention.

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

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

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

The application is being forwarded to Group Art Unit 2857 for docketing and examination in due course.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.



Jose Dees  
Petitions Examiner  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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

Ned M. Ahdoot  
6916 Kings Harbor Dr.  
Rancho Palos Verdes CA 90275

**MAILED**  
**FEB 17 2012**  
**OFFICE OF PETITIONS**

In re Application of:	:	
AHDOOT, Ned M.	:	DECISION ON PETITION
Application No.: 13/317,976	:	TO MAKE SPECIAL UNDER
Filing Date: November 2, 2011	:	37 CFR 1.102(c)(1)
Attorney Docket No.: Ahdoot.N-08US	:	

This is a decision on the petition to make special under 37 CFR 1.102(c)(1), filed November 2, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

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

The instant petition includes a statement from the applicant, Ned M. Ahdoot, who signed a statement indicating that said applicant is 65 years of age or older as required under MPEP § 708.02. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to Brian W. Brown at (571) 272-5338.

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



Brian W. Brown  
Petitions Examiner  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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

GLOBAL IP COUNSELORS, LLP  
1233 20<sup>TH</sup> STREET N.W., SUITE 700  
WASHINGTON DC 20036-2680

**MAILED**  
JAN 31 2012  
OFFICE OF PETITIONS

In re Application of  
SAKATA, et al  
Application No.: 13/318,088  
Filed: October 28, 2011  
Attorney Docket No.: NH-US110450  
For: NARROW FRAME TOUCH INPUT  
SHEET, MANUFACTURING  
METHOD OF SAME, AND  
CONDUCTIVE SHEET USED IN  
NARROW FRAME TOUCH INPUT  
SHEET

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed October 28, 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);

This request to participate in the PPH program and petition is assessed as follows:

Requirements (1), (4) and (6) above are considered to have been met. However the request to participate in the PPH program fails to meet requirements (2), (3) and (5).

Regarding requirement (2), applicant has failed to submit a translation of the JPO allowed/patentable claims and a statement of accuracy.

Regarding requirement (3), since applicant has failed to submit a translation statement, it cannot be determined if the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the JPO applications.

Regarding requirement (5), applicant has failed to submit a statement that the translation of the JPO office action for each JPO application 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 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**

**FEB 13 2012**

**OFFICE OF PETITIONS**

**GLOBAL IP COUNSELORS, LLP  
1233 20<sup>TH</sup> STREET N.W., SUITE 700  
WASHINGTON DC 20036-2680**

**CORRECTED**

**In re Application of  
SAKATA, et al  
Application No.: 13/318,088  
Filed: October 28, 2011  
Attorney Docket No.: NH-US110450  
For: NARROW FRAME TOUCH INPUT  
SHEET, MANUFACTURING  
METHOD OF SAME, AND  
CONDUCTIVE SHEET USED IN  
NARROW FRAME TOUCH INPUT  
SHEET**

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

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

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

This application is being forwarded to Technology Center Art Unit 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

RANKIN, HILL & CLARK LLP  
23755 LORAIN ROAD, SUITE 200  
NORTH OLMSTED OH 44070

**MAILED**  
FEB 17 2012  
OFFICE OF PETITIONS

In re Application of  
Watanabe et al.  
Application No.: 13/318,445  
Filed: November 1, 2011  
Attorney Docket No. PRZ-35285  
For: RICE IMPROVER, COOKED RICE USING  
SAME, AND PROCESSES FOR PREPARING  
COOKED RICE

: 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 30, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must

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

Conditions (1-2) and (4-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (3).

Regarding the requirement of condition (3), applicant has failed to 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), specifically U.S. claims 1 and 4.

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

**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:	13/318,462	Filing date:	November 1, 2011
First Named Inventor:	HUA, SHERWIN E.		
Title of the Invention:	INSERTION OF MEDICAL DEVICES THROUGH NON-ORTHOGONAL AND ORTHOGONAL TRAJECTORIES...		
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 <a href="http://www.uspto.gov/ebc/efs_help.html">HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML</a>			

**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/US2010/061531

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



## 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 01/31/2012. OMB 0651-0058

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, 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:	13/318,462	Filing date:	November 1, 2011
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First Named Inventor:	HUA, SHERWIN E.
-----------------------	-----------------

Title of the Invention:	INSERTION OF MEDICAL DEVICES THROUGH NON-ORTHOGONAL AND ORTHOGONAL TRAJECTORIES...
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**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](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/US2010/061531

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



## 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.

<b>REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY – PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE JAPAN PATENT OFFICE (JPO) AND THE USPTO</b>			
Application No.:	13/318,506	First Named Inventor:	Kazuhiro NAKATA
Filing Date:	November 02, 2011	Attorney Docket No.:	1163-0948PUS1
Title of the Invention:	RADIO BROADCAST RECEIVER		
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 <a href="http://www.uspto.gov/ebc/efs_help.html">HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML</a> .			
<b>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.</b>			
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: <u>PCT/JP2009/004021</u>			
The international filing date of the corresponding PCT application(s) is/are: <u>August 21, 2009</u>			
<b>I. List of Required Documents:</b>			
a. <b>A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)</b>			
<input checked="" type="checkbox"/> is attached.			
<input type="checkbox"/> is <u>not</u> attached because the document is already in the U.S. application.			
b. <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)</b>			
<input type="checkbox"/> is attached.			
<input checked="" type="checkbox"/> is <u>not</u> attached because the document is already in the U.S. application.			
c. <b>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.</b>			
d. <b>(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.</b>			
<input type="checkbox"/> is attached.			
<input checked="" type="checkbox"/> has already been filed in the above-identified U.S. application on <u>November 2, 2011</u>			
<b>(2) Copies of all documents (except for U.S. patents or U.S. patent application publications)</b>			
<input type="checkbox"/> are attached.			
<input checked="" type="checkbox"/> have already been filed in the above-identified U.S. application on <u>November 2, 2011</u>			



# 特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人 田澤英昭 様  あて名 〒100-0014 日本国東京都千代田区永田町二丁目12番4号 赤坂山王センタービル5階	PCT 国際調査機関の見解書 （法施行規則第40条の2） 【PCT規則43の2.1】	
出願人又は代理人 の書類記号 606117W001	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/J P 2009/004021	国際出願日 （日.月.年） 21.08.2009	優先日 （日.月.年）
国際特許分類（IPC）Int.Cl. H04B1/18(2006.01)i, H04B1/10(2006.01)i, H04B1/16(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。 <input checked="" type="checkbox"/> 第I欄 見解の基礎 <input type="checkbox"/> 第II欄 優先権 <input type="checkbox"/> 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 <input type="checkbox"/> 第IV欄 発明の単一性の欠如 <input checked="" type="checkbox"/> 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 <input type="checkbox"/> 第VI欄 ある種の引用文献 <input type="checkbox"/> 第VII欄 国際出願の不備 <input type="checkbox"/> 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 12.11.2009	特許庁審査官（権限のある職員） 佐藤 敬介 電話番号 03-3581-1101 内線 3576
名称及びあて先 日本国特許庁（ISA/J P） 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	5W 9196

## 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：

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 請求項	1,2 _____	有 無
進歩性 (IS)	請求項 請求項	1,2 _____	有 無
産業上の利用可能性 (IA)	請求項 請求項	1,2 _____	有 無

## 2. 文献及び説明

文献1. JP 2005-184534 A (富士通テン株式会社) 2005.07.07, 全文, 全図 (ファミリーなし)

文献2. JP 2006-253885 A (松下電器産業株式会社) 2006.09.21, 全文, 全図 (ファミリーなし)

文献3. WO 2008/084539 A1 (パイオニア株式会社) 2008.07.17, 全文, 全図 (ファミリーなし)

## 説明:

請求項1, 2に係る発明は、国際調査報告に提示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。文献1ないし3は、受信装置における一般的な技術を示すものである。

PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing **24.11.2009**  
(day/month/year)

Applicant's or agent's file reference  
**606117WO01**

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/JP2009/004021**

International filing date (day/month/year)  
**21.08.2009**

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC  
**H04B1/18 (2006.01) i, H04B1/10 (2006.01) i, H04B1/16 (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 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/JP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2009/004021

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 43bis.1(a))
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material
    - on paper
    - in electronic form
  - c. time of filing/furnishing
    - contained in the international application as filed
    - filed together with the international application in electronic form
    - furnished subsequently to this Authority for the purposes of search
4.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2009/004021

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	<u>1, 2</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>1, 2</u>	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	<u>1, 2</u>	YES
	Claims	_____	NO
2. Citations and explanations:			
<p>Document 1: JP 2005-184534 A (Fujitsu Ten Ltd.), 07 July 2005, entire text; all drawings (Family: none)</p> <p>Document 2: JP 2006-253885 A (Matsushita Electric Industrial Co., Ltd.), 21 September 2006, entire text; all drawings (Family: none)</p> <p>Document 3: WO 2008/084539 A1 (Pioneer Corp.), 17 July 2008, entire text; all drawings (Family: none)</p> <p>Explanation:</p> <p>The invention as in claims 1 and 2 is not disclosed in any of the documents cited in the ISR, and would not be obvious to a person skilled in the art. Documents 1 to 3 show the general state of the art of the technical field for receivers.</p>			

S T A T E M E N T

International Application No.PCT/JP2009/004021

I, Hideaki TAZAWA, a Japanese citizen of c/o Sanno Patent Office, Akasaka Sanno Center Bldg. 5F, 12-4, Nagata-cho 2-chome, Chiyoda-ku, Tokyo, Japan, do hereby solemnly and sincerely declare as follows:

1. I am well acquainted with both the Japanese language and the English language.
2. I personally made the following translation.
3. The following is a true translation into the English language of the claim(s) from the PCT application No. PCT/JP2009/004021 which was filed on August 21, 2009.

And I make this solemn declaration conscientiously believing the same to be true.

This 16th day of March, 2012

  
\_\_\_\_\_  
Hideaki TAZAWA

## 請求の範囲

[請求項1]

受信帯域の幅が中間周波数より広く、前記中間周波数の2倍以下であって、前記受信帯域の異なる周波数を独立に受信する2つのチューナを有するラジオ放送受信装置において、

局部発振周波数を変更して同調を行うフロントエンド部と、

前記受信帯域の上端周波数から前記中間周波数を減算して得られる第3の周波数を含む第3の周波数領域と、前記受信帯域の下端周波数へ前記中間周波数を加算して得られる第1の周波数を含む第1の周波数領域と、前記第1の周波数領域と第3の周波数領域が重複する第2の周波数領域とに分離して管理し、前記周波数領域を跨いだ同調の変更が行われた場合、選局周波数が前記第3の周波数より大きい場合には前記フロントエンド部を制御して上側局部発振周波数に、前記第1の周波数より小さい場合には前記フロントエンド部を制御して下側局部発振周波数に切替える制御部と、

を備えたことを特徴とするラジオ放送受信装置。

[請求項2]

前記制御部は、

前記それぞれのチューナのアンテナ端子と前記フロントエンド部との間に接続される、一端が接地された高周波スイッチを、前記上側局部発振周波数、又は前記下側局部発振周波数の切替えに連動して制御することを特徴とする請求項1記載のラジオ放送受信装置。

WHAT IS CLAIMED IS:

1. A radio broadcast receiver having two tuners for independently receiving different frequencies in a receiving band with a receiving bandwidth greater than an intermediate frequency and not greater than twice the intermediate frequency, the radio broadcast receiver comprising:

a front end unit for carrying out tuning by changing a local oscillation frequency; and

10 a control unit for managing by dividing the receiving band into a third frequency domain including a third frequency obtained by subtracting the intermediate frequency from an upper end frequency of the receiving band, a first frequency domain including a first frequency obtained by adding the intermediate  
15 frequency to a lower end frequency of the receiving band, and a second frequency domain in which the first frequency domain and the third frequency domain overlap, and for switching, when a change in tuning is made across the frequency domains, a local oscillation frequency to an upper local oscillation frequency  
20 when the tuning frequency is higher than the third frequency by controlling the front end unit, and to a lower local oscillation frequency when the tuning frequency is lower than the first frequency by controlling the front end unit.

25 2. The radio broadcast receiver according to claim 1, wherein the control unit controls a high-frequency switch together with the switching to the upper local oscillation frequency or to the lower local oscillation frequency, the high-frequency switch having its first end connected between an antenna terminal  
30 and the front end unit of each tuner and its second end grounded.

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : Not Yet Assigned Confirmation No. NA  
Applicant : Daniel CASTELL MARTÍNEZ  
Filed :  
Title : WIND TURBINE  
Group Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned  
Docket No. : P1352US00/ASTM.164687  
Customer No. : 05251

**VIA EFS – 11/02/2011**

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

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT  
PROGRAM – STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY  
REQUIREMENT**

This statement is submitted with a Petition to Make Special Under the Green Technology Pilot Program form SB/420 and the fee set forth in 37 C.F.R. § 1.18(d) required for requesting early publication under 37 C.F.R. § 1.219.

**Statement of Special Status for Eligibility Requirement**

It is respectfully submitted that the claims of the above captioned application are directed to embodiments that materially contribute to the development of renewable energy resources. The claims are directed to improvements of wind turbines useable to generate electricity from wind power.

The fee for requesting early publication of the application is submitted herewith by way of electronic payment. It is believed that no additional fee is due, however, if this belief

is in error, the Commissioner is hereby authorized to charge any additional amount required to Deposit Account No. 19-2112.

Respectfully submitted,

/Peter C. Knops/

Peter C. Knops  
Reg. No. 37,659

PCK/ASR/tq  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108-2613  
816-474-6550

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: P1352US00/ASTM.164687

Application Number (if known):

Filing date: 2011-11-02

First Named Inventor: Daniel CASTELL MARTÍNEZ

Title: Wind Turbine

**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 /Peter C. Knops/

Date 2011-11-02

Name (Print/Typed) Peter C. Knops

Registration Number 37659

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

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

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

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



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/318,565	11/02/2011	Daniel Castell Martínez	P1352US00/ASTM.164687	3790

5251 7590 12/20/2011  
SHOOK, HARDY & BACON LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD  
KANSAS CITY, MO 64108-2613

EXAMINER
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ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
12/20/2011	PAPER

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

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



SHOOK, HARDY & BACON LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD  
KANSAS CITY MO 64108-2613

In re Application of  
CASTELL MARTINEZ, DANIEL  
Application No. 13/318,565  
Filed: Nov. 2, 2011  
Attorney Docket No. P1352US00/ASTM.164687

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:  
:  
:

DECISION ON PETITION  
TO MAKE SPECIAL UNDER  
THE GREEN TECHNOLOGY  
PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed Nov. 2, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **dismissed**.

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 # 8.

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 inquiries concerning this decision should be directed to Henry C. Yuen at 571-272-4856. This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

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.

/Henry C. Yuen/

---

Henry C. Yuen  
Quality Assurance Specialist  
Technology Center 3700

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 13/318,565 Confirmation No. 3790  
Applicant : Daniel CASTELL MARTÍNEZ  
Filed : 11/02/2011  
Title : WIND TURBINE  
Group Art Unit : 3745  
Examiner : Not Yet Assigned  
Docket No. : P1352US00/ASTM.164687  
Customer No. : 05251

**VIA EFS – 12/29/2011**

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P. O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR RECONSIDERATION**

Applicants respectfully request reconsideration of the Petition to Make Special under the Green Technology Pilot Program submitted November 2, 2011 [hereinafter Petition] for the above captioned application. This request for reconsideration is in response to the Decision on Petition to Make Special under the Green Technology Pilot Program mailed December 20, 2011 with a one-month period for reply ending January 20, 2012. Applicants Petition was dismissed for failure to include payment of the fee set forth in 37 C.F.R. § 1.18(d) for requesting early publication under 37 C.F.R. § 1.219.

Applicants respectfully submit that the Petition expressly authorized the Commissioner to charge any required unpaid fees to Applicants' deposit account. As such, the unpaid fee for requesting early publication should have been debited from Applicants' deposit account.

The fee for requesting early publication of the application is submitted herewith by way of electronic payment. It is believed that no additional fee is due however, if this belief

Application No. 13/183,565  
Application Filed: 11/02/2011  
Request for Reconsideration of Petition to Make Special filed: 12/29/2011

is in error, the Commissioner is hereby authorized to charge any required amount to Deposit  
Account No. 19-2112.

Respectfully submitted,

/Peter C. Knops/

Peter C. Knops  
Reg. No. 37,659

PCK/ASR/tq  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108-2613  
816-474-6550



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/318,565	11/02/2011	Daniel Castell Martínez	P1352US00/ASTM.164687	3790

5251 7590 12/30/2011  
SHOOK, HARDY & BACON LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD  
KANSAS CITY, MO 64108-2613

EXAMINER
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ART UNIT	PAPER NUMBER
3745	

MAIL DATE	DELIVERY MODE
12/30/2011	PAPER

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

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



SHOOK, HARDY & BACON LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD  
KANSAS CITY MO 64108-2613

In re Application of  
CASTELL MARTINEZ, DANIEL :  
Application No. 13/318,565 :  
Filed: Nov. 2, 2011 :  
Attorney Docket No. P1352US00/ASTM.164687 :  
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 Dec. 29, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **granted**.

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

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

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

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

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

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

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

This application will be forwarded to the Technology Center Art Unit 3745 for action on the merits commensurate with this decision.

/Henry C. Yuen/

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Henry C. Yuen  
Quality Assurance Specialist  
Technology Center TC 3700

## 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:	November 2, 2011
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First Named Inventor:	Christian Chapuis
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Title of the Invention:	PHENOL ESTER AS PERFUMING INGREDIENT
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**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/EBS/EFB\\_HELP.HTML](http://www.uspto.gov/ebs/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/IB2010/052216

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.



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: P1390US00/ASTM.164690	Application Number (if known):	Filing date: 2011-11-02
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First Named Inventor: **José Miguel GARATE ÁLVARO**

Title: **Method And System For Predicting The Occurrence Of A Wind Gust At A Wind Turbine**

**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 <b>/Peter C. Knops/</b>	Date <b>2011-11-02</b>
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Name (Print/Typed) <b>Peter C. Knops</b>	Registration Number <b>37659</b>
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**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](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

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : Not Yet Assigned Confirmation No. NA  
Applicant : José Miguel GARATE ÁLVARO  
Filed :  
Title : METHOD AND SYSTEM FOR PREDICTING THE OCCURRENCE OF  
: A WIND GUST AT A WIND TURBINE  
Group Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned  
Docket No. : P1390US00/ASTM.164690  
Customer No. : 05251

**VIA EFS – 11/02/2011**

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

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT  
PROGRAM – STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY  
REQUIREMENT**

This statement is submitted with a Petition to Make Special Under the Green Technology Pilot Program form SB/420 and the fee set forth in 37 C.F.R. § 1.18(d) required for requesting early publication under 37 C.F.R. § 1.219.

**Statement of Special Status for Eligibility Requirement**

It is respectfully submitted that the claims of the above captioned application are directed to embodiments that materially contribute to the development of renewable energy resources. The claims are directed to improvements of wind turbines useable to generate electricity from wind power.

The fee for requesting early publication of the application is submitted herewith by way of electronic payment. It is believed that no additional fee is due, however, if this belief

is in error, the Commissioner is hereby authorized to charge any additional amount required to  
Deposit Account No. 19-2112.

Respectfully submitted,

/Peter C. Knops/

Peter C. Knops  
Reg. No. 37,659

PCK/ASR/tq  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108-2613  
816-474-6550

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 13/318,582 Confirmation No. 7512  
Applicant : José Miguel Garate Álvaro  
Filed : 11/02/2011  
Title : METHOD AND SYSTEM FOR PREDICTING THE OCCURRENCE OF  
: A WIND GUST AT A WIND TURBINE  
Group Art Unit : 2123  
Examiner : Not Yet Assigned  
Docket No. : P1390US00/ASTM.164690  
Customer No. : 05251

**VIA EFS – 12/29/2011**

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

**PAYMENT OF EARLY PUBLICATION FEES UNDER 37 C.F.R. § 1.219**

Please find submitted herewith by way of electronic payment the fee set forth in 37 C.F.R. § 1.18(d) for requesting early publication under 37 C.F.R. § 1.219. Applicants inadvertently failed to expressly pay this fee with submission of their Petition to Make Special under the Green Technology Pilot Program submitted November 2, 2011 for the above captioned application. It is believed that no additional fee is due however, if this belief is in error, the Commissioner is hereby authorized to charge any required amount to Deposit Account No. 19-2112.

Respectfully submitted,

/Peter C. Knops/

Peter C. Knops  
Reg. No. 37,659

PCK/ASR/tq  
SHOOK, HARDY & BACON L.L.P.  
2555 Grand Blvd.  
Kansas City, MO 64108-2613

Application No. 13/183,565  
Application Filed: 11/02/2011  
Request for Reconsideration of Petition to Make Special filed: 12/29/2011  
816-474-6550



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/318,582	11/02/2011	José Miguel Garate Álvaro	P1390US00/ASTM.164690	7512

5251 7590 01/13/2012  
SHOOK, HARDY & BACON LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD  
KANSAS CITY, MO 64108-2613

EXAMINER
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ART UNIT	PAPER NUMBER
2123	

MAIL DATE	DELIVERY MODE
01/13/2012	PAPER

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

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



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www.uspto.gov

SHOOK, HARDY & BACON LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD  
KANSAS CITY MO 64108-2613

In re Application of:

GARATE ALVARO, Jose  
Application No.: 13/318,582  
Filed: November 2, 2011  
For: **METHOD AND SYSTEM FOR  
PREDICTING THE OCCURRENCE OF A  
WIND GUST AT A WIND TURBINE**

**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 November 2, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010).

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 and be filed prior to the date of the notice, December 8, 2009.

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

Special Under  
Green Technology Pilot Program  
Under 35 USC 371  
December 8, 2009

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 2123 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/

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Quality Assurance Specialist  
Technology Center 2100

## 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:	13/318609	Filing date:	November 2, 2011
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First Named Inventor:	Magnus Karlsson
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Title of the Invention:	FEEDFORWARD DIGITAL CONTROL UNIT FOR SWITCHED MODE POWER SUPPLY AND METHOD THEREOF
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**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/EFC/EFS\\_HELP.HTML](http://www.uspto.gov/efc/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/EP2010/052468

The international filing date of the corresponding PCT application(s) is/are: 02/26/2010

### 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.



## Privacy Act Statement

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

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

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

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

Application No:	13/318,615	Filing date:	11/03/2011
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First Named Inventor:	ROBERTO PELLENGO GATTI
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Title of the Invention:	METHOD, MANDREL AND APPARATUS FOR WINDING UP AND REMOVING CORELESS ROLLS OF STRETCH FILM
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**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](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/EP2010/056554

**The international filing date of the corresponding PCT application(s) is/are:** 12 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.**

Under the Paperwork Reduction Act of 1995, 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.:	13/318,615
First Named Inventor:	ROBERTO PELLENGO GATTI

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

11/03/2011

(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

11/03/2011

**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Only amended to conform with U.S. practice
2	2	Only amended to conform with U.S. practice
3	3	Only amended to conform with U.S. practice
4	4	Only amended to conform with U.S. practice
5	5	Only amended to conform with U.S. practice
6	6	Only amended to conform with U.S. practice
7	7	Only amended to conform with U.S. practice
8	8	Only amended to conform with U.S. practice
9	9	Only amended to conform with U.S. practice
10	10	Only amended to conform with U.S. practice
11	11	Only amended to conform with U.S. practice

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

Signature /Silvia Salvadori/	Date 11/03/2011
Name (Print/Typed) Silvia Salvadori	Registration Number 48,265

## Privacy Act Statement

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

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2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant ( *i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
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### REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO

Application No:		Filing date:	
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First Named Inventor:	<b>Pasi Ranne</b>
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Title of the Invention:	<b>Method for Producing a Cooling Element for Pyrometallurgical Reactor and the Cooling Element</b>
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**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](http://www.uspto.gov/ebc/efs_help.html)**

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

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**The corresponding PCT application number(s) is/are:** PCT/FI2009/050366

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

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**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.**



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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant ( *i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

## 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:	13318681	Filing date:	November 3, 2011
First Named Inventor:	Lars Hammar		
Title of the Invention:	Suspension 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](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/SE2010/050336

**The international filing date of the corresponding PCT application(s) is/are:** March 26, 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.**

Under the Paperwork Reduction Act of 1995, 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.: 13318681

First Named Inventor: Lars Hammar

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

November 3, 2011

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.

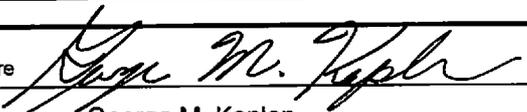
November 3, 2011

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	Formal Revisions Only
2	2	Formal Revisions Only
3	3	Formal Revisions Only
4	4	Formal Revisions Only
5	5	Multiple Dependency Eliminated with Formal Revisions
6	6	Multiple Dependency Eliminated with Formal Revisions
7	7	Multiple Dependency Eliminated with Formal Revisions
8	8	Multiple Dependency Eliminated with Formal Revisions
9	9	Multiple Dependency Eliminated with Formal Revisions
10	10	Formal Revisions Only
11	5	Depends from Claim 2 with Formal Revisions
12	5	Depends from Claim 3 with Formal Revisions
13	5	Depends from Claim 4 with Formal Revisions
14	6	Depends from Claim 13 with Formal Revisions
15	6	Depends from Claim 12 with Formal Revisions
16	6	Depends from Claim 11 with Formal Revisions
17	6	Depends from Claim 5 with Formal Revisions
18	6	Depends from Claim 4 with Formal Revisions
19 & 20	6	Respectively Depend From Claims 3 & 2 with Formal Revisions

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

Signature 	Date November 9, 2011
Name (Print/Typed) George M. Kaplan	Registration Number 28,375

## Privacy Act Statement

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

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant ( *i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**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:	2011-11-04
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First Named Inventor:	M. Hoyt Brewster, et al.
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Title of the Invention:	STRUCTURED-CORE LAMINATE PANELS AND METHODS OF FORMING THE SAME
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**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](http://www.uspto.gov/ebc/efs_help.html)**

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**The corresponding PCT application number(s) is/are:** PCT/US2010/034349

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



## Privacy Act Statement

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

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

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

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

Application No:	13/318,808	Filing date:	November 4, 2011
First Named Inventor:	HELMUT BINDER		

Title of the Invention: **LENS WITH VARIABLE REFRACTION POWER FOR THE HUMAN EYE**

**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](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/EP2010/002986**

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

Under the Paperwork Reduction Act of 1995, 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.:	13/318,808
First Named Inventor:	HELMUT BINDER

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 November 4, 2011

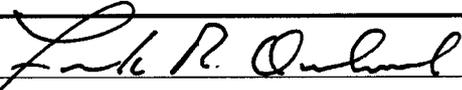
(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

Are attached.

Have already been filed in the above-identified U.S. application on November 4, 2011**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	US claim amended to remove reference (ref) numerals.
2	2	US claim amended to remove ref numerals and to add additional information.
3	4	US claim amended to remove multidependencies, ref numerals and to add additional information.
4	6	US claim amended to remove multidependencies, ref numerals and to add additional information.
5	8	US claim amended to remove multidependencies, ref numerals and to add additional information.
6	10	US claim amended to remove multidependencies and ref numerals.
7	11	US claim amended to remove multidependencies and ref numerals.
8	12	US claim amended to remove multidependencies and ref numerals.
9	13	US claim amended to remove multidependencies and ref numerals.
10	14	US claim amended to remove multidependencies, ref numerals and to add additional information.
11	16	US claim amended to remove multidependencies, ref numerals and to add additional information.
12	18	US claim amended to remove reference (ref) numerals.
13	19	US claim amended to remove multidependencies and ref numerals.
14	20	US claim amended to remove multidependencies, ref numerals and to add additional information.
15	23	US claim amended to remove multidependencies and ref numerals.
16	24	US claim amended to remove reference (ref) numerals.
17	25	US claim amended to remove reference (ref) numerals and to add additional information.
18	27	US claim amended to remove reference (ref) numerals and to add additional information.
19	28	US claim amended to remove reference (ref) numerals and to add additional information.

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

Signature		Date	<u>November 4, 2011</u>
Name (Print/Typed)	Frank Occhiuti	Registration Number	35,306



UNITED STATES PATENT AND TRADEMARK OFFICE

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

00466  
YOUNG & THOMPSON  
209 Madison Street  
Suite 500  
Alexandria, VA 22314

**MAILED**  
DEC 19 2011

PCT LEGAL ADMINISTRATION

In re Application of :  
BRAUN *et al* :  
U.S. Application No.: 13/318,855 :  
PCT No.: PCT/FR2010/050581 :  
Int. Filing Date: 30 March 2010 :  
Priority Date: 31 March 2009 :  
Docket No.: 0503-1209 :  
For: NOVEL THICKENING POLYMER IN :  
THE FORM OF A POWDER :

**DECISION ON  
PETITION UNDER  
37 CFR 1.137(b)**

Applicants' petition to revive under 37 CFR 1.137(b) filed on 04 November 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.

  
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

DANN, DORFMAN, HERRELL & SKILLMAN  
1601 MARKET STREET  
SUITE 2400  
PHILADELPHIA, PA 19103-2307

**MAILED**

**DEC 16 2011**

**PCT LEGAL ADMINISTRATION**

In re Application of: CHENG, DEWEN et al. :  
U.S. Application No: 13/318,864 :  
PCT Application No.: PCT/US2010/31799 :  
International Filing Date: 20 April 2010 : **DECISION ON PETITION**  
Priority Date: 20 April 2009 : **UNDER**  
Attorney's Docket No.: 4953-P05043US01/NH : **37 CFR 1.137(b)**  
For: OPTICAL SEE-THROUGH FREE-FORM :  
HEAD-MOUNTED DISPLAY :

This decision is in response to applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)" filed 04 November 2011. Applicant has paid the required petition fee.

**BACKGROUND**

On 20 April 2010, applicant filed international application PCT/US2010/31799, which claimed priority of an earlier U.S. application filed 20 April 2009. The thirty-month period for paying the basic national fee in the United States expired on 20 October 2011.

On 21 October 2011, international application PCT/US2010/31799 became abandoned as to the U.S. for failure to timely pay the basic national fee.

On 04 November 2011, applicant filed the instant 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 20 April 2010 and a date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) of 04 November 2011.

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

Robert Hodge  
PCT Legal Detailee  
Office of PCT Legal Administration  
United States Patent and Trademark Office

  
Bryan Lin  
PCT Legal Examiner  
Office of PCT Legal Administration  
Telephone: (571) 272-3303

**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:	<b>13/318874</b>	Filing date:	<b>November 8, 2011</b>
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First Named Inventor:	<b>Xinchao Chen</b>
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Title of the Invention:	<b>Trans-4-[[[5S)-5-[[[3,5-bis(trifluoromethyl) phenyl]methyl] (2- methyl-2H-tetrazol-5-yl) amino]-2,3,4,5- tetrahydro-7,9-dimethyl- 1H-1-benzazepin-1-yl] methyl]- cyclohexanecarboxylic acid</b>
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**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](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/US2010/040125

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

**I. List of Required Documents:**

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

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

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

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

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

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

(continued)

Application No.:	13/318874
First Named Inventor:	Xinchao Chen

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 November 4, 2011

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

Are attached.

Have already been filed in the above-identified U.S. application on November 4, 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	deleted multiple dependency
4	4	deleted multiple dependency
5	5	deleted multiple dependency
6-14, respectively	6-14, respectively	same
15	15	deleted multiple dependency
16	16	same
17	17	deleted multiple dependency
18	18	deleted multiple dependency
19-21	19-21	cancelled
22	22	same
23	23	same
24	24	same
25	25	cancelled

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

Signature /James B. Myers/	Date 2011-11-11
Name (Print/Typed) James B. Myers	Registration Number 42021

## Privacy Act Statement

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

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

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:

see form PCT/ISA/220

X17506

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

30 Apr 2011

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 PCT/US2010/040125	International filing date (day/month/year) 28.06.2010	Priority date (day/month/year) 30.06.2009
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International Patent Classification (IPC) or both national classification and IPC  
INV. C07D403/12 A61K31/55 A61P9/10

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 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will 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 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.

<p>Name and mailing address of the ISA:</p>  <p>European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465</p>	<p>Date of completion of this opinion</p> <p>see form PCT/ISA/210</p>	<p>Authorized Officer</p> <p>Gavriliu, Daniela Telephone No. +49 89 2399-8274</p> 
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**Box No. I Basis of the opinion**

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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:

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**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**

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1. Statement

Novelty (N)	Yes: Claims	<u>1-25</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>1-24</u>
	No: Claims	<u>25</u>
Industrial applicability (IA)	Yes: Claims	<u>1-25</u>
	No: Claims	

2. Citations and explanations

**see separate sheet**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2010/040125

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**Box No. VIII Certain observations on the international application**

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The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**Re Item V**

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

**1 Reference is made to the following document:**

D1 WO 2006/002342 A1 (LILLY CO ELI [US]; CHEN XINCHAO [US]; CIOFFI CHRISTOPHER LAWRENCE [US]) 5 January 2006 (2006-01-05) cited in the application

2 Claim 18 relates 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 recognise as patentable claims to the use of a compound in medical treatment, but may allow claims to a product, in particular substances or compositions for use in a first or further medical treatment.

**3 Novelty (Article 33(1) and (2) PCT)**

The present compounds claimed by the current claims 1, 24 and 25 are novel over D1 compounds on account of the specific substituents on the benzazepine and phenyl moieties. Consequently, the subject-matter claimed by the current applications (the compounds of formulae (I)-(III) and the corresponding pharmacological compositions and uses) seems to fulfil the requirements of Article 33(1) and (2) PCT).

**4 Inventive step (Article 33(1) and (3) PCT)**

The present application discloses a specific derivative (I)(see claim) and its esters as being useful to treat cardiovascular diseases. D1, which is regarded as being the closest prior art document, discloses compounds with the same use as the present one. The present compounds are considered to be a novel selection over D1 compounds on account of the specific substituents on the

benzazepine and phenyl rings. In table 6 (page 43) of the present application there are provided stability data for the present compound (I) vis-à-vis the closest D1 examples. On account of these data, an inventive step seems that could be acknowledged for compounds of formula (I) or (II) and their uses.

However, the compound of formula (III) are only intermediates to prepare compound (I) and it does not contain all the moieties of compounds (I) on which which a better stability is connected. Compound (III) is useful to prepare derivatives of formulae (I) or (II) and it is obvious in view of the teaching of D1, wherein the intermediates as e.g example 4, step 2 or example 35, step 1 are similar as structure to the present one (III) and have the same uses as the present (III). Consequently, the subject-matter claimed by the current claim 25 does not fulfil the requirements of Article 33(1) and (3) PCT.

### **Re Item VIII**

#### **Certain observations on the international application**

- 1 Claim 1 claims a specific compound as well as a composition containing it and therefore does not fulfil the requirements of Article 6 PCT (2 different type of category in the same claim).
  
- 2 Claims 5, 6 and 7 are not clear (Article 6 PCT) since they claim a "substantially pure" compound and a composition having about 80% of this compound in a crystalline form.

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

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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.

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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).

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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.

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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).

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Relevant PCT Rules and more information

Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

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What is claimed is:

1. A compound or composition which is *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid, a  
5 hydrate, or a pharmaceutically acceptable salt of said compound.
2. A composition of claim 1 which is *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid •  
10 hydrate.
3. A composition according to claim 1 or 2 which is *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid •  
15 hydrate in crystalline form characterized by an X-ray powder diffraction pattern obtained from a CuK $\alpha$  source ( $\lambda=1.54056 \text{ \AA}$ ) which comprises peaks at:
  - a) 7.5, 9.2, 10.7, and 15.5 +/-0.2 in 2 $\theta$ ; or
  - b) 7.5, 9.2, 10.7, 13.8, 15.0, 15.5, and 19.5 +/-0.2 in 2 $\theta$ ; or
  - c) 7.5, 9.2, 10.7, 13.8, 11.3, 15.0, 15.5, 17.7, 19.5, and 25.1 +/-0.2 in 2 $\theta$ .  
20
4. A composition according to any one of claims 1 to 2 which is *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid • hydrate in crystalline form characterized by a solid state NMR spectrum which  
25 comprises peaks referenced to adamantane ( $\delta = 29.5 \text{ ppm}$ ) at:
  - a) 175.6, 168.0, 61.1, 21.2, and 18.3 +/- 0.2 ppm; or
  - b) 175.6, 168.0, 145.6, 144.8, 61.1, 45.0, 21.2, and 18.3 +/- 0.2 ppm; or
  - c) 175.6, 168.0, 145.6, 144.8, 139.9, 136.3, 61.1, 53.0, 49.8, 45.0, 21.2, and  
18.2 +/- 0.2 ppm.  
30
5. A composition comprising substantially pure *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-

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tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid, hydrate, or hydrate in crystalline form, according to any one of claims 1 to 4.

6. A composition according to claim 5 comprising substantially pure *trans*-4-  
5 [[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid • hydrate in crystalline form.

7. A composition according to claim 5 comprising greater than about 80 %  
10 *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid • hydrate in crystalline form.

8 A composition comprising:  
15 *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid, or a pharmaceutically acceptable salt thereof; and  
a solvate selected from: water, methanol, ethanol, isopropanol, formic acid, or acetic acid.

20

9. A composition according to claim 8 wherein the *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid, or a pharmaceutically acceptable salt thereof, and the solvate is in a molar ratio of between  
25 about 1:0.3 to about 1:1 +/- 0.2 (acid or salt:solvate).

10. A composition according to claim 8 which is *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid •  
30 hemi-*tert*-butyl amine salt • hemi ethanol solvate in crystalline form characterized by an X-ray powder diffraction pattern obtained from a CuK $\alpha$  source ( $\lambda=1.54056 \text{ \AA}$ ) which comprises peaks at:

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- a) 5.5, 9.0, 14.3, 22.0, and 22.5 +/-0.2 in 2 $\theta$ ; or  
b) 5.5, 9.0, 14.3, 17.5, 18.2, 19.4, 20.6, 22.0, and 22.5 +/-0.2 in 2 $\theta$ ;

or

- c) 5.5, 9.0, 13.2, 13.6, 14.3, 15.2, 17.5, 18.2, 19.4, 19.8, 20.6, 22.0,  
5 and 22.5 +/-0.2 in 2 $\theta$ .

11. A composition according to claim 8 which is *trans*-4-[[*(5S)*-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid •  
10 formic acid solvate in crystalline form characterized by an X-ray powder diffraction pattern obtained from a CuK $\alpha$  source ( $\lambda=1.54056$  Å) which comprises peaks at:

- a) 15.4, 16.9, 18.2, and 18.6 +/-0.2 in 2 $\theta$ ; or  
b) 15.4, 15.7, 16.9, 18.2, 18.6, 19.5, 22.8, 25.7, and 25.5 +/-0.2 in 2 $\theta$ ; or  
c) 13.0, 13.9, 15.4, 15.7, 16.9, 16.4, 18.2, 18.6, 19.5, 20.8, 22.8, 25.7, and  
15 25.5 +/-0.2 in 2 $\theta$ .

12. A composition according to claim 8 which is *trans*-4-[[*(5S)*-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid •  
20 acetic acid solvate in crystalline form characterized by an X-ray powder diffraction pattern obtained from a CuK $\alpha$  source ( $\lambda=1.54056$  Å) which comprises peaks at:

- a) 12.9, 15.1, 18.4, 19.4, and 20.8 +/-0.2 in 2 $\theta$ ; or  
b) 12.9, 13.8, 15.1, 16.4, 17.8, 18.4, 19.4, 20.1, and 20.8 +/-0.2 in 2 $\theta$ ; or  
c) 11.0, 12.9, 13.8, 15.1, 15.6, 16.4, 17.8, 18.4, 19.4, 20.1, 20.8, and 21.7  
25 +/-0.2 in 2 $\theta$ .

13. A composition according to claim 8 which is *trans*-4-[[*(5S)*-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic acid •  
30 tert-butyl amine salt • isopropanol solvate in crystalline form characterized by an X-ray powder diffraction pattern obtained from a CuK $\alpha$  source ( $\lambda=1.54056$  Å) which comprises peaks at:

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- a) 5.6, 11.3, 12.6, and 17.9, +/-0.2 in 2 $\theta$ ; or  
b) 5.6, 8.0, 11.3, 12.6, 17.9, 20.4, and 24.1, +/-0.2 in 2 $\theta$ .

14. A compound according to claim 1 wherein the cation for the  
5 pharmaceutically acceptable salt is selected from a sodium, potassium, magnesium,  
calcium, zinc, or *tert*-butyl ammonium.

15. A pharmaceutical composition comprising a compound or composition  
according to any one of claims 1 to 14, and at least one of a pharmaceutically acceptable:  
10 carrier, excipient or diluent.

16. A pharmaceutical composition according to claim 15 comprising *trans*-4-  
[[*(5S)*-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-  
2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-cyclohexanecarboxylic  
15 acid • hydrate.

17. A pharmaceutical composition according to claims 15 and 16 comprising  
*trans*-4-[[*(5S)*-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-  
yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl]methyl]-  
20 cyclohexanecarboxylic acid • hydrate in crystalline form.

18. A method of treating cardiovascular disease in a patient in need thereof,  
said method comprising administering an effective amount of a pharmaceutical  
composition according to any one of claims 15 to 17.

25

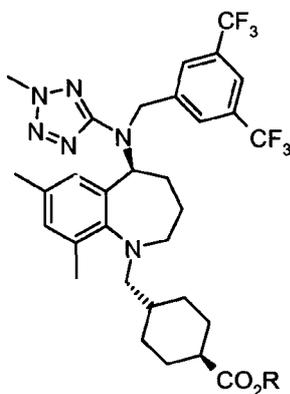
19. A compound or composition according to any one of claims 1 to 17 for use  
as a medicament.

20. A compound or composition according to any one of claims 1 to 17 for use  
30 in therapy.

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21. A compound or composition according to any one of claims 1 to 17 for use in the treatment of cardiovascular disease.

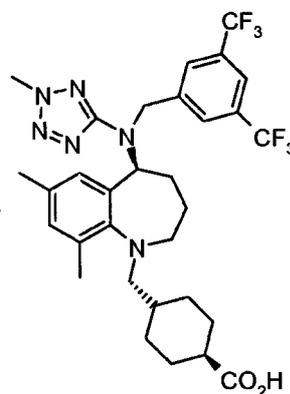
22. A method of preparing *trans*-4-[[[(5*S*)-5-[[[3,5-bis(trifluoromethyl)phenyl]methyl] (2-methyl-2*H*-tetrazol-5-yl)amino]-2,3,4,5-tetrahydro-7,9-dimethyl-1*H*-1-benzazepin-1-yl)methyl]-cyclohexanecarboxylic acid, or a pharmaceutically acceptable salt thereof, said method comprising de-esterifying a compound of formula II:



10

II;

where R is selected from a C<sub>1-4</sub> alkyl, C<sub>1-4</sub> haloalkyl, C<sub>3-6</sub>cycloalkyl, C<sub>1-4</sub> alkyl-C<sub>3-6</sub>cycloalkyl, phenyl, or C<sub>1-5</sub> alkylphenyl to provide a compound of formula I, or a pharmaceutically acceptable salt thereof

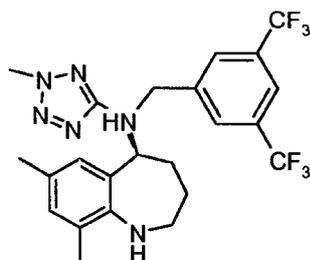


15

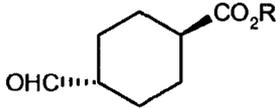
I.

-55-

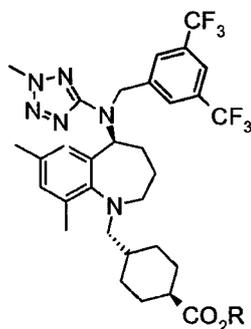
23. A method according to claim 22 further comprising: condensing a compound of formula III



III

5 with  to provide the compound of formula I, or a pharmaceutically acceptable salt thereof.

24. A compound having a structure illustrated below:



II

10

wherein R is selected from: C<sub>1-4</sub> alkyl, C<sub>1-4</sub> haloalkyl, C<sub>3-6</sub> cycloalkyl, C<sub>1-4</sub> alkyl-C<sub>3-6</sub>cycloalkyl, phenyl, or C<sub>1-5</sub> alkylphenyl.

25. A compound having a structure illustrated below:

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**ELI LILLY & COMPANY  
PATENT DIVISION  
P.O. BOX 6288  
INDIANAPOLIS IN 46206-6288**

**MAILED**

**APR 04 2012**

**OFFICE OF PETITIONS**

In re Application of:  
Chen et al.  
Application No. 13/318,874  
Filed: November 8, 2011  
Attorney Docket No. X-17506A

: 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 November 11, 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 requirement (2).

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. Accordingly, petitioner must provide an explanation regarding the Box VIII observations.

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

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

Telephone inquiries concerning this decision should be directed to Petitions Examiner Joan Olszewski at 571-272-7751.

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

/dab/  
David Bucci  
Petitions Examiner  
Office of Petitions

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

**MAILED**  
**MAR 15 2012**  
**OFFICE OF PETITIONS**

In re Application of:  
Jarmo Maula  
Application No. 13/318,919  
Filed: November 4, 2011  
Attorney Docket No. 151323

: 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 December 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 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 requirement (2).

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. 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 12 and PCT claim 12 are described as follows “US Claim 12 sufficiently corresponds to PCT Claim 12 and PCT Claim 15”. However, applicant has failed to ensure that the claims in the U.S. application (amended claims filed December 20, 2011) sufficiently correspond to the allowable/patentable claims in the PCT application. Independent US claim 12 requires “the carrier is a tape-like structure comprising a base material and on the first side of the base material a first adhesive layer to which one or more substrates are attachable and the tape-like structure is folded so that the substrates may be attached between the folds, or it is bent in a spiral or other bent shape so that the substrates may be attached between the folds”, while independent PCT claim 12 and dependent claim 15 require, “the carrier is a tape-like structure comprising a base material and on the first side of the base material a first adhesive layer to which one or more substrates are attachable [The carrier of any one of the preceding claims 12 to 14 characterized in that] the tape-like structure is folded so that the folds may be attached between the folds, or it is bent in a spiral or other bent shape so that the substrates may be attached between the folds;”. Accordingly, the scope of independent US claim 12 is different from the scope of independent PCT claim 12.

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

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jarmo MAULA

Group Art Unit:

Application No.: 13/318,919

Examiner:

Filed: November 4, 2011

Docket No.: 151323

For: ARRANGEMENT FOR PROCESSING SUBSTRATE AND SUBSTRATE CARRIER

**RESPONSE TO DISMISSAL OF PCT-PPH PETITION AND REQUEST**

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

Sir:

In reply to the December 20, 2011 Decision of Request to Participate in the PCT Patent Prosecution Highway Pilot Program and Petition to Make Special under 37 CFR 1.102(d), Applicant requests reconsideration of the Request in view of the attached Remarks.

**REMARKS**

The Dismissal requests that Applicants identify and explain why the claims are not subject to the observation in Box VIII of the latest work product in the international stage. Specifically, the Written Opinion asserts that the claims are not supported by the specification as required by PCT, Article 6 because there is no detailed description of how the arrangements would function in practice. Further, the Written Opinion asserts that claims 12-16 are not limited by the feature "exposing the substrate to alternate surface reactions of starting materials," and thus is not valid for characterizing the devices.

However, the above assertions of the Written Opinion are relevant only to PCT practice. Applicants believe the claims are fully supported as required by U.S. patent practice under 35 U.S.C. §112. As such, Applicant asserts that the Box VIII assertions do not apply to the request for participation in the PCT-PPH program.

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

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Michelle K. Windom  
Registration No. 65,466

JAO:MQW/hs

Date: April 13, 2012

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

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry of this filing; Charge any fee due to our Deposit Account No. 15-0461</p>
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919 Congress Avenue, Suite 919  
AUSTIN TX 78701

**MAILED**  
**NOV 29 2011**

**PCT LEGAL ADMINISTRATION**

In re Application of	:	
FEICHTINGER, et al.	:	
U.S. Application No.: 13/318,939	:	DECISION ON PETITION
PCT No.: PCT/EP2010/054700	:	
Int. Filing Date: 09 April 2010	:	UNDER 37 CFR 1.137(b)
Priority Date: 09 April 2009	:	
Attorney Docket No.: FEIC001USN	:	
For: HEAT EXCHANGER AND TEMPERATURE-	:	
CONTROL DEVICE	:	

The petition to revive under 37 CFR 1.137(b) filed 04 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 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 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

**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:	
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First Named Inventor:	<b>Frédéric Doleac</b>
-----------------------	------------------------

Title of the Invention:	<b>CAPSULE FOR PREPARING A NUTRITIONAL PRODUCT INCLUDING A FILTER AND METHOD</b>
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**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](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/EP2010/056043

**The international filing date of the corresponding PCT application(s) is/are:** May 4, 2010

- I. List of Required Documents:**
- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**  
 Is attached  
 Is not attached because the document is already in the U.S. application.
  - b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**  
 Is attached.  
 Is not attached because the document is already in the U.S. application.
  - c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, 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:	Frédéric Doleac

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
17	1	elimination of reference numerals
18	2	same
19	3	elimination of multiple dependency
20	4	elimination of reference numerals and multiple dependency
21	5	elimination of reference numerals
22	6	elimination of reference numerals
23	7	elimination of reference numerals and multiple dependency
24	8	elimination of reference numerals and multiple dependency
25	9	elimination of reference numerals and multiple dependency
26	10	elimination of reference numerals
27	11	elimination of reference numerals and multiple dependency
28	12	elimination of reference numerals
29	13	elimination of reference numerals and multiple dependency
30	14	elimination of reference numerals and multiple dependency
31	15	elimination of reference numerals and multiple dependency
32	16	elimination of reference numerals
33	16	capsule plus filter device of claim 32 and elimination 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 4, 2011
Name (Print/Typed)	Allan A. Fanucci	Registration Number	30256

**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:	
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First Named Inventor:	<b>Frédéric Doleac</b>
-----------------------	------------------------

Title of the Invention:	<b>CAPSULE, METHOD AND DEVICE FOR PREPARING A NUTRITIONAL PRODUCT</b>
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**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](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/EP2010/056002**

The international filing date of the corresponding PCT application(s) is/are: **May 4, 2010**

**I. List of Required Documents:**

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

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

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

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

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

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

Under the Paperwork Reduction Act of 1995, 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:	Frédéric Doleac

- 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)**

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**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
17	1	elimination of reference numerals
18	2	elimination of reference numerals
19	3	elimination of reference numerals and multiple dependency
20	4	elimination of reference numerals and multiple dependency
21	5	elimination of reference numerals
22	6	elimination of reference numerals and multiple dependency
23	7	elimination of reference numerals and multiple dependency
24	8	elimination of reference numerals and multiple dependency
25	9	elimination of reference numerals
26	10	elimination of reference numerals
27	11	elimination of reference numerals and multiple dependency
28	12	elimination of reference numerals
29	13	elimination of reference numerals
30	14	elimination of reference numerals
31	15	elimination of reference numerals and multiple dependency
32	16	elimination 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 4, 2011
Name (Print/Typed)	Allan A. Fanucci	Registration Number	30256



UNITED STATES PATENT AND TRADEMARK OFFICE

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

**LRK PATENT LAW FIRM  
1952 GALLOWS RD  
SUITE 200  
VIENNA VA 22182**

**MAILED**

**FEB 24 2012**

**OFFICE OF PETITIONS**

**In re Application of  
Han Min Jung et al  
Application No.: 13/319,119  
Filed: November 7, 2011  
Attorney Docket No.: P10418US  
For: SEMANTIC SERVICE APPLYING  
SYSTEM AND METHOD**

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

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

The request and petition are **GRANTED**.

**Discussion**

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

1. The U.S. application is

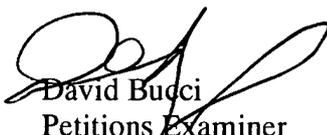
- a. a Paris Convention application which either
  - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
  - ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,or
- b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
  - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
  - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
  - iii. contains no priority claim,or
- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application

- i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    - iii. contains no priority claim;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the KR application(s);
  - b. An English translation of the allowable/patentable claim(s), and
  - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
  - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
  - b. An English language translation of the KIPO office action; and
  - c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
  - a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
  - b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

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

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

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

  
David Buccì  
Petitions Examiner  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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

**LRK Patent Law Firm**  
**1952 Gallows Rd**  
**Suite 200**  
**Vienna VA 22182**

**MAILED**

**FEB 14 2012**

**OFFICE OF PETITIONS**

**In re Application of**

**Han Min Jung et al.**

**Application No.: 13/319,149**

**Filed: November 7, 2011**

**Attorney Docket No.: P10420US**

**For: System and Method for Semantic  
Service**

**: 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 **GRANTED**.

**Discussion**

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

1. The U.S. application is
  - a. a Paris Convention application which either
    - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,or
  - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
    - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    - iii. contains no priority claim,or

- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
        - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
        - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
        - iii. contains no priority claim;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the KR application(s);
  - b. An English translation of the allowable/patentable claim(s), and
  - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
  - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
  - b. An English language translation of the KIPO office action; and
  - c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
  - a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
  - b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

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

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

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

This application will be forwarded to the examiner for action on the merits 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:	13319178	Filing date:	2011-11-07
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First Named Inventor:	Valter Bella
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Title of the Invention:	System for Transferring Energy Wirelessly
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**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](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/EP2009/003269

**The international filing date of the corresponding PCT application(s) is/are:** 2009-05-07

**I. List of Required Documents:**

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

Is attached

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

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

Is attached.

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

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



## Privacy Act Statement

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

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

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

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

Application No.:	13/319,226	First Named Inventor:	Yujiro ABE
Filing Date:	November 07, 2011	Attorney Docket No.:	1163-0951PUS1
Title of the Invention:	STRUCTURE FOR ATTACHING DISPLAY 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](http://www.uspto.gov/ebc/efs_help.html).**

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

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

**The corresponding PCT application number(s) is/are:** PCT/JP2009/003771

**The international filing date of the corresponding PCT application(s) is/are:** August 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.**
  - 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 November 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 \_\_\_\_\_



**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 available	Filing date:	07 November 2011
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First Named Inventor:	Guy THILLEN
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Title of the Invention:	A Shaft Furnace Charging Installation having a Drive Mechanism for a Distribution Chute
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**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](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/EP2010/053792

**The international filing date of the corresponding PCT application(s) is/are:** 23 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.**



## Privacy Act Statement

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

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

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



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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450

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

**MAILED**  
**APR 11 2012**  
**OFFICE OF PETITIONS**

In re Application of : DECISION ON REQUEST TO  
Kunihiko TOSHIN : PARTICIPATE IN PPH PROGRAM  
Application No. 13/319,251 : AND PETITION TO MAKE SPECIAL  
Filed: November 7, 2011 : UNDER 37 CFR 1.102(a)  
Atty. Docket No.: 0210-0239PUS1 :  
For: SURFACE-TREATED METAL PLATE

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 16, 2012 to make the above-identified application special.

The petition and request are **GRANTED**.

A grantable request to participate in the PPH (patent prosecution highway) program and petition to make special require:

1. The U.S. application is a Paris convention application that either validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more application filed in the JPO or to a PCT application that contains no priority claims, or is a national stage application under the PCT that either validly claims priority to an application filed in the JPO or to a PCT application that contains no priority claims, or that contains no priority claim, or is a bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application that validly claims priority to an application filed in the JPO, to a PCT application that contains no priority claims, or contain no priority claim;
2. Applicant must ensure all the claims in the U.S. application sufficiently correspond or amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application and submit a claim correspondence table in English;
3. Examination of the U.S. application has not begun;

4. Applicant must submit 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 if the allowable/patentable claim(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal, or 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, and an English language translation of the JPO Office action if submitted; and

5. Applicant must submit an IDS listing the documents cited by the JPO examiner in the JPO office action, unless already submitted in this application, and copies of the documents except U.S. patents or U.S. patent application publications, unless already submitted in this application.

The request to participate in the PPH program and petition 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, 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 1783 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

**MAILED**

APR 03 2012

**OFFICE OF PETITIONS**

**SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON DC 20037**

**In re Application of  
Ryuji Kanzaka et al  
Application No.: 13/319,277  
Filed: November 7, 2011  
Attorney Docket No.: Q127439  
For: THERMO-VALVE**

**: 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 3, 2012, to make the above-identified application special.

The request and petition are **GRANTED**.

**DISCUSSION**

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

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

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

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

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

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

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

/SDB/

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions



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United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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NOV 23 2011

PCT LEGAL ADMINISTRATION

BRIAN ROFFE, ESQ  
8170 McCormick Boulevard, Suite 223  
Skokie IL 60076-2914

In re Application of:	:	
VON ALLMEN, Hans, Peter, et al.	:	DECISION ON PETITION
U.S. Application No.: 13/319,364	:	(37 CFR 1.137(b))
PCT No.: PCT/EP2010/002666	:	
International Filing Date: 02 May 2010	:	
Priority Date: 05 May 2009	:	
Attorney's Docket No.: 155.179	:	
For: DEVICE FOR ABSORBING KINETIC	:	
ENERGY OF A MOVING BODY	:	

The petition for revival under 37 CFR 1.137(b) filed 08 November 2011 in the above-captioned application is hereby **GRANTED** as follows:

International application PCT/EP2010/002666 became abandoned with respect to the United States at midnight on 05 November 2011 based on applicants' failure to pay the basic national fee prior to the expiration of thirty months from the priority date.

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

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

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

/RichardMRoss/

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

## 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:	13319400	Filing date:	November 8, 2011
First Named Inventor:	Jonathan Grip		

Title of the Invention: A Membrane Pump

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](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/SE2009/050514.

The international filing date of the corresponding PCT application(s) is/are: May 8, 2009

**I. List of Required Documents:**

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

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

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

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

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

Under the Paperwork Reduction Act of 1995, 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.:	13319400
First Named Inventor:	Jonathan Grip

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

November 8, 2011

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

Are attached.

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

November 8, 2011

**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Formal Revisions Only
2	2	Formal Revisions Only
3	3	Formal Revisions Only
4	4	Multiple Dependency Eliminated with Formal Revisions
5	5	Formal Revisions Only
6	6	Multiple Dependency Eliminated with Formal Revisions
7	7	Depends from Claim 6 through Claim 4 with Formal Revisions
8	8	Multiple Dependency Eliminated with Formal Revisions
9	9	Multiple Dependency Eliminated with Formal Revisions
10	10	Formal Revisions Only
11	11	Formal Revisions Only
12	12	Formal Revisions Only
13	13	Formal Revisions Only
14	4	Depends from Claim 3 with Formal Revisions
15	4	Depends from Claim 2 with Formal Revisions
16	7	Depends from Claim 6 through Claims 4 & 5 & Formal Revisions
17	8	Depends from Claim 16 with Formal Revisions
18	8	Depends from Claim 7 with Formal Revisions
19 & 20	9	Respectively Depend From Claims 18 & 17 & Formal Revisions

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

Signature 	Date November 29, 2011
Name (Print/Typed) George M. Kaplan	Registration Number 28,375

## Privacy Act Statement

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

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

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



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**DILWORTH & BARRESE, LLP**  
**1000 WOODBURY ROAD**  
**SUITE 405**  
**WOODBURY NY 11797**

**MAILED**  
**JAN 27 2012**  
**OFFICE OF PETITIONS**

**In re Application of**  
**GRIP**

**Application No.: 13/319,400**  
**Filed: November 8, 2011**  
**Attorney Docket No.: 821-193**  
**For: MEMBRANE PUMP**

**: 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, 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 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 AU 3746 for action on the merits commensurate with this decision.

  
David Bucci  
Petitions Examiner  
Office of Petitions



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P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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

**MAILED**

**FEB 02 2012**

**OFFICE OF PETITIONS**

**In re Application of  
Koichi Tomida, et al.  
Application No.: 13/319,469  
Filed: 08 November 2011  
Attorney Docket No.: 389086US71X PCT  
For: ASSISTANCE-LIMIT  
RECOGNIZING DEVICE,  
ASSISTANCE-LIMIT RECOGNIZING  
METHOD, AND VEHICLE BRAKE  
SYSTEM INCLUDING THE  
ASSISTANCE-LIMIT RECOGNIZING  
DEVICE**

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on 15 December 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

**DISCUSSION**

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a

statement that the English translation is accurate, if the claims are not in the English language;

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

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

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

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

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

Telephone inquiries concerning this decision should be directed to April M. Wise at 571-272-1642.

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

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

/dab/  
David Bucci  
Petitions Examiner  
Office of Petitions

**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:	13/319,475	Filing date:	8 NOVEMBER 2011
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First Named Inventor:	Takuma IIDA
-----------------------	-------------

Title of the Invention:	POWER SUPPLY DEVICE AND BATTERY PACK
-------------------------	--------------------------------------

**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS\\_HELP.HTML](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/JP2010/003115

The international date of the corresponding PCT application(s) is/are: 6 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.



CERTIFICATION

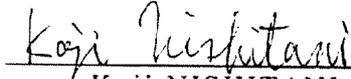
I, Koji NISHITANI, whose address is Osaka Nakanoshima Building 2F, 2-2, Nakanoshima 2-chome, Kita-ku, Osaka-shi, Osaka, Japan, hereby certify that I am the translator of the attached documents, namely,

The Written Opinion of the International Searching Authority and the claims of the PCT International Patent Application No.

PCT/JP2010/003115

that I am familiar with both the Japanese language and the English language, and that the translation is a true and correct translation from the Japanese language to the English language to the best of my knowledge and belief.

This 16<sup>th</sup> day of November, 2011

  
Koji NISHITANI

WRITTEN OPINION OF  
THE INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2010/003115

Box No.V Reasoned statement under Rule 43 2.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement.

1. Statement

Novelty (N)	Claims <u>1 - 7</u> YES
	Claims _____ NO
Inventive step(IS)	Claims <u>1 - 7</u> YES
	Claims _____ NO
Industrial applicability(IA)	Claims <u>1 - 7</u> YES
	Claims _____ NO

2. Citations and explanations

Document 1: JP 2006-302733 A (Matsushita Electric Industrial Co., Ltd.),  
02 November 2006 (02.11.2006), entire text; all drawings  
& US 2009/0039833 AI & EP 1892791 AI  
& WO 2006/115037 AI & KR 10-2007-0122464 A  
& CN 101164192 A

Document 2: JP 2008-161029 A (FDK Corp.), 10 July 2008 (10.07.2008),  
entire text; all drawings  
(Family: none)

Document 3: JP 2009-071976 A (Kazumasa SAKAKIBARA), 02 April 2009 (02.04.2.009),  
figs. 16, 19, 28 and 30  
& JP 4-104648 B & WO 2009/035000 AI

The inventions defined in claims 1-7 of the present application are not disclosed in any one of the references cited in the International Search Report, and are non-obvious to a person skilled in the art.

In particular, none of the references discloses “ ... is provided with a charging/discharging controller which turns off a switching element, after operating the switching element by a predetermined on-off sequence, in the case where an anomaly determining section determines that the state of the battery section is anomaly; and the anomaly determining section determines that the other battery pack is anomaly, in the case where the current detected by the first current detector is changed with a current changing pattern corresponding to the on-off sequence, and turns off the switching element”.

# 特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人 小谷悦司 様  あて名 〒530-0005 日本国大阪府大阪市北区中之島2丁目2番2号大阪 中之島ビル2階
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PCT  
 国際調査機関の見解書  
 (法施行規則第40条の2)  
 [PCT規則43の2.1]

発送日 (日.月.年)	01.06.2010
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出願人又は代理人 の書類記号 P055484P0	今後の手続きについては、下記2を参照すること。
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国際出願番号 PCT/J P 2010/003115	国際出願日 (日.月.年) 06.05.2010	優先日 (日.月.年) 08.05.2009
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国際特許分類 (IPC) Int.Cl. H02J7/02(2006.01)i, H01M10/44(2006.01)i, H02J7/00(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 25.05.2010	
名称及びあて先 日本国特許庁 (ISA/J P) 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) 宮本 秀一 電話番号 03-3581-1101 内線 3568

## 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限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：

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

1. 見解

新規性 (N)	請求項	1-7	有 無
	請求項		
進歩性 (IS)	請求項	1-7	有 無
	請求項		
産業上の利用可能性 (IA)	請求項	1-7	有 無
	請求項		

2. 文献及び説明

文献1 : JP 2006-302733 A (松下電器産業株式会社) 2006.11.02, 全文、全図  
& US 2009/0039833 A1 & EP 1892791 A1 & WO 2006/115037 A1  
& KR 10-2007-0122464 A & CN 101164192 A

文献2 : JP 2008-161029 A (F D K株式会社) 2008.07.10, 全文、全図  
(ファミリーなし)

文献3 : JP 2009-071976 A (榊原 和征) 2009.04.02, 図16, 19, 28, 30  
& JP 4-104648 B & WO 2009/035000 A1

請求項1-7に係る発明は、国際調査報告で引用されたいずれの文献にも記載されておらず、当業者にとって自明なものでもない。

特に、「異常判定部によって電池部の状態が異常であると判定された場合、スイッチング素子を予め設定されたオンオフシーケンスで動作させた後、前記スイッチング素子をオフする充放電制御部を備え、前記異常判定部は、第1の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、他の電池パックが異常であると判定し、前記スイッチング素子をオフする」ことは、いずれの文献にも記載されていない。

(12) 特許協力条約に基づいて公開された国際出願

(19) 世界知的所有権機関  
国際事務局



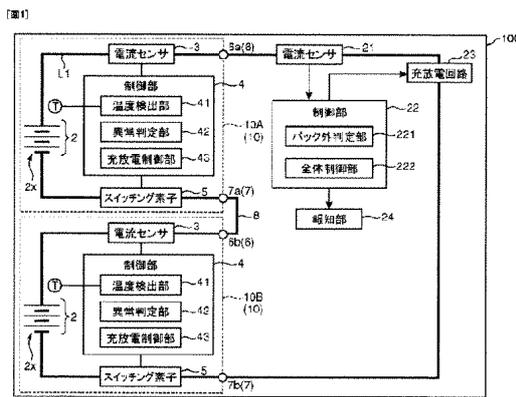
(43) 国際公開日  
2010年11月11日(11.11.2010)

(10) 国際公開番号  
WO 2010/128596 A1

- (51) 国際特許分類:  
H02J 7/02 (2006.01) H02J 7/00 (2006.01)  
H01M 10/44 (2006.01)
  - (21) 国際出願番号: PCT/JP2010/003115
  - (22) 国際出願日: 2010年5月6日(06.05.2010)
  - (25) 国際出願の言語: 日本語
  - (26) 国際公開の言語: 日本語
  - (30) 優先権データ:  
特願 2009-113285 2009年5月8日(08.05.2009) JP
  - (71) 出願人 (米国を除く全ての指定国について): パナソニック株式会社 (PANASONIC CORPORATION) [JP/JP]; 〒5718501 大阪府門真市大字門真1006番地 Osaka (JP).
  - (72) 発明者: および
  - (75) 発明者/出願人 (米国についてのみ): 飯田琢磨 (IIDA, Takuma), 木村忠雄 (KIMURA, Tadao).
  - (74) 代理人: 小谷悦司, 外 (KOTANI, Etsuji et al.); 〒5300005 大阪府大阪市北区中之島2丁目2番2号大阪中之島ビル2階 Osaka (JP).
  - (81) 指定国 (表示のない限り、全ての種類の国内保護が可能): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.
  - (84) 指定国 (表示のない限り、全ての種類の広域保護が可能): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), ユーラシア (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), ヨーロッパ (AL, AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- 添付公開書類:  
— 国際調査報告 (条約第21条(3))

(54) Title: POWER SUPPLY DEVICE AND BATTERY PACK

(54) 発明の名称: 電源装置及び電池パック



- 321 CURRENT SENSOR
- 422 CONTROL UNIT
- 5 SWITCHING DEVICE
- 23 CHARGING-DISCHARGING CIRCUIT
- 24 INFORMING UNIT
- 41 TEMPERATURE DETECTING UNIT
- 42 ABNORMALITY DECISION UNIT
- 43 CHARGING-DISCHARGING CONTROL UNIT
- 221 OUTSIDE-THE-PACK DECIDING UNIT
- 222 OVERALL CONTROL UNIT

(57) Abstract: Temperature detecting units (41) will detect the states of battery units (2), by taking in the detected temperature values, which were detected by multiple temperature sensors that were (T) placed at prescribed locations of the battery units (2), at a prescribed cycle. Abnormality decision units (42) decide whether the states of the battery units (2) are abnormal or not, by comparing the detected temperature values, which were detected by the temperature detecting units (41), with a predetermined threshold value. When a battery unit (2) is decided by the abnormality decision unit (42) to be abnormal, a charging-discharging control unit (43) will make a switching device (5) operate in a predetermined on-off sequence, and then cut it off.

(57) 要約: 温度検出部 41 は、電池部 2 の所定の位置に配置された複数の温度センサ T により検出された温度検出値を温度センサ T から所定周期で取り込むことで、電池部 2 の状態を検出する。異常判定部 42 は、温度検出部 41 により検出された温度検出値を予め定められた閾値と比較することで、電池部 2 の状態が異常であるか否かを判定する。充放電制御部 43 は、異常判定部 42 により電池部 2 が異常であると判定された場合、スイッチング素子 5 を予め設

定されたオンオフシーケンスで動作させた後、オフさせる。

## 明 細 書

### 発明の名称：電源装置及び電池パック

#### 技術分野

[0001] 本発明は、携帯機器やバックアップ用電源等、種々の装置、システムに用いられる電源装置に関するものである。

#### 背景技術

[0002] 急激な情報化社会の進展に伴い、携帯機器用の電源や情報システムのバックアップ用電源として二次電池がますます重要になってきている。特に近年は長時間使用や省スペースの観点から小型、軽量の電源が求められており、二次電池も従来の鉛蓄電池からニッケル水素蓄電池やリチウムイオン二次電池などの高性能電池が多く用いられるようになってきている。

[0003] これらの高性能電池は、いずれもエネルギー密度が大きいことから、安全に長期間使用するためには適切な充放電の管理が必要である。このため、二次電池単体ではなく二次電池を監視したり充放電を制御したりする電池監視装置を組み合わせた二次電池パックとして使用されるのが主流となってきている。また、このような二次電池パックの充電を制御するために、二次電池パックと充電器との間で充電制御信号の通信を行うことも一般的となってきている（例えば、特許文献1参照。）。

[0004] しかしながら、二次電池パックの出力電圧は、内蔵される二次電池の種類と個数とで決まるため、より高い出力電圧を必要とする場合には、新たに二次電池の数を増加させた二次電池パックを設計、開発する必要がある。そこで、要求される出力電圧に応じた二次電池パックを個別に設計、製作するよりも複数の二次電池パックを直列に接続することで、所望の出力電圧を得るようにした方が経済的である（例えば、特許文献2参照。）。

[0005] しかしながら、特許文献1では、二次電池パックと充電器との間で充電制御信号の通信を行うための接続端子や通信回路が必要となり、コストが増大するという不都合があった。

- [0006] また、特許文献2に記載の発明のように、直列接続された複数の二次電池パックと充電器との間で通信を行う場合には、二次電池パックと充電器間の通信に特別な工夫が必要となる。すなわち、直列接続された各二次電池パックは、通常、それぞれ各二次電池パックが備える二次電池の出力電圧を動作電源電圧として用いることで通信信号を生成する。
- [0007] そうすると、各二次電池パックは直列接続されているから、充電器側から見ると、各二次電池パックから出力される通信信号間に電位差が生じることとなって、充電器側で各二次電池パック間での通信信号の回り込みが生じてしまう。
- [0008] そのため、直列接続された複数の二次電池パックを充電器と通信させるためには、通信線の絶縁処理を行ったり、二次電池パックの動作電源電圧を外部から供給したりする必要があるという不都合があった。また、複数の二次電池パックと充電器との間の通信は優先順位の制御など通信制御が複雑となり、制御システム全体が非常に複雑化してしまうという不都合もあった。
- [0009] 本発明の目的は、通信回路等を、別途、設けなくても、ある電池パックが、他の電池パック等に自身の電池部の異常を通知することができる電池パック及びその電池パックを備える電源装置を提供することである。

## 先行技術文献

### 特許文献

- [0010] 特許文献1：特開平4-95364号公報  
特許文献2：特開2007-280757号公報

### 発明の概要

- [0011] 本発明の一局面による電源装置は、直列接続された複数の電池パックを備える電源装置であって、各電池パックは、1又は複数の二次電池を含む電池部と、前記電池部を流れる電流を受電する接続端子と、前記電池部及び前記接続端子間の充放電経路を開閉するスイッチング素子と、前記電池部の状態を検出する状態検出部と、前記状態検出部により検出された前記電池部の状態を基に、前記電池部の状態が異常であるか否かを判定する異常判定部と、

前記異常判定部によって前記電池部の状態が異常であると判定された場合、前記スイッチング素子を予め設定されたオンオフシーケンスで動作させた後、前記スイッチング素子をオフする充放電制御部と、前記電池部を流れる電流を検出する第1の電流検出部とを備え、前記異常判定部は、前記第1の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、他の電池パックが異常であると判定し、前記スイッチング素子をオフすることを特徴とする。

### 図面の簡単な説明

[0012] [図1]本発明の一実施の形態に係る電源装置の構成の一例を示すブロック図である。

[図2]電流変化パターンの一例を示した波形図である。

[図3]図1に示す電源装置を構成する電池パックの動作の一例を示すフローチャートである。

[図4]電源装置の制御部が電池パックの異常を検出する際の動作の一例を示すフローチャートである。

### 発明を実施するための形態

[0013] 以下、本発明に係る実施の形態を図面に基づいて説明する。なお、各図において同一の符号を付した構成は、同一の構成であることを示し、その説明を省略する。また、以下に示す実施の形態は本発明を具体化した一例であって、本発明の技術的範囲を限定するものではない。

[0014] 図1は、本発明の一実施の形態に係る電源装置100の構成の一例を示すブロック図である。図1に示す電源装置100は、直列接続された二つの電池パック10A、10Bと、電流センサ21（第2の電流検出部の一例）と、制御部22と、充放電回路23と、報知部24とを主に備えている。なお、図1に示す太線は充放電経路L1を示している。

[0015] 電池パック10Aと電池パック10Bとは、同一に構成されている。以下、電池パック10Aと電池パック10Bとを特に区別しない場合は、電池パック10と称する。

- [0016] 電池パック10は、電池部2、電流センサ3（第1の電流検出部の一例）、制御部4、及びスイッチング素子5を備えている。
- [0017] 電池部2は、直列接続された複数（例えば4個）の二次電池2xを備える組電池により構成されている。二次電池2xとしては、例えばリチウムイオン二次電池やニッケル水素二次電池等の種々の二次電池を採用することができる。
- [0018] なお、電池部2としては、直列接続された複数の二次電池2xに限定されず、並列接続された複数の二次電池2xにより構成してもよいし、並列接続された複数の二次電池2xと直列接続された複数の二次電池2xとが混在して接続された構成を採用してもよい。また、電池部2として、二次電池2xの個数を1個としたものを採用してもよい。
- [0019] 電池パック10Aは、接続端子6a、7aを備えている。電池パック10Bは、接続端子6b、7bを備えている。以下、接続端子6a、6bを総称して接続端子6と称し、接続端子7a、7bを総称して接続端子7と称する。
- [0020] 電流センサ3は、電池部2の正極及び接続端子6間の充放電経路L1上に設けられ、電池部2に流れる電流を検出するセンサである。電流センサ3は、例えば充電方向の電流をプラスの電流値として、放電方向の電流をマイナスの電流値として検出する。
- [0021] 具体的には、電流センサ3は、例えば、シャント抵抗及び電流変成器と、シャント抵抗及び電流変成器によってアナログ電圧に変換された電流値をデジタル値に変換して制御部4へ出力するアナログデジタルコンバータ等とで構成されている。なお、アナログデジタルコンバータは制御部4に内蔵してもよい。
- [0022] ここで、充電方向とは充放電経路L1の反時計回りの方向を指し、放電方向とは充放電経路L1の時計回りの方向を指す。
- [0023] スwitching素子5は、電池部2の負極及び接続端子7間の充放電経路L1上に設けられ、オンすることで電池部2及び接続端子7間を導通させ、オ

フすることで電池部 2 及び接続端子 7 間を遮断させ、充放電経路 L 1 を開閉する。

- [0024] ここで、スイッチング素子 5 としては、例えば FET (Field Effect Transistor) 又はバイポーラトランジスタ等の半導体スイッチング素子を採用することができる。
- [0025] 接続端子 6, 7 は、例えば電極、コネクタ、又は端子台等により構成されてもよいし、ランドやパッド等の配線パターンにより構成されてもよい。
- [0026] そして、接続端子 6 は、電流センサ 3、電池部 2、及びスイッチング素子 5 を介して接続端子 7 に接続されている。また、接続端子 6 は、電池部 2 の正極側に接続されているためプラス端子となっており、接続端子 7 は電池部 2 の負極側に接続されているためマイナス端子となっている。
- [0027] 制御部 4 は、例えば所定の演算処理を実行する CPU (Central Processing Unit) と、所定の制御プログラムが記憶された不揮発性の ROM (Read Only Memory) と、データを一時的に記憶する RAM (Random Access Memory) と、その周辺回路等とを備えて構成されている。
- [0028] そして、制御部 4 は、例えば ROM に記憶された制御プログラムを実行することにより、温度検出部 4 1 (状態検出部の一例)、異常判定部 4 2、及び充放電制御部 4 3 として機能する。
- [0029] 温度検出部 4 1 は、電池部 2 の所定の位置に配置された複数の温度センサ T により検出された温度検出値を温度センサ T から所定周期で取り込むことで、電池部 2 の状態を検出する。そして、温度検出部 4 1 は、所定周期で取り込んだ複数の温度検出値を異常判定部 4 2 に所定周期で出力する。
- [0030] 異常判定部 4 2 は、温度検出部 4 1 により検出された温度検出値を予め定められた閾値と比較することで、電池部 2 の状態が異常であるか否かを判定する。ここで、電池部 2 の状態が異常であるとは、電池部 2 の劣化がある程度進行した状態、及び電池部 2 が故障した状態が含まれる。
- [0031] 具体的には、異常判定部 4 2 は、温度検出部 4 1 から同一タイミングで出力された複数の温度検出値の平均値を求め、この平均値が閾値 TH 1 より大

きい場合に電池部 2 が異常であると判定する。

- [0032] また、異常判定部 4 2 は、温度センサ T の設置部位に応じて予め定められた重み係数で、温度検出部 4 1 から同一タイミングで出力された複数の温度検出値の重み付け平均値を算出し、この重み付け平均値が閾値 TH 1 より大きい場合に電池部 2 が異常であると判定してもよい。
- [0033] また、異常判定部 4 2 は、温度検出部 4 1 から同一タイミングで出力された複数の温度検出値のそれぞれが予め定められた閾値 TH 1 より大きいかなかを判定し、閾値 TH 1 より大きいと判定した温度検出値が所定個数（例えば 1 個、2 個、全個数）あった場合、電池部 2 が異常であると判定してもよい。
- [0034] また、異常判定部 4 2 は、上記判定処理に加えて又は代えて、温度検出部 4 1 から同一タイミングで出力された複数の温度検出値のバラツキを求め、このバラツキが予め定められた閾値 TH 2 より大きい場合、電池部 2 が異常であると判定してもよい。ここで、複数の温度検出値のバラツキとしては、例えば、複数の温度検出値の標準偏差又は分散等を採用することができる。
- [0035] なお、閾値 TH 1、TH 2 としては、実際に実験する等して得られた値を採用すればよい。
- [0036] そして、異常判定部 4 2 は、電池部 2 が異常であるか否かの判定する毎にその判定結果を随時、充放電制御部 4 3 に通知する。
- [0037] 充放電制御部 4 3 は、異常判定部 4 2 により電池部 2 が異常であると判定された場合、スイッチング素子 5 を予め設定されたオンオフシーケンスで動作させた後、オフさせる。これにより、充放電制御部 4 3 は、他の電池パック 10 に電池部 2 の異常を通知することができる。また、これにより、充放電制御部 4 3 は電池部 2 の充放電を禁止させて電池部 2 が異常な状態で継続使用され、危険な状態になることを防止することができる。
- [0038] なお、予め設定されたオンオフシーケンスとしては、スイッチング素子 5 を一定期間オフした後、一定期間オンする動作を繰り返すものを採用することが好ましく、より好ましくは、スイッチング素子 5 の 1 回目のオフ期間と

1回目のオン期間とが同一であり、2回目のオン期間が前記2回目のオフ期間よりも長いものを採用することが好ましい。

- [0039] こうすることで、電流変化パターンの1周期目はデューティ比が50%となり、電流変化パターンの2周期目はデューティ比が50%より高くなる。
- [0040] これにより電流変化パターンの波形をユニークなものにすることができ、この電流変化パターンが、ノイズ等や他の信号と混同することが回避され、少ないパルス数で電池パックの異常を精度良く検出することができる。
- [0041] 図2は、スイッチング素子5を予め設定されたオンオフシーケンスで動作させたときに、充放電経路L1に流れる電流の波形図、つまり、オンオフシーケンスに対応する電流変化パターンAの一例を示した波形図である。
- [0042] なお、図2の縦軸は電流を示し、横軸は時間を示している。図2に示す電流変化パターンAは、充放電経路L1を流れる電流が10Aの場合を示している。充放電制御部43は異常判定部42により電池部2の異常が検出されると、まず、スイッチング素子5をT1期間オフし、電流を遮断する。これにより電流変化パターンAの電流値は、T1期間、0Aとなる。ここで、T1期間としては、例えば3秒を採用することができる。
- [0043] 次に、充放電制御部43は、スイッチング素子5をT2期間オンし、電流を通電させる。これにより、電流変化パターンAの電流値は、T2期間、10Aとなる。ここで、T2期間としては、T1期間と同一である例えば3秒を採用することができる。
- [0044] 次に、充放電制御部43は、スイッチング素子5をT3期間オフし、電流を遮断する。これにより、電流変化パターンAの電流値は、T3期間、0Aとなる。ここで、T3期間としては、T1期間よりも長い例えば4秒を採用することができる。
- [0045] 次に、充放電制御部43は、スイッチング素子5をT4期間オンし、電流を通電させる。これにより、電流変化パターンAの電流値は、T4期間、10Aとなる。ここで、T4期間としては、例えば、T3期間よりも長い5秒

を採用することができる。

- [0046] 次に、充放電制御部43は、スイッチング素子5をオフし、電流を遮断する。これにより、電流変化パターンAが終了し、以後、スイッチング素子5のオフが継続され、状態が異常である電池部2への通電が阻止され、危険を回避することができる。
- [0047] なお、図2に示す電流変化パターンAは一例にすぎず、 $T_1 \sim T_4$ の各値も図2に示した値に限定されず他の値を採用してもよい。また、図2に示す電流変化パターンAは2つの矩形波を含んでいるが、これに限定されず、矩形波の個数を3つ以上にしてもよい。
- [0048] 図1に戻り、異常判定部42は、自身の電池部2が異常でないと判定した場合であって、電流センサ3により検出された電流が、予め設定されたオンオフシーケンスに対応する電流変化パターンAで変化した場合、他の電池パック10が異常であると判定する。
- [0049] 例えば、電池パック10Bにおいて、異常判定部42が、自身の電池部2を異常でないと判定し、かつ、電流センサ3により検出された電流が電流変化パターンAを示すと判定した場合、電池パック10Bの異常判定部42は、電池パック10Aが異常であると判定する。
- [0050] ここで、電流変化パターンAは、図2に示すように設定されている。したがって、異常判定部42は、電流センサ3により検出された電流値が、まず、約 $T_1$ 期間、約0Aとなり、その後、約 $T_2$ 期間、予め設定された電流閾値 $I_{TH}$ （例えば0.1A）を超え、その後、約 $T_3$ 期間、約0Aとなり、その後、約 $T_4$ 期間、電流閾値 $I_{TH}$ を超え、その後、約0Aを示した場合、他の電池パック10が異常であると判定すればよい。
- [0051] このように構成された二つの電池パック10は、一方の電池パック10Aの接続端子7aと他方の電池パック10Bの接続端子6bとが充放電経路L1である配線8で接続されることで、直列接続されて電池パックの直列回路が構成されている。そして、一方の電池パック10Aの接続端子6aは、電流センサ21、及び充放電回路23を介して他方の電池パック10Bの接続

端子 7 b に接続されている。

- [0052] そのため、電池パック 10 A 又は電池パック 10 B のスイッチング素子 5 が予め設定されたオンオフシーケンスで動作すると、電流変化パターン A が充放電経路 L 1 を流れ、全ての電流センサ 3 及び電流センサ 2 1 を流れる。これにより、電池パック 10 は、他の電池パック 10 の異常を認識することができ、パック外判定部 2 2 1 はいずれかの電池パック 10 の異常を認識することができる。
- [0053] なお、図 1 では、電池パック 10 が 2 つの場合を例示したが、これに限定されず、直列接続された 3 つ以上の電池パック 10 により電源装置 100 を構成してもよいし、1 つの電池パック 10 により電源装置 100 を構成してもよい。
- [0054] 電流センサ 2 1 は、例えば電流センサ 3 と同様に構成されたセンサであり、検出した電流値を制御部 2 2 へ出力する。ここで、電流センサ 2 1 は、接続端子 6 a 及び充放電回路 2 3 間の充放電経路 L 1 上に設けられている。
- [0055] 制御部 2 2 は、例えば所定の演算処理を実行する CPU (Central Processing Unit) と、所定の制御プログラムが記憶された不揮発性の ROM (Read Only Memory) と、データを一時的に記憶する RAM (Random Access Memory) と、その周辺回路等とを備えて構成されている。
- [0056] そして、制御部 2 2 は、例えば ROM に記憶された制御プログラムを実行することにより、パック外判定部 2 2 1、全体制御部 2 2 2 として機能する。
- [0057] パック外判定部 2 2 1 は、電流センサ 2 1 により検出された電流が、予め設定されたオンオフシーケンスに対応する電流変化パターン A で変化した場合、電池パック 10 A、10 B のうちいずれかの電池パック 10 が異常であると判定する。ここで、パック外判定部 2 2 1 が電池パック 10 の異常の有無を判定する処理は、電池パック 10 の充放電制御部 4 3 における処理と同一であるため、詳細な説明は省略する。
- [0058] 全体制御部 2 2 2 は、電源装置 100 の全体制御を司るものであり、本実

施の形態では、特に、パック外判定部 221 により電池パック 10 の異常が検出された場合、充放電回路 23 を停止させる。また、全体制御部 222 は、パック外判定部 221 により電池パック 10 の異常が検出された場合、そのことを報知部 24 を用いてユーザに報知する。

- [0059] 充放電回路 23 は、電池パック 10 へ充放電電流を供給して電池パック 10 を充放電する充放電回路である。ここで、充放電回路 23 としては、例えば定電流電源回路を採用してもよいし、定電圧電源回路を採用してもよい。また、充放電回路 23 としては、例えば定電流充電中に電池パック 10 で電流が遮断されると定電圧充電に切り替わる定電流電圧回路を採用してもよいし、インバータ等による制御回路を採用してもよい。
- [0060] ここで、複数の電池パック 10 のうちいずれか一つが異常になると、各電池パック 10 が自身のスイッチング素子 5 をオフするため、必ずしも全体制御部 222 が充放電回路 23 による充放電動作を停止させる必要はない。しかしながら、充放電が中断された場合に充放電回路 23 による充放電動作を停止させることで、充放電回路 23 における電力損失を低減させることが可能となる。
- [0061] なお、電池パック 10 の充放電制御部 43 は、必ずしもオンオフシーケンスの実行後にスイッチング素子 5 をオフさせる必要はなく、全体制御部 222 により充放電回路 23 による充放電動作が停止されることで、電池部 2 への充放電を終了する構成を採用してもよい。
- [0062] 報知部 24 は、例えば LED (Light Emitting Diode) により構成され、全体制御部 222 の制御の下、電池パック 10 の異常の有無をユーザに報知する。ここで、報知部 24 は、例えば、点灯することで電池パック 10 の異常を報知してもよいし、消灯することで電池パック 10 が正常であることを報知するようにしてもよい。
- [0063] また、報知部 24 は、例えば正常の場合は緑、異常の場合は赤というように色を変えて点灯することで、電池パック 10 の異常又は正常を報知するようにしてもよい。更に、報知部 24 は、LED に限定されず、例えば液晶表

示器又はブザー等であってもよい。

- [0064] 報知部 24 として、液晶表示器を採用した場合、電池パック 10 の異常が検知されたときには、電池パック 10 が異常であることを示す文言及びロゴマークの少なくともいずれか一方を表示すればよい。
- [0065] 更に、報知部 24 としてブザーを採用した場合、電池パック 10 の異常が検知された場合は、所定のビープ音を出力するようにしてもよいし、異常であることを示す音声を出力するようにしてもよい。
- [0066] 次に、上述のように構成された電源装置 100 の動作について説明する。図 3 は、図 1 に示す電源装置 100 を構成する電池パック 10 の動作の一例を示すフローチャートである。
- [0067] 図 3 を参照して、電池パック 10 の異常検出時の処理について説明する。まず、温度検出部 41 は、複数の温度センサ T のそれぞれにより検出された温度検出値を取り込み、電池部 2 の温度を検出する（ステップ S 11）。
- [0068] 次に、異常判定部 42 は、温度検出部 41 から同一タイミングで出力された複数の温度検出値の平均値を算出する（ステップ S 12）。
- [0069] 次に、異常判定部 42 は、温度検出部 41 から同一タイミングで出力された複数の温度検出値のバラツキを算出する（ステップ S 13）。
- [0070] 次に、異常判定部 42 は、ステップ S 12 で算出した温度検出値の平均値が閾値  $T_{H1}$  より大きいかな否かを判定すると共に、ステップ S 13 で算出した温度検出値のバラツキが閾値  $T_{H2}$  より大きいかな否かを判定する（ステップ S 14）。
- [0071] そして、異常判定部 42 は、温度検出値の平均値が閾値  $T_{H1}$  より大きい場合又は温度検出値のバラツキが閾値  $T_{H2}$  より大きい場合（ステップ S 14 で YES）、自身の電池部 2 が異常であると判定する（ステップ S 15）。
- [0072] 次に、充放電制御部 43 は、予め設定されたオンオフシーケンスでスイッチング素子 5 を動作させ（ステップ S 16）、処理をステップ S 20 に進める。

- [0073] 一方、ステップS 14において、異常判定部42は、温度検出値の平均値が閾値TH1以下、かつ、温度検出値のバラツキが閾値TH2以下の場合（ステップS 14でNO）、自身の電池部2は正常であると判定する（ステップS 17）。
- [0074] 次に、異常判定部42は、電流センサ3により検出された電流が、電流変化パターンAを示すことを検出した場合（ステップS 18でYES）、他の電池パック10の電池部2が異常であると判定する（ステップS 19）。
- [0075] 次に、充放電制御部43は、自身のスイッチング素子5をオフ（ステップS 20）、処理をステップS 11に戻す。ここで、例えば電池パック10Aにおいて、オンオフシーケンスが実行されたとすると、電池パック10A、10Bは直列接続されているため、電池パック10Bにおける電流センサ3、及び電流センサ21で検出される電流も、オンオフシーケンスに応じて変化する、電流変化パターンAを示すこととなる。
- [0076] これにより、電池パック10Aは、電池パック10Bと通信するための通信回路及び制御部22と通信するための通信回路を設けなくても、自身の電池部2が異常になったことを、電池パック10B及び制御部22に通知することが可能となる。
- [0077] また、ステップS 20の処理により、自身の電池部2の異常を検出した電池パック10、及び他の電池パック10の電池部2の異常を検出した電池パック10は、共に充放電回路23からの電流供給が遮断される。
- [0078] 一方、ステップS 18において、充放電制御部43は、電流変化パターンAを検出しなかった場合（ステップS 18でNO）、他の電池パック10の電池部2は正常であると判定し（ステップS 21）、処理をステップS 11に戻し、ステップS 11～S 21の処理が繰り返される。
- [0079] 図4は、制御部22が電池パック10の異常を判定する際の動作の一例を示すフローチャートである。まず、パック外判定部221は、電流センサ21により検出された電流が電流変化パターンAを示すか否かを判定する（ステップS 31）。

- [0080] そして、パック外判定部 221 が電流センサ 21 により検出された電流が電流変化パターン A を示すと判定した場合（ステップ S 31 で YES）、電池パック 10A、10B のうち少なくともいずれか一方の電池部 2 が異常であると判定する（ステップ S 32）。
- [0081] 次に、全体制御部 222 は、充放電回路 23 を停止させる（ステップ S 33）。次に、全体制御部 222 は、報知部 24 を用いて、電池パック 10 が異常であることをユーザに報知し（ステップ S 34）、処理をステップ S 31 に戻す。
- [0082] 一方、ステップ S 31 において、パック外判定部 221 が、電流センサ 21 で検出された電流が電流変化パターン A を示さなかった場合（ステップ S 31 で NO）、電池パック 10A、10B 共、正常であると判定し（ステップ S 35）、処理をステップ S 31 に戻す。
- [0083] 以上説明したように、本実施の形態による電源装置 100 によれば、ある電池パック 10 が、自身の電池部 2 の異常を検出すると、自身のスイッチング素子 5 を予め定められたオンオフシーケンスで動作させた後、このスイッチング素子 5 をオフさせる。これにより、異常な電池部 2 に電流が流れることを防止することができる。
- [0084] 一方、他の電池パック 10 は、電流センサ 3 により検出される電流が、このオンオフシーケンスに対応する電流変化パターン A で変化するため、この電流変化パターン A に基づいて、別の電池パック 10 が異常であることを検出することができる。そして、この他の電池パック 10 は、別の電池パック 10 の異常を検出すると、自身のスイッチング素子 5 をオフする。
- [0085] そのため、電池パック 10 に自身の電池部 2 の状態が異常であることを通知するための通信回路を別途設けなくても、他の電池パック 10 に電池部 2 の状態が異常であることを通知することができる。
- [0086] また、自身の電池部 2 の状態が異常であることを検出した電池パック 10 は、自身のスイッチング素子 5 をオフすると共に、他の電池パック 10 が異常であると判定した電池パック 10 も自身のスイッチング素子 5 をオフする

- 。
- [0087] これにより、直列接続された全ての電池パック 10 のスイッチング素子 5 がオフされるため、電池パック 10 が感電に至るまで高電圧になることを防止することができ、電池パック 10 の交換作業を安全に行うことができる。
- [0088] なお、上記説明では、接続端子 6, 7 を充電と放電とで兼用する例を示したが、充電用の接続端子のとは別に、放電専用の接続端子を有していてもよく、その場合、電池パック 10 は、充電用の接続端子と電池部 2 との間にスイッチング素子 5 を配置し、かつ放電用の接続端子と電池部 2 との間にスイッチング素子 5 を配置すればよい。
- [0089] また、上記説明では、電池部 2 の温度を検出することで電池部 2 の状態が異常であるか否かを判定したが、これに限定されず、電池部 2 を構成する各二次電池 2 x の正極及び負極間の電圧又は電池部 2 を構成する全二次電池 2 x の正極及び負極間の電圧を検出することで、電池部 2 の状態が異常であるか否かを判定してもよい。
- [0090] この場合、制御部 4 において、温度検出部 4 1 に代えて、電圧検出部を設ければよい。また、各二次電池 2 x の正極及び負極と制御部 4 とを電圧検出線を介して接続すればよい。そして、各電圧検出線間に A/D コンバータを設け、電圧検出部は各二次電池 2 x の電圧を各 A/D コンバータから周期的に取り込むようにすればよい。
- [0091] また、電池部 2 に流れる電流を検出することで、電池部 2 の状態が異常であるか否かを判定してもよい。この場合、制御部 4 において温度検出部 4 1 に代えて、電流検出部を設け、電流検出部が電流センサ 3 により検出された電流値を周期的に取り込むようにすればよい。
- [0092] また、上記説明では、温度センサ T は複数としたが、これに限定されず、1 つとしても良い。この場合、異常判定部 4 2 は、1 つの温度検出値が閾値 TH 1 より大きくなった場合、電池部 2 の状態が異常であると判定すればよい。
- [0093] なお、上記電源装置の技術的特徴は下記のように纏めることができる。

- [0094] (1) 上記電源装置は、直列接続された複数の電池パックを備える電源装置であって、各電池パックは、1又は複数の二次電池を含む電池部と、前記電池部を流れる電流を受電する接続端子と、前記電池部及び前記接続端子間の充放電経路を開閉するスイッチング素子と、前記電池部の状態を検出する状態検出部と、前記状態検出部により検出された前記電池部の状態を基に、前記電池部の状態が異常であるか否かを判定する異常判定部と、前記異常判定部によって前記電池部の状態が異常であると判定された場合、前記スイッチング素子を予め設定されたオンオフシーケンスで動作させた後、前記スイッチング素子をオフする充放電制御部と、前記電池部を流れる電流を検出する第1の電流検出部とを備え、前記異常判定部は、前記第1の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、他の電池パックが異常であると判定し、前記スイッチング素子をオフすることを特徴とする。
- [0095] この構成によれば、ある電池パックが、自身の電池部の異常を検出すると、自身のスイッチング素子を予め定められたオンオフシーケンスで動作させた後、このスイッチング素子をオフさせる。これにより、異常な電池部に電流が流れることを防止することができる。
- [0096] 一方、他の電池パックは、第1の電流検出部により検出される電流が、このオンオフシーケンスに対応する電流変化パターンで変化するため、この電流変化パターンに基づいて、別の電池パックが異常であることを検出することができる。そして、この他の電池パックは、別の電池パックの異常を検出すると、自身のスイッチング素子をオフする。
- [0097] そのため、電池パックに自身の電池部の状態が異常であることを通知するための通信回路を別途設けなくても、他の電池パックに電池部の状態が異常であることを通知することができる。
- [0098] また、自身の電池部の状態が異常であることを検出した電池パックは、自身のスイッチング素子をオフすると共に、他の電池パックが異常であると判定した電池パックも自身のスイッチング素子をオフする。

- [0099] これにより、直列接続された全ての電池パックのスイッチング素子がオフされるため、電池パックが感電に至るまで高電圧になることを防止することができ、電池パックの交換作業を安全に行うことができる。
- [0100] (2) 上記電源装置において、前記電池パックを充放電させる充放電回路と、前記電池パック外に設けられ、前記充放電経路に流れる電流を検出する第2の電流検出部と、前記第2の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、複数の電池パックのうちいずれかの電池パックが異常であると判定するパック外判定部と、前記パック外判定部により電池パックが異常であると判定された場合、前記充放電回路を停止させる全体制御部とを更に備えることが好ましい。
- [0101] この構成によれば、電池パック外の充放電経路上に第2の電流検出部が設けられている。そして、この第2の電流検出部により検出された電流が、予め設定されたオンオフシーケンスに対応する電流変化パターンで変化すると、パック外判定部はいずれかの電池パックが異常であると判定する。そして、全体制御部は充放電回路を停止させる。
- [0102] したがって、電池パックに自身の電池部の状態が異常であることを通知するための通信回路を設けなくても、電池パックは、パック外判定部に電池部の状態が異常であることを通知することができる。
- [0103] また、パック外判定部は、いずれかの電池パックが異常であると判定すると、充放電回路を停止させるため、異常な電池パックへの電流供給が停止されている。これにより、充放電回路の電力損失を低減させることが可能となる。
- [0104] (3) 上記電源装置において、前記パック外判定部により前記電池パックが異常であると判定された場合、そのことを報知する報知部を更に備えることが好ましい。
- [0105] この構成によれば、電池パックの異常が発生すると、そのことが報知されるため、ユーザは電池パックが異常であることを速やかに認識することができる。

- [0106] (4) 上記電源装置において、前記状態検出部は、前記電池部の温度、電圧、又は電流を前記電池部の状態として検出することが好ましい。
- [0107] この構成によれば、電池部の温度、電圧、又は電流が電池部の状態として検出されて、電池部の異常が判定されているため、電池パックの異常の有無を精度良く判定することができる。
- [0108] (5) 上記電源装置において、前記オンオフシーケンスは、前記スイッチング素子を一定期間オフした後、一定期間オンする動作を繰り返すものであることが好ましい。
- [0109] この構成によれば、スイッチング素子が一定期間オフした後、一定期間オンされるため、電流変化パターンが矩形波となり、電池パックの異常を精度良く検出することができる。
- [0110] (6) 上記電源装置において、前記オンオフシーケンスは、前記スイッチング素子の1回目のオフ期間と1回目のオン期間とが同一であり、2回目のオン期間が前記2回目のオフ期間よりも長いことが好ましい。
- [0111] この構成によれば、スイッチング素子の1回目のオフ期間とオン期間とが同一であるため、電流変化パターンの1周期目はデューティー比が50%となり、スイッチング素子の2回目のオン期間が2回目のオフ期間よりも長い場合、電流変化パターンの2周期目はデューティー比が50%より高くなる。
- [0112] これにより、電流変化パターンをユニークな波形にすることができ、ノイズ等の信号と混同することが回避され、少ないパルス数で電池パックの異常を精度良く検出することができる。
- [0113] (7) 本発明の別の一局面による電池パックは、1又は複数の二次電池を含む電池部と、前記電池部を流れる電流を受電する接続端子と、前記電池部及び前記接続端子間の充放電経路を開閉するスイッチング素子と、前記電池部の状態を検出する状態検出部と、前記状態検出部により検出された前記電池部の状態を基に、前記電池部の状態が異常であるか否かを判定する異常判定部と、前記異常判定部によって前記電池部の状態が異常であると判定され

た場合、前記スイッチング素子を予め設定されたオンオフシーケンスで動作させた後、前記スイッチング素子をオフする充放電制御部と、前記電池部を流れる電流を検出する第1の電流検出部とを備え、前記異常判定部は、前記第1の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、直列接続された他の電池パックが異常であると判定し、前記スイッチング素子をオフすることを特徴とする。

[0114] この構成によれば、電池部の状態が異常になると、スイッチング素子が予め定められたオンオフシーケンスで動作される。これにより、接続端子により受電される電流がこのオンオフシーケンスに対応する電流変化パターンで変化する。そのため、この電池パックに接続される電池パック等は、この電流変化パターンを検出することで、電池パックの異常を判定することができる。

[0115] その結果、電池部の異常を通知するための通信回路を別途設けなくても、他の電池パック等に電池パックの異常を通知することができる。

#### 産業上の利用可能性

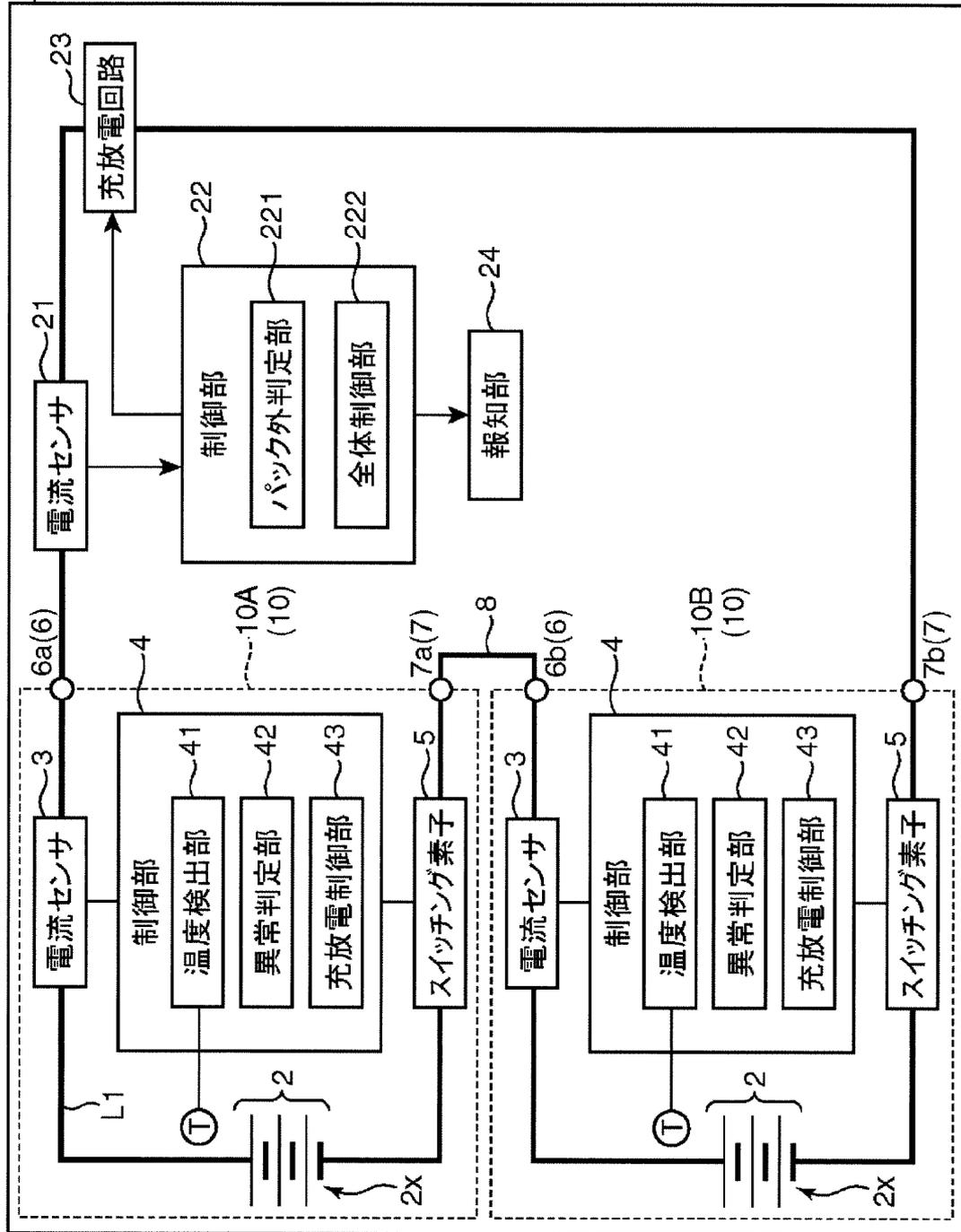
[0116] 本発明に係る電源装置は、携帯型パーソナルコンピュータやデジタルカメラ、携帯電話機等の電子機器、電気自動車やハイブリッドカー等の車両、太陽電池や発電装置と二次電池とを組み合わされた電源システム等、種々の電池搭載装置、システムにおいて、好適に利用することができる。

## 請求の範囲

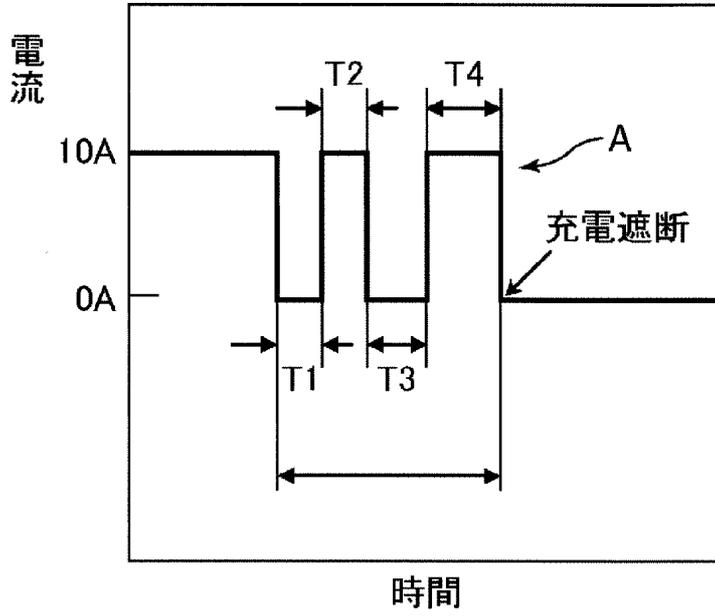
- [請求項1] 直列接続された複数の電池パックを備える電源装置であって、  
各電池パックは、  
1又は複数の二次電池を含む電池部と、  
前記電池部を流れる電流を受電する接続端子と、  
前記電池部及び前記接続端子間の充放電経路を開閉するスイッチング素子と、  
前記電池部の状態を検出する状態検出部と、  
前記状態検出部により検出された前記電池部の状態を基に、前記電池部の状態が異常であるか否かを判定する異常判定部と、  
前記異常判定部によって前記電池部の状態が異常であると判定された場合、前記スイッチング素子を予め設定されたオンオフシーケンスで動作させた後、前記スイッチング素子をオフする充放電制御部と、  
前記電池部を流れる電流を検出する第1の電流検出部とを備え、  
前記異常判定部は、前記第1の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、他の電池パックが異常であると判定し、前記スイッチング素子をオフすることを特徴とする電源装置。
- [請求項2] 前記電池パックを充放電させる充放電回路と、  
前記電池パック外に設けられ、前記充放電経路に流れる電流を検出する第2の電流検出部と、  
前記第2の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、複数の電池パックのうちいずれかの電池パックが異常であると判定するパック外判定部と、  
前記パック外判定部により電池パックが異常であると判定された場合、前記充放電回路を停止させる全体制御部とを更に備えることを特徴とする請求項1記載の電源装置。

- [請求項3] 前記バック外判定部により前記電池パックが異常であると判定された場合、そのことを報知する報知部を更に備えることを特徴とする請求項1又は2記載の電源装置。
- [請求項4] 前記状態検出部は、前記電池部の温度、電圧、又は電流を前記電池部の状態として検出することを特徴とする請求項1～3のいずれかに記載の電源装置。
- [請求項5] 前記オンオフシーケンスは、前記スイッチング素子を一定期間オフした後、一定期間オンする動作を繰り返すものであることを特徴とする請求項1～4のいずれかに記載の電源装置。
- [請求項6] 前記オンオフシーケンスは、前記スイッチング素子の1回目のオフ期間と1回目のオン期間とが同一であり、2回目のオン期間が前記2回目のオフ期間よりも長いことを特徴とする請求項5記載の電源装置。
- [請求項7] 1又は複数の二次電池を含む電池部と、  
前記電池部を流れる電流を受電する接続端子と、  
前記電池部及び前記接続端子間の充放電経路を開閉するスイッチング素子と、  
前記電池部の状態を検出する状態検出部と、  
前記状態検出部により検出された前記電池部の状態を基に、前記電池部の状態が異常であるか否かを判定する異常判定部と、  
前記異常判定部によって前記電池部の状態が異常であると判定された場合、前記スイッチング素子を予め設定されたオンオフシーケンスで動作させた後、前記スイッチング素子をオフする充放電制御部と、  
前記電池部を流れる電流を検出する第1の電流検出部とを備え、  
前記異常判定部は、前記第1の電流検出部により検出された電流が、前記オンオフシーケンスに対応する電流変化パターンで変化した場合、直列接続された他の電池パックが異常であると判定し、前記スイッチング素子をオフすることを特徴とする電池パック。

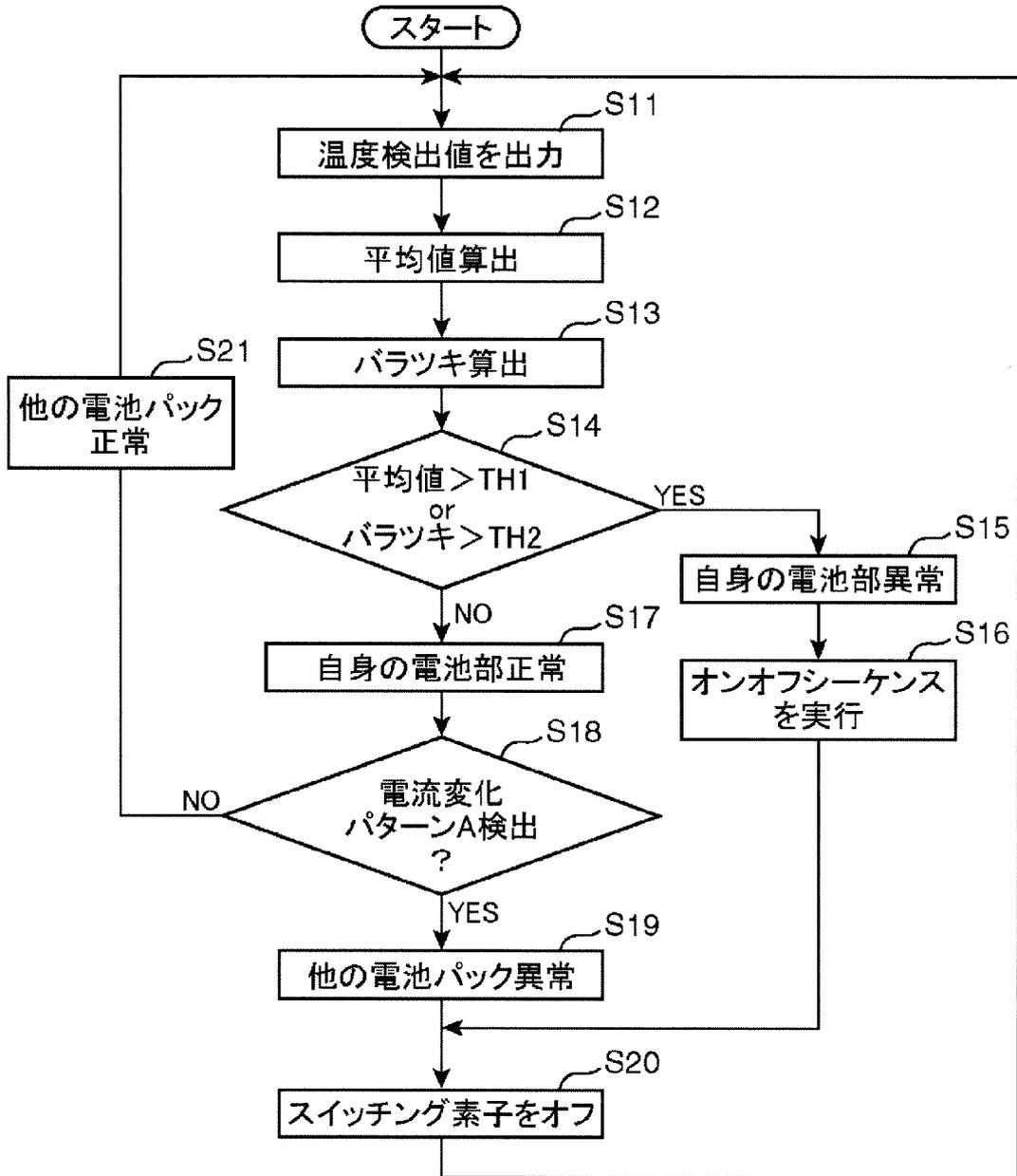
図1



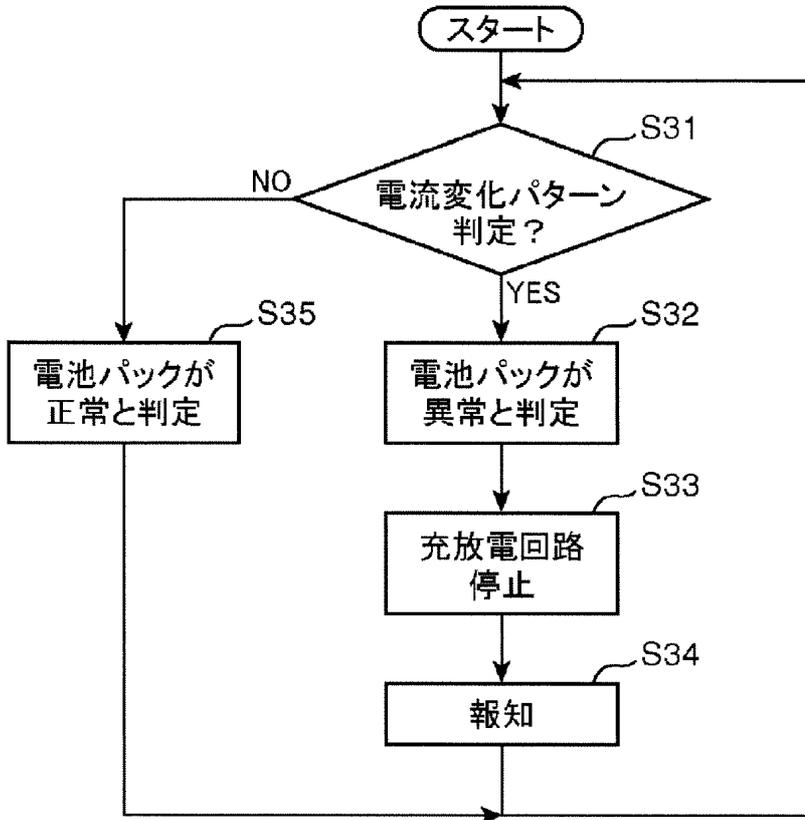
[図2]



[図3]



[図4]



## Claims

1. A power supply device, comprising a plurality of battery packs connected in series, wherein each battery pack includes:

a battery portion, including one or a plurality of secondary batteries;

a connection terminal which receives current flowing in the battery portion;

a switching element which opens and closes a charge/discharge path between the battery portion and the connection terminal;

a state detection portion which detects a state of the battery portion;

an abnormality judgment portion which judges whether the state of the battery portion is abnormal, based on the state of the battery portion detected by the state detection portion;

a charge/discharge control portion which, when the state of the battery portion is judged to be abnormal by the abnormality judgment portion, causes the switching element to operate in an on/off sequence set in advance, and then turns off the switching element; and

a first current detection portion which detects a current flowing in the battery portion, and

wherein, when the current detected by the first current detection portion has changed in a current change pattern corresponding to the on/off sequence, the abnormality judgment portion judges that another battery pack is abnormal, and turns off the switching element.

2. The power supply device according to Claim 1, further comprising:

a charge/discharge circuit which charges and discharges the battery packs;

a second current detection portion which is provided outside the battery packs, and detects a current flowing in the charge/discharge path;

an external judgment portion which, when the current detected by the second current detection portion has changed in a current change pattern corresponding to the on/off sequence, judges that one of the battery packs among the plurality of battery packs is abnormal; and

an overall control portion which, when a battery pack is judged to be abnormal by the external judgment portion, halts the charge/discharge circuit.

3. The power supply device according to Claim 1 or Claim 2, further comprising a report portion which, when the battery pack is judged to be abnormal by the external judgment portion, reports this fact.

4. The power supply device according to any one of Claims 1 to 3, wherein the state detection portion detects, as the state of the battery portion, a temperature, voltage, or current of the battery portion.

5. The power supply device according to any one of Claims 1 to 4, wherein, in the on/off sequence, an operation in which the switching element is turned off for a constant interval and is then turned on for a constant interval is repeated.

6. The power supply device according to Claim 5, wherein, in the on/off sequence, a first off interval and a first on interval of the switching element are the same, and a second on interval is longer than a second off interval.

7. A battery pack, comprising:

- a battery portion, including one or a plurality of secondary batteries;
- a connection terminal which receives current flowing in the battery portion;
- a switching element which opens and closes a charge/discharge path between the battery portion and the connection terminal;
- a state detection portion which detects a state of the battery portion;
- an abnormality judgment portion which judges whether the state of the battery portion is abnormal, based on the state of the battery portion detected by the state detection portion;
- a charge/discharge control portion which, when the state of the battery portion is judged to be abnormal by the abnormality judgment portion, causes the switching element to operate in an on/off sequence set in advance, and then turns off the switching element; and
- a first current detection portion which detects a current flowing in the battery portion,

wherein, when the current detected by the first current detection portion has changed in a current change pattern corresponding to the on/off sequence, the abnormality judgment portion judges that another battery pack connected in series is abnormal, and turns off the switching element.

## 特許協力条約に基づく国際出願願書

紙面による写し(注意 電子データが原本となります)

0	受理官庁記入欄	
0-1	国際出願番号	
0-2	国際出願日	
0-3	(受付印)	
0-4	様式 PCT/RO/101 この特許協力条約に基づく国際出願願書は、	
0-4-1	右記によって作成された。	PCT-SAFE Version 3.51.036.211 MT/FOP 20090101/0.20.5.15
0-5	申立て 出願人は、この国際出願が特許協力条約に従って処理されることを請求する。	
0-6	出願人によって指定された受理官庁	日本国特許庁 (RO/JP)
0-7	出願人又は代理人の登録記号	P055484P0
I	発明の名称	電源装置及び電池パック
II	出願人	
II-1	この欄に記載した者は	出願人である (applicant only)
II-2	右の指定国についての出願人である。	米国を除く全ての指定国 (all designated States except US)
II-4ja	名称	パナソニック株式会社
II-4en	Name:	PANASONIC CORPORATION
II-5ja	あて名	5718501 日本国
II-5en	Address:	大阪府門真市大字門真1006番地 1006, Oaza Kadoma, Kadoma-shi, Osaka 5718501 Japan
II-6	国籍(国名)	日本国 JP
II-7	住所(国名)	日本国 JP
III-1	その他の出願人又は発明者	
III-1-1	この欄に記載した者は	出願人及び発明者である (applicant and inventor)
III-1-2	右の指定国についての出願人である。	米国のみ (US only)
III-1-4ja	氏名(姓名)	飯田琢磨
III-1-4en	Name (LAST, First):	IIDA, Takuma
III-1-5ja	あて名	
III-1-5en	Address:	
III-1-6	国籍(国名)	
III-1-7	住所(国名)	

## 特許協力条約に基づく国際出願願書

紙面による写し (注意 電子データが原本となります)

III-2	その他の出願人又は発明者	
III-2-1	この欄に記載した者は	出願人及び発明者である (applicant and inventor)
III-2-2	右の指定国についての出願人である。	米国のみ (US only)
III-2-4ja	氏名(姓名)	木村忠雄
III-2-4en	Name (LAST, First):	KIMURA, Tadao
III-2-5ja	あて名	
III-2-5en	Address:	
III-2-6	国籍(国名)	
III-2-7	住所(国名)	
IV-1	代理人又は共通の代表者、通知のあて名	代理人 (agent)
	下記の者は国際機関において右記のごとく出願人のために行動する。	
IV-1-1ja	氏名(姓名)	小谷悦司
IV-1-1en	Name (LAST, First):	KOTANI, Etsuji
IV-1-2ja	あて名	5300005 日本国 大阪府大阪市北区中之島2丁目2番2号大阪中之島ビル2階
IV-1-2en	Address:	Osaka Nakanoshima Building 2nd Floor, 2-2, Nakanoshima 2-chome, Kita-ku, Osaka-shi, Osaka 5300005 Japan
IV-1-3	電話番号	06-6233-1456
IV-1-4	ファクシミリ番号	06-6233-1471
IV-1-6	代理人登録番号	100067828
IV-2	その他の代理人	筆頭代理人と同じあて名を有する代理人 (additional agent(s) with the same address as first named agent)
IV-2-1ja	氏名	小谷昌崇(100115381); 大西裕人(100143373)
IV-2-1en	Name(s)	KOTANI, Masataka(100115381); OHNISHI, Hiroto(100143373)
V	国の指定	
V-1	この願書を用いてされた国際出願は、規則4.9(a)に基づき、国際出願の時点で拘束される全てのPCT締約国を指定し、取得しうるあらゆる種類の保護を求め、及び該当する場合には広域と国内特許の両方を求める国際出願となる。	
V-2	V-2欄は、特定の国の指定を除外するときに使用することができ、この指定を除外することができるのは、出願の際若しくは規則26の2.1により上記の特定の国における先の国内出願を基礎とする優先権を国際出願の第VI欄で主張する結果、その国の国内法令に基づいてこの先の国内出願の効果が消滅するのを避けるのを目的とする場合に限る。しかし、いったん除外した指定は、それを変更することはできない。	JP
VI-1	先の国内出願に基づく優先権主張	
VI-1-1	出願日	2009年 05月 08日 (08.05.2009)
VI-1-2	出願番号	2009-113285
VI-1-3	国名	日本国 JP

## 特許協力条約に基づく国際出願願書

紙面による写し(注意 電子データが原本となります)

VI-2	引用による補充: 条約第11条(1)(iii)(d)若しくは(e)に規定する国際出願の要素の全部、又は規則20.5(a)に規定する明細書、請求の範囲若しくは図面の一部がこの国際出願には含まれていないが、受理官庁が条約第11条(1)(iii)に規定する要素の1つ以上を最初に受理した日において優先権を主張する先の出願にそれが完全に含まれている場合には、規則20.6に基づく確認の手続を条件として、その要素又は部分を規則20.6の規定によりこの国際出願に引用して補充することを請求する。		
VII-1	特定された国際調査機関(ISA)	日本国特許庁 (ISA/JP)	
VIII	申立て	申立て数	
VIII-1	発明者の特定に関する申立て	-	
VIII-2	出願し及び特許を与えられる国際出願日における出願人の資格に関する申立て	-	
VIII-3	先の出願の優先権を主張する国際出願日における出願人の資格に関する申立て	-	
VIII-4	発明者である旨の申立て(米国を指定国とする場合)	-	
VIII-5	不利にならない開示又は新規性喪失の例外に関する申立て	-	
IX	照合欄	用紙の枚数	添付された電子データ
IX-1	願書(申立てを含む)	4	✓
IX-2	明細書	18	✓
IX-3	請求の範囲	2	✓
IX-4	要約	1	✓
IX-5	図面	4	✓
IX-7	合計	29	
	添付書類	添付	添付された電子データ
IX-8	手数料計算用紙	-	✓
IX-18	PCT-SAFE 電子出願	-	-
IX-20	要約とともに提示する図の番号	1	
IX-21	国際出願の使用言語名	日本語	
X-1	出願人、代理人又は代表者の記名押印	(PKCS7 デジタル署名)	
X-1-1	氏名(姓名)	小谷悦司	
X-1-2	署名者の氏名		
X-1-3	権限		

## 特許協力条約に基づく国際出願願書

紙面による写し (注意: 電子データが原本となります)

## 受理官庁記入欄

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

## 国際事務局記入欄

11-1	記録原本の受理の日	
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**PCT**

NOTIFICATION CONCERNING  
SUBMISSION OR TRANSMITTAL  
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

KOTANI, Etsuji  
Osaka Nakanoshima Building 2nd Floor, 2-2,  
Nakanoshima 2-chome, Kita-ku, Osaka-shi, Osaka  
5300005  
JAPON

Date of mailing (day/month/year) 05 July 2010 (05.07.2010)	
Applicant's or agent's file reference P055484P0	IMPORTANT NOTIFICATION
International application No. PCT/JP2010/003115	International filing date (day/month/year) 06 May 2010 (06.05.2010)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 08 May 2009 (08.05.2009)
Applicant PANASONIC CORPORATION et al	

- By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- (If applicable)* The letters "NR" appearing in the right-hand column denote a priority document which, **on the date of mailing of this Form**, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- (If applicable)* An asterisk (\*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
08 May 2009 (08.05.2009)	2009-113285	JP	25 June 2010 (25.06.2010)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer <b>Yoshiko Kuwahara</b> e-mail PT07.PCT@WIPO.INT Telephone No. +41 22 338 74 07
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PATENT COOPERATION TREATY

WO 2010/128596  
PCT/JP2010/003115

PCT



From the INTERNATIONAL BUREAU

FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION (TO DESIGNATED OFFICES WHICH DO NOT APPLY THE 30 MONTH TIME LIMIT UNDER ARTICLE 22(1))

(PCT Rule 47.1(c))

To:

KOTANI, Etsuji  
Osaka Nakanoshima Building 2nd Floor, 2-2,  
Nakanoshima 2-chome, Kita-ku, Osaka-shi, Osaka  
5300005  
JAPON

Date of mailing (day/month/year) 09 December 2010 (09.12.2010)		
Applicant's or agent's file reference P055484P0 <i>W 3474 PCT</i>		IMPORTANT NOTICE
International application No. PCT/JP2010/003115	International filing date (day/month/year) 06 May 2010 (06.05.2010)	Priority date (day/month/year) 08 May 2009 (08.05.2009)
Applicant PANASONIC CORPORATION et al		

1. **ATTENTION:** For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), does apply, please see Form PCT/IB/308(Second and Supplementary Notice) (to be issued promptly after the expiration of 28 months from the priority date).

2. Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, does not apply, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93bis.1. The International Bureau has effected that communication on the date indicated below:  
11 November 2010 (11.11.2010)

None

In accordance with Rule 47.1(c-bis)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

3. The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, does not apply, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93bis.1:  
LU, TZ, UG

In accordance with Rule 47.1(c-bis)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

4. **TIME LIMITS for entry into the national phase**  
For the designated Office(s) listed above, and unless a demand for international preliminary examination has been filed before the expiration of 19 months from the priority date (see Article 39(1)), the applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be 20 MONTHS from the priority date.  
In practice, time limits other than the 20-month time limit will continue to apply, for various periods of time, in respect of certain of the designated Offices listed above. For regular updates on the applicable time limits (20 or 21 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.  
It is the applicant's sole responsibility to monitor all these time limits.

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

From the INTERNATIONAL BUREAU

**PCT**

SECOND AND SUPPLEMENTARY NOTICE  
INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION (TO DESIGNATED OFFICES  
WHICH APPLY THE 30 MONTH TIME  
LIMIT UNDER ARTICLE 22(1))

(PCT Rule 47.1(c))

To:

KOTANI, Etsuji  
Osaka Nakanoshima Building 2nd Floor, 2-2,  
Nakanoshima 2-chome, Kita-ku, Osaka-shi, Osaka  
5300005  
JAPON

Date of mailing (day/month/year) 09 September 2011 (09.09.2011)		<b>IMPORTANT NOTICE</b>	
Applicant's or agent's file reference P055484P0			
International application No. PCT/JP2010/003115	International filing date (day/month/year) 06 May 2010 (06.05.2010)	Priority date (day/month/year) 08 May 2009 (08.05.2009)	
Applicant PANASONIC CORPORATION et al			

1. **ATTENTION:** For any designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002 (30 months from the priority date), **does not apply**, please see Form PCT/IB/308(First Notice) issued previously.

2. Notice is hereby given that the following designated Office(s), for which the time limit under Article 22(1), as in force from 1 April 2002, **does apply**, has/have requested that the communication of the international application, as provided for in Article 20, be effected under Rule 93bis.1. The International Bureau has effected that communication on the date indicated below:  
11 November 2010 (11.11.2010)

AU, AZ, BY, CN, CO, DZ, EP, HU, KG, KP, KR, MD, MK, MY, MZ, NA, NG, PG, RU, SY, TM, US

In accordance with Rule 47.1(c-bis)(i), those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

3. The following designated Offices, for which the time limit under Article 22(1), as in force from 1 April 2002, **does apply**, have not requested, as at the time of mailing of the present notice, that the communication of the international application be effected under Rule 93bis.1 :

AE, AG, AL, AM, AO, AP, AT, BA, BB, BG, BH, BR, BW, BZ, CA, CH, CL, CR, CU, CZ, DE, DK, DM, DO, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, ID, IL, IN, IS, KE, KM, KN, KZ, LA, LC, LK, LR, LS, LT, LY, MA, ME, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PE, PH, PL, PT, RO, RS, SC, SD, SE, SG, SK, SL, SM, ST, SV, TH, TJ, TN, TR, TT, UA, UZ, VC, VN, ZA, ZM, ZW

In accordance with Rule 47.1(c-bis)(ii), those Offices accept the present notice as conclusive evidence that the Contracting State for which that Office acts as a designated Office does not require the furnishing, under Article 22, by the applicant of a copy of the international application.

4. **TIME LIMITS for entry into the national phase**

For the designated or elected Office(s) listed above, the applicable time limit for entering the national phase will, **subject to what is said in the following paragraph**, be **30 MONTHS** from the priority date.

In practice, **time limits other than the 30-month time limit** will continue to apply, for various periods of time, in respect of certain of the designated or elected Office(s) listed above. For **regular updates on the applicable time limits** (30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

It is the applicant's **sole responsibility** to monitor all these time limits.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Yukari Nakamura
Facsimile No. +41 22 338 82 70	e-mail: <a href="mailto:pt07.pct@wipo.int">pt07.pct@wipo.int</a>



UNITED STATES 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 21 2012

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

**In re Application of  
Takuma Lida et al.  
Application No.: 13/319,475  
Filed: November 8, 2011  
Attorney Docket No.: 075192-0094  
For: Power Supply Device and Battery Pack**

**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)**

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 17, 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 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.

(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 (7).

Regarding requirement (7), the IDS (Information Disclosure Statement) does not list all the references cited by the PCT examiner in the international work product. Applicant should ensure that a copy of all of the references, except for US patent/publications are also submitted.

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

Docket No.: 075192-0094

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 53080
	:	
Takuma IIDA, et al.	:	Confirmation Number: 4702
	:	
Application No.: 13/319,475	:	Group Art Unit: 2858
	:	
Filed: November 08, 2011	:	Examiner: Assouad, Patrick J.
	:	
For: POWER SUPPLY DEVICE AND BATTERY PACK	:	

**RESPONSE TO DECISION ON PETITION TO MAKE SPECIAL UNDER PCT –  
PATENT PROSECUTION HIGHWAY PROGRAM**

**EFS: PCT-Patent Pros Hwy**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This is in response to the decision on Applicant's request to participate in the PCT-Patent Prosecution Highway (PPH) program mailed on February 21, 2012 having a 30 day period for reply set to expire on March 21, 2012. In view of the concurrently submitted IDS, Applicant respectfully requests reconsideration of the decision and grant of the petition.

**Remarks** begin on page 2

**Application No.: 13/319,475**

**REMARKS**

This is in response to the decision on Applicant's request to participate in the PCT Patent Prosecution Highway (PPH) program mailed on February 21, 2012, in which the PCT-PPH request of November 17, 2011 was dismissed. The original request was dismissed due to a failure to comply with requirement 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 response, Applicant concurrently submits herewith an IDS that includes all of the remaining references cited by the PCT Examiner in the international work product which were not previously submitted in the IDS of November 8, 2011. Applicant notes that all of these remaining references are foreign references which correspond to US patent application publications previously listed in the IDS of November 8, 2011.

Accordingly, Applicants respectfully request that the Request to Participate in the Patent Prosecution Highway Program and Petition to Make Special Under 37 C.F.R. § 1.102(a) be granted.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

*Bernard P. Gadd (Reg. No. 46,429)*  
*for*

Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 ASA:MWE  
Facsimile: 202.756.8087  
**Date: March 1, 2012**

**Please recognize our Customer No. 53080  
as our correspondence address.**



UNITED STATES PATENT AND TRADEMARK OFFICE

**MAILED**  
**MAR 12 2012**  
**OFFICE OF PETITIONS**

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

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

**In re Application of**  
**Takuma Lida et al.**  
**Application No.: 13/319,475**  
**Filed: November 8, 2011**  
**Attorney Docket No.: 075192-0094**  
**For: Power Supply Device and Battery Pack**

**: 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 1, 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.



David Bucci  
Petitions Examiner  
Office of Petitions

**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:	13/319,485	Filing date:	November 8, 2011
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First Named Inventor:	Goran Bolin
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Title of the Invention: CHEMICAL HEAT PUMP COMPRISING AN ACTIVE SURFACE

**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](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/SE2011/050471

**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.**



## Privacy Act Statement

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

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

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

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE SWEDISH PATENT AND REGISTRATION OFFICE (PRV) AND THE USPTO**

Application No:	13/319,502	Filing date:	November 8, 2011
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First Named Inventor:	Goran Bolin
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Title of the Invention: Chemical Heat Pump Working According to the Absorption or Adsorption Principle

**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](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/SE2011/050734

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



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

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



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Cotman IP Law Group, PLC  
117 E. Colorado Blvd.  
Suite 460  
Pasadena CA 91105

**MAILED**  
**NOV 23 2011**

**PCT LEGAL ADMINISTRATION**

In re Application of	:	
WOOD, et al.	:	
Application No.: 13/319,516	:	
PCT No.: PCT/CA2009/001433	:	DECISION ON PETITION
Int. Filing Date: 09 October 2009	:	
Priority Date: 29 April 2009	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: 1190-P003US1	:	
For: NETWORK-ENABLED VALVE	:	
MANAGEMENT SYSTEM	:	

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 in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

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

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

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



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PAUL D. YASGER  
ABBOTT LABORATORIES  
100 ABBOTT PARK ROAD  
DEPT. 377/AP6A  
ABBOTT PARK IL 60064-6008

**MAILED**  
**DEC 05 2011**

PCT LEGAL ADMINISTRATION

In re Application of	:	
BROPHY, et al.	:	
Application No.: 13/319,657	:	
PCT No.: PCT/US2010/024979	:	DECISION ON PETITION
Int. Filing Date: 23 February 2010	:	
Priority Date: 24 February 2009	:	UNDER 37 CFR 1.137(b)
Atty. Docket No.: 9816WOO1	:	
For: ANTIBODIES TO TROPONIN I AND METHODS :	:	
OF USE THEREOF	:	

The petition to revive under 37 CFR 1.137(b) filed 09 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



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JAN 12 2012

PCT LEGAL ADMINISTRATION

PAUL D. YASGER  
ABBOTT LABORATORIES  
100 ABBOTT PARK ROAD  
DEPT. 377/AP6A  
ABBOTT PARK IL 60064-6008

In re Application of :  
BROPHY, et al. :  
U.S. App. No.: 13/319,657 (13/319,660) :  
PCT No.: PCT/US2010/24979 :  
Int. Filing Date: 23 February 2010 : **DECISION**  
Priority Date: 24 February 2009 :  
Attorney Docket No.: 9816USO2 :  
For: ANTIBODIES TO TROPONIN I AND :  
METHODS OF USE THEREOF :

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

### **BACKGROUND**

On 09 November 2011, applicant filed two sets of paperwork for the national phase entry of PCT/US2010/24979. The sets were assigned application nos. 13/319,657 and 13/319,660, respectively. Application 13/319,657 is the national phase.

### **DISCUSSION**

Applicant has submitted multiple sets of papers for the national stage entry of international application number PCT/US2010/24979. The end result for an international application designating the United States of America is a single U.S. national stage application. Therefore, the submission of multiple sets of national stage papers to enter the United States is improper. Accordingly, 13/319,657 and 13/319,660 have been consolidated into a single application, 13/319,657.

All future correspondence in regards to the national phase of PCT/SG2009/000033 should use 13/319,657.

### **CONCLUSION**

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

Application No. 13/319,657

-2-

Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being referred to the National Stage Processing Division of the Office of Patent Application Processing for further action consistent with this decision.

/Erin P. Thomson/

Erin P. Thomson  
Attorney Advisor  
PCT Legal Administration

Telephone: 571-272-3292

**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:	13319676	Filing date:	January 4, 2011
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First Named Inventor:	Ferreira
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Title of the Invention:	Versatile environmentally conscious apparatus
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**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](http://www.uspto.gov/ebc/efs_help.html)**

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

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

**The corresponding PCT application number(s) is/are:** PCT/US11/20077

**The international filing date of the corresponding PCT application(s) is/are:**  
January 4, 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.**



## Privacy Act Statement

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

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



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OPPEDAHL PATENT LAW FIRM LLC  
P O BOX 5940  
DILLON CO 80435-5940

**MAILED**  
MAR 26 2012  
OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Ferreira et al.	: PARTICIPATE IN THE PATENT
Application No.: 13/319,676	: PROSECUTION HIGHWAY
Filed: November 11, 2011	: PROGRAM AND PETITION
Attorney Docket No.: ECHG.P-003-NP	: TO MAKE SPECIAL UNDER
For: VERSATILE ENVIRONMENTALLY	: 37 CFR 1.102(a)
CONSCIOUS APPARATUS	

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

The request and petition are **GRANTED**.

Discussion

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof 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.

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

PATENT  
Customer No. 22,852  
Attorney Docket No. 10122.0031-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Hideaki MIYAKE et al. ) Group Art Unit: Not Yet Assigned  
)  
Application No.: 13/319,700 ) Examiner: Not Yet Assigned  
)  
Filed: November 10, 2011 ) Confirmation No.: 2637  
)  
For: METHOD OF LASER-WELDING )  
AND METHOD OF )  
MANUFACTURING BATTERY )  
INCLUDING THE SAME )

**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

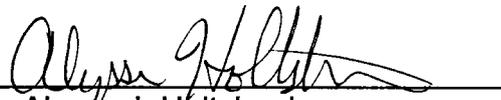
PTO/SB/20PCT-JP with a claims correspondence table; (2) the latest work product in the International Phase of the corresponding PCT application (i.e., the International Preliminary Report on Patentability in PCT/JP2009/002152), with an English translation thereof; and (3) a listing of all claims which 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 Amended 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: January 10, 2012

By:   
Alyssa J. Höltslander  
Reg. No. 64,026

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:	13/319,700	Filing date:	November 10, 2011
First Named Inventor:	Hideaki Miyake		

Title of the Invention: METHOD OF LASER-WELDING AND METHOD OF MANUFACTURING BATTERY INCLUDING THE SAME

**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS\\_HELP.HTML](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/JP2009/002152

The international date of the corresponding PCT application(s) is/are: May 15, 2009

**I. List of Required Documents:**

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

Is attached.

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

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

Is attached.

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

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

[Page 1 of 2]



# 特許協力条約

PCT

特許性に関する国際予備報告（特許協力条約第二章）

（法第12条、法施行規則第56条）  
〔PCT36条及びPCT規則70〕

出願人又は代理人 の書類記号 PCT-343	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/JP2009/002152	国際出願日 (日,月,年) 15.05.2009	優先日 (日,月,年)
国際特許分類 (IPC) Int.Cl. B23K26/20(2006.01)i, B23K26/14(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 1 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の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 11.03.2010	国際予備審査報告を作成した日 15.02.2011	
名称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官 (権限のある職員)	3P 3935
	青木 正博 電話番号 03-3581-1101 内線 3364	

様式PCT/IPEA/409 (表紙) (2009年7月)

## 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回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 1-10 \_\_\_\_\_ ページ、出願時に提出されたもの  
 第 \_\_\_\_\_ ページ\*、 \_\_\_\_\_ 付で国際予備審査機関が受理したもの  
 第 \_\_\_\_\_ ページ\*、 \_\_\_\_\_ 付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 1-2 \_\_\_\_\_ 項\*、01.12.2010 付で国際予備審査機関が受理したもの  
 第 \_\_\_\_\_ 項\*、 \_\_\_\_\_ 付で国際予備審査機関が受理したもの  
 図面  
 第 1-6 \_\_\_\_\_ ページ/図、出願時に提出されたもの  
 第 \_\_\_\_\_ ページ/図\*、 \_\_\_\_\_ 付で国際予備審査機関が受理したもの  
 第 \_\_\_\_\_ ページ/図\*、 \_\_\_\_\_ 付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 3-5 \_\_\_\_\_ 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 1-2	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(PCT規則70.7)

- 文献1: JP 2001-314986 A (新日本製鐵株式会社) 2001. 11. 13, 段落【0009】 - 【0013】, 全図 (ファミリーなし)
- 文献2: JP 2003-263977 A (三洋電機株式会社) 2003. 09. 19, 段落【0005】, 【0027】, 【図4】 - 【図4】 (ファミリーなし)
- 文献3: JP 2009-511273 A (コミツサリア タ レネルジー アトミック) 2009. 03. 19, 段落【0031】, 【図1】 - 【図3】 & US 2008/0219305 A1 & EP 1931496 A & WO 2007/039619 A1 & FR 2891483 A
- 文献4: JP 2004-301826 A (オムロン株式会社) 2004. 10. 28, 段落【0047】 - 【0055】, 【図5】, 【図9】 & DE 102004012271 A

請求項1-2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、新たに採用した文献4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。

**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 <b>PCT-343</b>	<b>FOR FURTHER ACTION</b>		See Form PCT/PEA/416
International application No. <b>PCT/JP2009/002152</b>	International filing date (day/month/year) <b>15.05.2009</b>	Priority date (day/month/year)	
International Patent Classification (IPC) or national classification and IPC <b>B23K26/20, B23K26/14</b>			
Applicant <b>TOYOTA JIDOSHA KABUSHIKI KAISHA</b>			

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 1 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 3bis 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 <b>11 March 2010</b>	Date of completion of this report <b>15 February 2011</b>
Name and mailing address of the IPBA/JP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2009/002152

Box No. I	Basis of the report
1.	<p>With regard to the language, this report is based on:</p> <p><input checked="" type="checkbox"/> the international application in the language in which it was filed</p> <p><input type="checkbox"/> a translation of the international application into _____, which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rules 12.3(a) and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4(a))</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2(a) and/or 55.3(a))</p>
2.	<p>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):</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-10</u> as originally filed/furnished</p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1-2</u> received by this Authority on <u>01.12.2010</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>figures 1-6</u> as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing - see Supplemental Box Relating to Sequence Listing.</p>
3.	<p><input checked="" type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input checked="" type="checkbox"/> the claims, nos. <u>3-5</u></p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (specify): _____</p>
4.	<p><input type="checkbox"/> 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)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (specify): _____</p>
5.	<p><input type="checkbox"/> 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)).</p>
6.	<p><input type="checkbox"/> 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)).</p>
<p>* If item 4 applies, some or all of those sheets may be marked "superseded."</p>	

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2009/002152

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 <u>1-2</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1-2</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1-2</u>	YES
	Claims _____	NO

## 2. Citations and explanations (Rule 70.7)

Document 1: JP 2001-314986 A (Nippon Steel Corp.),  
13 November 2001, paragraphs [0009]-[0013],  
all drawings (Family: none)

Document 2: JP 2003-263977 A (Sanyo Electric Co., Ltd.),  
19 September 2003, paragraphs [0005] and  
[0027]; fig. 4-4 (Family: none)

Document 3: JP 2009-511273 A (Commissariat a l'Energie  
Atomique), 19 March 2009, paragraph [0031];  
fig. 1-3 & US 2008/0219305 A1 & EP 1931496 A  
& WO 2007/039619 A1 & FR 2891483 A

Document 4: JP 2004-301826 A (Omron Corp.), 28 October  
2004, paragraphs [0047]-[0055]; fig. 5 and 9  
& DE 102004012271 A

The invention as in claims 1-2 is not disclosed in any of the documents cited in the ISR or in newly cited document 4, and would not be obvious to a person skilled in the art.

## DECLARATION

I, Kenji SUMINO of Twin 21 MID Tower 34F 1-61, Shiromi 2-chome Chuo-ku, Osaka Japan 540-6134, Japan, do hereby sincerely declare that I am well acquainted with the Japanese and English languages and that, to the best of my knowledge and belief, the English translation of the Article 34 Amended Claims is an accurate and complete translation of the Article 34 Amended Claims as shown in the Annex to the IPRP of PCT/JP2009/002152 originally written in Japanese and filed on December 1, 2010.

Signature



Kenji SUMINO

Dated this 9th of December, 2011

請求の範囲

- [請求項1] (補正後) 銅製の外部端子と銅製の集電端子とを構成要素として含む電池を製造する方法であって、  
レーザー溶接により、前記外部端子と集電端子とを接合するレーザー溶接工程を含み、  
前記レーザー溶接工程では、  
前記外部端子と集電端子との溶接部の表面に対して、波長532nmのグリーンレーザーによりレーザー光を照射することで粗し加工を施して、当該表面を粗面化し、  
前記粗面化された溶接部に対して、波長1064nmのYAGレーザーによりレーザー光を照射することで前記溶接部を溶融して、前記外部端子と集電端子とをレーザー溶接するとともに、  
前記溶接部は、リベットをかしめることによって形成されるリベット部を有し、前記YAGレーザーによる加工時に、前記リベット部の端部に形成される隅肉部に対して、外側から内側に向けて30°～45°の角度を付けてレーザー照射する電池の製造方法。
- [請求項2] (補正後) 前記YAGレーザーによるレーザー溶接は、酸素雰囲気下で行う請求項1に記載の電池の製造方法。
- [請求項3] (削除)
- [請求項4] (削除)
- [請求項5]

### CLAIMS (34)

1. A method of manufacturing a battery including an outer electrode terminal made of copper and a collective electrode terminal made of copper, comprising:

a laser welding step for bonding the outer electrode terminal and the collective electrode terminal,

wherein the laser welding step comprises:

applying a green laser beam with 532 nm wavelength to a surface of a welding portions between the outer electrode terminal and the collective electrode terminal, and roughening the surface of the welding portion; and

applying a YAG laser beam with 1064 nm wavelength to the roughened surface of the welding portion, and welding the outer electrode terminal and the collective electrode terminal, and

wherein the welding portion includes a rivet portion having an edge portion formed by caulking a rivet, and the YAG laser beam is applied to the edge portion with 30° to 45° inclined from the inside to the outside.

2. The method according to claim 1,

wherein the welding using the YAG laser beam is performed under oxygen atmosphere.

3. (Canceled)

4. (Canceled)

5. (Canceled)



UNITED STATES PATENT AND TRADEMARK OFFICE

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

**MAILED**  
**APR 05 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Hideaki Miyake, et al. : DECISION ON REQUEST TO  
Application No.: 13/319,700 : PARTICIPATE IN THE PATENT  
Filed: November 10, 2011 : PROSECUTION HIGHWAY  
Attorney Docket No.: 10122.0031-00000 : PROGRAM AND PETITION  
For: METHOD OF LASER-WELDING : TO MAKE SPECIAL UNDER  
AND METHOD OF MANUFACTURING : 37 CFR 1.102(a)  
BATTERY INCLUDING THE SAME

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 10, 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, 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), the claims in the U.S. application does not sufficiently correspond to the claim(s) 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 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>.

  
David Buccini  
Petitions Examiner  
Office of Petitions

Under the Paperwork Reduction Act of 1996, 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:	13/319,763	Filing date:	November 10, 2011
-----------------	------------	--------------	-------------------

First Named Inventor:	Helmut ENNSBRUNNER
-----------------------	--------------------

Title of the Invention: METHOD AND APPARATUS FOR DETERMINING THE VOLTAGE AT THE ELECTRODES OF A SPOT WELDING GUN

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](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/AT2010/000164

The international filing date of the corresponding PCT application(s) is/are: May 12, 2010

**I. List of Required Documents:**

a. A copy of the latest international work product (WO/ISA, WO/PEA, 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.

Under the Paperwork Reduction Act of 1995, 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.: 13/319,763

First Named Inventor: Helmut ENNSBRUNNER

- 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.

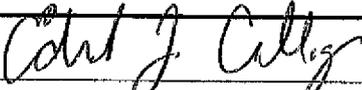
 Is attached Has already been filed in the above-identified U.S. application on November 23, 2011

- (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 November 23, 2011**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
17	1	same
18	2	"characterized in that" replaced with --wherein--
19	3	"characterized in that" replaced with --wherein-- and multiple dependency removed
20	4	"characterized in that" replaced with --wherein--
21	5	"characterized in that" replaced with --wherein-- and multiple dependency removed
22	6	"characterized in that" replaced with --wherein-- and multiple dependency removed
23	7	"characterized in that" replaced with --wherein-- and multiple dependency removed
24	8	"characterized in that" replaced with --wherein--
25	9	"characterized in that" replaced with --wherein--
26	10	"characterized in that" replaced with --wherein-- and multiple dependency removed
27	11	"characterized in that" replaced with --wherein-- and multiple dependency removed
28	12	"characterized in that" replaced with --wherein-- and multiple dependency removed

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

Signature 	Date <u>December 27, 2011</u>
Name (Print/Typed) <u>Edward J. Callaghan</u>	Registration Number <u>46,594</u>

## 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.

# VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: MIT DER INTERNATIONALEN VORLÄUFIGEN PRÜFUNG BEAUFTRAGTE BEHÖRDE

## PCT

<p>An:</p> <p>Sonn &amp; Partner Patentanwälte Riemergasse 14 1010 Wien AUTRICHE</p>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p style="font-size: 1.2em; margin: 0;">EINGELANGT</p> <p style="margin: 0;">L.8. SEP. 2011</p> <p style="margin: 0;">FRIST: _____</p> </div> <p style="text-align: right; margin-top: 10px;">Absenddatum (Tag/Monat/Jahr)      05.09.2011</p>	
<p>Aktenzeichen des Anmelders oder Anwalts R 56098 ✓</p>	<p><b>WICHTIGE MITTEILUNG</b></p>	
<p>Internationales Aktenzeichen PCT/AT2010/000164 ✓</p>	<p>Internationales Anmeldedatum (Tag/Monat/Jahr) 12.05.2010 ✓</p>	<p>Prioritätsdatum (Tag/Monat/Jahr) 14.05.2009 ✓</p>
<p>Anmelder Fronius International GmbH ✓</p>		

MITTEILUNG ÜBER DIE ÜBERSENDUNG  
DES INTERNATIONALEN VORLÄUFIGEN  
BERICHTS ZUR PATENTIERBARKEIT  
(Regel 71.1 PCT)

1. Dem Anmelder wird mitgeteilt, dass ihm die mit der internationalen vorläufigen Prüfung beauftragte Behörde hiermit den zu der internationalen Anmeldung erstellten internationalen vorläufigen Bericht zur Patentierbarkeit, gegebenenfalls mit den dazugehörigen Anlagen, übermittelt.
2. Eine Kopie des Berichts wird - gegebenenfalls mit den dazugehörigen Anlagen - dem Internationalen Büro zur Weiterleitung an alle ausgewählten Ämter übermittelt.
3. Auf Wunsch eines ausgewählten Amtes wird das Internationale Büro eine Übersetzung des Berichts (jedoch nicht der Anlagen) ins Englische anfertigen und diesem Amt übermitteln.

**4. ERINNERUNG**

Zum Eintritt in die nationale Phase hat der Anmelder vor jedem ausgewählten Amt innerhalb von 30 Monaten ab dem Prioritätsdatum (oder in manchen Ämtern noch später) bestimmte Handlungen (Einreichung von Übersetzungen und Entrichtung nationaler Gebühren) vorzunehmen (Artikel 39 (1)) (siehe auch die durch das Internationale Büro im Formblatt PCT/IB/301 übermittelte Information).

Ist einem ausgewählten Amt eine Übersetzung der internationalen Anmeldung zu übermitteln, so muß diese Übersetzung auch Übersetzungen aller Anlagen zum internationalen vorläufigen Bericht zur Patentierbarkeit enthalten. Es ist Aufgabe des Anmelders, solche Übersetzungen anzufertigen und den betroffenen ausgewählten Ämtern direkt zuzuleiten.

Weitere Einzelheiten zu den maßgebenden Fristen und Erfordernissen der ausgewählten Ämter sind Band II des PCT-Leitfadens für Anmelder zu entnehmen.

Der Anmelder wird auf Artikel 33(5) hingewiesen, in welchem erklärt wird, dass die Kriterien für Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit, die im Artikel 33(2) bis (4) beschrieben werden, nur für die internationale vorläufige Prüfung Bedeutung haben, und dass "jeder Vertragsstaat (...) für die Entscheidung über die Patentfähigkeit der beanspruchten Erfindung in diesem Staat zusätzliche oder abweichende Merkmale aufstellen" kann (siehe auch Artikel 27(5)). Solche zusätzlichen Merkmale können z.B. Ausnahmen von der Patentierbarkeit, Erfordernisse für die Offenbarung der Erfindung sowie Klarheit und Stützung der Ansprüche betreffen.

<p>Name und Postanschrift der mit der internationalen Prüfung beauftragten Behörde</p> <div style="display: flex; align-items: center;"> <p>Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465</p> </div>	<p>Bevollmächtigter Bediensteter</p> <p>Gruber, Ralph</p> <p>Tel. +49 89 2399-7585</p>
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# VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

## PCT

### INTERNATIONALER VORLÄUFIGER BERICHT ÜBER DIE PATENTIERBARKEIT

(Kapitel II des Vertrags über die internationale Zusammenarbeit auf dem Gebiet des Patentwesens)

Aktenzeichen des Anmelders oder Anwalts R 56098 ✓	<b>WEITERES VORGEHEN</b> <span style="float: right;">siehe Formblatt PCT/PEA/16</span>	
Internationales Aktenzeichen PCT/AT2010/000164 ✓	Internationales Anmeldedatum (Tag/Monat/Jahr) 12.05.2010 ✓	Prioritätsdatum (Tag/Monat/Jahr) 14.05.2009 ✓
Internationale Patentklassifikation (IPC) oder nationale Klassifikation und IPC INV. B23K11/1		
Anmelder Fronius International GmbH ✓		
1. Bei diesem Bericht handelt es sich um den internationalen vorläufigen Prüfungsbericht, der von der mit der internationalen vorläufigen Prüfung beauftragten Behörde nach Artikel 35 erstellt wurde und dem Anmelder gemäß Artikel 36 übermittelt wird. 2. Dieser BERICHT umfaßt insgesamt <u>5</u> Blätter einschließlich dieses Deckblatts. 3. Außerdem liegen dem Bericht ANLAGEN bei; diese umfassen a. <input checked="" type="checkbox"/> (an den Anmelder und das Internationale Büro gesandt) insgesamt <u>6</u> Blätter; dabei handelt es sich um <input checked="" type="checkbox"/> Blätter mit der Beschreibung, Ansprüchen und/oder Zeichnungen, die geändert wurden, und/oder Blätter mit Berichtigungen, denen die Behörde zugestimmt hat, sofern diese Blätter nicht überholt sind oder fortfallen, sowie etwaige Begleitschreiben (siehe Regeln 46.5, 66.8, 70.16, 91.2 und Abschnitt 607 der Verwaltungsvorschriften). <input type="checkbox"/> Blätter mit Berichtigungen, die laut Entscheidung der Behörde nicht berücksichtigt werden, weil bis zu dem Zeitpunkt, zu dem die Behörde mit der Erstellung des Berichts begonnen hat, keine Zustimmung ihrerseits zu den Berichtigungen bzw. keine Mitteilung der Berichtigungen an die Behörde erfolgt ist, sowie etwaige Begleitschreiben (Regeln 66.4bis, 70.2 e), 70.16 und 91.2). <input type="checkbox"/> überholte Blätter und etwaige Begleitschreiben, wenn nach Auffassung der Behörde entweder die späteren Blätter eine Änderung enthalten, die über den Offenbarungsgehalt der internationalen Anmeldung in der ursprünglich eingereichten Fassung hinausgeht, oder den späteren Blättern kein Begleitschreiben beigefügt war, das die Grundlage für die Änderungen in der ursprünglich eingereichten Anmeldung angibt, wie in Feld Nr. 1, Punkt 4 und im Zusatzfeld angegeben (siehe Regel 70.16 b)). b. <input type="checkbox"/> (nur an das Internationale Büro gesandt) insgesamt (bitte Art und Anzahl der/des elektronischen Datenträger(s) angeben), der/die ein Sequenzprotokoll enthält/enthalten, nur in elektronischer Form, wie im Zusatzfeld betreffend das Sequenzprotokoll angegeben (siehe Ziffer 3/bis des Anhangs C zu den Verwaltungsvorschriften).		
4. Dieser Bericht enthält Angaben zu folgenden Punkten: <input checked="" type="checkbox"/> Feld Nr. I     Grundlage des Berichts <input type="checkbox"/> Feld Nr. II     Priorität <input type="checkbox"/> Feld Nr. III    Keine Erstellung eines Gutachtens über Neuheit, erfinderische Tätigkeit und gewerbliche Anwendbarkeit <input type="checkbox"/> Feld Nr. IV    Mangelnde Einheitlichkeit der Erfindung <input checked="" type="checkbox"/> Feld Nr. V     Begründete Feststellung nach Artikel 35(2) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung <input type="checkbox"/> Feld Nr. VI    Bestimmte angeführte Unterlagen <input type="checkbox"/> Feld Nr. VII   Bestimmte Mängel der internationalen Anmeldung <input type="checkbox"/> Feld Nr. VIII  Bestimmte Bemerkungen zur internationalen Anmeldung		
Datum der Einreichung des Antrags  17.02.2011	Datum der Fertigstellung dieses Berichts  05.09.2011	
Name und Postanschrift der mit der internationalen vorläufigen Prüfung beauftragten Behörde   Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4465	Bevollmächtigter Bediensteter  Caubet, J  Tel. +49 89 2399-2344  	

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**Feld Nr. I Grundlage des Berichts**

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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 folgenden Zweck eingereicht worden ist:
  - internationale Recherche (nach Regeln 12.3 a) und 23.1 b))
  - Veröffentlichung der internationalen Anmeldung (nach Regel 12.4 a))
  - internationale vorläufige Prüfung (nach Regeln 55.2 a) und/oder 55.3 a) und b))

2. Hinsichtlich der **Bestandteile\*** der internationalen Anmeldung beruht der Bericht auf (*Ersatzblätter, die dem Anmeldeamt auf eine Aufforderung nach Artikel 14 hin vorgelegt wurden, gelten im Rahmen dieses Berichts als "ursprünglich eingereicht" und sind ihm nicht beigelegt*):

**Beschreibung, Seiten**

1-10 in der ursprünglich eingereichten Fassung

**Ansprüche, Nr.**

1-12 eingereicht mit Schreiben vom 17-02-2011

**Zeichnungen, Blätter**

1/2, 2/2 in der ursprünglich eingereichten Fassung

- eines Sequenzprotokolls - siehe Zusatzfeld betreffend das Sequenzprotokoll.
3.  Aufgrund der Änderungen sind folgende Unterlagen fortgefallen:
- Beschreibung: Seite
  - Ansprüche: Nr.
  - Zeichnungen: Blatt/Abb.
  - Sequenzprotokoll (*genaue Angaben*):
  - etwaige zum Sequenzprotokoll gehörende Tabellen (*genaue Angaben*):
4.  Dieser Bericht ist ohne Berücksichtigung (von einigen) der diesem Bericht beigelegten und nachstehend aufgelisteten Änderungen erstellt worden, da diese aus den im Zusatzfeld angegebenen Gründen nach Auffassung der Behörde über den Offenbarungsgehalt in der ursprünglich eingereichten Fassung hinausgehen oder laut Angabe im Zusatzfeld kein Begleitschreiben beigelegt war, in dem die Grundlage für die Änderung in der ursprünglich eingereichten Anmeldung angegeben war (Regel 70.2 c) und c-bis)).
- Beschreibung: Seite
  - Ansprüche: Nr.
  - Zeichnungen: Blatt/Abb.
  - Sequenzprotokoll (*genaue Angaben*):
5.  Dieser Bericht wurde erstellt:
- unter Berücksichtigung der Berichtigung eines offensichtlichen Fehlers, die nach Regel 91 von dieser Behörde genehmigt wurde bzw. dieser Behörde mitgeteilt wurde (Regeln 66.1 d-bis) und 70.2 e)).
  - ohne Berücksichtigung der Berichtigung eines offensichtlichen Fehlers, die nach Regel 91 von dieser Behörde genehmigt wurde bzw. dieser Behörde mitgeteilt wurde (Regeln 66.4bis) und 70.2 e)).

**INTERNATIONALER VORLÄUFIGER BERICHT  
ÜBER DIE PATENTIERBARKEIT**

Internationales Aktenzeichen  
PCT/AT2010/000164

6.  Bei der Erstellung dieses Berichts wurde der ergänzende internationale Recherchenbericht/wurden die ergänzenden internationalen Recherchenberichte der folgenden Behörde(n) berücksichtigt (Regel 45bis.3 b) und c)).

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**Feld Nr. V Begründete Feststellung nach Artikel 35 (2) hinsichtlich der Neuheit, der erfinderischen Tätigkeit und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung dieser Feststellung**

---

1. Feststellung

Neuheit (N)	Ja: Ansprüche <u>1-12</u>
	Nein: Ansprüche
Erfinderische Tätigkeit (IS)	Ja: Ansprüche <u>1-12</u>
	Nein: Ansprüche
Gewerbliche Anwendbarkeit (IA)	Ja: Ansprüche: <u>1-12</u>
	Nein: Ansprüche:

2. Unterlagen und Erklärungen (Regel 70.7):

siehe Beiblatt

**Zu Punkt V**

**Begründete Feststellung hinsichtlich der Neuheit, der erfinderischen Tätigkeit  
und der gewerblichen Anwendbarkeit; Unterlagen und Erklärungen zur Stützung  
dieser Feststellung**

1 Es wird auf die folgenden Dokumente verwiesen:

- D1 DE 31 29 170 A1 (ARO MACHINERY [GB]) 11. März 1982  
(1982-03-11) in der Anmeldung erwähnt
- D2 US 4 714 816 A (PAZZAGLIA LUIGI [IT]) 22. Dezember 1987  
(1987-12-22)
- D3 EP 0 345 473 A2 (ELPATRONIC AG [CH]) 13. Dezember 1989  
(1989-12-13)

2 D1 wird als nächstliegender Stand der Technik gegenüber dem Gegenstand des Anspruchs 1 angesehen. Es offenbart ein Verfahren nach dem Oberbegriff des Anspruchs 1.

Der Gegenstand des Anspruchs 1 unterscheidet sich somit von dem bekannten Verfahren dadurch, dass die Messspannung und die Kompensationsspannung getrennt voneinander erfasst werden und dass das Verhältnis zwischen der Messspannung und der Kompensationsspannung zu jenen Zeitpunkten, in welchen sprunghafte Spannungsänderungen auftreten, ermittelt wird, und die Kompensationsspannung mit dem ermittelten Verhältnis multipliziert und zur Ermittlung der Elektrodenspannung von der Messspannung subtrahiert wird.

Die mit der vorliegenden Erfindung zu lösende Aufgabe kann somit darin gesehen werden, dass trotz Änderung des magnetischen Flusses, die dadurch induzierten Fehler genau kompensiert werden können.

Die in Anspruch 1 der vorliegenden Anmeldung vorgeschlagene Lösung wird aus folgenden Gründen als erfinderisch angesehen (Artikel 33 (3) PCT):

Dokument D2 (Siehe Figur 1 und Spalte 3, Zeile 67 - Spalte 4, Zeile 48) beschreibt das Widerstandsschweißen mit Rollenelektroden und einem Messvorgang mit voneinander getrennten Messungen von einem

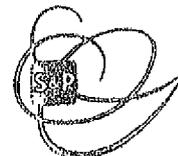
Messstrom und einer Kompensationsstrom. Nicht offenbart ist die Ermittlung des Verhältnis zwischen dem Messwert und dem Kompensationswert zu jenen Zeitpunkten, in welchen sprunghafte Spannungsänderungen auftreten. Die Lösung der gestellten Aufgabe durch diese Merkmale ist im Stand der Technik nicht gelehrt und somit erfinderisch.

- 3 Die gleiche Begründung gilt entsprechend für den Gegenstand des unabhängigen Anspruchs 10, welcher somit ebenfalls die Erfordernisse des PCT in Bezug auf Neuheit und erfinderische Tätigkeit erfüllt.

3

EPO - Munich  
75

21. Feb. 2011



**SONN & PARTNER**

SINCE 1851



**EINSCHREIBEN!**  
Europäisches Patentamt

80298 München  
DEUTSCHLAND

vorab per Telefax

Ihr Zeichen:

Unser Zeichen: R 56098, GH/clu

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Wien, 17. Februar 2011

internat. Patentanm. Nr. PCT/AT2010/000164  
Anmelder: FRONIUS INTERNATIONAL GMBH

**Antrag auf internationale vorläufige Prüfung**

Anlegend wird ein Antrag auf internationale vorläufige Prüfung zu der oben angeführten internationalen Patentanmeldung übermittelt. Ferner wird gebeten die dafür vorgesehene Gebühr in Höhe von € 1.910,00 von unserem Konto 28010018 abzubuchen; vorsorglich wird ein entsprechendes Formular für die Zahlung der Gebühr (Formblatt PCT/PEA/401) beigelegt.

Weiters werden neue Patentansprüche 1 bis 12 (Ersatzseiten 11 und 13) vorgelegt, welche der Internationalen vorläufigen Prüfung zugrunde gelegt werden sollen.

**1. Änderungen**

Der neue unabhängige Verfahrensanspruch 1 enthält die Merkmale der ursprünglichen Ansprüche 1, 3 und 4. Dadurch wird das erfindungsgemäße Verfahren präzisiert, wonach das zeitlich veränderliche Verhältnis  $v(t)$  zwischen Messspannung  $u_m(t)$  und Kompensationsspannung  $u_k(t)$  zu Zeitpunkten, wo schnelle Spannungsänderungen in der Kompensationsspule auftreten, ermittelt wird und die Messspannung  $u_m(t)$  mit diesem Verhältnis  $v(t)$  entsprechend korrigiert wird, um den zeitlichen Verlauf der Elektroden Spannung  $u_e(t)$  möglichst genau zu ermitteln.

Die neu vorgelegten Ansprüche 2 bis 7 entsprechen den ursprünglich eingereichten Ansprüchen 2 und 5 bis 9 in unveränderter Form.

Der neue unabhängige Vorrichtungsanspruch 8 wurde in analoger Weise wie der neue unabhängige Verfahrensanspruch 1 durch Aufnahme der Merkmale der ursprünglichen Ansprüche 13 und 14 präzisiert.



Die neuen abhängigen Vorrichtungsansprüche 9 bis 12 entsprechen den ursprünglich eingereichten Ansprüchen 11, 12, 15 und 16 in unveränderter Form.

Zur leichteren Überprüfbarkeit der vorgenommenen Änderungen werden die neuen Patentansprüche auch mit hervorgehobenen Änderungen vorgelegt.

## 2. Vergleich der gegenständliche Erfindung mit dem ermittelten Stand der Technik

Das als nächstliegender Stand der Technik angesehene Dokument D1 (DE 31 29 170 A1) offenbart eine Punktschweißmaschine, wobei der durch die in den Spannungsmessleitungen induzierte Spannung resultierende Messfehler mittels schaltungstechnischer Serienschaltung einer Spule mit negativer Orientierung kompensiert wird. Die gegenständliche Erfindung unterscheidet sich von Dokument D1 dadurch, dass die Messspannung und die Kompensationsspannung getrennt voneinander erfasst werden und das zeitlich veränderliche Verhältnis der Messspannung und der Kompensationsspannung ermittelt und zur Messwertkorrektur herangezogen wird.

Dokument D2 (US 4,714,816 A) beschreibt eine Schweißvorrichtung zum Widerstandsschweißen mit Rollenelektroden, wobei keine Spannungsmessung sondern eine Strommessung vorgenommen wird. Dabei wird von einem konstanten Schweißstrom  $I_s$  ausgegangen und angenommen, dass der Messstrom  $I_m$  proportional dem Widerstand der Schweißung ist. Der Messstrom  $I_m$  besteht aus zwei Komponenten  $I_L$  und  $I_R$ , wobei die Komponente  $I_L$  durch Induktion des Schweißstromes  $I_s$  entsteht. Zur Ermittlung der Komponente  $I_L$  wird mit Hilfe eines Messaufnehmers 11 ein induzierter Strom  $I_L'$  aufgenommen und zur Kompensation vom Messstrom  $I_m$  abgezogen. Eine Rückrechnung auf die tatsächliche induktive Komponente  $I_L$  erfolgt dabei nicht. Für diesen Fall wäre die Ermittlung eines Proportionalitätsfaktors notwendig geworden. Da der gemessene Strom  $I_L'$  nicht nur von der Geometrie der Induktionsschleife sondern auch vom Ohm'schen Widerstand der Schleife abhängig ist, besteht auch keine direkte Proportionalität zur Komponente  $I_L$ , wodurch wiederum keine sehr genaue Ermittlung des Messstroms  $I_m$  möglich ist. Im Gegensatz zur vorliegenden Patentanmeldung wird bei Dokument D2 der Schweißwiderstand  $R_s$  ermittelt und die Über- bzw. die Unterschreitung von Grenzwerten  $R_{max}$ ,  $R_{min}$  erkannt. Eine derartige Widerstandsbestimmung und Grenzwerterkennung ist beim Gegenstand der vorliegenden Patentanmeldung nicht vorgesehen.

Das weitere im Internationalen Recherchenbericht zitierte Dokument D3 (EP 0 345 473 A2) wurde zu Recht nur als allgemeiner Stand der Technik („A“-Dokument) eingestuft, weshalb nicht näher auf dessen Inhalt eingegangen wird.

Die Aufgabe der vorliegenden Patentanmeldung besteht darin, ein Verfahren und eine Vorrichtung zu schaffen, mit welchen der zeitliche Verlauf der Spannung an den Elektroden der Punktschweißzange während des Punktschweißvorgangs möglichst genau ermittelt werden kann.

Gelöst wird diese Aufgabe durch die Merkmale der neuen unabhängigen Ansprüche 1 und 8, wonach ein zeitlich veränderliches Verhältnis  $v(t)$  der Messspannung  $u_m(t)$  und der Kompensationsspannung  $u_k(t)$  zu jenen Zeitpunkten, in welchen sprunghafte Spannungsänderungen auftreten, ermittelt wird und die Messspannung  $u_m(t)$  zur Ermittlung der genauen Elektrodenspannung  $u_a(t)$  mit diesem Verhältnis  $v(t)$  entsprechend korrigiert wird. Im Gegensatz zum Stand der Technik wird beim gegenständlichen Verfahren und der gegenständlichen Vorrichtung die Messspannung  $u_m(t)$  und Kompensationsspannung  $u_k(t)$  gesondert



verarbeitet, wodurch induzierte Spannungen unabhängig vom sich ändernden magnetischen Fluss kompensiert werden können und die Elektrodenspannung  $u_e(t)$  sehr genau ermittelt werden kann. Über die genau ermittelte Elektrodenspannung  $u_e(t)$  kann wiederum besser auf die Schweißqualität rückgeschlossen werden.

Die Merkmale der unabhängigen Ansprüche 1 und 8 der gegenständlichen Patentanmeldung werden diesseitiger Ansicht nach durch eine Kombination der Dokumente D1 und D2 nicht nahegelegt. Da Dokument D2 ein anderes Verfahren (Widerstandsschweißverfahren mit Rollenelektroden) und darüber hinaus eine andere Messmethode (Strommessung) beschreibt, würde ein Fachmann Dokument D2 auch nicht für die Lösung der erfindungsgemäßen Aufgabe in Betracht ziehen und dieses Dokument D2 auch nicht mit Dokument D1 kombinieren. Darüber hinaus erhält der Fachmann aus Dokument D2 keinen Hinweis auf die Lösung der erfindungsgemäßen Aufgabe.

### 3. Zusammenfassung

Diesseitiger Meinung nach beruhen die neu vorgelegten Ansprüche 1 bis 12 auch auf einer erfinderischen Tätigkeit.

Es wird daher gebeten dem Gegenstand des neu vorgelegten Schutzbegehrens nicht nur die Neuheit, sondern auch die erfinderische Tätigkeit zuzuerkennen und einen positiven Internationalen vorläufigen Prüfungsbericht auszugeben.

Sollten dennoch Bedenken gegen die Gewährbarkeit des neu vorgelegten Schutzbegehrens bestehen, wird um Herausgabe eines Bescheids gemäß R. 65 PCT gebeten, um der Anmelderin eine weitere Gelegenheit der Abgabe einer Stellungnahme, allenfalls mit einem geänderten Schutzbegehren zu geben.

Es wird gebeten, das Eintreten der vorgelegten Unterlagen auf beiliegender Kopie bestätigen zu wollen.

SONN & PARTNER Patentanwälte  
Zusammenschluss 201



Georg Heger  
Patentanwalt

- neue Patentansprüche 1 bis 12 (mit und ohne hervorgehobenen Änderungen)
- Bestätigungskopie samt Rückkuvert

**ADVANCE E-MAIL**

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II)  
  
(PCT Rules 44bis.3(c) and 72.2)

To:

SONN & PARTNER PATENTANWÄLTE  
Riemergasse 1  
A-1010 Wien  
AUTRICHE

**ENGELANGOT**

22. DEZ. 2011

FRIST

Date of mailing (day/month/year) 15 December 2011 (15.12.2011)	
Applicant's or agent's file reference R 56098	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/AT2010/000164	International filing date (day/month/year) 12 May 2010 (12.05.2010)
Applicant FRONIUS INTERNATIONAL GMBH 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:

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, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, EP, 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, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Yolaine Cussac
Facsimile No. +41 22 338 82 70	e-mail: pt05.pct@wipo.int

**TRANSLATION**

**PATENT COOPERATION TREATY**

**PCT**

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

(PCT Article 35 and Rule 70)

Applicant's or agent's file reference <b>R 56098</b>		<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. <b>PCT/AT2010/000164</b>	International filing date (day/month/year) <b>12.05.2010</b>	Priority date (day/month/year) <b>14.05.2009</b>	
International Patent Classification (IPC) or national classification and IPC <b>B23K11/11</b>			
Applicant <b>FRONIUS INTERNATIONAL GMBH</b>			
<p>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.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>6</u> sheets, as follows:</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> 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).</p> <p style="margin-left: 20px;"><input type="checkbox"/> 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.</p> <p>b. <input type="checkbox"/> (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 3bis of Annex C of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand		Date of completion of this report	
Name and mailing address of the IPEA/BP		Authorized officer	
Facsimile No.		Telephone No.	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.  
PCT/AT2010/000164

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(n) and 23.1(b))
    - publication of the international application (Rule 12.4(n))
    - 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 1-10 as originally filed/furnished
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - the claims:
    - nos. \_\_\_\_\_ as originally filed/furnished
    - nos.\* \_\_\_\_\_ as amended (together with any statement) under Article 19
    - nos.\* 1-12 received by this Authority on with letter of 17.02.2011
    - nos.\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - the drawings:
    - sheets 1/2, 2/2 as originally filed/furnished
    - sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - sheets\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - a sequence listing - see Supplemental Box Relating to Sequence Listing.
3.  The amendments have resulted in the cancellation of:
- the description, pages \_\_\_\_\_
  - the claims, nos. \_\_\_\_\_
  - the drawings, sheets/figs \_\_\_\_\_
  - the sequence listing (specify): \_\_\_\_\_
4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since 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 (Rule 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 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/AT2010/000164

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
<b>1. Statement</b>			
Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO
<b>2. Citations and explanations (Rule 70.7)</b>			
<p>1. Reference is made to the following documents:</p> <p>D1: DE 31 29 170 A1 (ARO MACHINERY [GB]) 11 March 1982 (1982-03-11), cited in the application</p> <p>D2: US 4 714 816 A (PAZZAGLIA LUIGI [IT]) 22 December 1987 (1987-12-22)</p> <p>D3: EP 0 345 473 A2 (ELPATRONIC AG [CH]) 13 December 1989 (1989-12-13)</p> <p>2. Document D1 is considered the prior art closest to the subject matter of claim 1. It discloses a method according to the preamble of claim 1.</p> <p>The subject matter of claim 1 thus differs from the known method in that the measuring voltage and the compensation voltage are detected separately from each other and that the ratio between the measuring voltage and the compensation voltage are calculated at those times at which erratic voltage changes occur, and the compensation voltage is multiplied by the calculated ratio and is subtracted from the measuring voltage in order to calculate the electrode voltage.</p>			

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AT2010/000164

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

The problem to be solved by the present invention can thus be considered the fact that, despite a change in the magnetic flow, it is possible to compensate precisely for the errors that are thereby induced.

The solution proposed in claim 1 of the present application is considered inventive (PCT Article 33(3)) for the reasons which follow:

Document D2 (see figure 1 and column 3, line 67 to column 4, line 48) describes resistance welding with roller electrodes and a measuring process with separate measurements by a measuring current and a compensation current. It does not disclose calculating the ratio between the measures value and the compensation value at those times at which erratic voltage changes occur. The solution to the problem of interest by means of these features is not disclosed in the prior art is therefore not inventive.

3. The same argumentation applies accordingly to the subject matter of independent claim 10, which thus likewise satisfies the PCT requirements with respect to novelty and inventive step.

**Re: International Patent Application No. PCT/AT2010/000164**  
**Applicant: FRONIUS INTERNATIONAL GMBH**

**Request for international preliminary examination**

We herewith submit a request for international preliminary examination of the above-mentioned international patent application. We would also ask to charge the respective fee of EUR 1,910.00 to our account 28010018; a corresponding payment form for payment of the fee (form PCT/IPEA/401) is attached for this purpose.

Furthermore new patent claims 1 to 12 (replacement pages 11 and 13) are submitted, which should be used as basis for the international preliminary examination.

**1. Amendments**

New independent method claim 1 contains the features of original claims 1, 3 and 4. In this new claim the method according to the invention is stated more precisely, whereby the ratio  $v(t)$  between measuring voltage  $u_m(t)$  and compensation voltage  $u_k(t)$ , which is variable over time, is determined at times of erratic voltage changes in the compensation coil, and the measuring voltage  $u_m(t)$  is correspondingly corrected using this ratio  $v(t)$  in order to determine the time course of the electrode voltage  $u_e(t)$  as precisely as possible.

New submitted claims 2 to 7 correspond to the originally submitted claims 2 and 5 to 9 and remain unchanged.

New independent device claim 8 was formulated more precisely analogously to new independent claim 1 by including the features of original claims 13 and 14.

New dependent device claims 9 to 12 correspond to the originally submitted claims 11, 12, 15 and 16 and remain unchanged.

In order to make examination of the changes made easier the new patent claims are also submitted with the changes highlighted.

## **2. Comparison of the present invention with the assessed state of the art**

Document D1 (DE 31 29 170 A1) regarded as the nearest state of the art discloses a spot-welding machine, wherein the measuring error resulting from the voltage induced in the voltage measuring lines is compensated for by means of a circuitry-based series connection of a coil with negative orientation. The present invention is different from document D1 in that the measuring voltage and the compensation voltage are detected separately from each other and in that the ratio between measuring voltage and compensation voltage, which is variable over time, is determined and used for correcting the measured value.

Document D2 (US 4,714,816 A) describes a welding apparatus for resistance welding with roller electrodes, wherein current measurements, but not voltage measurements, are taken. These are based on a constant welding current  $I_s$  and the assumption that the measuring current  $I_m$  is proportional to the welding resistance. The measuring current  $I_m$  consists of two components  $I_L$  and  $I_R$ , wherein the component  $I_L$  is created by induction of welding current  $I_s$ . In order to determine component  $I_L$  an induced current  $I_L'$  is sensed with the help of sensor 11 and then subtrac-

ted from measuring current  $I_m$  for compensation. There is no recalculation to determine the actual inductive component  $I_L$ . For such a case it would have been necessary to determine a proportionality factor. Since the measured current  $I_L'$  is dependent not only upon the geometry of the induction loop but also upon the ohmic resistance of the loop, there exists no direct proportionality in relation to component  $I_L$ , thus not allowing any really precise determination of the measuring current. Contrary to the present patent application, in document D2 the welding resistance  $R_s$  is determined and under-/overstepping of limit values  $R_{max}$ ,  $R_{min}$  is detected. Such resistance determination and limit value detection is not provided for in the present patent application.

Document D3 (EP 0 345 473 A2) also cited in the international search report was classified, quite rightly, as merely the general state of the art ("A" document) and therefore its content is not discussed here in any further detail.

It is the requirement of the present patent application to propose a method and an apparatus with which the time course of the voltage at the electrodes of the spot-welding gun during the spot-welding operation can be very accurately determined.

This requirement is met by the features of new independent claims 1 and 8, whereby the ratio  $r(t)$  between measuring voltage  $u_m(t)$  and compensation voltage  $u_k(t)$ , which is variable over time, is determined at those points in time, at which erratic voltage changes occur, and the measuring voltage  $u_m(t)$  for accurately determining the electrode voltage  $u_e(t)$  is correspondingly corrected using this ratio  $v(t)$ . Contrary to the state of the art, using the present method and the present apparatus, the

measuring voltage  $u_m(t)$  and the compensation voltage  $u_k(t)$  are processed separately, whereby induced voltages can be compensated for independently of the changing magnetic flow, thus allowing the electrode voltage  $u_e(t)$  to be determined very accurately. The accurately determined electrode voltage  $u_e(t)$  may, in turn, be used to draw better conclusions as to the quality of the welding.

The features of independent claims 1 and 8 of the present patent application are, in our view, not made obvious by a combination of the documents D1 and D2. Since document D2 describes another method (resistance welding process with roller electrodes) and moreover another measuring method (current measuring), a person skilled in the art would not take document D2 into consideration for solving the requirement according to the invention, nor would he combine document D2 with document D1. Moreover a person skilled in the art could not obtain any hint as to the solution of the requirement according to the invention.

### **3. Summary**

In our view the new submitted claims 1 to 12 are based on an inventive step.

We would therefore ask to award not only novelty but also inventive step to the subject of the newly submitted application for protection and to issue a positive international preliminary examination report.

In case any objections should remain regarding the granting of the newly submitted application for protection, we would ask to issue a notification under R. 66 PCT in order to give the ap-

- 5 -

plicant a further chance of commenting on the matter, possibly including submitting a modified application for protection.

Please acknowledge receipt of the documents submitted on the attached copy.

SONN & PARTNER Patentanwälte

Association 201

Georg Heger

Patent Attorney

- new patent claims 1 to 12 (with and without highlighted changes)
- confirmation copy including return envelope.

R 56098

- 11 -

PCT/AT2010/000164

## Patentansprüche:

1. Verfahren zum Ermitteln des zeitlichen Verlaufs der Spannung ( $u_e(t)$ ) an den Elektroden (3) einer Punktschweißzange (1) während eines Punktschweißvorgangs als Indikator für die Schweißqualität, welche Elektroden (3) an zueinander bewegbaren Zangenarmen (2) befestigt sind, wobei über Messleitungen (6) eine Messspannung ( $u_m(t)$ ) gemessen wird, und mit einer Kompensationsspule (7) eine induzierte Kompensationsspannung ( $u_k(t)$ ) gemessen wird, dadurch gekennzeichnet, dass die Messspannung ( $u_m(t)$ ) und die Kompensationsspannung ( $u_k(t)$ ) getrennt voneinander erfasst werden und dass das Verhältnis ( $v(t)$ ) zwischen der Messspannung ( $u_m(t)$ ) und der Kompensationsspannung ( $u_k(t)$ ) zu jenen Zeitpunkten, in welchen sprunghafte Spannungsänderungen auftreten, ermittelt wird, und die Kompensationsspannung ( $u_k(t)$ ) mit dem ermittelten Verhältnis ( $v(t)$ ) multipliziert und zur Ermittlung der Elektrodenspannung ( $u_e(t)$ ) von der Messspannung ( $u_m(t)$ ) subtrahiert wird.
2. Verfahren nach Anspruch 1, dadurch gekennzeichnet, dass das Verhältnis ( $v(t)$ ) während des Punktschweißvorgangs laufend bestimmt wird.
3. Verfahren nach Anspruch 1 oder 2, dadurch gekennzeichnet, dass von der um die induzierten Spannungen ( $u_i(t)$ ) korrigierten Messspannung ( $u_m(t)$ ) der Spannungsabfall ( $u_L(t)$ ) am Widerstand der Zuleitungen (4) zur Ermittlung der Elektrodenspannung ( $u_e(t)$ ) subtrahiert wird.
4. Verfahren nach Anspruch 3, dadurch gekennzeichnet, dass der Ohm'sche Widerstand der Zuleitungen (4) für die Ermittlung des Spannungsabfalls ( $u_L(t)$ ) während eines Punktschweißvorgangs vorweg ohne die zu verschweißenden Bauteilen (13) ermittelt wird.
5. Verfahren nach einem der Ansprüche 1 bis 4, dadurch gekennzeichnet, dass die Messspannung ( $u_m(t)$ ) und die Kompensationsspannung ( $u_k(t)$ ) digitalisiert und einer Verarbeitungseinrichtung (11) zugeführt werden.
6. Verfahren nach einem der Ansprüche 1 bis 5, dadurch gekenn-

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zeichnet, dass durch die Kompensationsspule (7) ein Teil der durch die Messleitungen (6) definierten Fläche abgedeckt wird.

7. Verfahren nach einem der Ansprüche 1 bis 6, dadurch gekennzeichnet, dass die erfasste Messspannung ( $u_m(t)$ ) und die Kompensationsspannung ( $u_k(t)$ ) und/oder daraus abgeleitete Größen gespeichert werden.

8. Vorrichtung zum Ermitteln des zeitlichen Verlaufs der Spannung ( $u_e(t)$ ) an den Elektroden (3) einer Punktschweißzange (1) während eines Punktschweißvorgangs als Indikator für die Schweißqualität, wobei die Elektroden (3) an zueinander bewegbaren Zangenarmen (2) befestigt sind, mit einer Einrichtung (9) zur Messung einer Messspannung ( $u_m(t)$ ) zwischen den Elektroden (3), welche Messeinrichtung (9) mit entlang der Zangenarme (2) verlaufenden Messleitungen (6) verbunden ist, und mit einer Kompensationsspule (7) zur Messung einer Kompensationsspannung ( $u_k(t)$ ) zum Kompensieren von Messfehlern in den Messleitungen (6), dadurch gekennzeichnet, dass die Einrichtung (9) zur Messung der Messspannung ( $u_m(t)$ ) und die Einrichtung (10) zur Messung der Kompensationsspannung ( $u_k(t)$ ) als separate Einheiten zur getrennten Erfassung ausgebildet sind und mit einer Einrichtung (11) zur Verarbeitung der erfassten Messwerte verbunden sind, welche Verarbeitungseinrichtung (11) zur Erfassung der Messspannung ( $u_m(t)$ ) und der Kompensationsspannung ( $u_k(t)$ ) und zur Ermittlung eines Verhältnisses ( $v(t)$ ) zwischen der Messspannung ( $u_m(t)$ ) und der Kompensationsspannung ( $u_k(t)$ ) zu jenen Zeitpunkten, zur Multiplikation der Kompensationsspannung ( $u_k(t)$ ) mit dem ermittelten Verhältnis ( $v(t)$ ) und Subtraktion der mit dem Verhältnis ( $v(t)$ ) multiplizierten Kompensationsspannung ( $u_k(t)$ ) von der Messspannung ( $u_m(t)$ ) zur Ermittlung der Elektrodenspannung ( $u_e(t)$ ) ausgebildet ist.

9. Vorrichtung nach Anspruch 8, dadurch gekennzeichnet, dass die Kompensationsspule (7) einen Teil der durch die Messleitungen (6) definierten Fläche abdeckt.

10. Vorrichtung nach Anspruch 8 oder 9, dadurch gekennzeichnet, dass die Kompensationsspule (7) durch eine Rogowski-Spule gebildet ist.

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11. Vorrichtung nach einem der Ansprüche 8 bis 10, dadurch gekennzeichnet, dass ein Speicher (12) zum Speichern der erfassten Messspannung ( $u_m(t)$ ), der Kompensationsspannung ( $u_k(t)$ ) und/oder daraus abgeleiteten Größen vorgesehen ist.

12. Vorrichtung nach einem der Ansprüche 8 bis 11, dadurch gekennzeichnet, dass die Messleitungen (6) im Wesentlichen vor den Elektroden (3) befestigt sind.

## Claims:

1. Method for determining the temporal curve of the voltage ( $u_e(t)$ ) at the electrodes (3) of a spot welding gun (1) during a spot welding process as an indicator for the welding quality, wherein the electrodes (3) are fastened to gun arms (2) that can be moved relative to each other, wherein a measuring voltage ( $u_m(t)$ ) is measured via measuring leads (6) and an induced compensating voltage ( $u_k(t)$ ) is measured using a compensating coil (7), characterized in that the measuring voltage ( $u_m(t)$ ) and the compensating voltage ( $u_k(t)$ ) are detected separately and the relation ( $v(t)$ ) between measuring voltage ( $u_m(t)$ ) and compensating voltage ( $u_k(t)$ ) is determined at those times, when erratic voltage changes occur, and the compensating voltage ( $u_k(t)$ ) is multiplied by the determined relation ( $v(t)$ ) and subtracted from the measuring voltage ( $u_m(t)$ ) to determine the electrode voltage ( $u_e(t)$ ).
2. Method according to claim 1, characterized in that the relation ( $v(t)$ ) is continuously determined during the spot welding process.
3. Method according to claim 1 or 2, characterized in that the voltage drop ( $u_L(t)$ ) at the resistance of feed lines (4) is subtracted from the measuring voltage ( $u_m(t)$ ) adjusted by the induced voltages ( $u_i(t)$ ) for determining the electrode voltage ( $u_e(t)$ ).
4. Method according to claim 3, characterized in that the ohmic resistance of feed lines (4) for determining the voltage drop ( $u_L(t)$ ) during a spot welding process is previously determined without the components (13) to be welded.
5. Method according to one of claims 1 to 4, characterized in that the measuring voltage ( $u_m(t)$ ) and the compensating voltage ( $u_k(t)$ ) are digitalized and are supplied to a processing device (11).
6. Method according to one of claims 1 to 5, characterized in that a part of the area defined by the measuring leads (6) is

covered by compensating coil (7).

7. Method according to one of claims 1 to 6, characterized in that the detected measuring voltage ( $u_m(t)$ ) and the compensating voltage ( $u_k(t)$ ) and/or magnitudes derived therefrom are stored.

8. Apparatus for determining the temporal curve of the voltage ( $u_e(t)$ ) at the electrodes (3) of a spot welding gun (1) during a spot welding process as an indicator for the welding quality, wherein the electrodes (3) are fastened to gun arms (2) that can be moved relative to each other, comprising a device (9) for measuring a measuring voltage ( $u_m(t)$ ) between the electrodes (3), said measuring device (9) being connected to measuring leads (6) extending along the gun arms (2), and further comprising a compensating coil (7) for measuring a compensating voltage ( $u_k(t)$ ) for compensating measuring errors in the measuring leads (6), characterized in that the device (9) for measuring the measuring voltage ( $u_m(t)$ ) and the device (10) for measuring the compensating voltage ( $u_k(t)$ ) are designed as separate units for separate detection and connected to a device (11) for processing the detected values, said processing device (11) being designed for detecting the measuring voltage ( $u_m(t)$ ) and the compensating voltage ( $u_k(t)$ ) and for determining a relation ( $v(t)$ ) between the measuring voltage ( $u_m(t)$ ) and the compensating voltage ( $u_k(t)$ ) at those times, when erratic voltage changes occur, and for multiplication of compensating voltage ( $u_k(t)$ ) by the determined relation ( $v(t)$ ) and subtraction of the compensating voltage ( $u_k(t)$ ) multiplied by relation ( $v(t)$ ) from the measuring voltage ( $u_m(t)$ ) to determine the electrode voltage ( $u_e(t)$ ).

9. Apparatus according to claim 8, characterized in that the compensating coil (7) covers a part of the area defined by the measuring leads (6).

10. Apparatus according to claim 8 or 9, characterized in that the compensating coil (7) is formed by a Rogowski coil.

11. Apparatus according to one of claims 8 to 10, characterized in that a memory (12) for storing the detected measuring voltage ( $u_m(t)$ ), the compensating voltage ( $u_k(t)$ ) and/or magnitudes

derived therefrom is provided.

12. Apparatus according to one of claims 8 to 11, characterized in that the measuring leads (6) are significantly fastened in front of the electrodes (3).

VERIFICATION OF TRANSLATION

I, **Cindy Mueller**  
**Luebenstr. 23, 06449 Aschersleben, Germany**

declare as follows:

1. I am well acquainted with both the English and German languages, and
2. the attached listing of claims is an accurate translation of the claims indicated as having novelty, inventive step and industrial applicability in the IPER of:

The International Application No. **PCT/AT2010/000164**

Signature:

*C. Mueller*

Date: *09 Dezember 2011*

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE NORDIC PATENT INSTITUTE (NPI) AND THE USPTO**

Application No:	to be assigned	Filing date:	November 10, 2011
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First Named Inventor:	Flageborg
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Title of the invention: **PULL-IN DEVICE FOR A TOWLINE**

**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](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/NO2010/000161**

The international filing date of the corresponding PCT application(s) is/are: **May 3, 2010**

- I. List of Required Documents:**
- a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)
    - Is attached.
    - Is not attached because the document is already in the U.S. application.
  - b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).
    - Is attached.
    - Is not attached because the document is already in the U.S. application.
  - c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.



## C l a i m s

1. A pull-in device for a towline (31) arranged to connect a towable object (2) to a towing vessel (1), in which a reel (323) which is arranged to receive the towline (31) is arranged in a reeling device (32) fixed to the towing vessel (1), characterized in that the reeling device (32) is provided with a pull-in controller (325) arranged to selectably provide a rotationally rigid connection between a tensioning handle (33) and a pull-in spring (324), alternatively a rotationally rigid connection between the pull-in spring (324) and the towline reel (323).
2. The pull-in device in accordance with claim 1, characterized in that the controller (325) includes a coupling actuator (325h) arranged to axially move a reel axle (325a), which is rotationally rigidly connected to the towline reel (323), relative to a spring axle (325c) which is rotationally rigidly connected to the pull-in spring (324).
3. The pull-in device in accordance with claim 1, characterized in that the axial travel of the reel axle (325a) is defined by first and second coupling springs (325f, 325g) arranged concentrically on the extensions of the reel axle (325a).
4. The pull-in device in accordance with claim 1, characterized in that the rotationally rigid connections between the tensioning handle (33) and the pull-in spring (324), and the pull-in spring (324) and the towline reel (323), respectively, are provided by means of claw couplings (325b, 325d, 325e) arranged axially.

5. The pull-in device in accordance with claim 1, characterized in that the pull-in controller (325) is provided with a tension indicator (325k) arranged to indicate visually the degree of tensioning of the pull-in spring (324).  
5
6. The pull-in device in accordance with claim 1, characterized in that the towline (31) is provided with a stop (314) which is movable in the longitudinal direction of the towline (31) and is arranged to partially project into an entrance port (322) arranged at the periphery of the towline reel (323).  
10
7. The pull-in device in accordance with claim 1, characterized in that the reeling device 32 is provided with a casing (321) which includes an attachment (326) arranged to fix the pull-in device (1) to the towing vessel (1).  
15
8. The pull-in device in accordance with claim 7, characterized in that the attachment (326) is formed as a hull attachment (326a) arranged to be fixed to a hull structure of the towing vessel (1).  
20
9. The pull-in device in accordance with claim 7, characterized in that the attachment (326) is formed as an elongated body arranged to grip a mooring cleat on the towing vessel (1).  
25
10. The pull-in device in accordance with claim 7, characterized in that the casing (321) is provided with several entrance ports (322).

11. The pull-in device in accordance with claim 10, characterized in that at least one entrance port (322) is arranged to drain liquid from the casing (321).



UNITED STATES PATENT AND TRADEMARK OFFICE

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LOS ANGELES CA 90067-4704

**MAILED**  
**FEB 23 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Kim et al.  
Application No. 13/320,014  
Filed: 11/10/2011  
Attorney Docket No.  
375492-000019

ON PETITION

This is in response to the petition under 37 CFR 1.84(a)(2), filed in the United States Patent and Trademark Office (USPTO) on November 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;<sup>1</sup>
- (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.

<sup>1</sup> 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 request acceptance of color drawings because, the detail of the drawings are most clearly evident in color images and not adequately shown in gray scale images.

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

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

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

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

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

A reply may also be filed via EFS-Web.

The application is being forwarded to Group Art Unit 2884.

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

  
Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions

**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:	13320215	Filing date:	2011-11-11
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First Named Inventor:	JIAN-QIANG KONG
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Title of the Invention:	MICROTOME
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**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](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/US2010/046665

**The international filing date of the corresponding PCT application(s) is/are:**  
25 August 2010

**I. List of Required Documents:**

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

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

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

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

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



## Privacy Act Statement

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

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

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

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

Application No:	13320226	Filing date:	11-Nov-2011
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First Named Inventor:	Zenghu Chang
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Title of the Invention: Temperature Feedback Control for Long-Term Carrier-Envelope Phase Locking

**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](http://www.uspto.gov/ebc/efs_help.html)**

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**The corresponding PCT application number(s) is/are:** PCT/US2010/36318

**The international date of the corresponding PCT application(s) is/are:** 27-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.
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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.**



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

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



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Hovey Williams, LLP  
10801 Mastin Blvd., Suite 1000  
Overland Park, KS 66210

**MAILED**  
**JAN 18 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Zenghu Chang, et. al.  
Application No.: 13/320,226  
Filed: November 11, 2011  
Attorney Docket No.: 40360-US  
For: TEMPERATURE FEEDBACK  
CONTROL FOR LONG-TERM CARRIER-  
ENVELOPE PHASE LOCKING

:  
: 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 December 14, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the 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 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>.

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

  
David Bucci  
Petitions Examiner

**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:	13/320,501	Filing date:	November 14, 2012
First Named Inventor:	Koji SUGIURA		
Title of the Invention:	SILVER-BASED INORGANIC ANTIMICROBIAL AGENT AND METHOD FOR PREPARING THE SAME		

**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS\\_HELP.HTML](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/JP2010/058001

The international date of the corresponding PCT application(s) is/are: May 12, 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.

Under the Paperwork Reduction Act of 1995, 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.:	13/320,501
First Named Inventor:	Koji SUGIURA
<p>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.</p> <p><input type="checkbox"/> Is attached</p> <p><input checked="" type="checkbox"/> Has already been filed in the above-identified U.S. application on <u>November 14, 2011</u></p> <p>(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications</p> <p><input type="checkbox"/> Are attached.</p> <p><input checked="" type="checkbox"/> Have already been filed in the above-identified U.S. application on <u>November 14, 2011</u></p>	

**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
12	1	Sufficiently corresponds.
13	2	Sufficiently corresponds.
14	3	Sufficiently corresponds. (As dependent on claim 1.)
15	4	Sufficiently corresponds.
16	5	Sufficiently corresponds.
17	6	Sufficiently corresponds.
18	7	Sufficiently corresponds. (As dependent on claim 1.)
19	8	Sufficiently corresponds. (As dependent on claim 1.)
20	3	Sufficiently corresponds. (As dependent on claim 2.)
21	4	Sufficiently corresponds.
22	5	Sufficiently corresponds.
23	6	Sufficiently corresponds.
24	7	Sufficiently corresponds. (As dependent on claim 2.)
25	8	Sufficiently corresponds. (As dependent on claim 2.)

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

Signature 	Date <b>FEB 2 2012</b>
Name (Print/Typed) <b>Marc S. Weiner</b>	<b>32,181</b> Registration Number



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Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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

**MAILED  
MAR 27 2012  
OFFICE OF PETITIONS**

**In re Application of**

**Koji Sugiura**

**Application No.: 13/320,501**

**Filed: November 14, 2011**

**Attorney Docket No.: 3709-0112PUS1**

**For: SILVER-BASED INORGANIC  
ANTIMICROBIAL AGENT AND  
METHOD FOR PREPARING THE  
SAME**

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

This is a decision on the request to participate in the 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

**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:	November 14, 2011
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First Named Inventor:	ADRIAN PETER BISSON
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Title of the Invention:	Process, Pigment and Ink
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**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](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/GB2010/050731

**The international filing date of the corresponding PCT application(s) is/are:** 4 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.**

Under the Paperwork Reduction Act of 1995, 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: **ADRIAN PETER BISSON**

- 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
21	1	
22	2	
23	3	
24	4	
25	5	
26	6	
27	7	
28	8	
29	9	
30	10	
31	11	
32	12	
33	13	
34	14	Obtainable amended to obtained
35	15	
36	16	
37	17	
38	18	
	19	

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

Signature <b>/Gregory T. Lowen/</b>	Date <b>November 14, 2011</b>
Name (Print/Typed) <b>Gregory T. Lowen</b>	Registration Number <b>46,882</b>

## Privacy Act Statement

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

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

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

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

Application No:	13320628	Filing date:	2011-11-15
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First Named Inventor:	Tomohiro SUDO
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Title of the Invention:	CHARACTER INPUT DEVICE AND CHARACTER INPUT METHOD
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**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](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/JP2011/060174

**The international date of the corresponding PCT application(s) is/are:** April 26, 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.**



## Privacy Act Statement

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

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

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

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Alexandria, VA 22313-1450  
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**MAR 23 2012**

**OFFICE OF PETITIONS**

**LOWE HAUPTMAN HAM & BERNER, LLP  
1700 DIAGONAL ROAD  
SUITE 300  
ALEXANDRIA VA 22314**

In re Application of:	: DECISION ON REQUEST TO
Tomohiro Sudo	: PARTICIPATE IN THE PATENT
Application No. 13/320,628	: PROSECUTION HIGHWAY
Date Deposited : November 15, 2011	: PROGRAM AND PETITION
Attorney Docket No. 4554-166	: 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 December 19, 2011 and February 14, 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, 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),(5),(7) and(8) are considered to have been met. However, the request to participate in the PPH pilot program and petition fails to meet requirements (2),(3),(4) and (6).

Regarding the requirement of conditions (2) and (6), it appears as though the PCT Written Opinion Of The International Searching Authority filed November 15, 2011 and December 19, 2011 is a translation and not a copy of the Written Opinion in its original Japanese language.

Regarding the requirement of condition (3), petitioner has failed to submit a copy of the claim(s) from the PCT application. Petitioner is reminded that this submission requires an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

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, petitioner has failed to submit any PCT application claims with the above-identified application and therefore no comparison of the scope of the claims can be attempted 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 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

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	
	:	
Tomohiro SUDO	:	
	:	
U.S. Patent Application No. 13/320,628	:	Group Art Unit:
	:	
Filed: November 15, 2011	:	Examiner:

For: CHARACTER INPUT DEVICE AND CHARACTER INPUT METHOD

**RENEWED REQUEST FOR PARTICIPATION**  
**IN THE PATENT PROSECUTION HIGHWAY (PCT-PPH) PROGRAM**  
**BETWEEN JPO AND USPTO**

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

Dear Sir:

In response to the Decision on Request to Participate in Patent Prosecution Highway (PCT-PPH) program mailed March 23, 2012, Applicants respectfully submit the following documents:

Regarding the requirement of conditions (2) and (6),

- a copy of the International Search Report (ISR) in Japanese was submitted on November 15, 2011,
- an English translation of the ISR was also submitted on November 15, 2011, and re-submitted with the Request to Participate in PPH on December 19, 2011 (a statement by the translator is not required),
- **a copy of the Written Opinion (WO) of the International Searching Authority (ISA) in Japanese is submitted herewith,**
- an English translation of the WO was submitted with the Request to Participate in PPH on December 19, 2011 (a statement by the translator is not required), and is **re-submitted herewith.**

Regarding the requirement of condition (3),

- a copy of the claims from the PCT application (which were determined in the WO to have novelty, inventive step, and industrial capability) **in Japanese** was submitted on November 15, 2011, and is **re-submitted herewith,**

- an **English translation of the PCT claims** was submitted on November 15, 2011, and is **re-submitted herewith**,
- **a statement that the English translation is accurate is submitted herewith.**

Regarding the requirement of condition (4), the US claims and the PCT claims substantially correspond to each other as indicated in the Claims Correspondence Table submitted with the Request to Participate in PPH on December 19, 2011.

In view of the above, Applicants' request to participate in the PCT-PPH program is believed to be complete and grantable. Favorable consideration is respectfully requested.

Respectfully submitted,

**LOWE HAUPTMAN HAM & BERNER, LLP**

/Benjamin J. Hauptman/

Benjamin J. Hauptman  
Registration No. 29310

**LOWE HAUPTMAN & BERNER, LLP (22429)**

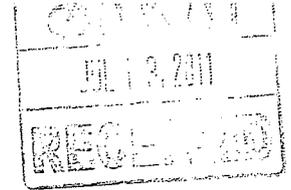
1700 Diagonal Road, Suite 310

(703) 684-1111 BJH:KL/hw

Facsimile (703) 518-5499

April 18, 2012

# 特許協力条約



発信人 日本国特許庁（国際調査機関）

代理人 酒井 宏明  様  あて名 〒100-6020 日本国東京都千代田区霞が関三丁目2番5号 霞が関ビルディング 酒井国際特許事務所
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PCT  
 国際調査機関の見解書  
 (法施行規則第40条の2)  
 [PCT規則43の2.1]

発送日 (日.月.年)	12.07.2011
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出願人又は代理人 の書類記号 11P00111W0	今後の手続きについては、下記2を参照すること。
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国際出願番号 PCT/JP2011/060174	国際出願日 (日.月.年) 26.04.2011	優先日 (日.月.年) 26.04.2010
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国際特許分類 (IPC) Int.Cl. G06F3/023(2006.01)i, G06F3/041(2006.01)i, G06F3/048(2006.01)i, H03M11/04(2006.01)i

出願人 (氏名又は名称)  
 京セラ株式会社

1. この見解書は次の内容を含む。

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

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

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

さらなる選択肢は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日  
 01.07.2011

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) 岩橋 龍太郎 電話番号 03-3581-1101 内線 3521	5E 3790
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## 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：

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

1. 見解

新規性 (N)	請求項	1-11	有
	請求項		無
進歩性 (IS)	請求項	1-11	有
	請求項		無
産業上の利用可能性 (IA)	請求項	1-11	有
	請求項		無

2. 文献及び説明

文献1 : JP 2005-085242 A (株式会社リコー) 2005.03.31, 全文, 全図 (ファミリーなし)

文献2 : JP 11-053116 A (インターナショナル・ビジネス・マシーンズ・コーポレーション) 1999.02.26, 全文, 全図 (ファミリーなし)

文献3 : JP 2005-196759 A (インターナショナル・ビジネス・マシーンズ・コーポレーション) 2005.07.21, 全文, 全図 & US 2005/0146508 A1 & EP 1555601 A2 & CN 1637686 A

請求項1-11に係る発明の、タッチパネルにおいて接触の検出が開始されると、接触が検出された各位置を結ぶ軌跡に基づいて文字認識処理を実行し、前記文字認識処理によって文字が認識された場合には、前記タッチパネルに仮想キーボードを表示し、当該仮想キーボードから文字の入力を受け付けることは、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。

**PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:
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Date of mailing (day/month/year)	12.07.2011
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Applicant's or agent's file reference 11P00111WO	<b>FOR FURTHER ACTION</b> See paragraph 2 below
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International application No. PCT/JP2011/060174	International filing date (day/month/year) 26.04.2011	Priority date (day/month/year) 26.04.2010
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International Patent Classification (IPC) or both national classification and IPC
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Applicant KYOCERA Corporation
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<p>1. This opinion contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability, citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p> <p>2. <b>FURTHER ACTION</b></p> <p>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.</p> <p>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.</p> <p>For further options, see Form PCT/ISA/220.</p> <p>3. For further details, see notes to Form PCT/ISA/220.</p>
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Name and mailing address of the ISA/ Facsimile No.	Date of completion of this opinion 01.07.2011	Authorized officer Telephone No.
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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2011/060174

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 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:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No. PCT/JP2011/060174
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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

1. Statement

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

2. Citations and explanations:

Patent Literature 1: JP 2005-085242 A (Ricoh Company, Ltd.), March 31, 2005, full text, the whole of the drawings (no patent family)

Patent Literature 2: JP 11-053116 A (International Business Machines Corporation), February 26, 1999, full text, the whole of the drawings (no patent family)

Patent Literature 3: JP 2005-196759 A (International Business Machines Corporation), July 21, 2005, full text, the whole of the drawings & US 2005/0146508 A1 & EP 1555601 A2 & CN 1637686 A

The fact of "performing, when detection of contact is started on the touch panel, character recognition processing based on a trajectory connecting each position at which the contact is detected" and "displaying, when a character is recognized by the character recognition processing, a virtual keyboard on a display surface of the touch panel to receive input of a character from the virtual keyboard" in the invention according to Claims 1 to 11 is disclosed in neither of the patent literatures, and is not apparent for those skilled in the art.

## 請求の範囲

- [請求項1] 表面に対して行われる接触を検出するタッチパネルと、  
前記タッチパネルにおいて接触の検出が開始されると、接触が検出された各位置を結ぶ軌跡に基づいて文字認識処理を実行し、前記文字認識処理によって文字が認識された場合には、前記タッチパネルの表示面に仮想キーボードを表示し、当該仮想キーボードから文字の入力を受け付ける制御部と  
を備えることを特徴とする文字入力装置。
- [請求項2] 前記制御部は、前記文字認識処理によって認識された文字と、前記仮想キーボードから入力された文字とを、連結した一連の文字列の入力として受け付けることを特徴とする請求項1に記載の文字入力装置。
- [請求項3] 前記制御部は、前記タッチパネルに操作画面が表示されている状態で前記タッチパネルにおける接触が検出されて前記文字認識処理が開始されると、当該接触の検出された位置に基づく前記操作画面に対応する処理の実行を留保し、前記文字認識処理によっていずれの文字も認識されなかった場合には、前記留保していた処理を実行することを特徴とする請求項1に記載の文字入力装置。
- [請求項4] 前記制御部は、前記仮想キーボードから文字の入力が完了すると、前記文字認識処理によって認識された文字と、前記仮想キーボードから入力された文字とを用いて実行する処理の選択を受け付ける画面を前記タッチパネルの表示面に表示させる  
ことを特徴とする請求項1に記載の文字入力装置。
- [請求項5] 前記制御部は、前記仮想キーボードから文字の入力が完了すると、前記文字認識処理によって認識された文字と、前記仮想キーボードから入力された文字とに応じた処理を実行することを特徴とする請求項1に記載の文字入力装置。
- [請求項6] 前記制御部は、前記タッチパネルに表示されているオブジェクトが

予め選択されていた場合、前記文字認識処理によって認識された文字と、前記仮想キーボードから入力された文字とを連結させた文字列を前記オブジェクトの属性情報として保存する

ことを特徴とする請求項 1 に記載の文字入力装置。

[請求項 7]

前記制御部は、前記文字認識処理によって文字が認識された場合に、前記タッチパネルによって接触が最後に検出された位置に応じて、前記仮想キーボードを表示する位置を調整する

ことを特徴とする請求項 1 に記載の文字入力装置。

[請求項 8]

前記制御部は、前記仮想キーボードが前記タッチパネルの表示面に表示されている間に、前記タッチパネルの表面の第 1 の位置で接触が開始され、前記タッチパネルの表面の第 2 の位置で接触が終了する動作が前記タッチパネルによって検出された場合に、前記第 1 の位置で接触が開始されてから前記第 2 の位置で接触が終了するまでに接触が検出された各位置を結ぶ連続入力軌跡上に表示されている前記仮想キーボードのボタンに対応する文字を含む文字列を前記仮想キーボードからの入力として受け付ける

ことを特徴とする請求項 1 に記載の文字入力装置。

[請求項 9]

前記制御部は、前記連続入力軌跡上に表示されているボタンに対応する文字のうち、特定の動作が検出された位置に表示されているボタンに対応する文字を含む文字列を前記仮想キーボードからの入力として受け付ける

ことを特徴とする請求項 8 に記載の文字入力装置。

[請求項 10]

前記制御部は、前記文字認識処理によっていずれの文字も認識されなかった場合に、前記軌跡上に表示されているオブジェクトに対応する処理を実行することを特徴とする請求項 3 に記載の文字入力装置。

[請求項 11]

表面に対して行われる接触を検出するタッチパネルを有する文字入力装置によって実行される文字入力方法であって、

前記文字入力装置の制御部が、前記タッチパネルにおいて接触の検

出が開始されると、接触が検出された各位置を結ぶ軌跡に基づいて文字認識処理を実行するステップと、

前記制御部が、前記文字認識処理によって文字が認識された場合には、前記タッチパネルの表示面に仮想キーボードを表示し、当該仮想キーボードから文字の入力を受け付けるステップと、

を含むことを特徴とする文字入力方法。

## CLAIMS

1. A character input device comprising:
  - a touch panel for detecting contact with respect to a surface thereof; and
  - 5 a control unit for performing, when detection of contact is started on the touch panel, character recognition processing based on a trajectory connecting each position at which the contact is detected, and for displaying, when a character is recognized by the character
  - 10 recognition processing, a virtual keyboard on a display surface of the touch panel to receive input of a character from the virtual keyboard.
  
2. The character input device according to Claim 1,  
15 wherein the control unit receives the character recognized by the character recognition processing and the character input from the virtual keyboard as input of a combined, consecutive character string.
  
- 20 3. The character input device according to Claim 1, wherein the control unit, when the contact on the touch panel is detected in a state of an operation screen being displayed on the touch panel and the character recognition processing is started, defers performing processing  
25 corresponding to the operation screen based on a position at which the contact is detected, and performs the processing thus deferred when no character is recognized by the character recognition processing.
  
- 30 4. The character input device according to Claim 1, wherein the control unit, when the input of the character from the virtual keyboard is completed, displays a screen for receiving selection of processing performed by using

the character recognized by the character recognition processing and the character input from the virtual keyboard on the display surface of the touch panel.

5 5. The character input device according to Claim 1,  
wherein the control unit, when the input of the character  
from the virtual keyboard is completed, performs processing  
corresponding to the character recognized by the character  
recognition processing and the character input from the  
10 virtual keyboard.

6. The character input device according to Claim 1,  
wherein the control unit, when an object displayed on the  
touch panel is selected in advance, saves a character  
15 string obtained by combining the character recognized by  
the character recognition processing and the character  
input from the virtual keyboard as attribute information of  
the object.

20 7. The character input device according to Claim 1,  
wherein the control unit, when a character is recognized by  
the character recognition processing, adjusts a position at  
which the virtual keyboard is displayed depending on a  
position at which a last contact is detected by the touch  
25 panel.

8. The character input device according to Claim 1,  
wherein the control unit, when the touch panel detects a  
gesture in which contact is started at a first position on  
30 the surface of the touch panel and is terminated at a  
second position on the surface of the touch panel while the  
virtual keyboard is being displayed on the display surface  
of the touch panel, receives a character string including

characters corresponding to buttons of the virtual keyboard displayed on a consecutive input trajectory connecting each position at which the contact is detected from when the contact is started at the first position to when the contact is terminated at the second position as input from the virtual keyboard.

9. The character input device according to Claim 8, wherein the control unit receives the character string including a character corresponding to a button displayed at a position where a specific gesture is detected among the characters corresponding to the buttons displayed on the consecutive input trajectory as the input from the virtual keyboard.

15

10. The character input device according to Claim 3, wherein the control unit, when no character is recognized by the character recognition processing, performs processing corresponding to an object displayed on the trajectory.

20

11. A character input method performed by a character input device including a touch panel for detecting contact with respect to a surface thereof, the character input method comprising:

25

performing, when detection of contact is started on the touch panel, character recognition processing by a control unit included in the character input device based on a trajectory connecting each position at which the contact is detected; and

30

displaying, when a character is recognized by the character recognition processing, a virtual keyboard on a display surface of the touch panel to receive input of a

character from the virtual keyboard by the control unit.

## VERIFICATION OF TRANSLATION

I, Wakako Anzai, of c/o SAKAI International Patent Office, 2-5,  
Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 100-6020 Japan, state:

that I know well both the Japanese and English languages;

that the US claims filed on November 15, 2011 and attached herewith  
are accurate English translations of the corresponding PCT claims in  
Japanese language filed on November 15, 2011 and attached herewith.

Dated: April 13, 2012

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Signature of Translator: \_\_\_\_\_

Wakako Anzai



UNITED STATES PATENT and TRADEMARK OFFICE

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**MAILED**

**APR 11 2012**

In re Application of	:	
NISHIMURA et al	:	
Application No.: 13/320,681	:	DECISION ON PCT LEGAL ADMINISTRATION
PCT No.: PCT/JP10/003522	:	
Int. Filing Date: 26 May 2010	:	PETITION
Priority Date: 26 May 2009	:	
Attorney's Docket No.: 161377	:	UNDER 37 CFR 1.181
For: LOW-FLOOR RAILCAR... THE SAME	:	

This decision is in response to the "RESQUEST FOR CORRECTION OF PALM RECORDS," filed on 08 December 2011 which is being treated as a petition under 37 CFR 1.181 requesting that the 371(c)(1), (c)(2), and (c)(4) date of the above application be corrected to 23 November 2011.

**BACKGROUND**

On 15 November 2011, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), and a copy of the English translation of the international application.

On 23 November 2011, applicants filed an executed declaration.

On 05 December 2011, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495" which informed applicants that the 371(c)(1), (c)(2) and (c)(4) and that the date of completion of all 35 U.S.C. 371 is 15 November 2011.

On 08 December 2011, applicants submitted the present petition, requesting a corrected filing receipt as the correct 371(c)(1), (c)(2) and (c)(4) and that the date of completion of all 35 U.S.C. 371 is 23 November 2011.

**DISCUSSION**

A review of the file indicates that an executed declaration of the national stage application was submitted on 23 November 2011. Thus, the date of receipt of the executed declaration for the above application is 23 November 2011, which is the date that applicants satisfied the requirement under 35 U.S.C. 371(c)(4). Accordingly, this is the date that all of the requirements under 35 U.S.C. 371 have been satisfied.

**DECISION**

The petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 05 December 2011 is **VACATED** with the mailing of this decision.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **23 November 2011**.

  
Rafael Bacares  
PCT Legal Examiner  
PCT Legal Office  
Tel: (703) 308-6312  
Fax: (703) 308-6459



UNITED STATES PATENT AND TRADEMARK OFFICE

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ARLINGTON VA 22202

MAILED  
MAR 14 2012  
OFFICE OF PETITIONS

In re Application of  
Michio Komatsu : REQUEST TO  
Application No.: 13/320,750 : PARTICIPATE IN THE PATENT  
Filed: November 15, 2011 : PROSECUTION HIGHWAY  
Attorney Docket No.: CS-10-111115 : PROGRAM AND PETITION  
For: THIN CONTAINER PRODUCTION : TO MAKE SPECIAL UNDER  
METHOD : 37 CFR 1.102(a)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed, January 10, 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

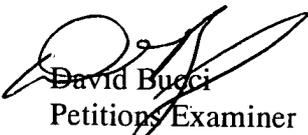
- ii. validly claims priority to a PCT application that contains no priority claims, or
  - iii. contains no priority claim;
- 2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s);
  - b. An English translation of the allowable/patentable claim(s) and
  - 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.

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 after the formalities review has been completed.

  
David Buccì  
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: **13/320,849** Filing date: **November 16, 2011**

First Named Inventor: **Masayuki KAKUDA**

Title of the Invention: **REFRIGERATION CYCLE 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](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/JP2010/003584

**The international date of the corresponding PCT application(s) is/are:** July 20, 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.**



# 特許協力条約

PCT

国際調査報告

(法8条、法施行規則第40、41条)  
[PCT18条、PCT規則43、44]

出願人又は代理人 の書類記号 605414W001	8FD 0998	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/JP2010/003584	国際出願日 (日.月.年) 28.05.2010	優先日 (日.月.年) 02.06.2009
出願人(氏名又は名称) 三菱電機株式会社		

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 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ため、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ため、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。

A. 発明の属する分野の分類 (国際特許分類 (IPC))  
 Int.Cl. F25B1/10(2006.01)i, F25B1/00(2006.01)i, F25B11/02(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. F25B1/10, F25B1/00, F25B11/02

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
① A	WO 1997/28354 A1 (CARRIER CORPORATION) 1997.08.07, 全文, 全図 & US 5833446 A & GB 2309748 A & GB 9602191 A0 & EP 787891 A2 & DE 69628406 D & DE 69628406 T & DK 787891 T & ES 2194964 T	1-8
② A	US 6644045 B1 (CARRIER CORPORATION) 2003.11.11, 全文, 全図 & JP 2004-28573 A & EP 1376030 A1 & DE 60318522 D & DE 60318522 T & TW 229179 B & KR 10-2004-0002537 A & CN 1469092 A & CN 1862144 A	1-8

C欄の続きにも文献が列挙されている。  パテントファミリーに関する別紙を参照。

\* 引用文献のカテゴリー  
 「A」 特に関連のある文献ではなく、一般的な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 06.07.2010 国際調査報告の発送日 20.07.2010

国際調査機関の名称及びあて先 日本国特許庁 (ISA/JIP) 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) マキロイ 寛済 電話番号 03-3581-1101 内線 3377	3M	4031
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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
③ A	WO 2005/019743 A1 (CARRIER CORPORATION) 2005.03.03, 全文, 全図 & JP 2006-527836 A & US 2004/0250556 A1 & EP 1649223 A & DE 602004024206 D & KR 10-2006-0022275 A & CN 1836136 A & AT 449297 T & ES 2336116 T	1-8
④ A	JP 2000-329416 A (株式会社デンソー) 2000.11.30, 全文, 全図 & US 6321564 B1 & US 2001/0037653 A1 & DE 10010864 A & DE 10010864 A1	1-8
⑤ A	JP 2000-234814 A (アイシン精機株式会社) 2000.08.29, 全文, 全図 (ファミリーなし)	1-8
⑥ A	JP 2003-279179 A (三菱電機株式会社) 2003.10.02, 全文, 全図 (ファミリーなし)	1-8

Translation of Categories of cited Documents in attached foreign language Search Report:

X: particularly relevant if taken alone

Y: particularly relevant if combined with another document of the same category

A: technological background

O: non-written disclosure

P: intermediate document

T: theory or principle underlying the invention

E: earlier patent document, but published on, or after the filing date

D: document cited in the application

L: document cited for other reasons

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&: member of the same patent family, corresponding document

Box No. V Reasoned statement under Article 43, 2.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty(N)	Claims <u>1-8</u>	YES
	Claims _____	NO
Inventive step(IS)	Claims <u>1-8</u>	YES
	Claims _____	NO
Industrial applicability(IA)	Claims <u>1-8</u>	YES
	Claims _____	NO

## 2. Citations and explanations (Rule 70.7)

Document 1: WO1997/28354 A1 (CARRIER CORPORATION) August 7, 1997, entire text, all drawings

Document 2: US 6644045 B1 (CARRIER CORPORATION) November 11, 2003, entire text, all drawings

Document 3: WO 2005/019743 A1 (CARRIER CORPORATION) March 3, 2005, entire text, all drawings

Document 4: JP 2000-329416 A (DENSO CORPORATION) November 30, 2000, entire text, all drawings

Document 5: JP 2000-234814 A (AISIN SEIKI Co., Ltd.) August 29, 2000, entire text, all drawings

Document 6: JP 2003-279179 (MITSUBISHI ELECTRIC CORPORATION) October 2, 2003, entire text, all drawings

## Claims 1-8

The inventions set forth in claims 1 to 8 are not disclosed in any of the documents that are cited in the International Search Report, and would not have been obvious to a person skilled in the art.

The refrigeration cycle includes a sub-compression mechanism driven by power recovered by the expansion mechanism, in which a suction side of the sub-compression mechanism is connected to a compression process of the compression unit, and flow rate of refrigerant flowing into the sub-compression mechanism is controlled, is not mentioned or indicated in any of the cited documents 1 to 6.

## 特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人 小林久夫 <div style="text-align: center; margin: 10px 0;">  </div> 様 あて名 〒105-0001 日本国東京都港区虎ノ門一丁目19番10号第6セントラルビルささ特許商標事務所	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） 20.07.2010		
出願人又は代理人 の書類記号 605414W001	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/JP2010/003584	国際出願日 （日.月.年） 28.05.2010	優先日 （日.月.年） 02.06.2009
国際特許分類（IPC）Int.Cl. F25B1/10(2006.01)i, F25B1/00(2006.01)i, F25B11/02(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2月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。
- さらなる選択肢は、様式PCT/ISA/220を参照すること。
3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日 06.07.2010	
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） マキロイ 寛済 電話番号 03-3581-1101 内線 3377
3M 4031	

## 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:

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 請求項	1-8 _____	有 無
進歩性 (IS)	請求項 請求項	1-8 _____	有 無
産業上の利用可能性 (IA)	請求項 請求項	1-8 _____	有 無

2. 文献及び説明

- 文献1 : WO 1997/28354 A1 (CARRIER CORPORATION) 1997.08.07, 全文, 全図
- 文献2 : US 6644045 B1 (CARRIER CORPORATION) 2003.11.11, 全文, 全図
- 文献3 : WO 2005/019743 A1 (CARRIER CORPORATION) 2005.03.03, 全文, 全図
- 文献4 : JP 2000-329416 A (株式会社デンソー) 2000.11.30, 全文, 全図
- 文献5 : JP 2000-234814 A (アイシン精機株式会社) 2000.08.29, 全文, 全図
- 文献6 : JP 2003-279179 A (三菱電機株式会社) 2003.10.02, 全文, 全図

請求項1-8

請求項1-8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開示されておらず、当業者にとって自明なものでもない。

文献1-6には、冷凍サイクルにおいて、膨張機構で回収された動力によって駆動されるサブ圧縮機構の吸入側が、圧縮部の圧縮過程に接続し、サブ圧縮機構に流入する冷媒の流量を制御することが記載も示唆もされていない。



UNITED STATES PATENT AND TRADEMARK OFFICE

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

**MAILED**

**JAN 31 2012**

**OFFICE OF PETITIONS**

In re Application of	: DECISION ON REQUEST TO
Masayuki Kakuda, et. al.	: PARTICIPATE IN THE PATENT
Application No.: 13/320,849	: PROSECUTION HIGHWAY
Filed: November 16, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 388838US2PCT	: TO MAKE SPECIAL UNDER
For: REFRIGERATION CYCLE	: 37 CFR 1.102(a)
APPARATUS	:

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, China or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.
- (7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.
- (8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Requirements (1-5), and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirement (6).

Regarding the requirement of condition (6), applicant has failed to submit an English translation of the latest international work product from PCT along with a statement that the English translation is accurate. Therefore, the present petition and request 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  
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

**MAILED**  
**FEB 22 2012**  
**OFFICE OF PETITIONS**

In re Application of	: DECISION ON REQUEST TO
Masayuki Kakuda, et. al.	: PARTICIPATE IN THE PATENT
Application No.: 13/320,849	: PROSECUTION HIGHWAY
Filed: November 16, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 388838US2PCT	: TO MAKE SPECIAL UNDER
For: REFRIGERATION CYCLE	: 37 CFR 1.102(a)
APPARATUS	:

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 and renewed on February 10, 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, China or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof.
- (7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.
- (8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

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

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

## 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:	Castro Castro, Fabian
-----------------------	-----------------------

Title of the Invention:	Establishing 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](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/EP2009/056093

The international filing date of the corresponding PCT application(s) is/are: 19 May 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.

Under the Paperwork Reduction Act of 1995, 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:	Castro Castro, Fabian

- 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 \_\_\_\_\_

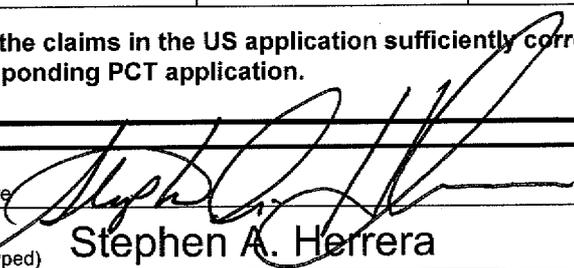
- (2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)

- 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
25	1	
26	2	US 26 has minor format and linguistic clarification changes
27	3	US 27 has linguistic clarification changes
28	4	US 28 has minor format changes
29	5	US 29 has has minor format and linguistic clarification changes
30	6	US 30 has has minor format and linguistic clarification changes
31	7	US 31 has minor format changes
32	8	US 33 has minor format and linguistic clarification changes. Identifies QoS acronym
33	9	US 32 has minor format and linguistic clarification changes. Identifies QoS acronym
34	10	US 34 has minor format changes
35	11	US 35 has minor linguistic clarification changes
36	12	US 36 has minor format changes
37	13	US 37 has minor linguistic clarification changes
38	14	US 38 has minor format and linguistic clarification changes
39	15	US 39 has minor format and linguistic clarification changes
40	16	US 40 has minor format and linguistic clarification changes
41	17	US 41 has minor format changes
42	18	US 42 has minor format and linguistic clarification changes
43	19	US 43 has minor format and linguistic clarification changes. Identifies QoS acronym

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

Signature 	Date <i>Nov 16, 2011</i>
Name (Print/Typed) <b>Stephen A. Herrera</b>	Registration Number <b>47642</b>



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:	13/320,864	Filing date:	November 16, 2011
First Named Inventor:	Castro Castro, Fabian		
Title of the Invention:	Establishing 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 <a href="http://www.uspto.gov/ebs/efs_help.html">HTTP://WWW.USPTO.GOV/EBS/EF_HELP.HTML</a>			
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/EP2009/056093			
The international filing date of the corresponding PCT application(s) is/are: 19 May 2009			
<b>I. List of Required Documents:</b>			
a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)			
<input type="checkbox"/> Is attached			
<input checked="" type="checkbox"/> Is <u>not</u> 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).			
<input type="checkbox"/> Is attached.			
<input checked="" type="checkbox"/> Is <u>not</u> 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.			

[Page 1 of 2]

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

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

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

(continued)

Application No.:	13/320,864
First Named Inventor:	Castro Castro, Fabian

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 November 16, 2011

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

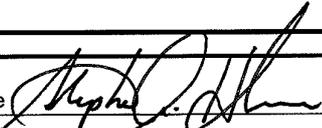
Are attached.

Have already been filed in the above-identified U.S. application on November 16, 2011

**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
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41	17	US 41 has minor format changes
42	18	US 42 has minor format and linguistic clarification changes
43	19	US 43 has minor format and linguistic clarification changes and has been amended to correct a minor typographical error. Identifies QoS acronym

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

Signature 	Date <u>2-6-2012</u>
Name (Print/Typed) <b>Stephen A. Herrera</b>	Registration Number <b>47642</b>

## 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 06 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)**

**COATS & BENNETT, PLLC  
1400 Crescent Green, Suite 300  
Cary NC 27518**

**In re Application of  
Fabian Castro Castro et al.  
Application No.: 13/320,864  
Filed: November 16, 2011  
Attorney Docket No.: 4015-7763/P279/P27999-US1  
For: Establishing a Communication Session**

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 16, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

- 1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

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

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

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

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

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

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

  
David 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-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:	13320870	Filing date:	16 November 2011
First Named Inventor:	Douglas F. Royer		
Title of the Invention:	Chromium-Free Indicating Device for Chloride 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](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/US2010/025798

The international date of the corresponding PCT application(s) is/are:  
01 March 2010 (01.03.2010)

**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.

[Page 1 of 2]

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.



# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
DAVID G. MAIRE  
BEUSSE WOLTER SANKS MORA & MAIRE, P.A.  
390 NORTH ORANGE AVENUE, SUITE 2500  
ORLANDO, FL 32801

## 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)	<b>27 SEP 2011</b>
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Applicant's or agent's file reference

11283-005

### IMPORTANT NOTIFICATION

International application No.

PCT/US10/25798

International filing date (day/month/year)

01 March 2010 (01.03.2010)

Priority date (day/month/year)

29 MAY 2009 (29.05.2009)

Applicant

HACH COMPANY

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

**4. REMINDER**

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

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

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

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

Name and mailing address of the IPEA/ US

Mail Stop PCT, Attn: IPEA/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Facsimile No.

Authorized officer

Lashaun O'Bryant

Telephone No. 703-308-1221

**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 11283-005	<b>FOR FURTHER ACTION</b>	See Form PCT/IPEA/416
International application No. PCT/US10/25798	International filing date (day/month/year) 01 March 2010 (01.03.2010)	Priority date (day/month/year) 29 May 2009 (29.05.2009)
International Patent Classification (IPC) or national classification and IPC IPC: <b>G01N 31/00</b> (2006.01) USPC: 422/420,421;205/779;423/462		
Applicant HACH COMPANY.		
<p>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.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>0</u> sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> 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).</p> <p style="margin-left: 40px;"><input type="checkbox"/> 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.</p> <p>b. <input type="checkbox"/> (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).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I      Basis of the report</p> <p><input type="checkbox"/> Box No. II      Priority</p> <p><input type="checkbox"/> Box No. III      Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV      Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V      Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI      Certain documents cited</p> <p><input type="checkbox"/> Box No. VII      Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII      Certain observations on the international application</p>		
Date of submission of the demand 08 July 2010 (08.07.2010)	Date of completion of this report 20 September 2011 (20.09.2011)	
Name and mailing address of the IPEA/ US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No.	Authorized officer  /Jill Warden/  Telephone No. 571-272-1700	

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US10/25798

**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 1-16 as originally filed/furnished  
pages\* NONE received by this Authority on \_\_\_\_\_  
pages\* NONE received by this Authority on \_\_\_\_\_
- the claims:  
pages 17-19 as originally filed/furnished  
pages\* NONE as amended (together with any statement) under Article 19  
pages\* NONE received by this Authority on \_\_\_\_\_  
pages\* NONE received by this Authority on \_\_\_\_\_
- the drawings:  
pages 1/3 - 3/3 as originally filed/furnished  
pages\* NONE received by this Authority on \_\_\_\_\_  
pages\* NONE received by this Authority on \_\_\_\_\_
- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

- the description, pages \_\_\_\_\_
- the claims, Nos. \_\_\_\_\_
- the drawings, sheets/figs \_\_\_\_\_
- the sequence listing (*specify*): \_\_\_\_\_
- any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

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

- the description, pages \_\_\_\_\_
- the claims, Nos. \_\_\_\_\_
- the drawings, sheets/figs \_\_\_\_\_
- the sequence listing (*specify*): \_\_\_\_\_
- any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

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

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

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

International application No.  
PCT/US10/25798

**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 <u>1-21</u> _____ YES
	Claims <u>NONE</u> _____ NO
Inventive Step (IS)	Claims <u>1-21</u> _____ YES
	Claims <u>NONE</u> _____ NO
Industrial Applicability (IA)	Claims <u>1-21</u> _____ YES
	Claims <u>NONE</u> _____ NO

**2. Citations and Explanations (Rule 70.7)**

Claims 1-21 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a device having an indicator comprising silver and vanadate.

Claims 1-21 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

----- NEW CITATIONS -----

## CLAIMS

The invention claimed is:

1. A chemical indicating device for detection of chloride ions in a sample  
5 comprising:
  - a carrier matrix;
  - an indicator comprising silver and vanadate supported by the carrier matrix for exposure to the sample.
- 10 2. The chemical indicating device of claim 1, wherein the vanadate comprises decavanadate, and wherein the indicator comprises silver decavanadate.
3. The chemical indicating device of claim 1, wherein the carrier matrix comprises at least one of a cellulosic material, a glass fiber material, or a porous polymer material.
- 15 4. The chemical indicating device of claim 1, wherein the carrier matrix is disposed within a housing, and wherein the housing is configured to move from an open position to a closed position about the carrier matrix for allowing replacement of the carrier matrix within the housing.
- 20 5. The chemical indicating device of claim 1, wherein the carrier matrix is disposed on a single backing strip.
6. The chemical indicating device of claim 1, wherein the carrier matrix is disposed  
25 within a housing having an upper backing strip and a lower backing strip, and wherein the device further comprises an opening in the housing for allowing the sample to enter the device and contact the indicator.
7. The chemical indicating device of claim 6, wherein at least one of the upper  
30 backing strip and the lower backing strip is formed from a substantially translucent or a substantially transparent material.

8. The chemical indicating device of claim 6, further comprising a filter disposed adjacent the opening for filtering the sample upon entry into the device, wherein the filter is pre-treated with at least one of zinc nitrate, magnesium sulfate, or aluminum sulfate.

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9. The chemical indicating device of claim 1, further comprising an aluminum compound supported by the carrier matrix.

10. The chemical indicating device of claim 1, wherein the indicator is evenly distributed on the carrier matrix, and wherein the indicator is substantially immobilized on the carrier matrix.

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11. The chemical indicating device of claim 1, wherein the device is free of chromium.

12. A method for detecting chloride in a sample comprising:  
contacting a sample suspected of having chloride ions with a carrier matrix having an indicator comprising silver and vanadate supported on the carrier matrix;  
reacting the chloride in the sample with the silver of the indicator to form an amount of silver chloride along a length of the carrier matrix;  
determining an amount of chloride in the sample based upon the amount of the silver chloride formed along the length of the carrier matrix.

13. The method of claim 11, wherein the vanadate comprises decavanadate, and wherein the indicator comprises silver decavanadate.

14. The method of claim 11, wherein the silver is provided by a silver source, and wherein the vanadate is provided by a vanadate source, and wherein the indicator comprises silver decavanadate formed from a reaction between the silver source and the vanadate source.

15. The method of claim 14, wherein the vanadate source comprises at least one of metavanadate, orthovanadate, or vanadium oxide.

16. The method of claim 14, wherein the vandate comprises decavanadate, and  
5 wherein the decavanadate is provided from the vanadate source by adjusting a pH of the vanadate source to a pH of between 3 and 6 to provide the decavanadate.

17. The method of claim 14, further comprising preparing the indicator by contacting  
10 the carrier matrix with the silver source and the vanadate source, wherein a mole ratio of vanadium to silver is at least 2:1.

18. The method of claim 14, further comprising adding an aluminum-containing  
compound to at least one of the silver source or the vanadate source to act as an  
interference removing agent.

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19. The method of claim 12, wherein the indicator is formed by first dipping the  
carrier matrix in a first solution comprising silver nitrate to provide a first dipped matrix  
and subsequently dipping the first dipped matrix in a second solution comprising  
decavanadate to provide a second dipped matrix.

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20. The method of claim 12, wherein the indicator is maintained free of chromium.

21. The method of claim 12, wherein said determining comprises comparing an  
amount of chloride formed along the length of the carrier matrix to values of a  
25 calibration curve created from a plurality of standard samples having predetermined  
chloride concentrations.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
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[www.uspto.gov](http://www.uspto.gov)

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ORLANDO, FL 32801

**MAILED**  
**JAN 19 2012**  
**OFFICE OF PETITIONS**

In re Application of	:
Douglas F. Royer	: DECISION ON REQUEST TO
Application No.: 13/320,870	: PARTICIPATE IN THE PATENT
Filed: November 16, 2011	: PROSECUTION HIGHWAY
Attorney Docket No.: 11283-005US	: PROGRAM AND PETITION
For: CHROMIUM-FREE INDICATING	: TO MAKE SPECIAL UNDER
DEVICE FOR CHLORIDE DETECTION	: 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 **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 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>.

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

  
David Bruce  
Petitions Examiner



UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, DC 20037

**MAILED**  
FEB 27 2012  
OFFICE OF PETITIONS

**In re Application of  
Yutaka HOTTA et al.  
Application No. 13/320,890  
Filed: November 16, 2011  
Attorney Docket No.: Q127590  
For: Inverter Device Relay-Connecting  
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 Patent Prosecution Highway (PPH) 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 **GRANTED**.

**Discussion**

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

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

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

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

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

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

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

  
David Buccì  
Petitions Examiner  
Office of Petitions

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)

Approved for use through 05/31/2010. OMB 0651-0062

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Attorney Docket Number: 4D601-002US1	Application Number (if known): 13/320,916	Filing date: November 17, 2011
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First Named Inventor: Tarik Ozkul

Title: VERTICAL AXIS WIND TURBINE WITH SPEED REGULATION AND STORM PROTECTION 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. Applicant hereby rescinds under 37 CFR 1.213(b) any previous filed request that the above-identified application not be published under 35 U.S.C. 122(b).

If the application has been published, the petition must still be accompanied by the publication fee set forth in 37 CFR 1.18(d) and a statement that the application has been published.

- 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 requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that 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 	Date December 22, 2011
Name (Print/Typed) Faustino A. Lichauco	Registration Number 41, 942

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

\*Total of 1 forms are submitted.

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

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

Under the 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 notice "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" available on the USPTO web site at <http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>):***

- (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 be classified in one of the U.S. classifications listed in section VI of the notice cited above at the time of examination.
- (3) 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.
- (4) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice 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 cited above and is classified in one of the U.S. classifications listed in section VI of the notice cited above.
- (5) 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 will be available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (6) 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.
- (7) 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.



Applicant(s) : Tarik Ozkul  
Serial No. : 13/320,916  
Filed : November 17, 2011  
Page : 2 of 2

Attorney Docket No.: 4D601-002US1

emissions. Applicant therefore requests that examination be accelerated under the Pilot Program.

Pursuant to the requirements of the program, please apply the \$300 publication fee, and any other required fees, to Deposit Account No. 50-4189, referencing Attorney Docket No. 4D601-002US1.

Respectfully submitted,

Date: December 22, 2011

  
\_\_\_\_\_  
Faustino A. Lichauco  
Reg. No. 41,942

Customer No. 69713  
Occhiuti Rohlicek & Tsao LLP  
10 Fawcett Street  
Cambridge, MA 02138  
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259637.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.
13/320,916	11/17/2011	Tarik Ozkul	4D601-002US1	7508
69713	7590	01/30/2012	EXAMINER	
OCCHIUTI ROHLICEK & TSAO, LLP 10 FAWCETT STREET CAMBRIDGE, MA 02138			ART UNIT	PAPER NUMBER
			2839	
			NOTIFICATION DATE	DELIVERY MODE
			01/30/2012	ELECTRONIC

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

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

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

INFO@ORTPATENT.COM



OCCHIUTI ROHLICEK & TSAO, LLP  
10 FAWCETT STREET  
CAMBRIDGE MA 02138

In re Application of	:	
OZKUL, TARIK	:	DECISION ON PETITION
Application No. 13/320,916	:	TO MAKE SPECIAL UNDER
Filed: November 17, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.: 4D601-002US1	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed on December 22, 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  
Washington, D.C. 20231  
www.uspto.gov

JASON H. ROSENBLUM  
C/O MARTIN D. MOYNIHAN  
PRTSI, INC.  
P.O. BOX 16446  
ARLINGTON, VA 22215

**MAILED**  
NOV 23 2011

PCT LEGAL ADMINISTRATION

In re Application of  
JACOB SCHEUER  
U.S. Application No.: 13/320930  
PCT No.: PCT/IL2009/000906  
Int. Filing Date: 16 SEPTEMBER 2009  
Priority Date: 16 SEPTEMBER 2008  
For: A SYSTEM AND A METHOD FOR  
NANO IMPRINTING

DECISION ON PETITION

The petition to revive under 37 CFR 1.137(b) filed 17 November 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



24737  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. Box 3001  
Briarcliff Manor, NY 10510

**MAILED**

**DEC 30 2011**

In re Application of :  
GELLER *et al* :  
Application No.: 13/320,956 :  
PCT No.: PCT/IB2010/052174 :  
Int. Filing Date: 17 May 2010 :  
Priority Date: 19 May 2009 :  
Attorney's Docket No.: 2009P00360WOUS :  
For: RETRIEVING AND VIEWING MEDICAL :  
IMAGES :

PCT LEGAL ADMINISTRATION

**DECISION**

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

### **BACKGROUND**

On 17 November 2011, applicants filed papers to enter the national stage of PCT/IB2010/052174 using the USPTO EFS-Web system at 11:41:10. The attorney docket number was listed as 2009P00360WOUS. No fees were provided. This application was given U.S. application number 13/320,955.

A second set of national stage papers for PCT/IB2010/052174 was filed using the USPTO EFS-Web system at 11:51:36 on the same day using the same attorney docket number. The second filing was denoted as U.S. application number 13/320,956. Fees totaling \$1,120.00 were charged to applicants' Deposit Account No. 14-1270.

On 07 December 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 13/320,956.

### **DISCUSSION**

As is evident from the above recited facts, two sets of papers were treated as separate national stage applications of PCT/IB2010/052174. 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 17 November 2011 indicate that the filing is a "U.S. National Stage under 35 USC 371" of PCT/IB2010/052174. 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/IB2010/052174 denoted as U.S. application No. **13/320,956**.

Applicants must use only U.S. application No. **13/320,956** for all correspondence to the national stage application of PCT/IB2010/052174.

Applicants are advised that U.S. application No. 13/320,955 is no longer a valid U.S. National stage application.

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



James Thomson  
Attorney Advisor  
Office of PCT Legal Administration

Tel.: (571) 272-3302



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United States Patent and Trademark Office  
Washington, D.C. 20231  
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GARY COLBY  
DILWORTH PAXON LLP  
1500 MARKET STREET, STE 3500E  
PHILADELPHIA, PA 19102

**MAILED**

**NOV 29 2011**

**PCT LEGAL ADMINISTRATION**

In re Application of	:	
NAJIB BABUL	:	
U.S. Application No.: 13/320989	:	DECISION ON PETITION
PCT No.: PCT/US2010/025694	:	
Int. Filing Date: 26 FEBRUARY 2010	:	
Priority Date: 26 FEBRUARY 2009	:	
For: EXTENDED RELEASE ORAL	:	
PHARMACEUTICAL COMPOSITIONS	:	
OF 3-HYDROXY-	:	
METHYLMORPHINAN AND	:	
METHODS OF USE	:	

The petition to revive under 37 CFR 1.137(b) filed 17 November 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

Boris Milef  
PCT Legal Examiner  
Office of PCT Legal Administration

**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:	Concurrently herewith
-----------------	----------------	--------------	-----------------------

First Named Inventor:	Stefano ONOFRI
-----------------------	----------------

Title of the Invention:	EOLIC GENERATOR
-------------------------	-----------------

**THIS REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM ALONG WITH THE REQUIRED DOCUMENTS MUST BE SUBMITTED VIA EFS-WEB. INFORMATION REGARDING EFS-WEB IS AVAILABLE AT [HTTP://WWW.USPTO.GOV/EBC/EFS\\_HELP.HTML](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/IB2010/050804

**The international filing date of the corresponding PCT application(s) is/are:** February 24, 2010

**I. List of Required Documents:**

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

Is attached

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

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

Is attached.

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

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

Under the Paperwork Reduction Act of 1995, 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:	Stefano ONOFRI

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	Minor linguistic differences from PCT-1
2	2	Minor linguistic differences from PCT-2
3	3	Minor linguistic differences from PCT-3
4	4	US-4 amended to remove dependency on claim 3
5	5	Minor linguistic differences from PCT-5
6	6	US-6 amended to remove dependency on claim 5
7	7	US-7 amended to remove dependency on claims 5 and 6
8	8	Minor linguistic differences from PCT-8
9	9	US-9 amended to remove dependency on claims 3-8
10	10	Minor linguistic differences from PCT-10
11	11	Minor linguistic differences from PCT-11
12	12	US-12 amended to remove dependency on claims 2-11
13	4	Dependence on claim 3 added
14	6	Dependence on claim 5 added
15	7	Dependence on claim 5 added
16	7	Dependence on claim 6 added
17	9	Dependence on claim 3 added
18	9	Dependence on claim 4 added
cont'd	cont'd	(continued on enclosed Claims Correspondence Table)

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

Signature /Michael Chen, Reg. No. 66,506/	Date 11/17/2011
Name (Print/Typed) Michael Chen	Registration Number 66,506

## Claims Correspondence Table

(continued)

Application No.: To be assigned

First Named Inventor: Stefano ONOFRI

Attorney Docket No.: P922-US

### II. Claims Correspondence Table (continued):

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
19	12	Dependence on claim 2 added
20	12	Dependence on claim 3 added



UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 05 2012

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**

**In re Application of**  
**Stefano Onofri et al.**  
**Application No.: 13/321,166**  
**Effectively Filed: November 17, 2011**  
**Attorney Docket No.: P922-US**  
**For: EOLIC GENERATOR**

**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)**

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 17, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are Australia, Austria, China, EPO, Finland, JPO, Korea, NPI, Russia, Spain, Sweden and the USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

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

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

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

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at 571-272-4618.

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

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



Thurman K. Page  
Petitions Examiner  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

**MAILED**

**DEC 15 2011**

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

**PCT LEGAL ADMINISTRATION**

In re Application of:	:	
HINDERLING, Thomas	:	DECISION ON SUBMISSION
U.S. Application No.: 13/321,184	:	UNDER 37 CFR 1.42
PCT No.: PCT/EP2010/057007	:	
International Filing Date: 20 May 2010	:	
Priority Date: 20 May 2009	:	
Attorney's Docket No.: 5034-1037-1	:	
For: MINI SOLAR ISLANDS FOR	:	
HOUSEHOLD NEEDS	:	

This decision is issued in response to applicants' 18 November 2011 filing of a declaration executed on behalf of deceased sole inventor Thomas HINDERLING by the Executor of his estate, considered herein as a submission under 37 CFR 1.42.

**BACKGROUND**

On 20 May 2010, applicant filed international application PCT/EP2010/057007. The international application claimed a priority date of 20 May 2009, and it designated the United States. On 25 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., 20 November 2011.

On 18 November 2011, applicants filed a Transmittal Letter for entry into the national stage in the United States accompanied by, among other materials, payment of the basic national fee and a declaration executed on behalf of the deceased sole inventor by Zurchar Kantonalbank, identified thereon as the Executor of the deceased inventor's estate pursuant to the Swiss Civil Code. The declaration is considered herein under 37 CFR 1.42 and 1.497.

**DISCUSSION**

37 CFR 1.42 states in part:

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

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

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

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

Pursuant to 37 CFR 1.497(b)(2), the citizenship for both the deceased inventor and the Executor must be identified on the declaration, as well as the mailing address and residence information of the Executor and all other information required under 37 CFR 1.497. Here, the declaration filed 18 November 2011 expressly identifies Zurcher Kantonalbank as the Executor of the Estate of deceased inventor Thomas HINDERLING pursuant to the Swiss Civil Code and it sets forth all required information regarding the deceased inventor and the Executor. The declaration may therefore be accepted under 37 CFR 1.42 and 1.497.

#### CONCLUSION

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

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

/RichardMRoss/

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

<b>REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO</b>			
Application No:	13/321185	Filing date:	18-JUN-2010
First Named Inventor:	Moran, Cristin E		
Title of the Invention:	Electronic Displays and Metal Micropatterned Substrates Having a Graphic		
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 <a href="http://www.uspto.gov/ebc/efs_help.html">HTTP://WWW.USPTO.GOV/EBC/EFS_HELP.HTML</a>			
<b>APPLICANT HEREBY REQUESTS PARTICIPATION IN THE PCT-PPH PROGRAM AND PETITIONS TO MAKE THE ABOVE-IDENTIFIED APPLICATION SPECIAL UNDER THE PCT-PPH PROGRAM.</b>			
The above-identified application is (1) a national stage entry of the corresponding PCT application, or (2) a national stage entry of another PCT application which claims priority to the corresponding PCT application, or (3) a national application that claims domestic/ foreign priority to the corresponding PCT application, or (4) a national application which forms the basis for the priority claim in the corresponding PCT application.			
The corresponding PCT application number(s) is/are:		PCT/US2010/039103	
The international date of the corresponding PCT application(s) is/are:		June 18, 2010	
<b>I. List of Required Documents:</b>			
<b>a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)</b>			
<input checked="" type="checkbox"/> Is attached			
<input type="checkbox"/> Is <u>not</u> attached because the document is already in the U.S. application.			
<b>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).</b>			
<input type="checkbox"/> Is attached.			
<input checked="" type="checkbox"/> Is <u>not</u> attached because the document is already in the U.S. application.			
<b>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.</b>			
<b>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.</b>			
<input checked="" type="checkbox"/> Is attached			
<input type="checkbox"/> Has already been filed in the above-identified U.S. application on _____			
<b>(2) Copies of all documents (except) for U.S. patents or U.S. patent application publications)</b>			
<input checked="" type="checkbox"/> Are attached.			
<input type="checkbox"/> Have already been filed in the above-identified U.S. application on _____			



CAF

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

OFFICE OF INTELLECTUAL  
PROPERTY COUNSEL  
3M INNOVATIVE PROPERTIES COMPANY

PCT  
OCT 05 2010

To:  
  
see form PCT/ISA/220

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

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/US2010/039103

International filing date (day/month/year)  
18.06.2010

Priority date (day/month/year)  
30.06.2009

International Patent Classification (IPC) or both national classification and IPC  
INV. G09F13/16 G09F13/02 G09F9/30

Applicant  
3M INNOVATIVE PROPERTIES COMPANY

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

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

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will 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 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:



European Patent Office  
P. B. 5818 Patentlaan 2  
NL-2260 HV Rijswijk - Pays Bas  
Tel. +31 70 340 - 2040  
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Date of completion of  
this opinion

see form  
PCT/ISA/210

Authorized Officer

Lechanteux, Alice

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*plw*

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/US2010/039103

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

1. With regard to the **language**, this opinion has been established on the basis of:
  - the international application in the language in which it was filed
  - a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2.  This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, this opinion has been established on the basis of a sequence listing filed or furnished:
  - a. (means)
    - on paper
    - in electronic form
  - b. (time)
    - in the international application as filed
    - together with the international application in electronic form
    - subsequently to this Authority for the purposes of search
4.  In addition, in the case that more than one version or copy of a sequence listing has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

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

1. Statement

Novelty (N)	Yes: Claims	<u>1-16, 19, 20, 22-28, 30-40</u>
	No: Claims	<u>17, 18, 21, 29</u>
Inventive step (IS)	Yes: Claims	<u>1-16</u>
	No: Claims	<u>17-40</u>
Industrial applicability (IA)	Yes: Claims	<u>1-40</u>
	No: Claims	

2. Citations and explanations

see separate sheet

**Re Item V**

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

Reference is made to the following documents:

- D1 JP 2008 124299 A (TOPPAN PRINTING CO LTD) 29 May 2008 (2008-05-29)
- D2 US 2003/161093 A1 (LAM LAWRENCE [US] ET AL) 28 August 2003 (2003-08-28)
- D3 FR 2 850 482 A1 (ABITBOL HUBERT [FR]) 30 July 2004 (2004-07-30)
- D4 WO 2004/077388 A1 (BANG & OLUFSEN AS [DK]; BLADT HENRIK HENRIKSEN [DK]) 10 September 2004 (2004-09-10)

1. Claim 1

Document D1 is regarded as being the prior art closest to the subject-matter of claim 1, and discloses:

"An electronic display (claim 5) comprising a transparent substrate (11) having a metal micropattern (12) wherein at least a portion of the metal micropattern (12) is contiguous (figure 4) and in electrical connection with circuitry of the electronic display (the metal micropattern forms an EMI shield for the electronic display and therefore necessarily shares the ground connection of the electronic display)."

The subject-matter of claim 1 therefore differs from this known electronic display in that:

the metal micropattern comprises at least one graphic defined by a contrasting area adjacent the graphic wherein the metal micropattern of the graphic, the metal micropattern of the contrasting area, or a combination thereof comprise non-contiguous micropattern features that are not in electrical connection with the circuitry of the electronic display.

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2010/039103

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as how to define a graphic on an electronic display.

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: there is no hint in the prior art about an electronic display according to claim 1.

2. Claim 2-16

Claims 2-16 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

3. Claim 17

The present application does not meet the criteria of Article 33(2) PCT, because the subject-matter of claim 17 is not new.

Document D2 discloses:

" A substrate (300) comprising a metal micropattern (paragraph [0046]) having at least one graphic (304) defined by a contrasting area adjacent the graphic (304) wherein the graphic, the contrasting area, or a combination thereof comprise non-contiguous micropattern features (302) that differ in density, dimension, shape, orientation, or a combination thereof."

4. Claims 18-21

Dependent claims 18-21 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step.

4.1. Claims 18 and 21

The features of dependent claims 18 and 21 have already been employed for the same purpose in a similar substrate, see document D2, figure 3A.

The subject-matter of claims 18 and 21 is therefore not new in the sense of Article 33 (2) PCT.

4.2. Claims 19 and 20

In claims 19 and 20 slight constructional changes in the substrate of claim 17 are defined which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 19 and 20 also lacks an inventive step.

5. Claim 22

The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claim 22 does not involve an inventive step.

Document D2 is regarded as being the prior art closest to the subject-matter of claim 22, and discloses:

" A substrate (300) comprising a metal micropattern (paragraph [0046]) having at least one graphic (304) defined by a contrasting area adjacent the graphic (304)."

The subject-matter of claim 22 therefore differs from this known substrate in that the graphic comprises micropattern features having a different orientation than the contrasting area and is therefore new.

However, this difference, which consists of a slight constructional change in the substrate of document D2, is defined which comes within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claim 22 lacks an inventive step.

6. Dependent claims 23-26

In claims 23-26, slight constructional changes in the substrate of claim 22 are defined which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen (see in particular document D1, figures 3 or 4). Consequently, the subject-matter of claims 23-25 also lacks an inventive step.

7. Claim 27

The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claim 27 does not involve an inventive step.

Document D2 is regarded as being the prior art closest to the subject-matter of claim 27, and discloses:

" A substrate (300) comprising a metal micropattern (paragraph [0046]) having at least one graphic (304) defined by a contrasting area adjacent the graphic (304)."

The subject-matter of claim 27 therefore differs from this known substrate in that the graphic, the contrasting area, or a combination thereof comprise parallel linear micropattern features, and is therefore new.

This difference, which consists of a slight constructional change in the substrate of document D2, is defined which comes within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen (see in particular document D1, figures 3 or 4). Consequently, the subject-matter of claim 27 lacks an inventive step.

8. Claims 28-35

Dependent claims 28-35 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows:

8.1. Claims 28, 29 and 35

The features of dependent claims 28, 29 and 35 have already been employed for the same purpose in a similar substrate :

Claim 28, see document D1, figures 3 and 4

Claim 29, see document D2, figure 3A

Claim 35, see document D1

8.2. Claims 31-34

In claims 31-34, slight constructional changes in the substrate of claim 27 are defined which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 31-34 also lacks an inventive step.

9. Claim 36

The present application does not meet the criteria of Article 33(3) PCT, because the subject-matter of claim 36 does not involve an inventive step.

Document D3 is regarded as being the prior art closest to the subject-matter of claim 36, and discloses:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2010/039103

" A display (1) comprising a micropatterned transparent substrate (page 1, lines 27-29) wherein the micropattern comprises at least one graphic (2) that is visible when the display (1) is viewed with reflected light and the graphic is substantially less visible or invisible when viewed with backlighting transmitted through the micropatterned substrate (page 1, lines 5-9)."

The subject-matter of claim 36 therefore differs from this known display in that the micropattern is metallic and is therefore new.

However, this difference can not be considered as inventive because the feature "metal micropattern" is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances and without the exercise of any inventive skill.

10. Claims 37-40

In claims 37-40, slight constructional changes in the display of claim 36 are defined which come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject-matter of claims 37-40 also lacks an inventive step.

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

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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	<p>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).</p> <p>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).</p>
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 IPEA (international preliminary examination report).
Relevant PCT Rules and more information	Rule 43 PCT, Rule 43bis PCT, Rule 44 PCT, Rule 44bis PCT, PCT Newsletter 12/2003, OJ 11/2003, OJ 12/2003

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**3M INNOVATIVE PROPERTIES COMPANY**  
**PO BOX 33427**  
**ST. PAUL MN 55133-3427**

**MAILED**  
**FEB 23 2012**  
**OFFICE OF PETITIONS**

In re Application of:  
Moran et al.  
Application No. 13/321,185  
Filed: November 18, 2011  
Attorney Docket No. 65463US004

: 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 6, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

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

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

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

Telephone inquiries concerning this decision should be directed to 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

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE NORDIC PATENT INSTITUTE (NPI) AND THE USPTO**

Application No:	13/321,288	Filing date:	November 18, 2011
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First Named Inventor:	Thomas VINTHER et al.
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Title of the Invention:	LED LIGHT FIXTURE WITH BACKGROUND LIGHTING
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**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](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/DK2011/050110

**The international filing date of the corresponding PCT application(s) is/are:** April 5, 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.**





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**DAY PITNEY LLP**  
**7 TIMES SQUARE**  
**NEW YORK NY 10036-7311**

**MAILED**

**APR 10 2012**

**OFFICE OF PETITIONS**

In re Application of	: DECISION ON REQUEST TO
Thomas VINTHER et al.	: PARTICIPATE IN THE PATENT
Application No.: 13/321,288	: PROSECUTION HIGHWAY
Filed: December 14, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 700698.000040	: TO MAKE SPECIAL UNDER
For: LED LIGHT FIXTURE WITH	: 37 CFR 1.102(a)
BACKGROUND LIGHTING	

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 10, 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, Nordic Patent Institute, Russia, Spain, Sweden, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;

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

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

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

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

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

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



Thurman K. Page  
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:	13/321,306	Filing date:	11/18/2011
First Named inventor:	Roy William BULFIN		

Title of the Invention: **METHOD FOR PRODUCING A BALL AND BALL**

**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/EBS/EF\\_HELP.HTML](http://www.uspto.gov/ebs/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/EP2010/002850**

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

Under the Paperwork Reduction Act of 1995, 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.:	13/321,237
First Named Inventor:	Jens BUDER

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 11/18/2011

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

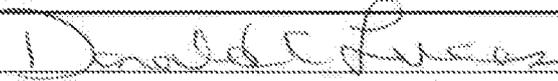
Are attached.

Have already been filed in the above-identified U.S. application on 11/18/2011

**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	All Claims in column 2 are Amended Patent claims from the Demand
2	3	
3	4	
4	5	
5	6	
6	7	
7	8	
8	9	
9	10	
10	11	
11	12	
12	-	canceled in US
13	13	
14	14	
15	15	
16	16	
17	17	
18	18	
19	2	

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

Signature 	Date February 14, 2012
Name (Print/Typed) Donald C. Lucas	Registration Number 31275



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**MAILED**  
**APR 09 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Roy William Bulfin  
Application No.: 13/321,306  
Filed: December 16, 2011  
Attorney Docket No.: GOS-82  
For: METHOD FOR PRODUCING A BALL  
AND BALL

:  
: 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 14, 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, Russia, 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

**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:	13/321,365	Filing date:	November 18, 2011
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First Named Inventor:	Tito E. Huber
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Title of the Invention:	Nanothermocouple Detector Based on Thermoelectric Nanowires
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**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](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/US2010/035426

**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.**



## Privacy Act Statement

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

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

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

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

**FITCH EVEN TABIN & FLANNERY, LLP**  
**120 SOUTH LASALLE STREET**  
**SUITE 1600**  
**CHICAGO IL 60603-3406**

**MAILED**  
**MAR 14 2012**  
**OFFICE OF PETITIONS**

In re Application of: : DECISION ON REQUEST TO  
Tito E. Huber : PARTICIPATE IN THE PATENT  
Application No. 13/321,365 : PROSECUTION HIGHWAY  
Filed: November 18, 2011 : PROGRAM AND PETITION  
Attorney Docket No. 8823-96955-US : 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 December 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 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 requirement (2).

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. Specifically, claims 1, 7, and 13 are vague and unclear because the separation of the electrodes is expressed in the term of "about". Accordingly, petitioner must provide an explanation regarding the Box VIII observations.

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

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.:	13/321,365	)	
		)	
First Named		)	
Inventor:	Tito E. Huber	)	<b><u>Confirmation No. 3631</u></b>
		)	This Renewed Petition was electronically
Filed:	November 18, 2011	)	filed on April 13, 2012 using the USPTO's
		)	EFS-Web.
		)	
Title:	Nanothermocouple Detector	)	
	Based on Thermocouple	)	
	Nanowires	)	
		)	
Art Unit:	2878	)	
		)	
Examiner:	Georgia Y. Epps	)	
		)	
Attorney Docket:	8823-96955-US	)	
		)	
Customer No.:	22242	)	

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

**Renewed Petition to Make Special Under Patent Prosecution Highway Program**

Sir:

In response to the dismissal of the petition to make special, we make the following comments in response to the observations of Box VIII of the written opinion of the international searching authority for the PCT application related to this application. The observations note that claims 1, 7, and 13 are allegedly vague for using the term "about" in the following context: "two electrodes having a separation of about 5 micrometers to about 30 micrometers."

The MPEP states "In determining the range encompassed by the term 'about', one must consider the context of the term as it is used in the specification and claims of the application." MPEP 2173.05(b)(A) (internal citations omitted). In this case, the specification as filed at

U. S. Patent Application No. 13/321,365  
Renewed Petition to Make Special  
Under Patent Prosecution Highway Program

Attorney Docket No. 8823-96955-US

paragraph 16 describes the context in which the electrode separation occurs, specifically with respect to the nanowire that is disposed between the electrodes. The specification provides further description of the context for understanding the claimed electrode separation in various places, including at least paragraphs 17-25, such that one of skill in the art may readily understand the scope of the claims.

In view of the above comments, under US law, the use of the term “about” in the pending claims is not a barrier to allowance of the claims. Accordingly, we respectfully request reconsideration and grant of the petition to make special under the patent prosecution highway program.

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY, LLP

Dated: April 13, 2012

/Nicholas T. Peters/  
Nicholas T. Peters  
ntpete@fitcheven.com  
Attorney Reg. No. 53456

120 South LaSalle Street, Suite 1600  
Chicago, Illinois 606033406  
Telephone (312) 577-7000  
Facsimile (312) 577-7007

**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:	13/321,387	Filing date:	11/18/2011
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First Named Inventor:	Michael Vainer
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Title of the Invention:	Method, process and device for polymeric waste processing
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**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](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/AU2010/000507

**The international filing date of the corresponding PCT application(s) is/are:** May 3, 2010

**I. List of Required Documents:**

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

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

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

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

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

Under the Paperwork Reduction Act of 1995, 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.:	13/321,387
First Named Inventor:	Michael Vainer

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 put into U.S. format
2	2	Same
3	3	amended to remove multiple dependencies
4	4	amended to remove multiple dependencies
5	5	amended to remove multiple dependencies
6	6	amended to put into U.S. format
7	7	amended to put into U.S. format
8	8	amended to remove multiple dependencies
9	9	amended to remove multiple dependencies
10	10	amended to remove multiple dependencies
11	11	amended to remove multiple dependencies
12	12	amended to remove multiple dependencies
13	13	Same
14	14	Same
15	15	Same
16	16	amended to remove multiple dependencies
17	17	amended to remove multiple dependencies

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

Signature /John E. Nemazi/	Date 2/11/2012
Name (Print/Typed) John E. Nemzi	Registration Number 30876

## Privacy Act Statement

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

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

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



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ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP  
806 SW BROADWAY  
SUITE 600  
PORTLAND OR 97205-3335

**MAILED**

FEB 24 2012

OFFICE OF PETITIONS

**In re Application of**

**FUKUNAGA et al.**

**Application No.: 13/321,525**

**Filed: November 18, 2011**

**Attorney Docket No.:**

**YMK11301PCTUS**

**For: WAGERING GAME WITH  
MULTIPLE EPISODE-BASED  
BONUS GAMES**

**: 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 on November 18, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

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

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;

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

Conditions (1) and (3-6) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (2).

Regarding the requirement of condition (2), applicant has failed to supply a statement that the English translation of the claims is accurate. Therefore, the request 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 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 Burke at 571-272-4584.

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

  
David Bucci  
Petitions Examiner  
Office of Petitions

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Alexandria, VA 22313-1450  
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**JEROME D. JACKSON (JACKSON PATENT LAW OFFICE)  
211 N. UNION STREET, SUITE 100  
ALEXANDRIA VA 22314**

**MAILED**

**JAN 18 2012**

**OFFICE OF PETITIONS**

In re Application of  
Leonardo M. Yu  
Application No. 13/321,562  
Filed: November 21, 2011  
Attorney Docket No. 325.002

:  
:  
:  
:  
:

**ON PETITION**

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

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 3711 for action on the merits commensurate with this decision.

/Joan Olszewski/  
Joan Olszewski  
Petitions Examiner  
Office of Petitions

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: <b>SUN.LGI.328</b>	Application Number (if known): <b>13/321,718</b>	Filing date: <b>November 21, 2011</b>
First Named Inventor: <b>Suk Jae Jee</b>		
Title: <b>Solar Cell Apparatus</b>		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<p style="margin-left: 40px;"><b><u>Applicant is requesting early publication:</u> 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.</b></p>		
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 <b>November 30, 2011</b>	
Name (Print/Typed) <b>JEFF LLOYD</b>	Registration Number <b>35,589</b>	
<i><b>Note:</b> 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*.</i>		
<input type="checkbox"/> *Total of _____ forms are submitted.		

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



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UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/321,718	11/21/2011	Suk Jae Jee	SUN.LGI.328	9752
23557	7590	01/09/2012	EXAMINER	
SALIWANCHIK, LLOYD & EISENSCHENK A PROFESSIONAL ASSOCIATION PO Box 142950 GAINESVILLE, FL 32614			ART UNIT	PAPER NUMBER
			1725	
			NOTIFICATION DATE	DELIVERY MODE
			01/09/2012	ELECTRONIC

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

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

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

euspto@slpatents.com



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

JAN 09 2012

In re Application of :  
Jee : DECISION ON PETITION  
Application No. 13/321,718 : TO MAKE SPECIAL UNDER  
Filed: 11/21/2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. **SUN.LGI.328** : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/30/2011, 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 inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

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Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700

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

PTO/SB/420 (03-11)

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: <b>SUN.LGI.329</b>	Application Number (if known): <b>13/321,743</b>	Filing date: <b>November 21, 2011</b>
First Named Inventor: <b>Suk Jae Jee</b>		
Title: <b>Solar Cell Apparatus</b>		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<p><b><u>Applicant is requesting early publication:</u> 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.</b></p>		
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 <b>November 30, 2011</b>
Name (Print/Typed) <b>JEFF LLOYD</b>	Registration Number <b>35,589</b>
<p><b>Note:</b> 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*.</p>	
<input type="checkbox"/> *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.
13/321,743	11/21/2011	Suk Jae Jee	SUN.LGI.329	1298

23557 7590 01/09/2012  
SALIWANCHIK, LLOYD & EISENSCHENK  
A PROFESSIONAL ASSOCIATION  
PO Box 142950  
GAINESVILLE, FL 32614

EXAMINER
----------

ART UNIT	PAPER NUMBER
1725	

NOTIFICATION DATE	DELIVERY MODE
01/09/2012	ELECTRONIC

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

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

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

euspto@slepatents.com



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

JAN 09 2012

In re Application of :  
Jee : DECISION ON PETITION  
Application No. 13/321,743 : TO MAKE SPECIAL UNDER  
Filed: 11/21/2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. SUN.LGI.329 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 11/30/2011, 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 inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1725 for action on the merits commensurate with this decision.

/Tom Dunn/

---

Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700

**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:	U.S. National Phase of PCT/JP2010/059709	Filing date:	June 8, 2010
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First Named Inventor:	Yoshihito TAKEI
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Title of the Invention:	CURABLE SILICONE RESIN COMPOSITION
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**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](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/JP2010/059709

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

June 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.**

Under the Paperwork Reduction Act of 1995, 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.: U.S. National Phase of PCT/JP2010/059709

First Named Inventor: Yoshihito TAKEI

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	Preliminary Amendment
2	2	Preliminary Amendment
3	3/1	Preliminary Amendment
4	4/1	Preliminary Amendment
5	5/1	Preliminary Amendment
6	6/5	Preliminary Amendment
7	7/1	Preliminary Amendment
8	8/7	Preliminary Amendment
9	9/7	Preliminary Amendment
10	3/2	Preliminary Amendment
11	4/2	Preliminary Amendment
12	4/3	Preliminary Amendment
13	5/2	Preliminary Amendment
14	5/3	Preliminary Amendment
15	5/4	Preliminary Amendment
16	7/2	Preliminary Amendment
17	7/3	Preliminary Amendment
18	7/4	Preliminary Amendment
19	7/5	Preliminary Amendment

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

Signature /Joseph J. Buczynski/

Date November 21, 2011

Name Joseph J. Buczynski  
(Print/Typed)

Registration Number 35,084



## Privacy Act Statement

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

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

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

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P.O. Box 1450  
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**GLOBAL IP COUNSELORS, LLP**  
**1233 20TH STREET, NW, SUITE 700**  
**WASHINGTON DC 20036-2680**

**MAILED**

**DEC 21 2011**

**OFFICE OF PETITIONS**

In re Application of:	: DECISION ON REQUEST TO
Takei et al.	: PARTICIPATE IN THE PATENT
Application No. 13/321,748	: PROSECUTION HIGHWAY
Filed: November 21, 2011	: PROGRAM AND PETITION
Attorney Docket No. YR-US115225	: 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 21, 2011 to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;
- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability

along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

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

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

Telephone 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



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

**MAILED**

**MAR 13 2012**

**PCT LEGAL ADMINISTRATION**

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

In re Application of:  
TAKEUCHI et al. :  
Application no.: 13/321,781 : **DECISION**  
Filing Date: November 21, 2011 :  
Attorney Docket No.: 1560-0631PUS1 :  
For: LIGHT SOURCE DEVICE AND DIPLAY :  
DEVICE :

This decision is issued in response to applicant's "Request for Corrected Notice of Acceptance" filed 14 December 2011 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181 to correct the international filing date (of PCT/JP2010/056808) listed on the Notification of Acceptance and Official Filing Receipt. No petition fee is required.

The above-identified application received an Official Filing Receipt which indicated, "[t]his application is 371 of PCT/JP2010/056808 (filed) 05/21/2010." (The Notification of Acceptance identified the international application filing date as 21 May 2010.) Applicant states in the present petition that the international filing date of PCT/JP2010/056808 is April 16, 2010, not May 21, 2010. A review of the published international application submitted to the United States Patent and Trademark reveals that the international filing date of PCT/JP2010/056808 is April 16, 2010.

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

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for treatment in accordance with this decision; including the mailing of a corrected Form PCT/DO/EO/903 and Official Filing Receipt which identifies the international filing date of PCT/JP2010/056808 as April 16, 2010.

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

**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:	13/321,798	Filing date:	21 November 2011
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First Named Inventor:	LABAT, Chris A.
-----------------------	-----------------

Title of the Invention:	VALVE STEM NUT WEAR ANALYSIS APPARATUS AND METHOD
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**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](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/US2010/045914

**The international filing date of the corresponding PCT application(s) is/are:** 18 AUGUST 2010

**I. List of Required Documents:**

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

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

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

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

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



## Privacy Act Statement

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

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

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



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Alexandria, VA 22313-1450  
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**GARVEY SMITH NEHRBASS  
& NORTH, LLC  
LAKEWAY 3, SUITE 3290  
3838 NORTH CAUSEWAY BLVD.  
METAIRIE LA70002**

**MAILED**  
**JAN 30 2012**  
**OFFICE OF PETITIONS**

**In re Application of  
LABAT, et al  
Application No.: 13/321,798  
Filed: November 21, 2011  
Attorney Docket No.: P10064US  
(99451.IP)  
For: VALVE STEM NUT WEAR  
ANALYSIS APPARATUS AND  
METHOD**

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 22, 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 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 2841 for action on the merits commensurate with this decision.



David Bucci  
Petition 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:	13/321,837	Filing date:	November 22, 2011
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First Named Inventor:	Thomas Wagner
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Title of the Invention:	METHOD FOR MONITORING THE WEAR OF MANUAL PLIERS AND APPARATUS THEREFOR
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**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](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/EP10/56692

**The international filing date of the corresponding PCT application(s) is/are:** 17 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.**

Under the Paperwork Reduction Act of 1995, 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.: 13/321,837

First Named Inventor: Thomas Wagner

- 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 13, 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 January 13, 2012**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Only amendments have been to put in US form.
2	2	Only amendments have been to put in US form.
3	3	Only amendments have been to put in US form/remove mult dependencies.
4	4	Only amendments have been to put in US form.
5	5	Only amendments have been to put in US form/remove mult dependencies.
6	6	Only amendments have been to put in US form/remove mult dependencies.
7	7	Only amendments have been to put in US form.
8	8	Only amendments have been to put in US form/remove mult dependencies.
9	9	Only amendments have been to put in US form/remove mult dependencies.
10	10	Only amendments have been to put in US form.
11	11	Only amendments have been to put in US form.
12	12	Only amendments have been to put in US form/remove mult dependencies.
13	13	Only amendments have been to put in US form.
14	14	Only amendments have been to put in US form/remove mult dependencies.
15	15	Only amendments have been to put in US form/remove mult dependencies.
16	16	Only amendments have been to put in US form.
17	17	Only amendments have been to put in US form and narrow the claim by adding an element.

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

Signature /Mark Wiczorek/	Date 2012-01-27
Name (Print/Typed) Mark D. Wiczorek	Registration Number 37966

## 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

**MAYER & WILLIAMS PC**  
**251 NORTH AVENUE WEST**  
**Suite 201**  
**WESTFIELD NJ 07090**

**MAILED**  
**FEB 23 2012**  
**OFFICE OF PETITIONS**

In re Application of : DECISION ON REQUEST TO  
Thomas WAGNER et al. : PARTICIPATE IN PCT-PPH PROGRAM  
Application No. 13/321,837 : AND PETITION TO MAKE SPECIAL  
Filed: November 22, 2011 : UNDER 37 CFR 1.102(a)  
Atty. Docket No.: 2057/21  
For: METHOD FOR MONITORING THE WEAR OF MANUAL PLIERS AND  
APPARATUS THEREFOR

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 January 27, 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.

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 3725 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  
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Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

OSHA LIANG L.L.P.  
TWO HOUSTON CENTER  
909 FANNIN, SUITE 3500  
HOUSTON TX 77010

**MAILED**  
JAN 31 2012  
OFFICE OF PETITIONS

In re Application of  
MAEZAWA, et al  
Application No.: 13/322,083  
Filed: November 22, 2011  
Attorney Docket No.: 17213/027001  
For: COMPOSITION FOR  
MANUFACTURING CONTACTS, AND  
CONTACTS AND CONNECTOR USING  
THE SAME

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

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed November 22, 2011 and replacement filed December 13, 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);

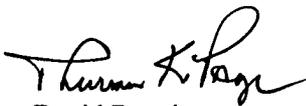
- b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must:
- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) 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.

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 will be forwarded to the examiner for action on the merits commensurate with this decision once pre-examination processing has been completed.



David Bucci  
Petitions Examiner  
Office of Petitions

### 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:		Filing date:	
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First Named Inventor:	Johan Bolin
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Title of the Invention:	Presentation of a Digital Map
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**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](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/SE2009/050908

**The international filing date of the corresponding PCT application(s) is/are:** 2009-07-17

**I. List of Required Documents:**

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

- 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.**

Under the Paperwork Reduction Act of 1995, 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.:	
First Named Inventor:	Johan Bolin

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
36	1	US 36 amended for linguistic clarity and to address obvious antec
37	2	US 37 amended for linguistic clarity and to ensure proper copend
38	3	US 38 amended for linguistic clarity and to ensure proper copend
39	4	US 39 amended for linguistic clarity and to ensure proper copend
40	5	US 40 amended for linguistic clarity and to ensure proper copend
41	6	US 41 amended for linguistic clarity and to ensure proper copend
42	7	US 42 amended for linguistic clarity and to ensure proper copend
43	8	US 43 amended for linguistic clarity and to ensure proper copend
44	9	US 44 amended for linguistic clarity and to ensure proper copend
45	10	US 45 amended for linguistic clarity and to ensure proper copend
46	11	US 46 amended for linguistic clarity and to ensure proper copend
47	12	US 47 amended for linguistic clarity and to ensure proper copend
48	13	US 48 amended for linguistic clarity and to remove multiple depe
49	14	US 49 amended for linguistic clarity and to ensure proper depend
50	15	US 50 amended for linguistic clarity and to ensure proper depend
51	16	US 51 amended for linguistic clarity and to remove multiple depe
52	17	US 52 amended for linguistic clarity and to remove multiple depe
53	18	US 53 amended for linguistic clarity and to remove multiple depe
54	19	US 54 amended for linguistic clarity and to remove multiple depe

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

Signature /Stephen A. Herrera, Reg. No. 47642/	Date November 22, 2011
Name (Print/Typed) Stephen A. Herrera	Registration Number 47642

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

(continued)

Application No.:	
First Named Inventor:	Johan Bolin

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
55	20	US 55 amended for linguistic clarity and to remove multiple deper
56	21	US 56 amended for linguistic clarity and to remove multiple deper
57	22	US 57 amended for linguistic clarity and to remove multiple deper
58	23	US 58 amended for linguistic clarity and to ensure proper depend
59	24	US 59 amended for linguistic clarity and to ensure proper depend
60	25	US 60 amended for linguistic clarity and to remove multiple deper
61	26	US 61 amended for linguistic clarity and to correct obvious antece
62	27	US 62 amended for linguistic clarity and to ensure proper depend
63	28	US 63 amended for linguistic clarity and to remove multiple deper
64	29	US 64 amended for linguistic clarity and to remove multiple deper
65	30	US 65 amended for linguistic clarity and to ensure proper depend
66	31	US 66 amended for linguistic clarity and to remove multiple deper
67	32	US 67 amended for linguistic clarity and to ensure proper depend
68	33	US 68 amended for linguistic clarity and to ensure proper depend
69	35	US 69 amended to incorporate PCT 34 and 35, and for linguistic

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

Signature /Stephen A. Herrera, Reg. No. 47642/	Date November 22, 2011
Name (Print/Typed) Stephen A. Herrera	Registration Number 47642

## Privacy Act Statement

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

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



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CARY NC 27518

**MAILED**

FEB 01 2012

OFFICE OF PETITIONS

In re Application of

**BOLIN**

Application No.: 13/322,098

Filed: November 22, 2011

Attorney Docket No.: 4015-7867 / P28611-  
US1

For: **PRESENTATION OF A DIGITAL  
MAP**

: **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 22, 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, 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.

(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 (1-3) and (5-8). However, the request to participate in the PPH pilot program and petition fails to meet condition (4).

Regarding the requirement of condition (4), compliance with condition (4) cannot be determined since a document containing claims 36-39 is not of record in the 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 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 15 2012**

**OFFICE OF PETITIONS**

**COATS & BENNETT, PLLC  
1400 CRESCENT GREEN, SUITE 300  
CARY NC 27518**

**In re Application of  
BOLIN**

**Application No.: 13/322,098**

**Filed: November 22, 2011**

**Attorney Docket No.: 4015-7867 / P28611-  
US1**

**For: PRESENTATION OF A DIGITAL  
MAP**

**: 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 22, 2011, and renewed on February 29, 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, 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. 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  
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

**SNELL & WILMER L.L.P. (Panasonic)**  
**600 ANTON BOULEVARD**  
**SUITE 1400**  
**COSTA MESA, CA 62626**

**MAILED**

**JAN 10 2012**

**OFFICE OF PETITIONS**

**In re Application of**  
**Shinya KAWAGOE et al.**  
**Application No.: 13/322,109**  
**Filed: November 22, 2011**  
**Attorney Docket No.: 12478-3200**  
**For: Spot Light Source and Bulb-Type**  
**Light Source**

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

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

The request and petition are **GRANTED**.

**Discussion**

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

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

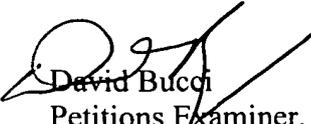
- ii. validly claims priority to a PCT application that contains no priority claims, or
    - iii. contains no priority claim;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s);
  - b. An English translation of the allowable/patentable claim(s) and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

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

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

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

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

  
David Bucchi  
Petitions Examiner, Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA VA 22314

**MAILED**  
FEB 22 2012

PCT LEGAL ADMINISTRATION

In re Application of	:	
SUNDARRAJ, Sudhakar et al.	:	
Application No.: 13/322,210	:	DECISION ON
PCT No.: PCT/EP2010/057099	:	
Int. Filing Date: 25 May 2010	:	PETITION
Priority Date: 26 May 2009	:	
Attorney Docket No.: 388843US99PCT	:	UNDER 37 CFR 1.182
For: USE OF PHTHALOCYANINE ...	:	
ORGANIC SOLAR CELLS	:	

This decision is in response to applicant's Petition Under 37 CFR 1.182, filed on 21 December 2011.

**BACKGROUND**

On 23 November 2011, applicant submitted a transmittal letter to the national office accompanied by, *inter alia*, a declaration and application data sheet.

On 14 December 2011, the Office mailed Notification of Acceptance (Form PCT/DO/EO/903) and filing receipt listing the first named inventor as "Sudhakar Sundarraj."

On 21 December 2011, applicant submitted this petition requesting that the Office list "Sudhakar Sundarraj" as the first named inventor.

**DISCUSSION**

Applicant petitions the Office to list the first named inventor as "Sudhakar Sundarraj" as listed on the ADS and not "Antti Ojala" as listed on the international publication.

The bibliographic data, including applicant data, for a non-provisional application comes from the application data sheet. 37 CFR 1.76(b)(1). The national phase entry of an international application is a non-provisional application. 37 CFR 1.9(a)(3). The application data sheet lists the first named inventor as "Sudhakar Sundarraj" and this is reflected on both the Notification of Acceptance and filing receipt.

**CONCLUSION**

For the reasons set forth above, the petition under 37 CFR 1.182 is **DISMISSED AS MOOT**.

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

/Erin P. Thomson/

Erin P. Thomson  
Attorney Advisor  
PCT Legal Administration

Telephone: 571-272-3292

Doc Code: PPH.PCT.652

Document Description: Petition to make special under PCT-Patent Pros Hwy

PTO/SB/20PCT-EP (05-10)

Approved for use through 01/31/2012. OMB 0651-0058

U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, 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:	13/322,248	Filing date:	November 23, 2011
First Named Inventor:	Friedrich OBERZAUCHER		

Title of the Invention: **ADJUSTMENT AID FOR A COMPONENT OF A WELDING 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/EFSC/EFSC\\_HELP.HTML](http://www.uspto.gov/efsc/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/AT2010/000186**

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

**I. List of Required Documents:**

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

Is attached

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

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

Is attached.

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

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

[Page 1 of 2]



## 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.

# VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES PATENTWESENS

Absender: INTERNATIONALE RECHERCHENBEHÖRDE

An:          siehe Formular PCT/ISA/220.
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## PCT

**SCHRIFTLICHER BESCHIED DER  
INTERNATIONALEN  
RECHERCHENBEHÖRDE**  
(Regel 43bis.1 PCT)

Aktenzeichen des Anmelders oder Anwalts siehe Formular PCT/ISA/220		Absendedatum (Tag/Monat/Jahr) 210 (Blatt 2)	siehe Formular PCT/ISA/
Internationales Aktenzeichen PCT/AT2010/000186		Internationales Anmeldedatum (Tag/Monat/Jahr) 28.05.2010	Prioritätsdatum (Tag/Monat/Jahr) 18.06.2009
Internationale Patentklassifikation (IPC) oder nationale Klassifikation und IPC INV. B23K9/32 G01D13/02			
Anmelder FRONIUS INTERNATIONAL GMBH			

**WEITERES VORGEHEN**  
siehe Punkt 2 unten

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 43bis.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 66.1bis 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  Europäisches Patentamt D-80298 München Tel. +49 89 2399 - 0 Fax: +49 89 2399 - 4485	Datum der Fertigstellung dieses Bescheids  siehe Formular PCT/ISA/210	Bevollmächtigter Bediensteter  De Backer, Tom Tel. +49 89 2399-7403
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**Feld Nr. I Grundlage des Bescheids**

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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:

**SCHRIFTLICHER BESCHIED DER  
INTERNATIONALEN RECHERCHEBEHÖRDE**

Internationales Aktenzeichen  
PCT/AT2010/000186

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**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 <u>1-5</u> Nein: Ansprüche
Erfinderische Tätigkeit	Ja: Ansprüche <u>1-5</u> Nein: Ansprüche
Gewerbliche Anwendbarkeit	Ja: Ansprüche: <u>1-5</u> 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 das folgende Dokument verwiesen:

D1           US 2008/149607 A1 (ALBRECHT BRUCE [US]) 26. Juni 2008  
(2008-06-26) in der Anmeldung erwähnt

- 1           D1 wird als nächstliegender Stand der Technik gegenüber dem Gegenstand des Anspruchs [...] angesehen. Es offenbart den Oberbegriff des Anspruchs 1.
- 2           Der Gegenstand des Anspruchs 1 unterscheidet sich somit von der bekannten Einstellhilfe durch die Merkmale des kennzeichnenden Teils des Anspruchs 1, und ist daher neu (Artikel 33 (2) PCT).
- 3           Die mit der vorliegenden Erfindung zu lösende Aufgabe kann darin gesehen werden eine Einstellhilfe für eine Komponente eines Schweißgeräts zu schaffen, durch welche die Einstellung eines bestimmten Schweißprozess vereinfacht wird.
- 4           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 D1 schon implizit ein flexibles Element bzw. eine Folie (76) offenbart, offenbart D1 nicht die zwei Ausnehmungen zum Aufstecken bzw. Befestigen an zwei Drehknöpfen mit dem ersten und dem zweiten Teil sowie im Anspruch 1 definiert. Die beide Ausnehmungen sorgen für eine lösbare Befestigung der Einstellhilfe an den Drehknöpfen.
- 5           Die Ansprüche 2 bis 5 sind vom Anspruch 1 abhängig und erfüllt/erfüllen damit ebenfalls die Erfordernisse des PCT in Bezug auf Neuheit und erfinderische Tätigkeit.

Mögliche Schritte nach Erhalt des internationalen Recherchenberichts (ISR) und des schriftlichen Bescheids der Internationalen Recherchenbehörde (WO-ISA)

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Allgemeine  
Hinweise

Zu allen am oder nach dem 1.1.2004 eingereichten internationalen Anmeldungen erstellt die zuständige internationale Recherchenbehörde (ISA) zusammen mit dem internationalen Recherchenbericht (ISR) einen schriftlichen Bescheid (WO-ISA). Anders als der frühere schriftliche Bescheid der mit der internationalen vorläufigen Prüfung beauftragten Behörde (IPEA) (Regel 66.2 PCT) muß der WO-ISA vom Anmelder nicht beantwortet werden, sondern wird lediglich im weiteren Verfahrensverlauf berücksichtigt. In diesem Dokument werden die möglichen Schritte erläutert.

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Änderung der  
Ansprüche gemäß  
Artikel 19 PCT

Innerhalb von 2 Monaten nach dem Datum der Absendung des ISR und des WO-ISA kann der Anmelder gemäß Artikel 19 PCT unmittelbar beim Internationalen Büro der WIPO geänderte Ansprüche einreichen. An diesem Verfahren hat sich durch die PCT-Reform im Jahr 2004 nichts geändert. Nähere Informationen sind Regel 46 PCT sowie dem Formblatt PCT/ISA/220 und den Anmerkungen zu diesem Formblatt zu entnehmen.

---

Antrag auf  
internationale  
vorläufige  
Prüfung

Grundsätzlich gilt der WO-ISA als schriftlicher Bescheid der IPEA. Daher dürfte es in vielen Fällen nicht notwendig sein, einen Antrag auf internationale vorläufige Prüfung zu stellen. Wünscht der Anmelder dies dennoch, so ist der Antrag vor Ablauf einer Frist von 3 Monaten ab dem Tag an dem ISR/WO-ISA übermittelt werden, oder von 22 Monaten ab dem Prioritätsdatum zu stellen, je nachdem, welche Frist später abläuft (Regel 54bis PCT). Änderungen nach Artikel 34 PCT können wie bisher bei der IPEA eingereicht werden, normalerweise bei Antragstellung (Regel 66.1 b) PCT).

Wurde eine internationale vorläufige Prüfung beantragt und wurden keine Stellungnahmen/Änderungen eingereicht, so wandelt die IPEA den WO-ISA in einen IPRP (internationaler vorläufiger Bericht zur Patentfähigkeit) um, der im Wesentlichen den Inhalt des WO-ISA widerspiegelt. Die Zurücknahme des Antrags auf internationale vorläufige Prüfung ist immer noch möglich (Artikel 37 PCT).

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Einreichung einer  
informellen  
Stellungnahme

Nach Erhalt des ISR/WO-ISA kann der Anmelder unmittelbar beim Internationalen Büro der WIPO informell zum WO-ISA Stellung nehmen. Diese Stellungnahme wird den Bestimmungsgängern zusammen mit dem IPRP (internationaler vorläufiger Bericht zur Patentfähigkeit) nach Ablauf von 30 Monaten ab dem Prioritätsdatum übermittelt. Siehe auch nächster Abschnitt.

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Ende der  
internationalen  
Phase

Am Ende der internationalen Phase wandelt das Internationale Büro der WIPO den WO-ISA (oder, wenn ein Prüfungsantrag gestellt wurde, den schriftlichen Bescheid der IPEA) in einen IPRP um, der dann ggf. mit der informellen Stellungnahme den Bestimmungsgängern übermittelt wird. Der IPRP ersetzt den früheren IPEA (internationaler vorläufiger Prüfungsbericht).

---

Einschlägige PCT-  
Regeln & weitere  
Informations-  
quellen

Regel 43 PCT, Regel 43bis PCT, Regel 44 PCT, Regel 44bis PCT, PCT Newsletter 12/2003, ABl. 11/2003, ABl. 12/2003

## ADVANCE E-MAIL

From the INTERNATIONAL BUREAU

## PCT

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
(PCT Rules 44bis.3(e) and 72.2)

To:

SONN & PARTNER  
Riemergasse 14  
A-1010 Wien  
AUTRICHE

Date of mailing (day/month/year) 05 January 2012 (05.01.2012)	
Applicant's or agent's file reference R 56044	IMPORTANT NOTIFICATION
International application No. PCT/AT2010/000186	International filing date (day/month/year) 28 May 2010 (28.05.2010)
Applicant FRONIUS INTERNATIONAL GMBH 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:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AO, AP, AT, AU, AZ, BA, BB, BG, BH, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IS, JP, KE, KG, KM, KN, KP, KR, KZ, LA, LC, LK, LR, LS, LT, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OA, OM, PE, PG, PH, PL, PT, RO, RS, RU, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer:  Yolaine Cussac
Facsimile No. +41 22 338 82 70	e-mail: pt05.pct@wipo.int

PATENT COOPERATION TREATY

PCT

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

(PCT Rule 44bis)

Applicant's or agent's file reference R 56044	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/AT2010/000186	International filing date ( <i>day/month/year</i> ) 28 May 2010 (28.05.2010)	Priority date ( <i>day/month/year</i> ) 18 June 2009 (18.06.2009)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant FRONIUS INTERNATIONAL GMBH			

<p>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).</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>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.</p>																								
<p>3. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 25%;">Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.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 44bis .2).</p>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
<input checked="" type="checkbox"/>	Box No. I	Basis of the report																						
<input type="checkbox"/>	Box No. II	Priority																						
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																						
<input type="checkbox"/>	Box No. IV	Lack of unity of invention																						
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																						
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<input type="checkbox"/>	Box No. VII	Certain defects in the international application																						
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																						

<p>The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland</p> <p>Facsimile No. +41 22 338 82 70</p>	<p>Date of issuance of this report 20 December 2011 (20.12.2011)</p> <p>Authorized officer  Yolaine Cussac</p> <p>e-mail: pt05.pct@wipo.int</p>
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**PATENT COOPERATION TREATY**

**TRANSLATION**

From the  
INTERNATIONAL SEARCHING AUTHORITY

**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **see form PCT/ISA/210**

Applicant's or agent's file reference  
**R 56044**

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/AT2010/000186**

International filing date (day/month/year)  
**28.05.2010**

Priority date (day/month/year)  
**18.06.2009**

International Patent Classification (IPC) or both national classification and IPC  
**B23K9/32, G01D13/02**

Applicant  
**FRONIUS INTERNATIONAL GMBH**

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 43bis.1(4)(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/EP	Date of completion of this opinion	Authorized officer
Facsimile No.		Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/AT2010/000186

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 43bis.1(a))
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material
    - on paper
    - in electronic form
  - c. time of filing/furnishing
    - contained in the international application as filed
    - filed together with the international application in electronic form
    - furnished subsequently to this Authority for the purposes of search
4.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/AT2010/000186

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-5	YES
	Claims		NO
Inventive step (IS)	Claims	1-5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO
2. Citations and explanations:			
Reference is made to the following document:			
D1: US 2008/149607 A1 (ALBRECHT BRUCE [US]) 26 June 2008 (2008-06-26) cited in the application			
1	D1 is considered to be the prior art closest to the subject matter of claim 1 and discloses the preamble of claim 1.		
2	Therefore, the subject matter of claim 1 differs from the known adjustment aid by virtue of the features of the characterizing part of claim 1, and is therefore novel (PCT Article 33(2)).		
3	The problem addressed by the present invention can be considered that of providing an adjustment aid for a component of a welding unit which simplifies the adjustment of a specific welding process.		
4	The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) for the		

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AT2010/000186

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

following reasons: although D1 already implicitly discloses a flexible element or a foil (76), D1 does not disclose the two recesses for mounting or fastening to two rotary knobs with the first and the second parts as defined in claim 1. The two recesses provide for releasable fastening of the adjustment aid to the rotary knobs.

- 5 Claims 2 to 5 are dependent on claim 1 and therefore likewise meet the requirements of the PCT in respect of novelty and inventive step.

## Patentansprüche:

1. Einstellhilfe (29) für eine Komponente eines Schweißgeräts (1) in Form eines Elements zum Aufstecken bzw. Befestigen an einer Ein- und/oder Ausgabevorrichtung (18) der Komponente, auf welchem Element zusätzlich Informationen (31) und/oder Skalen (32) zum Einstellen eines Schweißprozesses aufgedruckt sind, dadurch gekennzeichnet, dass das Element durch ein flexibles Element bzw. eine Folie (30) mit zwei Ausnehmungen (33) zum Aufstecken bzw. Befestigen an zwei Drehknöpfen (34) der Ein- und/oder Ausgabevorrichtung (18) mit jeweils einem ersten Teil (38) und jeweils einem zweiten Teil (39) ausgebildet ist, wobei der erste Teil (38) jeder Ausnehmung (33) zum Durchführen jeweils eines Drehknopfes (34) ausgebildet ist und der zweite Teil (39) jeder Ausnehmung (33) zur Fixierung zwischen den beiden Drehachsen (37) der Drehknöpfe (34) geformt ist.
2. Einstellhilfe (29) nach Anspruch 1, dadurch gekennzeichnet, dass der erste Teil (38) und der zweite Teil (39) jeder Ausnehmung (33) jeweils halbkreisförmig ausgebildet ist, wobei der Durchmesser des ersten Teils (38) größer als der Durchmesser des zweiten Teils (39) ist und der erste Teil (38) gegengleich zum zweiten Teil (39) angeordnet ist.
3. Einstellhilfe (29) nach Anspruch 1 oder 2, dadurch gekennzeichnet, dass das flexible Element bzw. die Folie (30) mit den Informationen (31) wie dem Material, beispielsweise Stahl, dem Drahtdurchmesser, beispielsweise 1,0 mm oder dem Schutzgas, beispielsweise 100% CO<sub>2</sub>, beschriftet ist, und entsprechend der verwendeten Komponente eine angepasste Skala (32) aufweist.
4. Einstellhilfe (29) nach einem der Ansprüche 1 bis 3, dadurch gekennzeichnet, dass bei aufgesteckter bzw. befestigter Einstellhilfe (29) eine Skalierung (40) für die Drehknöpfe (34) der Ein- und/oder Ausgabevorrichtung (18) und eine Skala (32) auf dem flexiblen Element bzw. der Folie (32) ersichtlich ist.
5. Einstellhilfe (29) nach einem der Ansprüche 1 bis 4, dadurch gekennzeichnet, dass die Skala (32) derart ausgebildet ist, dass an beiden Drehknöpfen (34) der gleiche Wert, beispielsweise der

Wert für eine Materialdicke der zu verschweißenden Werkstücke  
(14) in mm, einzustellen ist.

Claims:

1. An adjustment aid (29) for a component of a welding device (1) in the form of an element for mounting or fastening on an input and/or output unit (18) of said component, on which element additionally information (31) and/or scale (32) for adjusting a welding process are printed, characterized in that the element is formed by a flexible element or a foil (30) with two openings (33) for mounting or fastening to two rotary knobs (34) of the input and/or output unit (18), each opening having a first part (38) and a second part (39), wherein the first part (38) of each opening (33) is designed for guiding through one rotary knob (34) and the second part (39) of each opening (33) is formed for fixation between the two rotational axes (37) of the rotary knobs (34).
2. An adjustment aid (29) according to claim 1, characterized in that the first part (38) and the second part (39) of each opening (33) are each designed semi-circular, wherein the diameter of the first part (38) is larger than the diameter of the second part (39) and the first part (38) is arranged mirror-inverted to the second part (39).
3. An adjustment aid (29) according to claim 1 or 2, characterized in that the flexible element or foil (30) is labeled with information (31), such as material, e.g. steel, wire diameter, e.g. 1.0 mm, or protective gas, e.g. 100 % CO<sub>2</sub>, and has a scale (32) adjusted corresponding to the component used.
4. An adjustment aid (29) according to one of claims 1 to 3, characterized in that in case of the adjustment aid (29) mounted or fastened a scaling (40) for the rotary knobs (34) of the input and/or output unit (18) and a scale (32) on the flexible element or foil (30) can be seen.
5. An adjustment aid (29) according to one of claims 1 to 4, characterized in that the scale (32) is designed such that on both rotary knobs (34) the same value, for example the value of a material thickness of the work pieces (14) to be welded in mm

is to be adjusted.

## VERIFICATION OF TRANSLATION

I, **Cindy Mueller**  
**Luebenstr. 23, 06449 Aschersleben, Germany**

declare as follows:

1. I am well acquainted with both the English and German languages, and
2. the attached listing of claims is an accurate translation of the claims indicated as having novelty, inventive step and industrial applicability in the WO/ISA of:

The International Application No. **PCT/AT2010/000186**

Signature:



Date: 09 Dezember 2011



UNITED STATES PATENT AND TRADEMARK OFFICE

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

**COLLARD & ROE, P.C.**  
**1077 NORTHERN BOULEVARD**  
**ROSLYN NY 11576**

**MAILED**  
**MAR 09 2012**  
**OFFICE OF PETITIONS**

In re Application of  
Oberzaucher et al.  
Application No.: 13/322,248  
Filed: November 23, 2011  
Attorney Docket No.: OBERZAUCHER ET  
AL – 3 PCT  
For: ADJUSTMENT AID FOR A COMPONENT  
OF A WELDING DEVICE

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

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on January 19, 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, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

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

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

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

(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



UNITED STATES 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 13 2011

PCT LEGAL ADMINISTRATION

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

In re Application of	:	
VERSTEEG, et al.	:	DECISION ON PETITION
Application No.: 13/322,337	:	
PCT No.: PCT/IB2010/051430	:	UNDER 37 CFR 1.137(b)
Int. Filing Date: 01 April 2010	:	
Priority Date: 02 April 2009	:	
Atty. Docket No.: P10467US00/SJW	:	
For: METHOD FOR ENHANCING THE	:	
PERFORMANCE OF PROCESSES FOR	:	
THE REMOVAL OF ACID GAS	:	

The petition to revive under 37 CFR 1.137(b) filed 23 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" 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  
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**BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747**

**MAILED  
FEB 27 2012  
OFFICE OF PETITIONS**

**In re Application of  
Atsushi MORISHITA et al.  
Application No.: 13/322,483  
Filed: November 25, 2011  
Attorney Docket No. 0210-0243PUS1  
For: Chromate-Free Black-Coated Metal  
Plate**

**: 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 22, 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);

Requirements (1, 3, 4, 6), above, are considered to have been met. However the request to participate in the PPH program fails to meet requirement (2, 5).

Regarding requirement (2), applicant submitted claims in Japanese and in English on December 22, 2011. However, there is no statement that the English translation is accurate. Similarly, with regard to requirement (5), while applicant submitted a Decision of Final Rejection of February 22, 2011 on December 22, 2011, there is no 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 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 Buccì  
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:	13/322,544	Filing date:	
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First Named Inventor:	Fabio Andreuccetti
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Title of the Invention:	Method and apparatus for ultrasonic detection and imaging of hemodynamic information, particularly veno
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**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](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/EP2010/062556

**The international date of the corresponding PCT application(s) is/are:** 27 August 2010

**I. List of Required Documents:**

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

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

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

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

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

Under the Paperwork Reduction Act of 1995, 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.:	123/322,544
First Named Inventor:	Fabio Andreuccetti

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

- Is attached
- Has already been filed in the above-identified U.S. application on 25 November 2011

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

- Are attached.
- Have already been filed in the above-identified U.S. application on 25 November 2011

**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	Amended to remove informalities
2	2	Amended to remove informalities
3	3	Amended to remove multiple dependency and informalities
4	4	Amended to remove informalities
5	5	Amended to remove multiple dependency and informalities
6	6	Amended to remove informalities
7	7	Amended to remove multiple dependency and informalities
8	8	Amended to remove multiple dependency and informalities
9	9	Amended to remove multiple dependency and informalities
10	10	Amended to remove multiple dependency and informalities
11	11	Amended to remove multiple dependency and informalities, and e
12	12	Amended to remove multiple dependency and informalities
13	13	Amended to remove informalities
14	14	Amended to remove informalities
15	15	Amended to remove multiple dependency and informalities
16	16	Amended to remove informalities
17	17	Amended to remove informalities
18, 19	18, 19	Amended to remove informalities
20	20	Amended to remove multiple dependency and informalities

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

Signature /Franco A. Serafini/	Date 27 December 2011
Name (Print/Typed) Franco A. Serafini	Registration Number 52,207

## 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  
Fabio Andreuccetti et al.

Application No. 13/322,544

Filed: December 19, 2011

For: METHOD AND APPARATUS FOR  
ULTRASONIC DETECTION AND IMAGING  
OF HEMODYNAMIC INFORMATION,  
PARTICULARLY VENOUS BLOOD FLOW  
INFORMATION

Confirmation No. 8974

Attorney Docket No. 10169.00042

Customer No. 39232

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

The decision mailed on March 1, 2012 has dismissed Applicant's request for participation in the PCT-PPH pilot program on the grounds that the following requirement would be missing:

(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;

The claims from PCT application PCT/EP2010/062556, of which the present application is the U.S. national stage, were filed on November 25, 2011 as claims 1-20. A new copy is enclosed herewith.

The claims filed on November 25, 2011 are identical to the claims in the PCT application and, as such, are "the claims from the PCT application." Out of abundance of caution, a copy of the PCT application, which includes claims 1-20, is also enclosed herewith.

The PCT claims are in English, therefore, no translation is required.

Based on the foregoing, it is submitted that all requirements have been met and the granting of the present request is respectfully requested. No fees are believed due with the present renewed request. Please charge any necessary fees to deposit account 505043.

Dated: March 2, 2012

Respectfully submitted,

THEMIS LAW

By: /Franco A. Serafini/

Franco A. Serafini, Registration No. 52,207

Tel. (858) 456-2898



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450

**MAILED**

**MAR 01 2012**

**OFFICE OF PETITIONS**

**Themis Law  
7979 Ivanhoe Ave Ste 400  
La Jolla CA 92037**

In re Application of : DECISION ON REQUEST TO  
Fabio ANDREUCETTI et al. : PARTICIPATE IN PCT-PPH PROGRAM  
Application No. 13/322,544 : AND PETITION TO MAKE SPECIAL  
Filed: December 19, 2011 : UNDER 37 CFR 1.102(a)  
Atty. Docket No.: 10169.00042  
For: METHOD AND APPARATUS FOR ULTRASONIC DETECTION AND  
IMAGING OF HEMODYNAMIC INFORMATION, PARTICULARLY VENOUS  
BLOOD FLOW INFORMATION

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

Regarding the requirement of condition (3), the claims in the PCT application have not been provided. Although applicant asserts that the PCT claims have been filed, they do not appear on the case record.

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

**MAILED**  
**MAR 12 2012**  
**OFFICE OF PETITIONS**

**Themis Law**  
**7979 Ivanhoe Ave Ste 400**  
**La Jolla CA 92037**

In re Application of : DECISION ON REQUEST TO  
Fabio ANDREUCETTI et al. : PARTICIPATE IN PCT-PPH PROGRAM  
Application No. 13/322,544 : AND PETITION TO MAKE SPECIAL  
Filed: December 19, 2011 : UNDER 37 CFR 1.102(a)  
Atty. Docket No.: 10169.00042  
For: METHOD AND APPARATUS FOR ULTRASONIC DETECTION AND  
IMAGING OF HEMODYNAMIC INFORMATION, PARTICULARLY VENOUS  
BLOOD FLOW INFORMATION

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 2, 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 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, 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 3737 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

TOWNSEND & BANTA  
Suite 900, South Building  
601 Pennsylvania Ave., N.W.  
Washington DC 20004

**MAILED**

MAR 14 2012

OFFICE OF PETITIONS

**In re Application of  
KINOSHITA, Koichi  
Application No.: 13/322,565  
Filed: December 14, 2011  
Attorney Docket No.: SHI-033-  
USA-PCT  
For: HAIR COSMETIC**

**: 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 26, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

**Discussion**

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

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

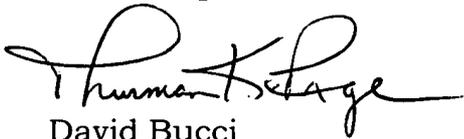
- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
      - i. validly claims priority to an application filed in the JPO, or
      - ii. validly claims priority to a PCT application that contains no priority claims, or
      - iii. contains no priority claim;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s);
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must:
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. Documentation of prior office action:
    - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
    - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
    - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
  - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
  - c. A statement that the English translation is accurate;
6. Applicant must submit:
  - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
  - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

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

Inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

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

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

A handwritten signature in black ink, appearing to read "David Bucci". The signature is fluid and cursive, with a large initial "D" and "B".

David Bucci  
Petitions Examiner  
Office of Petitions

**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:	<b>13322726</b>	Filing date:	<b>2011-11-28</b>
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First Named Inventor:	<b>Mitsuo HANAZAKI</b>
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Title of the Invention:	<b>MOBILE ELECTRONIC APPARATUS AND CONTROL METHOD OF MOBILE ELECTRONIC APPARATUS</b>
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**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](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/JP2011/051644

**The international date of the corresponding PCT application(s) is/are:** January 27, 2011

**I. List of Required Documents:**

**a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

- Is attached.
- Is not attached because the document is already in the U.S. application.

**b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- Is attached.
- Is not attached because the document is already in the U.S. application.

**c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

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**REQUEST FOR PARTICIPATION IN THE PCT-PPH PILOT PROGRAM  
BETWEEN THE JPO AND THE USPTO**

(continued)

Application No.: 13/320,628

First Named Inventor: Tomohiro SUDO

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 November 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 November 28, 2011**II. Claims Correspondence Table:**

Claims in US Application	Patentable Claims in the corresponding PCT Application	Explanation regarding the correspondence
1	1	substantially corresponding
2	2	substantially corresponding
3	3	substantially corresponding
4	4	substantially corresponding
5	5	substantially corresponding
6	6	substantially corresponding
7	7	substantially corresponding
8	8	substantially corresponding
9	9	substantially corresponding
10	10	substantially corresponding
11	11	substantially corresponding
12	12	substantially corresponding

**III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.**

Signature /Benjamin J. Hauptman/	Date 2012-01-12
Name (Print/Typed) Benjamin J. Hauptman	Registration Number 29310

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant ( *i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE



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Alexandria, VA 22313-1450  
www.uspto.gov

**MAILED**  
MAR 23 2012

**LOWE HAUPTMAN HAM & BERNER, LLP**  
**1700 DIAGONAL ROAD**  
**SUITE 300**  
**ALEXANDRIA VA 22314**

**OFFICE OF PETITIONS**

In re Application of:  
Mitsuo Hanazaki  
Application No. 13/322,726  
Filed: November 28, 2011  
Attorney Docket No. 4554-168

: 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 January 12, 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, IPAU, NPI, Australia, Austria, China, Finland, Russia, Spain, Sweden, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

(4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);

(5) Examination of the U.S. application has not begun;

- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;

(7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications.

(8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

Currently, requirements (1), (5), (7) and (8) are considered to have been met. However, the request to participate in the PPH pilot program and petition fails to meet requirements (2), (3), (4) and (6).

Regarding requirements (2), (3) and (6) it cannot be determined whether these requirements have been met since applicant has failed to submit a complete copy of the Written Opinion (PCT/ISA/237). Further, petitioner has failed to submit a complete English translation and a statement that the English translation is accurate if the latest international work product is not in the English language;

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 12 and PCT claim 12 are “substantially corresponding”. However, applicant has failed to ensure that the claims in the U.S. application (amended claims filed November 28, 2011) sufficiently correspond to the allowable/patentable claims in the PCT application. Independent US claim 12 requires “acquiring a photographed image of a subject by the acquiring unit;”, while independent PCT claim 12 requires, “acquiring a photographed image of a subject by the photographing unit;”. Accordingly, the scope of US claim 12 is different from the scope of PCT claim 12.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
	:	
Mitsuo HANAZAKI	:	Confirmation No. 7060
	:	
U.S. Patent Application No. 13/322,726	:	Group Art Unit:
	:	
Filed: November 28, 2011	:	Examiner:

For: MOBILE ELECTRONIC APPARATUS AND CONTROL METHOD OF MOBILE ELECTRONIC APPARATUS

**RENEWED REQUEST FOR PARTICIPATION**  
**IN THE PATENT PROSECUTION HIGHWAY (PCT-PPH) PROGRAM**  
**BETWEEN JPO AND USPTO**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Decision on Request to Participate in Patent Prosecution Highway (PCT-PPH) program mailed March 23, 2012, Applicants respectfully submit the following documents:

Regarding the requirement of conditions (2), (3) and (6),

- a complete copy of the Written Opinion (WO) of the International Searching Authority (ISA) in Japanese is submitted herewith,
- an English translation of the WO is submitted herewith,
- a statement by the translator is not required (*see*, point c of form PCT/SB/20PCT-JP) but is nevertheless submitted herewith.

Regarding the requirement of condition (4),

- a copy of the claims from the PCT application (which were determined in the WO to have novelty, inventive step, and industrial capability) in Japanese is submitted herewith,
- an English translation of the PCT claims is submitted herewith,
- a statement that the English translation is accurate is submitted herewith,
- a Preliminary Amendment and a revised Claims Correspondence Table, in which US claim 12 is cancelled, are submitted herewith. It should be noted that the

cancellation of US claim 12 is solely for the purpose of expediting prosecution and was not necessitated by the Decision which erroneously held that US claim 12 has a different scope from JP claim 12. Applicants respectfully submit that US claim 12 merely includes a correction of an apparent error in JP claim 12, i.e., “the photographing unit” in JP claim 12 apparently refers to the “acquiring unit” as corrected in US claim 12. Further, “claim correspondence” is met despite differences due to translations and claim format requirements.<sup>1</sup>

In view of the above, Applicants’ request to participate in the PCT-PPH program is believed to be complete and grantable. Favorable consideration is respectfully requested.

Respectfully submitted,

**LOWE HAUPTMAN HAM & BERNER, LLP**

/Benjamin J. Hauptman/

Benjamin J. Hauptman  
Registration No. 29310

**LOWE HAUPTMAN & BERNER, LLP (22429)**

1700 Diagonal Road, Suite 310

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April 20, 2012

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<sup>1</sup> Claims are considered to “sufficiently correspond” where, accounting for differences due to translations and claim format requirements, the claims in the U.S. application are of the same or similar scope as the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application, or the claims in the U.S. application are narrower in scope than the claims indicated as having novelty, inventive step and industrial applicability and free of any observation described in Box VIII in the latest work product of the corresponding PCT application. *See* 1351 OG 209.

# 特許協力条約

発信人 日本国特許庁（国際調査機関）



代理人 酒井 宏明 様
あて名 〒100-6020 日本国東京都千代田区霞が関三丁目2番5号 霞が 関ビルディング 酒井国際特許事務所

Written Opinion

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) 26.04.2011

出願人又は代理人 の書類記号 10P02941W0	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/JP2011/051644	国際出願日 (日.月.年) 27.01.2011	優先日 (日.月.年) 27.01.2010
国際特許分類 (IPC) Int.Cl. H04M1/00(2006.01)i, H04M1/2745(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 15.04.2011	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) 松元 伸次 電話番号 03-3581-1101 内線 3626	5G	9563
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様式PCT/ISA/237 (表紙) (2009年7月)

## 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:

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求項	1-12	有
	請求項		無
進歩性 (IS)	請求項	1-12	有
	請求項		無
産業上の利用可能性 (IA)	請求項	1-12	有
	請求項		無

2. 文献及び説明

文献1 : JP 2008-236809 A (株式会社日立国際電気) 2008. 10. 02, 【0064】 - 【0072】 (ファミリーなし)

文献2 : JP 2009-159379 A (日本電気株式会社) 2009. 07. 16, 【0038】、図4 (ファミリーなし)

文献3 JP 2009-224919 A (京セラ株式会社) 2009. 10. 01, 【0082】 - 【0100】、図12、図13 (ファミリーなし)

請求項1-12に係る発明は、新規性及び進歩性を有する。撮像画像の解析中に操作部に入力操作が生じると、当該入力操作を文字入力として検出することは、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、また自明でもない。

**PATENT COOPERATION TREATY**

From the  
INTERNATIONAL SEARCHING AUTHORITY

**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To: Hiroaki Sakai  
Sakai International Patent Office,  
Kasumigaseki Building,  
2-5, Kasumigaseki 3-chome, Chiyoda-  
ku,  
Tokyo  
1006020  
Japan

Date of mailing 26.04.2011  
(day/month/year)

Applicant's or agent's file reference  
10P02941W0

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/JP2011/051644

International filing date (day/month/year)  
27.01.2011

Priority date (day/month/year)  
27.01.2010

International Patent Classification (IPC) or both national classification and IPC  
H04M1/00(2006.01) 1, H04M1/2745(2006.01) 1

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 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement
  - Box No. VI Certain documents cited
  - Box No. VII Certain defects in the international application
  - Box No. VIII Certain observations on the international application
2. **FURTHER ACTION**
- If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.
- If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
- For further options, see Form PCT/ISA/220.
3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ Japan Patent Office, 4-3, Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 1008918 Japan Facsimile No.	Date of completion of this opinion 15.04.2011	Authorized officer Shinji Matsumoto 03-3593-1101 Telephone No. extension 3526
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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2011/051644

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 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:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/JP2011/051644

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1-12	YES
	Claims	_____	NO
Inventive step (IS)	Claims	1-12	YES
	Claims	_____	NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims	_____	NO

**2. Citations and explanations:**

Cited document 1: JP 2008-236809 A (Hitachi Int. Electric Inc.), October 2, 2008, paragraphs [0064] to [0072] (No family)

Cited document 2: JP 2009-159379 A (NEC Corp.), July 16, 2009, paragraph [0038], FIG. 4 (No family)

Cited document 3: JP 2009-224919 A (Kyocera Corp.), October 1, 2009, paragraphs [0082] to [0100], FIG. 12, FIG. 13 (No family)

The invention according to claims 1 to 12 has novelty and an inventive step. To detect an input operation as entering characters when the input operation occurs in an operating module while a photographed image is being analyzed is neither disclosed in nor obvious over any of the documents cited in the International Search Report.

## CERTIFICATE OF TRANSLATION

I, Wakako ANZAI,

of c/o SAKAI International Patent Office, 2-5, Kasumigaseki 3-chome, Chiyoda-ku,  
Tokyo 100-6020 Japan,

state that the attached document is a true and complete translation to the best of my  
knowledge of the Written Opinion of The International Searching Authority  
(PCT/ISA/237) of International Patent Application No. PCT/JP2011/051644, filed on  
January 27, 2011.

Dated this 20th day of April, 2012

A handwritten signature in black ink, consisting of a large, stylized loop with a horizontal line extending to the left and a smaller loop below it.

Signature of Translator: \_\_\_\_\_

Wakako ANZAI

## VERIFICATION OF TRANSLATION

I, Wakako Anzai, of c/o SAKAI International Patent Office, 2-5,  
Kasumigaseki 3-chome, Chiyoda-ku, Tokyo 100-6020 Japan, state:

that I know well both the Japanese and English languages;

that I translated, from Japanese into English, the claims of PCT  
application No. PCT/JP2011/051644 filed on January 27, 2011; and

that the attached English translation is true and accurate translation  
to the best of my knowledge and belief.

Dated: November 16, 2011

Signature of Translator: \_\_\_\_\_

Wakako Anzai

## CLAIMS

1. A mobile electronic apparatus comprising:  
an operating unit for performing a character input operation;  
5 an acquiring unit that acquires a photographed image of a subject;  
an analyzing unit that analyzes the photographed image acquired by the acquiring unit and extracts character information contained in the photographed image; and  
10 a control unit that detects, when an input operation is performed with the operating unit while the photographed image is being analyzed by the analyzing unit, the input operation as a character input operation.
- 15 2. The mobile electronic apparatus according to claim 1, further comprising a storage unit, wherein  
the control unit makes the storage unit store therein characters entered by the character input operation in association with character information extracted by the  
20 analyzing unit.
3. The mobile electronic apparatus according to claim 2, wherein  
the characters include numeric characters and non-  
25 numeric characters,  
the operating unit includes a key assigned with a numeric character and a non-numeric character,  
the storage unit stores therein character information extracted by the analyzing unit in such a manner that the  
30 character information are separated into a plurality of items, and  
the control unit maps, according to the characters entered by the character input operation, the characters to

any of the plurality of items.

4. The mobile electronic apparatus according to claim 3,  
wherein the control unit maps, according to number of  
5 digits of the numeric characters entered by the character  
input operation, the characters to any of the plurality of  
items.

5. The mobile electronic apparatus according to claim 1,  
10 wherein the control unit stores therein characters entered  
by the character input operation when an analyzing process  
by the analyzing unit is determined failed, and detects the  
stored characters as the characters entered by the  
character input operation during a subsequent analyzing  
15 process.

6. The mobile electronic apparatus according to claim 1,  
further comprising a display unit, wherein  
the control unit makes the display unit display  
20 characters corresponding to the character input operation  
when detecting the character input operation.

7. The mobile electronic apparatus according to claim 6,  
wherein  
25 the characters include numeric characters and non-  
numeric characters,  
the operating unit includes a key assigned with a  
numeric character and a non-numeric character, and  
the control unit makes the display unit display both  
30 numeric characters and non-numeric characters as input  
characters corresponding to the character input operation.

8. The mobile electronic apparatus according to claim 7,

wherein the control unit divides a display area of the display unit into two display areas and makes the display unit display characters entered as the non-numeric characters on one of the display areas and display numeric characters entered as numeric characters on the other one of the display areas when detecting the character input operation.

9. The mobile electronic apparatus according to claim 7 or 8, wherein the non-numeric characters include alphabets.

10. The mobile electronic apparatus according to claim 1, wherein the control unit informs a completion of an analyzing process performed by the analyzing unit when the analyzing process is completed while characters are being entered.

11. The mobile electronic apparatus according to claim 1, wherein the subject is a business card.

12. A control method of a mobile electronic apparatus comprising an operating unit for performing a character input operation, an acquiring unit that acquires a photographed image of a subject, and an analyzing unit that analyzes the photographed image acquired by the acquiring unit to extract character information, the control method comprising:

acquiring a photographed image of a subject by the photographing unit;

analyzing the photographed image to extract character information contained in the photographed image by the analyzing unit; and

detecting, when an input operation is performed with

the operating unit while the photographed image is being analyzed by the analyzing unit, the input operation as a character input operation.

### 請求の範囲

- [請求項1] 文字の入力操作を行うための操作部と、  
被写体の撮影画像を取得する取得部と、  
前記取得部によって取得された前記撮影画像を解析し、当該撮影画像に含まれる文字情報を抽出する解析部と、  
前記解析部による前記撮影画像の解析中に前記操作部に入力操作が生じると、当該入力操作を文字入力操作として検出する制御部と、を備えることを特徴とする携帯電子機器。
- [請求項2] 記憶部をさらに有し、  
前記制御部は、前記文字入力操作によって入力された文字を、前記解析部によって抽出された文字情報と関連付けて前記記憶部に記憶させることを特徴とする請求項1に記載の携帯電子機器。
- [請求項3] 前記文字は、数字と数字以外の文字とを含み、  
前記操作部を構成する1つのキーには、数字と数字以外の文字とが割り当てられ、  
前記記憶部は、前記解析部によって抽出された文字情報を複数の項目に分けて記憶し、  
前記制御部は、前記文字入力操作によって入力された文字に応じて、前記複数の項目のいずれかに対応づけることを特徴とする請求項2に記載の携帯電子機器。
- [請求項4] 前記制御部は、前記文字入力操作によって入力された数字の桁数に応じて、前記複数の項目のいずれかに対応づけることを特徴とする請求項3に記載の携帯電子機器。
- [請求項5] 前記制御部は、前記解析部での解析処理が失敗と判定されたら、前記文字入力操作により入力された文字を記憶しておき、次の解析処理中に、当該記憶された文字を前記文字入力操作された文字として検出することを特徴とする請求項1に記載の携帯電子機器。
- [請求項6] 表示部をさらに備え、

前記制御部は、前記文字入力操作を検出したら、前記文字入力操作に対応する文字を前記表示部に表示させることを特徴とする請求項 1 に記載の携帯電子機器。

[請求項7] 前記文字は、数字と数字以外の文字とを含み、  
前記操作部を構成する 1 つのキーには、数字と数字以外の文字とが割り当てられ、

前記制御部は、前記文字入力操作に対応する入力文字として数字と数字以外の文字との両方を前記表示部に共に表示することを特徴とする請求項 6 に記載の携帯電子機器。

[請求項8] 前記制御部は、前記文字入力操作を検出したら、前記表示部の表示領域を 2 つに分け、一方の表示領域に前記数字以外の文字として入力された文字を表示させ、他方の表示領域に数字として入力された数字を表示させることを特徴とする請求項 7 に記載の携帯電子機器。

[請求項9] 前記数字以外の文字は、アルファベットを含むことを特徴とする請求項 7 または 8 に記載の携帯電子機器。

[請求項10] 前記制御部は、文字入力中に前記解析部の解析処理が終了したら、解析処理が終了したことを報知することを特徴とする請求項 1 に記載の携帯電子機器。

[請求項11] 前記被写体は、名刺であることを特徴とする請求項 1 に記載の携帯電子機器。

[請求項12] 文字の入力操作を行うための操作部と、被写体の撮影画像を取得する取得部と、前記取得部によって取得された前記撮影画像を解析し、文字情報を抽出する解析部と、を有する携帯電子機器の制御方法であって、

前記撮影部により、被写体の撮影画像を取得する撮影ステップと、  
前記解析部により、前記撮影画像を解析し、当該撮影画像に含まれる文字情報を抽出する解析ステップと、

前記解析部による前記撮影画像の解析中に前記操作部による入力操

作があると、当該入力操作を文字入力操作として検出する検出ステップと、を有することを特徴とする携帯電子機器の制御方法。



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In re Application of  
Robert M. Spitz

:  
:

Application No. 13322745

:DECISION ON PETITION TO MAKE SPECIAL  
:UNDER 37 CFR 1.102(c)(1)

Filed: November 28, 2011

:

Attorney Docket No. CNK-001.02

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 14-MAR-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

<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13322745	Confirmation Number	5334	Filing Date	2011-11-28
Attorney Docket Number (optional)	CNK-00102	Art Unit	3735	Examiner	Not Yet Assigned
First Named Inventor	Robert Spitz				
Title of Invention	CORRECTION OF STRESS URINARY INCONTINENCE				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
J.	Anthony	Von Fraunhofer			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/PETER K. SOLLINS/		Date (YYYY-MM-DD)	2012-03-14	
Name	Peter K. Sollins		Registration Number	63713	

## 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 Freedom 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 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 inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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SUITE 800  
WASHINGTON, DC 20037

**MAILED**

**FEB 22 2012**

**OFFICE OF PETITIONS**

In re Application of	: DECISION ON REQUEST TO
Masaya Koyama	: PARTICIPATE IN THE PATENT
Application No.: 13/322,818	: PROSECUTION HIGHWAY
Filed: November 28, 2011	: PROGRAM AND PETITION
Attorney Docket No.: Q127734	: TO MAKE SPECIAL UNDER
For: IMAGE DISPLAY APPARATUS	: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 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 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), (3-5), and (7-8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fail to meet requirements (2) and (6).

Regarding requirement (6), applicant has failed to provide an English translation of the Written Opinion (PCT/ISA/237).

Regarding requirement (2), it cannot be determined whether requirement (2) has been met since applicant has failed to submit an English translation of the Written Opinion (PCT/ISA/237).

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under PCT – Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to 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



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**MAILED**  
**MAR 27 2012**  
**OFFICE OF PETITIONS**

In re Application of	: DECISION ON REQUEST TO
Masaya Koyama	: PARTICIPATE IN THE PATENT
Application No.: 13/322,818	: PROSECUTION HIGHWAY
Filed: November 28, 2011	: PROGRAM AND PETITION
Attorney Docket No.: Q127734	: TO MAKE SPECIAL UNDER
For: IMAGE DISPLAY APPARATUS	: 37 CFR 1.102(a)

This is a decision on the request to participate in the PCT Patent Prosecution Highway (PCT-PPH) pilot program and the petition under 37 CFR 1.102(a), filed on November 28, 2011 and renewed on March 21, 2012, to make the above-identified application special.

The request and renewed petition are **GRANTED**.

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority then the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
  - b. An English translation of the allowable/patentable claim(s) and
  - c. A statement that the English translation is accurate;
3. Applicant must
  - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;

5. Applicant must submit:

a. Documentation of prior office action:

- i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
- ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
- iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;

Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;

- b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
- c. A statement that the English translation is accurate;

6. Applicant must submit:

- a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
- b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application)

The request to participate in the PPH pilot program and petition 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



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NEXSEN PRUET, LLC  
P.O. BOX 10648  
GREENVILLE SC 29603

**MAILED**  
**DEC 14 2011**

PCT LEGAL ADMINISTRATION

In re Application of: Park et al. :  
U.S. Application No: 13 /322,874 :  
PCT Application No.: PCT/KR2010/002596 :  
International Filing Date: 26 April 2010 :  
Priority Date: 28 April 2009 :  
Attorney's Docket No.: 48341-03 :  
For: PHARMACEUTICAL COMPOSITION :  
FOR PROMOTING THE HEALING OF :  
WOUNDS AND CONTAINING :  
LYSOPHOSPHATIDIC ACID AND AN :  
ADENYLYL CYCLASE INHIBITOR. :  
AS ACTIVE INGREDIENTS :

DECISION ON PETITION  
UNDER  
37 CFR 1.137(b)

This decision is in response to applicants' "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b)" filed 28 November 2011.

**BACKGROUND**

On 26 April 2010, applicants filed an international application PCT/KR2010/002596, which claimed priority of an earlier Korean application filed 28 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 28 October 2011.

On 29 October 2011, international application PCT/KR2010/002596 became abandoned as to the United States for failure to timely pay the basic national fee.

On 28 November 2011, applicant submitted in the United States Patent and Trademark Office a transmittal letter for entry into the national stage in the United States under 35 U.S.C. 371, which was accompanied by, *inter alia*, the basic national fee, petition fee, and a 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 § 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 by submitting the basic national fee.

With regard to item (2), applicant has provided the required petition fee set forth in 37 CFR 1.17(m).

With regard to item (3), applicant has provided the proper statement under 37 CFR 1.137(b)(3).

With regard to item (4), because the international application was filed after 08 June 1995, no terminal disclaimer is required.

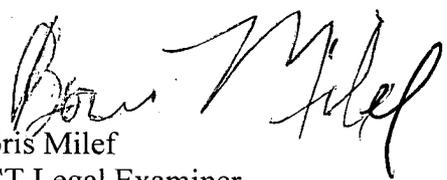
**CONCLUSION**

For the reason above, the petition under 37 CFR 1.137(b) is **GRANTED**.

The application has an International Filing Date under 35 U.S.C. 363 of 26 April 2010, and a date under 35 USC 371(c)(1), (c)(2), and (c)(4) of 28 November 2011.

The application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.

Seungsook Ham  
Office of PCT Legal Administration  
United States Patent and Trademark Office

  
Boris Milef  
PCT Legal Examiner  
Office of PCT Legal Administration  
Telephone: (571) 272-3288



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/323,273	12/12/2011	Lars Dyrskjot Andersen	SRG-321-UBE	5595
93599	7590	02/09/2012	EXAMINER	
Eric P. Mirabel, JD, LLM 3783 Darcus Street Houston, TX 77005			HIBBERT, CATHERINE S	
			ART UNIT	PAPER NUMBER
			1636	
			NOTIFICATION DATE	DELIVERY MODE
			02/09/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

emirabel@comcast.net



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FEB 09 2012

Eric P. Mirabel, JD, LLM  
3783 Darcus Street  
Houston TX 77005

In re Application of:  
Andersen et al.

Serial No.: 13/323,273

Filed: December 12, 2011

Docket: **SRG-321-UBE**

:  
:  
: DECISION ON PETITION TO  
MAKE SPECIAL FOR NEW  
APPLICATION UNDER 37  
C.F.R. § 1.102 & M.P.E.P. §  
708.02

Title: **EXPRESSION OF UBE2C AND OTHER  
GENES ASSOCIATED WITH  
BLADDER CANCER PROGRESSION**

This is a decision on the petition of December 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 been 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):

7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/  
Marianne C. Seidel, Quality Assurance Specialist  
Technology Center 1600



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HARRITY & HARRITY, LLP  
11350 Random Hills Road  
SUITE 600  
FAIRFAX VA 22030

**MAILED**

**JAN 03 2012**

**OFFICE OF PETITIONS**

In re Application of :  
Zuk et al. :  
Application No. 13/323,299 : DECISION ON PETITION  
Filed: 12/12/2011 :  
Attorney Docket No. :  
0023-0213C2 :

This is in response to the petition under 37 CFR 1.47(a) filed on December 12, 2011.

The petition is **DISMISSED AS MOOT**.

In accordance with 37 CFR 1.63(d), a copy of the executed oath or declaration filed in Application No. 11/338,732, filed on January 25, 2006, has been filed in the subject application. The subject application is a continuation of Application No. 12/780,695, filed on May 14, 2010, which is a continuation of Application No. 11/338,732, filed on January 25, 2006. Furthermore, a copy of the decision, mailed on June 14, 2011, granting a petition to accord § 1.47(a) status to prior application No. 11/338,732 has been placed in the file of the present application.

As Rule 1.47(a) status was granted in the prior application, this application is hereby accorded Rule 1.47(a) status.

As no petition is necessary to accord Rule 1.47(a) status in this application, the petition is dismissed as moot. No petition fee is necessary and none has been charged.

As provided in Rule 1.47(c), since notice was provided after the grant of Rule 1.47(a) status in the prior application, the Office is dispensing with the notice provision in this continuation application.

Application No. 13/323,299

2

After this decision is mailed, the application is referred to the Office of Patent Application Processing for further processing.

Telephone inquiries related to this decision should be directed to the undersigned at 571-272-3231.



Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/323,554	12/12/2011	Lars Dyrskjot Andersen	SRG-321-MBNL2	6997
93599	7590	02/09/2012	EXAMINER	
Eric P. Mirabel, JD, LLM 3783 Darcus Street Houston, TX 77005			HIBBERT, CATHERINE S	
			ART UNIT	PAPER NUMBER
			1636	
			NOTIFICATION DATE	DELIVERY MODE
			02/09/2012	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

emirabel@comcast.net



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FEB 09 2012

Eric P. Mirabel, JD, LLM  
3783 Darcus Street  
Houston TX 77005

In re Application of:  
Andersen et al.

Serial No.: 13/323,554

Filed: December 12, 2011

Docket: **SRG-321-MBNL2**

:  
:  
: **DECISION ON PETITION TO  
MAKE SPECIAL FOR NEW  
APPLICATION UNDER 37  
C.F.R. § 1.102 & M.P.E.P. §  
708.02**

Title: **EXPRESSION OF MBNL2 AND  
OTHER GENES ASSOCIATED WITH  
BLADDER CANCER PROGRESSION**

This is a decision on the petition of December 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 been 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 requirements 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):

7. Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

8. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

9. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

10. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

11. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Marianne C. Seidel, Quality Assurance Specialist, at (571) 272-0584.

/MC Seidel/

Marianne C. Seidel, Quality Assurance Specialist  
Technology Center 1600

Doc Code: PET.GREEN  
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Attorney Docket Number: 39605-219623 Application Number (if known): 13/324,023 Filing date: 12/13/2011

First Named Inventor: Patrick Chapman

Title: METHOD AND APPARATUS FOR CONTROLLING AN INVERTER USING PULSE MODE CONTROL

**APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.**

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

**Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.**

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements for the Green Technology Pilot Program, if the Office determines that the claims are not obviously directed to a single invention. See Instruction Sheet.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: STATEMENTS OF SPECIAL STATUS & PRELIMINARY AMENDMENT

Signature /Glen M. Kellett/ Date 12/22/2011

Name (Print/Typed) Glen M. Kellett Registration Number 60,202

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/324,023	12/13/2011	Patrick Chapman	39605-219623	1155
23643	7590	01/30/2012	EXAMINER	
BARNES & THORNBURG LLP 11 SOUTH MERIDIAN INDIANAPOLIS, IN 46204			ART UNIT	PAPER NUMBER
			2838	
			NOTIFICATION DATE	DELIVERY MODE
			01/30/2012	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

indocket@btlaw.com



Silicon Valley Patent Group LLP  
4010 Moorpark Avenue  
Suite 210  
San Jose CA 95117

In re Application of	:	
RAVILLISETTY et al.	:	DECISION ON PETITION
Application No. 13/324,023	:	TO MAKE SPECIAL UNDER
Filed: December 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.: XIC023 US	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed on December 16, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

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Colleen Dunn  
TQAS, TC 2800

MAILED

FEB 03 2012

PCT LEGAL ADMINISTRATION



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INDIANAPOLIS OFFICE 27879  
BRINKS HOFER GILSON & LIONE  
CAPITAL CENTER, SUITE 1100  
201 NORTH ILLINOIS STREET  
INDIANAPOLIS IN 46204-4220

In re Application of: ROSS, John, R., et al. :  
U.S. Application No.: 13/324,384 : DECISION ON PETITION  
Filing Date: December 13, 2011 : UNDER 37 CFR 1.137(b)  
Attorney's Docket No.: 14370/073 :  
For: PANELLESS HOT-FILL PLASTIC :  
BOTTLE :

This decision is issued in response to the "Petition To Revive Abandoned Application Under 37 C.F.R. § 1.137(b)" filed December 13, 2011. Applicants have paid the required petition fee.

### **BACKGROUND**

On April 30, 2010, applicants filed international application PCT/US2010/033082. The application claimed a priority date May 05, 2009, and it designated the United States. The deadline for submission of the basic national fee was thirty months from the priority date, i.e., November 05, 2011.

Payment of the U.S. basic national fee was not submitted on or prior to November 05, 2011. Accordingly, international application PCT/US2010/033082 became abandoned with respect to the United States at midnight on November 05, 2011 (see 35 U.S.C. 371(d); 37 CFR 1.495(h)).

On December 13, 2011, applicants filed the present application under 35 U.S.C. 111(a). The specification identifies the present application as a continuation of PCT/US2010/033082. Applicants' December 13, 2011 submission included the petition for revival of international application PCT/US2010/033082 considered herein.

### **DISCUSSION**

The present petition was accompanied by payment of the petition fee, and the petition includes a statement that "the entire delay in filing a United States nationalization of this International application from the due date for such filing, November 5, 2011, until the filing of this petition was unintentional." This statement is construed as the statement required under 37 CFR 1.137(b)(3), that is, a statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was

unintentional.” Based on this interpretation, the requirement of 37 CFR 1.137(b)(3) is considered satisfied.

As discussed above, the specification filed herein contains an appropriate reference identifying the present application as a continuation of PCT/US2010/033082. The filing of a continuation application under 35 U.S.C. 111(a) is accepted as the “required reply” under 37 CFR 1.137(b)(1) (see MPEP section 711.03(c)(II)(A)).

Based on the above, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the international application as to the United States is appropriately granted.

### CONCLUSION

The petition for revival under 37 CFR 1.137(b) is **GRANTED**.

International application PCT/US2010/033082 is revived for purposes of continuity only, and since continuity has been established by this decision reviving the international application, the international application is again abandoned in favor of the present continuing application number 13/324,384.

The application is being referred to the Office of Patent Application Processing for further processing in accordance with this decision.

/RichardMRoss/

Richard M. Ross  
Attorney Advisor  
Office of PCT Legal Administration  
Telephone: (571) 272-3296

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (05-10)

Approved for use through 05/31/2010. OMB 0651-0062  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

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### PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: 3449-1801PUS1	Application Number (if known): 13/324,785	Filing date: December 13, 2011
---------------------------------------	---	--------------------------------

First Named Inventor: Kyoung Woo JO

Title: LIGHT EMITTING DEVICE AND LIGHT EMITTING DEVICE PACKAGE

**APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.**

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

**Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.**

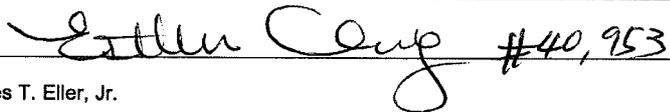
2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements set forth in the notice titled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," as modified by the notice titled "Elimination of Classification Requirement in the Green Technology Pilot Program," each of which was published in the Federal Register, if the Office determines that the claims are not obviously directed to a single invention.

3. This request is accompanied by statements of special status for the eligibility requirement.

4. The application contains no more than three (3) independent claims and twenty (20) total claims.

5. The application does not contain any multiple dependent claims.

6. Other attachments: Preliminary Amendment

Signature: 	Date: DEC 17 2011
Name (Print/Type): James T. Eller, Jr.	Registration Number: 39538

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application of:

Kyoung Woo JO et al.

Application No.: 13/324,785

Confirmation No.: 5764

Filed: December 13, 2011

Art Unit: To be assigned

For: LIGHT EMITTING DEVICE AND LIGHT  
EMITTING DEVICE PACKAGE

Examiner: To be assigned

**STATEMENT OF SPECIAL STATUS FOR THE ELIGIBILITY REQUIREMENT  
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In support of the Petition to Make Special Under the Green Technology Pilot Program, it is respectfully submitted that the basis for the requested special status is that the invention claimed in the above-identified patent application materially contributes to the development of environmental quality and energy conservation. Specifically, the claimed invention relates to a light emitting device having a light emitting structure formed of semiconductor layers.

For example, a light emitting device having such semiconductor layers have a much longer life-span than conventional light sources such as fluorescent tubes or other traditional light sources. Such a light emitting device having semiconductor layers use less energy or power to operate than other traditional light sources. Thus, the environmental quality is significantly improved and energy is conserved.

Additionally, by filing this petition, Applicants agree to make an election without traverse in a telephone 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.

It is also submitted that this application meets the eligibility requirements to participate in the Green Technology Pilot Program, as listed in the attached Petition to Make Special Under the Green Technology Pilot Program.

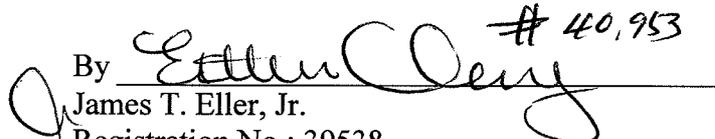
Accordingly, it is respectfully requested the Petition be granted.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: **DEC 27 2011**

Respectfully submitted,

By  # 40,953  
James T. Eller, Jr.  
Registration No.: 39538  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road, Suite 100 East  
P.O. Box 747  
Falls Church, VA 22040-0747  
703-205-8000



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/324,785	12/13/2011	Kyoung Woo Jo	3449-1801PUS1	5764
2292	7590	01/06/2012	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ART UNIT	PAPER NUMBER
			2818	
			NOTIFICATION DATE	DELIVERY MODE
			01/06/2012	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):

mailroom@bskb.com



BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH VA 22040-0747

JAN 6 2012

In re Application of	:	
JO et al.	:	DECISION ON PETITION
Application No. 13/324,785	:	TO MAKE SPECIAL UNDER
Filed: December 13, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 3449-1801PUS1	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 27, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to 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

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### PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: **CEL 28-06**      Application Number (if known): **Unknown**      Filing date: **Herewith**

First Named Inventor: **GADDY, James L., et al.**

Title: **Methods for Increasing the Production of Ethanol from Microbial Fermentation**

**APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.**

This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.

1. By filing this petition:

**Applicant is requesting early publication: Applicant hereby requests early publication under 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d) accompanies this request.**

2. By filing this petition: applicant is agreeing to make an election without traverse in a telephonic interview and elect an invention that meets the eligibility requirements 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



Date **Dec 14, 2011**

Name (Print/Typed)

**Vikrant Panchal**

Registration Number **53,949**

**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 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.



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.
13/325,149	12/14/2011	James L. Gaddy	CEL 28-06	9151
68261	7590	02/13/2012	EXAMINER	
INEOS USA LLC 3030 WARRENVILLE RD, S/650 LISLE, IL 60532			ART UNIT	PAPER NUMBER
			1651	
			MAIL DATE	DELIVERY MODE
			02/13/2012	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  
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Alexandria, VA 22313-1450  
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FEB 13 2012

INEOS USA LLC  
3030 WARRENVILLE RD, S/650  
LISLE IL 60532

*In re* Application of :

GADDY, James *et al.* :  
Application No. 13/325149 :  
Filed: December 14, 2011 :  
Attorney Docket No. CEL 28-06 :  
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 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) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration must be filed within ONE (1) MONTH OR THIRTY (30) DAYS from the mail date of this decision, whichever is longer. No extension of this time limit can be granted under 37 CFR 1.136(a) or (b). The petition for reconsideration should include an exhaustive attempt to provide the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The petition to make special must be filed at least one day prior to the date that a first Office action has been mailed in the case. 2) The application must have no more than 3 independent claims and no more than 20 total claims. 3) The application must not contain any multiple dependent claims. 4) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 5) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an

attorney/agent registered to practice before the Office explaining how the materiality standard is met. 6) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 7) The petition to make special must be filed electronically. 8) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The petition lacks item(s) 4 and 5.

In regard to item 4, petitioner should note that the instant petition fails to state the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice.

In regard to item 5, petitioner should note that the instant petition does not include a statement identifying the basis for the special status (i.e., whether the instant invention (1) materially enhances the quality of the environment or materially contributes to (2) development of renewable energy resources or energy conservation, or (3) greenhouse gas reduction) as required by sections II and III of the notice. As stated in the notice, applicant must also provide a statement pertaining to the materiality standard if the application disclosure is not clear on its face as to the materiality of the basis for the special status of the invention. This petition lacks such a statement and it is not agreed that the application on its face meets that materiality standard.

Any reconsideration of this decision should be submitted through the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen.

Telephone inquiries concerning this decision should be directed to Manjunath Rao at 571-272-0939.

The application is being forwarded to the Technology Center Art Unit 1651 for action in its regular turn.

/Manjunath Rao/

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Manjunath Rao  
Supervisory Patent Examiner  
Technology Center 1600

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No.	13/325,149	)	Confirmation No. 9151
		)	
		)	
Applicant:	James L. Gaddy et al.	)	
		)	
Filed:	December 14, 2011	)	<u>CERTIFICATE OF MAILING OR</u>
		)	<u>TRANSMISSION</u>
		)	I hereby certify that this paper is being
For:	METHODS FOR INCREASING	)	electronically filed with the USPTO
	THE PRODUCTION OF	)	EFS-Web on the following date:
	ETHANOL FROM MICROBIAL	)	
	FERMENTATION	)	
		)	
Art Unit:	1651	)	
		)	
		)	
Examiner:	UNKNOWN	)	February 21, 2012



Vik Panchal

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**GREEN TECHNOLOGY PILOT PROGRAM PETITION TO MAKE SPECIAL STATEMENT**

Dear Examiner Rao:

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010). This is in response to USPTO action dated February 13, 2012.

Please charge any additional fee which may be required, or credit any overpayment, to Deposit Account No. 50-3573.

<b>Table of Contents</b>	
Amendments to the Specification	(none)
Amendments to the Claims	(none)
Amendments to the Drawings	(none)
Remarks	Page 3
Exhibit A – US DOE \$50M grant	
Exhibit B – USDA \$75M loan guarantee	

**REMARKS:**

**Statement:**

This is a petition statement to make special under the Green Technology Pilot Program pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010):

Applicants provide that the instant invention directed to methods for increasing production of alcohol from syngas fermentation:

- 1) materially enhances the quality of the environment by offering potential to utilize low cost carbon and waste to produce fuel and energy;
- 2) materially contributes to the development of renewable energy resources by offering sustainable alternatives to fossil fuels; and
- 3) materially contributes to green house gas reduction by providing a potential step change in green house gas emissions.

Moreover, please note the following excerpt from a press release dated December 4, 2009 (Attached as Exhibit A) indicating U.S. Department of Energy \$50 million dollar grant for technology related to the instant invention:

“The U.S. Department of Energy (DOE) today announced it has selected INEOS Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced bioenergy facility in Indian River County, Florida. The grant was announced jointly by DOE Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to use INEOS Bio’s advanced BioEnergy technology, the world’s leading feedstock flexible technology for production of both bioethanol and renewable power.

...  
The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.”

Also, please note the following excerpt from a press release dated August 18, 2011 (Attached as Exhibit B) indicating U.S. Department of Agriculture \$75 million dollar loan guarantee for technology related to the instant invention:

"Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

...  
The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill."

Accordingly, Applicant requests that the instant application meets the requirements pursuant to 74 Federal Register Notice 64666 (December 8, 2009) and amended by 7 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

Respectfully submitted,



Vikrant B. Panchal  
Registration No. 53,949

Date: February 21, 2012

INEOS BIO LIMITED  
3030 Warrenville Rd. STE 650  
Lisle, IL 60532  
T: 630-857-7331  
F: 630-857-7328

Exhibit A

December 4, 2009  
INEOS Bio Press Release

“INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for  
Commercial BioEnergy Facility”

Press Release:

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for  
Commercial BioEnergy Facility  
December 4th 2009

INEOS Bio JV Selected for \$50 Million U.S. Department of Energy Grant for  
Commercial BioEnergy Facility - Construction expected to begin in 2Q 2010 -  
Commercial-scale facility will be operational by late 2011

Lisle, IL - The U.S. Department of Energy (DOE) today announced it has selected  
INEOS  
Bio and its partner, New Planet Energy, for a \$50 million dollar grant for its advanced  
bioenergy facility in Indian River County, Florida. The grant was announced jointly by  
DOE  
Secretary Steven Chu and USDA Secretary Tom Vilsack. The facility will be the first to  
use  
INEOS Bio's advanced BioEnergy technology, the world's leading feedstock flexible  
technology for production of both bioethanol and renewable power.

The INEOS New Planet BioEnergy Joint Venture will own and operate the commercial  
facility.  
It will produce eight million gallons of third generation bioethanol per year from  
renewable  
biomass including yard, wood and vegetative wastes. The facility will also generate clean  
renewable power for export to the Florida market. This investment will bring clean tech  
employment to the Treasure Coast region of Florida, creating approximately 120  
construction  
jobs over the next two years and 40-50 full time jobs.

In commenting on the grant, INEOS Bio CEO Peter Williams highlighted the benefits of  
the  
INEOS Bio technology: "This breakthrough technology will substantially reduce net  
greenhouse gas emissions from cars and energy generation. Not only does it reduce  
the amount of waste going to landfills, but it also breaks the link between food crops  
and bioethanol production. The ability to make fuel from agricultural waste and  
municipal solid waste opens up a whole new avenue to achieving sustainable energy  
independence." Added Williams, "We appreciate the continued support of the DOE as  
we commercialize this world-class technology in the U.S."

Commenting on the announcement, W.L. "Tex" Carter, President of New Planet Energy,  
said:  
"We are grateful to the U.S. Department of Energy for its endorsement of this  
worldchanging

technology. We intend to move forward to achieve full commercial production at the facility by late 2011.”

The INEOS Bio process is an efficient, affordable and flexible conversion technology. At the heart of the INEOS Bio technology is a patented anaerobic fermentation step, through which naturally occurring bacteria convert gases derived directly from biomass into bio-ethanol. The process supports high recycling and high landfill diversion rates. Unlike other technologies that rely on one primary source of feedstock, the INEOS Bio process can produce bioenergy from numerous feedstocks, including forestry waste, agricultural waste, sustainable energy crops, construction waste and municipal solid waste. This feedstock flexibility allows facilities to be built anywhere that a renewable biomass feedstock is available, providing good jobs and locally sourced energy for urban as well as rural communities.

#### Notes to Editors

INEOS Bio is a BioEnergy company working to commercialize and license a highly innovative thermo-chemical and bio-chemical technology for the production of renewable biofuels and renewable power from a wide range of low-cost carbon materials. Its initial focus is the commercialization of the world’s leading third generation bioethanol technology process to serve the global renewable transport fuels market and the renewable energy market. For more information, visit [www.ineosbio.com](http://www.ineosbio.com)

INEOS Bio is one of the global businesses in INEOS. INEOS is the world’s third largest chemicals company and a leading manufacturer of petrochemicals, specialty chemicals, biofuels, and oil products. Comprising 17 businesses, with a production network spanning 64 manufacturing facilities in 14 countries, the company produces more than 30 million tons of petrochemicals, and 20 million tons per annum of crude oil refined products (fuels). INEOS employs 15,500 people and has sales of around \$47 Billion. For more information visit [www.ineos.com](http://www.ineos.com)

New Planet Energy LLC is engaged in the development and implementation of advanced biofuels and energy projects. For more information, visit [www.newplanetenergy.com](http://www.newplanetenergy.com)

Contacts:

INEOS Bio

Dan Cummings  
Business Manager – Americas  
(630) 857-7165

[biopress@ineos.com](mailto:biopress@ineos.com)

New Planet Energy, LLC

W.L. "Tex" Carter  
President,  
(321) 368-2044

Exhibit B

August 18, 2011  
INEOS Bio Press Release

**“USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and  
Hundreds of Jobs from Citrus and Yard Waste”**

Press Release:

USDA Guarantees Loan to Florida Biofuels Facility Capable of Creating Energy and Hundreds of Jobs from Citrus and Yard Waste  
August 18th 2011

Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs.

WASHINGTON, August 18, 2011—Agriculture Secretary Tom Vilsack announced today that the U.S. Department of Agriculture's Rural Development recently issued a \$75 million loan guarantee to support construction of a waste-to-energy bioprocessing facility in Vero Beach, Fla., that will produce up to 8 million gallons per year of cellulosic ethanol and create an estimated 380 new jobs. Vilsack toured the facility last week, meeting construction workers and company and community officials to highlight the importance of helping our nation develop the next generation of biofuels.

“Over the past two years, USDA has worked to help our nation develop a national biofuels economy that continues to help us grow and out-compete the rest of the world,” said Vilsack. “In the months ahead, USDA will continue to work with federal partners like the Department of Energy, the U.S. Navy and the Federal Aviation Administration to improve our country's energy security and provide sustainable jobs in communities across the country. This cutting-edge facility in Florida, and others like it across America, represents the kind of innovation we need to continue to build a competitively-priced, American-made, homegrown biofuels industry that helps to break our dependence on foreign oil and moves our nation toward a clean energy economy.”

The facility, estimated to be completed by the summer of 2012 and being constructed by INEOS New Plant Energy, LLC, will use a gas fermentation process to produce an estimated 8 million gallons of cellulosic ethanol from citrus fruit, vegetable and yard wastes. The plant will consume an estimated 300 dry tons per day of organic material and, in addition to ethanol, produce enough electricity to run the plant and provide for the power needs of 1,400 homes. It is estimated that the facility will create 380 jobs, including 175 construction jobs and 50 full-time jobs in Indian River County, Fla. Compared to gasoline, the ethanol produced by the plant will reduce greenhouse gas emissions by an estimated 90 percent.

Earlier this week, President Obama announced that the U.S. Departments of Agriculture, Energy and Navy will invest up to \$510 million during the next three years in partnership with the private sector to produce advanced drop-in aviation and marine biofuels to

power military and commercial transportation. The initiative responds to a directive from President Obama issued in March as part of his Blueprint for A Secure Energy Future, the Administration's framework for reducing dependence on foreign oil. Vilsack joined Energy Secretary Steven Chu and Secretary of the Navy Ray Mabus to sign a joint Memorandum of Understanding committing the departments to the initiative.

The INEOS plant builds on these efforts to create new jobs and increase America's energy independence. The loan guarantee was issued through USDA Rural Development's Biorefinery Assistance Program, authorized in the 2008 Farm Bill.

USDA Rural Development's mission is to increase economic opportunity and improve the quality of life for rural residents. Rural Development fosters growth in homeownership, finances business development, and supports the creation of critical community and technology infrastructure. Further information on rural programs is available at a local USDA Rural Development office or by visiting USDA Rural Development's web site at [www.rurdev.usda.gov/rbs/busp/bprogs.htm](http://www.rurdev.usda.gov/rbs/busp/bprogs.htm). #

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/325,149	12/14/2011	James L. Gaddy	CEL 28-06	9151
68261	7590	03/05/2012	EXAMINER	
INEOS USA LLC 3030 WARRENVILLE RD, S/650 LISLE, IL 60532			MARX, IRENE	
			ART UNIT	PAPER NUMBER
			1651	
			MAIL DATE	DELIVERY MODE
			03/05/2012	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.



INEOS USA LLC  
3030 WARRENVILLE RD, S/650  
LISLE IL 60532

**MAR 05 2012**

In re Application of	:	
James L. Gaddy et al.	:	DECISION ON PETITION
Application No. 13/325,149	:	TO MAKE SPECIAL UNDER
Filed: December 14, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. CEL 28-06	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed February 21, 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/

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Blaine Copenheaver  
Quality Assurance Specialist  
Technology Center 1700

Doc Code: PET.GREEN  
Document Description: Petition for Green Tech Pilot

PTO/SB/420 (03-11)

**PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

Attorney Docket Number: **K-1358** Application Number (if known): **13/325,225** Filing date: **December 14, 2011**

First Named Inventor: **Myung Hoon JUNG**

Title: **LIGHT EMITTING DIODE AND LIGHT EMITTING DEVICE PACKAGE 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 **December 14, 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.

**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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

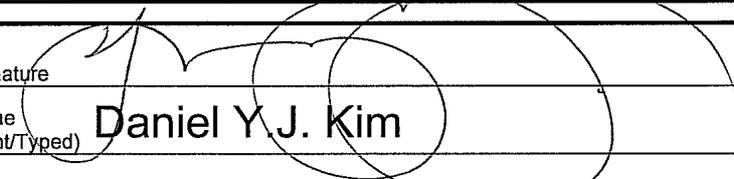
- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded 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.

PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM		
Attorney Docket Number: <b>K-1358</b>	Application Number (if known): <b>13/325,225</b>	Filing date: <b>December 14, 2011</b>
First Named Inventor: <b>Myung Hoon JUNG</b>		
Title: <b>LIGHT EMITTING DIODE AND LIGHT EMITTING DEVICE PACKAGE INCLUDING THE SAME</b>		
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:  <b><u>Applicant is requesting early publication:</u> 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.</b>		
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	<b>December 14, 2011</b>
Name (Print/Typed) <b>Daniel Y. J. Kim</b>	Registration Number	<b>36,186</b>
<b>Note:</b> 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*.		
<input checked="" type="checkbox"/> *Total of <u>2</u> forms are submitted.		

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: **K-1356**

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Confirmation No.: **9216**

**Myung Hoon JUNG; Hyun Chul LIM;  
Sul Hee KIM and Rak Jun CHOI**

Group Art Unit: **To Be Assigned**

Serial No.: **13/325,225**

Examiner: **To Be Assigned**

Filed: **December 14, 2011**

Customer No.: **34610**

For: **LIGHT EMITTING DIODE AND LIGHT EMITTING DEVICE PACKAGE  
INCLUDING THE SAME**

**STATEMENT OF SPECIAL STATUS FOR ELIGIBILITY  
UNDER THE GREEN TECHNOLOGY PILOT PROGRAM**

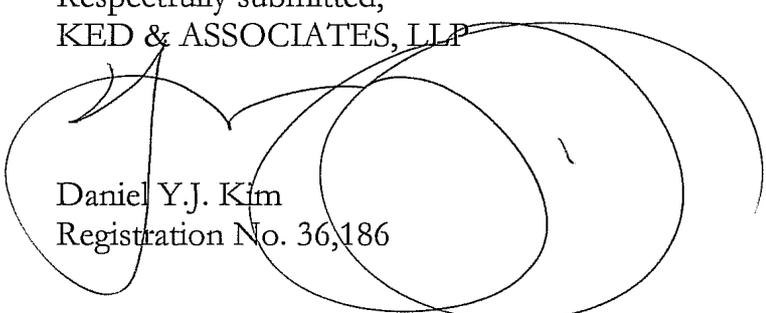
U.S. Patent and Trademark Office  
Customer Service Window, **MAIL STOP PETITIONS**  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

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: December 14, 2011**

**Please direct all correspondence to Customer Number 34610**

Q:\Documents\2016-1598\307891



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/325,225	12/14/2011	Myung Hoon JUNG	K-1356	9216
34610	7590	01/06/2012	EXAMINER	
KED & ASSOCIATES, LLP P.O. Box 8638 Reston, VA 20195			ART UNIT	PAPER NUMBER
			2811	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



KED & ASSOCIATES, LLP  
P.O. Box 8638  
Reston VA 20195

JAN 6 2012

In re Application of :  
JUNG et al. : DECISION ON PETITION  
Application No. 13/325,225 : TO MAKE SPECIAL UNDER  
Filed: December 14, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. K-1356 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 14, 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/

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Colleen Dunn  
TQAS, TC 2800

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	Jean-Philippe Hasler
Application No. Pending	Filing Date: December 14, 2011
Title of Application:	Arrangement For Exchanging Power

Mail Stop Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**Request To Participate In Patent Prosecution Highway (PPH)**

Filed herewith is form PTO/SB/20PCT-EP requesting participation in the PPH program and petitioning to make special the present U.S. Patent Application.

The present U.S. Patent Application is a continuation of, and claims priority from, PCT application PCT/EP2009/057627, filed on June 18, 2009. Applicant seeks accelerated examination under the PPH Program because corresponding claims in the PCT application have been found patentable an International Preliminary Report on Patentability (IPRP) issued by the European Patent Office.

Filed herewith is a copy of the IPRP dated September 13, 2011, indicating that claims 1-15 were found to have novelty, inventive step and industrial applicability. Also filed herewith is a copy of claims 1-15 from PCT/EP2009/057627 publication WO 2010/145708.

The references cited in the IPRP are submitted to the Office in an IDS filed herewith.

The claims of the present U.S. Patent Application have been amended to conform with U.S. claim format requirements. All claims correspond to claims found pa-

tentable in the WO and are believed to have similar or more limited scope, as shown in the claims correspondence table in form PTO/SB/20PCT-EP.

Applicant's request to participate in the Patent Prosecution Highway and petition to make special is believed to be in condition for granting and a favorable decision is hereby requested.

Applicant believes that no fee is due in connection with the filing of this request. However, if any fee is due, please charge Deposit Account No. 19-4516.

Respectfully submitted,

/Wesley W. Whitmyer, Jr./

December 14, 2011

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Wesley W. Whitmyer, Jr., Registration No. 33,558  
Attorney for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
Tel. 203 324-6155

# PATENT COOPERATION TREATY

TLO 02  
 ANKOMSCOM

From the  
 INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

2011-09-22

To:  
  
 ABB AB  
 Intellectual Property  
 Ingenjör Bååths Gata 11  
 T2 Floor E  
 721 83 Västerås  
 SUEDE

## PCT

NOTIFICATION OF TRANSMITTAL OF  
 THE INTERNATIONAL PRELIMINARY  
 REPORT ON PATENTABILITY  
 (PCT Rule 71.1)

Date of mailing <i>(day/month/year)</i>	13.09.2011
--	------------

Applicant's or agent's file reference  
 10679WO/HO/JL

**IMPORTANT NOTIFICATION**

International application No.  
 PCT/EP2009/057627

International filing date *(day/month/year)*  
 18.06.2009

Priority date *(day/month/year)*

Applicant  
 ABB Technology AG

1. The applicant is hereby notified that this international Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:

 European Patent Office P.B. 5818 Patentlaan 2  
 NL-2280 HV Rijswijk - Pays Bas  
 Tel. +31 70 340 - 2040  
 Fax: +31 70 340 - 3016

Authorized Officer

Osafo-Gyimah, Lana

Tel. +31 70 340-4745



CP

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 10679WO/HO/JL		FOR FURTHER ACTION	See Form PCT/PEA/416
International application No. PCT/EP2009/057627		International filing date (day/month/year) 18.06.2009	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC INV. H02J3/18			
Applicant ABB Technology AG			
<p>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.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 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).</li> <li><input type="checkbox"/> sheets containing rectifications, where the decision was made by this Authority not to take them into account because they were not authorized by or notified to this Authority at the time when this Authority began to draw up this report, and any accompanying letters (Rules 66.4bis, 70.2(e), 70.16 and 91.2).</li> <li><input type="checkbox"/> 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 as filed, as indicated in item 4 of Box No. I and the Supplemental Box (see Rule 70.16(b)).</li> </ul> <p>b. <input type="checkbox"/> (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 3bis of Annex C of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Box No. I Basis of the report</li> <li><input type="checkbox"/> Box No. II Priority</li> <li><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li><input type="checkbox"/> Box No. IV Lack of unity of invention</li> <li><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li><input type="checkbox"/> Box No. VI Certain documents cited</li> <li><input type="checkbox"/> Box No. VII Certain defects in the international application</li> <li><input type="checkbox"/> Box No. VIII Certain observations on the international application</li> </ul>			
Date of submission of the demand		Date of completion of this report	
18.04.2011		13.09.2011	
Name and mailing address of the international preliminary examining authority:  European Patent Office P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Fax: +31 70 340 - 3016		Authorized officer Imbernon, Lisa Telephone No. +31 70 340-2507 	

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/EP2009/057627

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**Box No. I Basis of the report**

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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) 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*):

**Description, Pages**

1-13 as originally filed

**Claims, Numbers**

1-15 as originally filed

**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.
  - 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 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 66.4bis and 70.2(e)).

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/EP2009/057627

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)).

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	<u>1-15</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>1-15</u>
	No: Claims	
Industrial applicability (IA)	Yes: Claims	<u>1-15</u>
	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 DATABASE WPI Week 20099 Thomson Scientific, London, GB; AN 2009-E29118-& CN 101 345 422 A (UNIV BEIJING COMMUNICATIONS) 14 January 2009 (2009-01-14)
- D2 WO 2008/125493 A1 (SIEMENS AG [DE]; BERNHARD TOBIAS [DE]; DOMMASCHK MIKE [DE]; DORN JOERG) 23 October 2008 (2008-10-23)
- D3 US 6 075 350 A (PENG FANG ZHENG [US]) 13 June 2000 (2000-06-13)

2. The present application meets the criteria of Article 33(1) PCT, because the subject-matter of claims 1, 10 and 13 is new and involves an inventive step in the sense of Article 33(3) PCT.

3. Independent Claim 1

3.1. The document D1 CN101345422 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document) in figure 2 an arrangement for exchanging power, in shunt connection, with a three-phase electric power network, said arrangement comprising:

- a Voltage Source Converter having at least three phase legs (A, B, C) with each a series connection of switching cells (A1-Ak, B1-Bk, C1-Ck, cells 1-k), characterized in that each said switching cell (see figures 2 and 3a) has on one hand at least two semiconductor assemblies (transistors and diodes of figure 3a) connected in series and having each a semiconductor device of turn-off type and a rectifying element connected in anti-parallel therewith and on the other at least one energy storing capacitor (Cai, Cbi, Cci with i=1...k) as well as two terminals (Ai1, Ai2, Bi1, Bi2, Ci1, Ci2 on figure 2 and P1, P2 on figure 3a) connecting the cell to adjacent cells in said series

connection of switching cells, that the three phase legs of the Voltage Source Converter are at one first end connected to a phase (A-C) each of said three - phase electric power network,

- where the arrangement further comprises means (means for monitoring the network are implicit in order to be able to compensate negative sequence, see abstract stating this arrangement carries out negative sequence) configured to detect electrical conditions of said three phase electric power network and a control unit (implicit to control the switches of the cells) configured to control said semiconductor devices of said semiconductor assemblies of each switching cell and by that each switching cell dependent upon information received from said detecting means to deliver a voltage across the terminals of each said switching cell being zero or U, in which U is the voltage across said capacitor, for together with other switching cells of the phase leg at said second end deliver a voltage pulse being the sum of the voltages so delivered by each switching cell (this results from the topology which was detailed in the first paragraph).

3.2. The subject-matter of claim 1 therefore differs from this known power arrangement in that:

- the three phase legs of the Voltage Source Converter are at the second end thereof interconnected in a neutral point hanging freely by forming a wye - connection,

- that said control unit is configured, upon receipt of information from said detecting means causing a need to generate a negative - sequence current, to calculate a value for amplitude and phase position for a second negative - sequence current or a zero - sequence voltage or a value of a dc current for which, when added to said three phase legs upon generation of said negative - sequence current, the resulting energy stored in said energy storing capacitors in each said phase leg will be constant and to control the semiconductor devices of said switching cells of the phase legs to add such a zero - sequence voltage, second negative - sequence current or dc current to the currents and voltages, respectively, of each phase leg of the converter.

3.3. The problem to be solved by the present invention may therefore be regarded as finding an alternative arrangement with a practical implementation of the negative sequence compensation.

3.4. The solution proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

There appears to be no inventive step in the claimed way of performing negative sequence compensation : it comes within the customary practice of a skilled person to add the relevant sequence voltage to compensate the problem. The claimed steps of calculating adequate compensation and adding said adequate compensation are obvious.

However there could be found no hint nor indication in D1 towards the idea of having a freely hanging neutral point.

It is noted that D2 shows a power arrangement with some structural analogy to the one of the application, in particular in that the switching cells have a half bridge topology and in that the embodiment of figure 1 has neutral points hanging freely. However this document is silent on negative sequence compensation and offers as well embodiments with neutral points not hanging freely (figures 2 and 3).

Based on the could/would approach, the benefit of the doubt as to the inventive step is therefore given to the applicant concerning the modification of the arrangement of D1.

#### 4. Independent Claims 10 and 13

The same reasoning applies, *mutatis mutandis*, to the subject-matter of the corresponding independent claims 10 and 13, which therefore are also considered new and inventive.

#### 5. Dependent Claims

Claims 2-9, 11,12 14,15 are dependent on claims 1, 10, and 13 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

## CLAIMS

1. An arrangement for exchanging power, in shunt connection, with a three-phase electric power network, said arrangement comprising a Voltage Source Converter (5, 5') having at least three phase legs (6-11, 6'-8') with each a series connection of switching cells (15, 15'),
- characterized** in that each said switching cell has on one hand at least two semiconductor assemblies (16, 17) connected in series and having each a semiconductor device (18) of turn-off type and a rectifying element (19) connected in anti-parallel therewith and on the other at least one energy storing capacitor (20, 20') as well as two terminals (21, 22) connecting the cell to adjacent cells in said series connection of switching cells, that the three phase legs of the Voltage Source Converter are at one first end (23-25) thereof interconnected in a neutral point (26, 26') hanging freely by forming a wye-connection and at the other second end (27-29, 27'-29', 34-36) connected to a phase (2-4) each of said three-phase electric power network, that the arrangement further comprises means (40, 40') configured to detect electrical conditions of said three phase electric power network and a control unit (41, 41') configured to control said semiconductor devices of said semiconductor assemblies of each switching cell and by that each switching cell dependent upon information received from said detecting means to deliver a voltage across the terminals of each said switching cell being zero or U, in which U is the voltage across said capacitor, for together with other switching cells of the phase leg at said second end deliver a voltage pulse being the sum of the voltages so delivered by each switching cell, and that said control unit (41, 41') is configured, upon receipt of information from said detecting means causing a need to generate a negative-sequence current, to calculate a value for amplitude and phase position for a second negative-sequence current or a zero-sequence voltage or a value of a dc current for which, when added to said three phase legs (6-11, 6'-8') upon generation of said negative-se-

quence current, the resulting energy stored in said energy storing capacitors in each said phase leg will be constant and to control the semiconductor devices (18) of said switching cells (15, 15') of the phase legs to add such a zero-sequence voltage, second negative-sequence current or dc current to the currents and voltages, respectively, of each phase leg of the converter.

2. An arrangement according to claim 1, **characterized** in that said Voltage Source Converter has only said three phase legs (6'-8'), which are at said second end (27'-29') only connected to a phase (2-4) each of said three phase electric power network, and that said control unit (41') is configured, upon receipt of information from said detecting means (40') causing a need to generate a negative-sequence current, to calculate a value for amplitude and phase position for a zero-sequence voltage for which, when added to said three phase legs upon generation of said negative-sequence current, the resulting energy stored in said energy storing capacitors (20') in each said phase leg will be constant and to control the semiconductor devices (18) of said switching cells of the phase legs to add such a zero-sequence voltage to the voltages of each phase leg of the converter.

3. An arrangement according to claim 1, **characterized** in that said Voltage Source Converter comprises three further, second phase legs (9-11) identical to said three phase legs first mentioned at one first end (30-32) interconnected in a neutral point (33) hanging freely by forming a wye-connection and at the other second end (34-36) connected to a phase (2-4) each of said three phase electric power network as well as to one said second end (27-29) each of said three phase legs (6-8) first mentioned, and that said control unit (4) is configured, upon receipt of information from said detecting means (40) causing a need to generate a negative-sequence current, to calculate a value for amplitude and phase position for a second negative-sequence current or a dc current for which, when added to said

six phase legs (6-11) upon generation of said negative-sequence current, the resulting energy stored in said energy storing capacitors (20) in each said phase leg will be constant and to control the semiconductor devices of said switching cells of the phase legs to add such a second negative-sequence current or dc current to the currents of each phase leg of the converter.

4. An arrangement according to any of the preceding claims, **characterized** in that each phase leg of the Voltage Source Converter has a reactive impedance element (42) connected in series therewith.

5. An arrangement according to claim 4, **characterized** in that said reactive impedance element comprises an inductor (42).

6. An arrangement according to claim 4 or 5, **characterized** in that said reactive impedance element comprises a capacitor.

7. An arrangement according to any of the preceding claims, **characterized** in that the number of switching cells (15, 15') in each phase leg of said Voltage Source Converter (5, 5') is  $\geq 4$ ,  $\geq 8$  or  $\geq 12$ .

8. An arrangement according to any of the preceding claims, **characterized** in that said semiconductor devices (18) of said semiconductor assemblies are IGBTs (Insulated Gate Bipolar Transistor), IGCTs (Integrated Gate Commutated Thyristor) or GTOs (Gate Turn-Off thyristor).

9. An arrangement according to any of the preceding claims, **characterized** in that said Voltage Source Converter (5, 5') has a capacity to together with said reactive impedance element connected in series therewith generate a voltage with a fundamental frequency being equal to the fundamental frequency of the voltage of the respective phase of the electric power network with an amplitude of 20 kV-500 kV, preferably 30 kV-200 kV.

10. A method of generating a negative-sequence current in an arrangement for exchanging power, in shunt connection, with a three-phase electric power network, in which said arrangement  
5 comprises: a Voltage Source Converter (5, 5') having at least three phase legs (6-11, 6'-8') with each a series connection of switching cells (15, 15'), each said switching cell has on one hand at least two semiconductor assemblies (16, 17) connected  
10 in series and having each a semiconductor device (18) of turn-off type and a rectifying element (19) connected in anti-parallel therewith and on the other at least one energy storing capacitor (20, 20') as well as two terminals (21, 22) connecting the cell to adjacent cells in said series connection of switching cells, that  
15 the three phase legs of the Voltage Source Converter are at one first end (23-25) thereof interconnected in a neutral point (26, 26') hanging freely by forming a wye-connection and at the other second end (27-29, 34-36, 27'-29') connected to a phase each of said three phase electric power network, said method comprises the steps:
- 20
- detecting electrical conditions of said three-phase electric power network, and
  - controlling said semiconductor devices of said semiconductor assemblies of each switching cell and by that each switching cell dependent upon information from said detection to deliver  
25 a voltage across the terminals of said switching cell (15, 15') being zero or U, in which U is the voltage across said capacitor (20,20'), for together with other switching cells of the phase leg at said second end deliver a voltage pulse being the sum of the voltages so delivered by each switching cell,
- 30 **characterized** in that it comprises the further steps:
- calculating, upon detection of a need to generate a negative sequence current, a value for amplitude and phase position for a second negative sequence-current or a zero-sequence voltage or a value of a dc current for which, when added to  
35 said three-phase legs (6-11, 6'-8') upon generation of said negative-sequence current, the resulting energy stored in

said energy storing capacitors in each said phase leg will be constant, and

- controlling the semiconductor devices (18) of said switching cells of the phase legs to add such a zero-sequence voltage, second negative-sequence current or dc current calculated to the currents and voltages, respectively, of each phase leg of the converter.

11. A method according to claim 10, **characterized** in that it is carried out for a Voltage Source Converter (5') having only said three phase legs (6'-8'), which are at said second end (27'-29') only connected to a phase (2-4) each of said three phase electric power network, that in said step of calculating a value for amplitude and phase position for a zero-sequence voltage for which, when added to said three phase legs upon generation of said negative-sequence current, the resulting energy stored in said energy storing capacitors in each said phase leg will be constant is calculated, and that in said step of controlling the semiconductor devices (18) of said switching cells of the phase legs these are controlled to add such a zero-sequence voltage calculated to the voltages of each phase leg of the converter.

12. A method according to claim 10, **characterized** in that it is carried out for a Voltage Source Converter having three further second phase legs (9-11) identical to said three phase legs (6-8) first mentioned at one first end (30-32) interconnected in a neutral point (33) hanging freely by forming a wye-connection and at the other second end (34-36) connected to a phase (2-4) each of said three phase electric power network as well as to one said second end (27-29) each of said three phase legs first mentioned, that in said step of calculating a value for amplitude and phase position for a second negative-sequence current or a dc current for which, when added to said three phase legs upon generation of said negative-sequence current, the resulting energy stored in said energy storing capacitors (20) in each said phase leg will be constant is calculated, and that in said step of

controlling the semiconductor devices of said switching cells (15) of the phase legs these are controlled to add such a second negative-sequence current or dc current calculated to the currents of each phase leg of the converter.

5

13. Use of an arrangement according to any of claims 1-9 for exchanging power with a three-phase electric power network

10 14. Use according to claim 13, in which said power network is feeding an industrial arc furnace and typically carries a voltage of 36 kV.

15 15. Use according to claim 13 for exchanging power with a three-phase electric power network in the form of a high-voltage transmission line, which typically carries a voltage of 132-500 kV.

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO**

Application No:	Pending	Filing date:	December 14, 2011
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First Named Inventor:	Jean-Philippe Hasler
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Title of the Invention:	Arrangement For Exchanging Power
-------------------------	----------------------------------

**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](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/EP2009/057627

**The international filing date of the corresponding PCT application(s) is/are:** June 18, 2009

- I. List of Required Documents:**
- a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**  
 Is attached  
 Is not attached because the document is already in the U.S. application.
  - b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**  
 Is attached.  
 Is not attached because the document is already in the U.S. application.
  - c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, 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.: Pending

First Named Inventor: Jean-Philippe Hasler

- 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	Corresponding claim (same)
2	2	Corresponding claim (same)
3	3	Corresponding claim (same)
4	4	Corresponding claim (single dependency)
5	5	Corresponding claim (same)
6	6	Corresponding claim (single dependency)
7	7	Corresponding claim (single dependency)
8	8	Corresponding claim (single dependency)
9	9	Corresponding claim (single dependency)
10	10	Corresponding claim (same)
11	11	Corresponding claim (same)
12	12	Corresponding claim (same)
13	13	Corresponding claim (made independent)
14	14	Corresponding claim (same)
15	15	Corresponding claim (same)

**III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.**

Signature /Wesley W. Whitmyer, Jr./	Date December 14, 2011
Name (Print/Typed) Wesley W. Whitmyer, Jr.	Registration Number 33,558



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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ST. ONGE STEWARD JOHNSTON & REENS, LLC  
986 BEDFORD STREET  
STAMFORD CT 06905-5619

MAILED

FEB 22 2012

OFFICE OF PETITIONS

In re Application of  
Hasler, Jean-Philippe  
Application No.: 13/326,114  
Filed: December 14, 2011  
Attorney Docket No.: 05144-P0053A  
For: ARRANGEMENT FOR  
EXCHANGING POWER

: 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 14, 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.
- (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.

Conditions (1-6) and (8) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (7).

As to the requirement of condition (7), regarding Box V in the international work product, the prior art listed as D1 was not cited on the IDS submitted on December 14, 2011.

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

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Jean-Philippe Hasler
Application No. 13/326,114	Filing Date: December 14, 2011
Title of Application:	Arrangement For Exchanging Power
Confirmation No. 3274	Art Unit: 2838

Mail Stop Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**Response to Decision on Request to  
Participate in PPH and Petition to Make Special**

Applicant submits this response to the February 22, 2011 decision dismissing Applicant's request to participate in the Patent Prosecution Highway (PPH) and petition to make special. Applicant's response is timely filed on or before March 22, 2012, or within one month of the February 22, 2011 decision.

Applicant's request was apparently denied because the IDS filed concurrently therewith did not list reference D1 that was cited in the international work product. However, review of the IDS submitted on December 14, 2011 confirms that D1 was listed in the "Foreign Patent Documents" section as CN 101345422 to Qionglin et al. There appears to be some confusion as to how this reference was cited in the International Report on Patentability (IPRP). The description of D1 in the IPRP uses language from the header portion of an English translation of the Chinese document. In order to make this clear, a supplemental IDS is submitted herewith with that English translation and the Chinese document.

Applicant's request to participate in the Patent Prosecution Highway and petition to make special is now believed to be in condition for granting and a favorable decision is hereby requested.

Respectfully submitted,

/Wesley W. Whitmyer, Jr./

March 8, 2012

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Wesley W. Whitmyer, Jr., Registration No. 33,558  
Attorney for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
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MAILED  
MAR 23 2012  
OFFICE OF PETITIONS

In re Application of	: DECISION ON REQUEST TO
Haslet, Jean-Philippe	: PARTICIPATE IN THE PATENT
Application No.: 13/326,114	: PROSECUTION HIGHWAY
Filed: December 14, 2011	: PROGRAM AND PETITION
Attorney Docket No.: 05144-P0053A	: TO MAKE SPECIAL UNDER
For: ARRANGEMENT FOR	: 37 CFR 1.102(a)
EXCHANGING POWER	

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 March 8, 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, 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.

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



**MAR 13 2012**

SHOOK, HARDY & BACON L.L.P.  
(NIKE, INC.)  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD.  
KANSAS CITY MO 64108-2613

In re Application of: Timothy A. Clark	:	DECISION ON PETITION TO
Application No.: 13/326121	:	MAKE SPECIAL FOR NEW
Filed: December 14, 2011	:	APPLICATION UNDER 37
Title: MESSAGE-CONVEYING INTERLOCKING	:	C.F.R. § 1.102 & M.P.E.P. §
ATHLETIC GLOVES	:	708.02

This is a decision on the petition filed on December 14, 2011 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is **DISMISSED**.

#### REGULATION AND PRACTICE

A grantable petition to make special under 37 C.F.R. § 1.102(d) and pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), must satisfy the following conditions:

##### I. Conditions Regarding the Application:

1. the application must be a non-reissue utility or design application filed under 37 CFR 1.111(a);
2. the application, the petition and the required fees must be filed electronically using the USPTO's electronic filing system (EFS), or EFS-web; if not filed electronically, a statement asserting that EFS and EFS-web were not available during the normal business hours.
3. at the time of filing, the application must be complete under 37 CFR 1.51 and in condition for examination;
4. the application must contain three or fewer independent claims and twenty or fewer total claims and the claims must be directed to a single invention.

##### II. Conditions Regarding the Petition:

The petition must:

1. be filed with the application;

2. include a statement that applicant agrees not to separately argue the patentability of any independent claim during any appeal in the application;
3. include a statement that applicant agrees to make an election without traverse in a telephone interview.
4. include a statement that applicant agrees to conduct such an interview when requested by the examiner.
5. include a statement, made based on a good faith belief, that a preexamination search in compliance with the following requirements, was conducted, including an identification of the field of search by United States class and subclass, where applicable, and for database searches, the search logic or chemical structure or sequence used as a query, the name of the file(s) searched and the database service, and the date of the search.

The preexamination search must:

- 5.1 involve U.S. patents and patent application publications, foreign patent documents, and non-patent literature, unless the applicant can justify with reasonable certainty that no references more pertinent than those already identified are likely to be found in the eliminated sources and includes such a justification with this statement;
  - 5.2. be directed to the claimed invention and encompass all of the features of the claims, giving the claims the broadest reasonable interpretation;
  - 5.3. encompass the disclosed features that may be claimed.
  6. must provide in support of the petition an accelerated examination support document.
- An accelerated examination support document must include:

- 6.1. an information disclosure statement (IDS) in compliance with 37 CFR 1.98 citing each reference deemed most closely related to the subject matter of each of the claims;
- 6.2. an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference;
- 6.3. a detailed explanation of how each of the claims are patentable over the references cited with particularity required by 37 CFR 1.111(b) and (c);
- 6.4. a concise statement of the utility of the invention as defined in each of the independent claims (unless the application is a design application);
- 6.5. a showing of where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in the written description of the specification. If applicable, the showing must also identify: (1) each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; and (2) the structure, material, or acts in the specification that corresponds to each means- (or step) plus-function claim element that invokes consideration under 35 U.S.C. 112, sixth paragraph; if the application claims the benefit of one or more applications under title 35, United States Code, the showing must also include where each limitation of the claims finds support under 35 U.S.C. 112, first paragraph, in each such application in which such supports exists;
- 6.6. an identification of any cited references that may be disqualified under 35 U.S.C. 103(c).

## REVIEW OF FACTS

The conditions I:1-4, II: 1-4, 6, 6.1, 6.4, 6.5, and 6.6 above are considered to have been met. However, the petition fails to comply with conditions II : 5, 5.1, 5.2, 5.3, 6.2, and 6.3 above. Therefore, the petition fails to meet the required conditions to be accorded special status under the accelerated examination procedure.

### **Discussion**

When referring to “the petition” hereinbelow, the received papers under consideration include the PTO/SB/28 form, the “pre-examination search document” including pages 1-2; the “accelerated examination support document” comprising pages 1-16, and an Information Disclosure Statement including form PTO/SB/08A.

Regarding the requirement of section II element 5 and 5.3 outlined above, there is no statement of good faith, a statement with regards to what the search encompassed or an indication of the disclosed features that may be claimed. The following statements are examples that could be added to the end of the pre-examination search to meet these requirements.

#### Search Directed to the Invention

The pre-examination search was directed to the claimed invention, encompassing all the features of the claims and giving the claims their broadest reasonable interpretation.

#### Search Directed to the Disclosure

No disclosed features that are unclaimed at this time are currently seen as features that may be claimed later.

#### Search Report from a Foreign Patent Office

No search report from a foreign patent office is provided here as the pre-examination search.

#### Statement of Good Faith

All statements above in support of the petition to make special are based on a good faith belief that the search was conducted in compliance with the requirements of this rule.

Regarding the requirements of section II element 5.1 and 5.2 outlined above, it appears the search outlined in the petition omitted a critical search area by not searching in class 2 subclasses 158, 162, 170, 163, 16, 20; class 40 subclass 586 and class D2 subclasses 617 and 619.

Regarding the requirements of section II element 6.2 outlined above, the petition fails to identify all of the limitations in the application claims that are disclosed in each of the reference(s) and where the limitation is disclosed in each of the cited reference. As stated in the policy published in the Federal Register on June 26, 2006 (71 Fed. Reg. 36323), for each reference cited, the examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. The policy statement does not caveat “the independent claims”, nor does it allow for grouping and general discussions. A grantable petition must delineate every limitation of every claim and identify where the equivalent limitation is disclosed in each piece of prior art cited on

the IDS. As is published on [www.uspto.gov/web/patents/accelerated/](http://www.uspto.gov/web/patents/accelerated/) in “Guidelines for Applicants under the new accelerated examination procedures”):

*For each reference cited, the accelerated examination support document must include an identification of all the limitations in the claims that are disclosed by the reference specifying where the limitation is disclosed in the cited reference. Applicants should specify where in each of the cited references the particular claim limitations are found. This process is intended to be analogous to the analysis an examiner uses when locating a relevant prior art reference and then determining whether the reference contains the claimed limitation. For each claimed limitation, the examiner would consider the disclosure of the reference and all reasonable portions in the reference where the limitation is shown. When preparing an Office Action, the examiner would correlate the limitation to the portion of reference which best characterizes the limitation. This part of the AESD is not intended to be an exhaustive listing of every conceivable subjective interpretation of how a claim limitation may read on the reference. Applicants should point out what are considered to be the relevant representations of the limitation in the reference. A limitation may be found in more than one portion of the reference and should be pointed out, yet the intention is not to have applicants point out every conceivable interpretation. The USPTO will adopt a rule of reason when evaluating this portion of the AESD. Unless the representation is so deficient that it would materially effect examination of the application (e.g., numerous instances where the limitations are not shown where applicant states they are), the representation will be deemed to be sufficient for this part of the AESD.*

In the instant petition, petitioner does not address each limitation and where it is (or state that it is not) found in each closest prior art. There is no claim limitation by claims limitation comparison made with the claims. All dependent claims must be addressed with each reference. By not addressing all limitations, it is not clear whether a limitation was overlooked in the discussion of the reference or not found in the reference.

Additionally, every reference found in the IDS filed on December 14, 2011 is not discussed. None of the references from the IDS filed on January 6, 2012 have been discussed as an updated AESD was not submitted. If applicant wishes to cite references that are not required in an AESD for the examiner to consider, applicant may submit such references in a separate IDS in compliance with 37 CFR §1.97 and §1.98. Applicant should clearly identify the IDS of the AESD that is in support of the petition to make special and, similarly, applicant should clearly identify the separate IDS that is not in support of the petition. Consistent with 37 CFR §10.18, any reference submitted in a separate IDS that is not part of an AESD will be treated as a representation by applicant to the USPTO that no reference submitted in the separate IDS is deemed closer to the subject matter of at least one claim than the references provided in the AESD.

Similarly, with respect to the requirements of section II element 6.3 outlined above, the petition fails to provide a detailed explanation of how each of the claims are patentable over (each of) the reference(s) with particularity required by 37 CFR 1.111(b) and (c). Petitioners should be specific in their explanation and include the identification of specific claim limitations that support their position, where appropriate. Petitioners must distinguish each claim from each

piece of prior art cited. General statements that the claims are neither anticipated nor rendered obvious by the cited references or that the references are not properly combinable will not be acceptable. The Office cannot infer or guess what petitioner believes the differences between the claims and the teachings of the prior art to be. Petitioner's statements must also be consistent and must be related to the claim language. In the instant petition, the statements with regard to the dependent claims does not meet the requirement of section 6.3 as it does not clearly state whether or not the dependent claims provide patentability. Petitioner cannot presently argue that the dependent claims have no patentable feature and then wait until the language is incorporated into an independent claim in the application to argue such.

Note: a statement that the dependent claims are allowable because the independent claims are patentable is not sufficient. This does not provide guidance to the examiner as to whether the limitations could provide patentability should the examiner find the independent claims unpatentable.

#### DECISION

For the above-stated reasons, the petition is **dismissed**. The application will therefore be taken up by the examiner for action in its regular turn.

Petitioner is given a single opportunity to perfect the petition. Any request for reconsideration of this decision must be submitted within 1 (one) month or 30 (thirty) days, whichever is longer, (no extension of time under 37 CFR 1.136(a)) from the date of this decision in order to be considered timely. Any request for reconsideration must address all of the deficiencies indicated above.

Petitioner is reminded that, upon granting of the special status of the application on request for reconsideration, the application will be processed expeditiously. However, due to the dismissal of the instant petition, examination may not be completed within twelve months of the filing date of the application.

Any inquiry regarding this decision should be directed to Linda J. Sholl, TC 3700 Quality Assurance Specialist, at (571) 272-4391.

/Linda Sholl/  
Linda Sholl  
Quality Assurance Specialist  
Technology Center 3700



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SHOOK, HARDY & BACON L.L.P.  
(NIKE, INC.)  
INTELLECTUAL PROPERTY DEPARTMENT  
2555 GRAND BLVD.  
KANSAS CITY MO 64108-2613

**APR 16 2012**

In re Application of: Timothy A. Clark	:	
Application No.: 13/326121	:	DECISION ON PETITION TO
Filed: December 14, 2011	:	MAKE SPECIAL FOR NEW
Title: MESSAGE-CONVEYING INTERLOCKING	:	APPLICATION UNDER 37
ATHLETIC GLOVES	:	C.F.R. § 1.102 & M.P.E.P. §
	:	708.02
	:	

This is a decision on the renewed petition filed on April 13, 2012 to make the above-identified application special for accelerated examination procedure under 37 C.F.R. § 1.102(d).

The petition to make the application special is GRANTED.

The application is eligible for accelerated examination and the petition complies with the conditions for granting the application special status pursuant to the "Change to Practice for Petitions in Patent Applications to Make Special and for Accelerated Examination" published June 26, 2006, in the Federal Register. (71 Fed. Reg. 36323).

The prosecution of the instant application will be conducted expeditiously according to the following guidelines.

1. The application will be docketed to an examiner and taken up for action within two weeks of the date of this decision.
2. Restriction Practice:  
If the examiner determines that the claims are not directed to a single invention, a telephone request to elect one single invention will be made pursuant to MPEP 812.01. As a prerequisite to the grant of this petition, the applicant has agreed to make an oral election, by telephone, without traverse. If the applicant refuses to make an election without traverse, or the examiner cannot reach the applicant after a reasonable effort, the examiner will treat the first claimed invention (invention defined by claim 1) as having being constructively elected without traverse for examination.

3. Office action:

If it is determined that, after appropriate consultation, there is a potential rejection or any other issue to be addressed, the examiner will telephone the applicant and arrange an interview to discuss and resolve the issue. An Office action, other than a Notice of Allowance and Fee(s) Due (Notice of Allowance), will not be issued unless either: 1) an interview was conducted but did not result in agreed to action that places the application in condition for allowance, or, 2) a determination is made that an interview would be unlikely to result in the application being placed in condition for allowance, and 3) an internal conference has been held to review any rejection of any claim.

4. Time for Reply:

An Office action other than a Notice of Allowance or a final Office action will set a shortened statutory period of one month or thirty days, whichever is longer, for reply with no extension of time available under 37 CFR 1.136(a). Failure to timely file a reply within this non-extendible period for reply will result in the abandonment of the application.

5. Reply by Applicant:

A timely reply to an Office action other than the Notice of Allowance must be submitted electronically via EFS or EFS-web and limited to addressing the rejections, objections and requirement made. Any amendment that attempts to: 1) add claims which would result in more than three pending independent claims or more than twenty pending total claims; 2) present claims not encompassed by the pre-examination search or an updated accelerated examination support document; or 3) present claims that are directed a non-elected invention or an invention other than that previously claimed and examined in the application, will be treated as not fully responsive and will not be entered.

For any amendment to the claims (including any new claim) that is not encompassed by the accelerated examination support document, applicant must provide an updated accelerated examination support document that encompasses the amended or new claims at the time of filing of the amendment.

To proceed expeditiously with the examination, it is recommended that a reply with amendments made to any claim or with any new claim being added be accompanied by an updated accelerated examination support document or a statement explaining how the amended or new claim is supported by the original accelerated examination support document.

6. Information Disclosure Statement (IDS):

Any IDS filed during prosecution must be submitted electronically via EFS or EFS-web, accompanied by an updated accelerated examination support document, and be in compliance with 37 CFR 1.97 and 1.98.

7. Post-Allowance Processing:

To expedite processing of the allowed application into a patent, the applicant must: 1) pay the required fees within one month of the date of the Notice of Allowance, and 2) not file any post allowance papers not required by the Office. In no event may the issue fee be paid and accepted later than three months from the date of the Notice of Allowance.

8. After-Final and Appeal Procedures:

To expedite prosecution, after receiving the final Office action, applicant must: 1) promptly file a notice of appeal, an appeal brief and appeal fees; and 2) not request a pre-appeal brief conference.

Any amendment, affidavit or other evidence filed after final Office action must comply with applicable rules and the requirements outlined in numbered paragraphs 5 and 6 above.

On appeal, the application will proceed according to normal appeal procedures. After appeal, the application will again be treated special.

9. Proceedings Outside the Normal Examination Process:

If the application becomes involved in a proceeding that is outside the normal examination process (e.g., a secrecy order, national security review, interference proceeding, petitions under 37 CFR 1.181, 182 or 183), the application will be treated special before and after such proceeding.

10. Final Disposition:

The twelve month goal of this accelerated examination procedure ends with a final disposition. The mailing of a final Office action, a Notice of Allowance, the filing of a Notice of Appeal, or the filing of a Request for Continued Examination (RCE) is the final disposition.

If, during prosecution, a paper is not filed electronically using EFS-web, a reply is filed but is not fully responsive, the application is involved in an appeal, or a proceeding outside normal examination process, the application will still be examined expeditiously, however, the final disposition may occur more than twelve months from the filing of the application.

Any inquiry regarding this decision should be directed to Linda Sholl at (571) 272-4391`

/Linda Sholl/  
Linda Sholl  
Special Programs Examiner  
Technology Center 3700

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO**

Application No:	Pending	Filing date:	December 15, 2011
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First Named Inventor:	Zoran Gajic
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Title of the Invention:	Arrangement For Protecting Equipment Of A Power System
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**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](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/EP2009/057350

**The international filing date of the corresponding PCT application(s) is/are:** June 15, 2009

**I. List of Required Documents:**

a. **A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

Is attached

Is not attached because the document is already in the U.S. application.

b. **A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

Is attached.

Is not attached because the document is already in the U.S. application.

c. **English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, 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.: Pending

First Named Inventor: Zoran Gajic

- 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	Corresponding claim (same)
2	2	Corresponding claim (same)
3	3	Corresponding claim (same)
4	4	Corresponding claim (same)
5	5	Corresponding claim (same)
6	6	Corresponding claim (same)
7	7	Corresponding claim (single dependency)
8	8	Corresponding claim (same)
9	9	Corresponding claim (single dependency)
10	10	Corresponding claim (same)
11	11	Corresponding claim (single dependency)
12	12	Corresponding claim (same)
13	13	Corresponding claim (same)
14	14	Corresponding claim (single dependency)
15	15	Corresponding claim (same)
16	16	Corresponding claim (same)
17	17	Corresponding claim (same)
18	18	Corresponding claim (same)
19	19	Corresponding claim (single dependency)

**III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.**

Signature /Wesley W. Whitmyer, Jr./	Date December 15, 2011
Name (Print/Typed) Wesley W. Whitmyer, Jr.	Registration Number 33,558





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

**ST. ONGE STEWARD JOHNSTON & REENS, LLC**  
**986 BEDFORD STREET**  
**STAMFORD CT 06905-5619**

**MAILED**

FEB 22 2012

**OFFICE OF PETITIONS**

In re Application of  
Gajic, Zoran  
Application No.: 13/326,597  
Filed: December 15, 2011  
Attorney Docket No.: 05144-P0052A  
For: ARRANGEMENT FOR  
PROTECTING EQUIPMENT OF A  
POWER 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 December 15, 2011, to make the above-identified application special.

The request and petition are **GRANTED**.

Discussion

A grantable request to participate in the PCT-PPH pilot program and petition to make special require:

- (1) The U.S. application must have an eligible relationship to one or more PCT applications where the ISA or IPEA are the JPO, EPO, KIPO, NPI, NBPR, or USPTO;
- (2) At least one claim in the PCT application has novelty, inventive step, and industrial applicability and must be free of any observations in Box VIII in the latest work product in the international stage or applicant must identify and explain why the claim(s) is/are not subject to the observation in Box VIII;
- (3) Applicant must submit a copy of the claim(s) from the PCT application(s) that have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate, if the claims are not in the English language;

- (4) All the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the claim(s) that have novelty, inventive step, and industrial applicability in the PCT application(s);
- (5) Examination of the U.S. application has not begun;
- (6) Applicant must submit a copy of the latest international work product from the PCT application indicating that the claim(s) have novelty, inventive step, and industrial applicability along with an English translation thereof and a statement that the English translation is accurate if the latest international work product is not in the English language;
- (7) Applicant must submit an IDS listing the documents cited by the PCT examiner in the international work product along with copies of documents except U.S. patents or U.S. patent application publications;
- (8) Applicant is required to submit a claims correspondence table in English which indicates how all the claims in the U.S. application correspond to the claims indicated as having novelty, inventive step and industrial applicability in the latest international work product.

The request to participate in the PCT-PPH pilot program and petition comply with the above requirements. Accordingly, the above-identified application has been accorded "special" status.

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: 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: 00800-0038-03	Application Number (if known): Filed herewith	Filing date: 12/15/11
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First Named Inventor: Ashutosh Tiwari

Title: PIN STRUCTURES INCLUDING INTRINSIC GALLIUM ARSENIDE, DEVICES INCORPORATING THE SAME, AND RELATED 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.

- 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.**
- 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.
- This request is accompanied by statements of special status for the eligibility requirement.
- The application contains no more than three (3) independent claims and twenty (20) total claims.
- The application does not contain any multiple dependent claims.
- Other attachments: \_\_\_\_\_

Signature /N. Meredith Porembski/	Date 12/15/11
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Name N. Meredith Porembski (Print/Typed)	Registration Number 61,159
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**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 <sup>1</sup> forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Instruction Sheet for  
Petition to Make Special Under the Green Technology Pilot Program**  
(Not to be Submitted to the USPTO)

**The following is a summary of the requirements (for more information see the notices (i) "Pilot Program for Green Technologies Including Greenhouse Gas Reduction," (ii) "Elimination of Classification Requirement in the Green Technology Pilot Program," and (iii) "Expansion and Extension of the Green Technology Pilot Program," available on the USPTO web site at [http://www.uspto.gov/patents/init\\_events/green\\_tech.jsp](http://www.uspto.gov/patents/init_events/green_tech.jsp)):**

- 1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111 (a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- 2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- 3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- 4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- 5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- 6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/326,648	12/15/2011	Ashutosh Tiwari	00800-0038-03	4017
96227	7590	01/06/2012	EXAMINER	
Bell & Manning, LLC 122 E. Olin Avenue Suite 290 Madison, WI 53713			ART UNIT	PAPER NUMBER
			2823	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



Bell & Manning, LLC  
122 E. Olin Avenue  
Suite 290  
Madison WI 53713

JAN 6 2012

In re Application of	:	
TIWARI et al.	:	DECISION ON PETITION
Application No. 13/326,648	:	TO MAKE SPECIAL UNDER
Filed: December 15, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 00800-0038-03	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed on December 15, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

---

Colleen Dunn  
TQAS, TC 2800

Doc code : PET.OP.AGE

Description : Petition to make special based on Age/Health

PTO/SB/130 (07-09)  
Approved for use through 07/31/2012. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PETITION TO MAKE SPECIAL BASED ON AGE FOR ADVANCEMENT OF EXAMINATION UNDER 37 CFR 1.102(c)(1)</b>					
<b>Application Information</b>					
Application Number	13326671	Confirmation Number	1204	Filing Date	2011-12-15
Attorney Docket Number (optional)	02.018	Art Unit		Examiner	
First Named Inventor	Paul L. Culler				
Title of Invention	Wastewater Concentrator System				
<p><b>Attention: Office of Petitions</b> 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 <u>37 CFR 1.102(c)(1)</u> and MPEP 708.02 (IV).</p> <p>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.</p> <p>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.</p>					
<b>Name of Inventor who is 65 years of age, or older</b>					
Given Name	Middle Name	Family Name	Suffix		
Paul	L.	Culler			
<p>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.</p> <p>Select (1) or (2) :</p> <p><input type="radio"/> (1) I am an inventor in this application and I am 65 years of age, or more.</p> <p><input checked="" type="radio"/> (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.</p>					
Signature	/Alan M. Flum/		Date (YYYY-MM-DD)	2011-12-15	
Name	Alan M. Flum		Registration Number	64843	

## 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 Freedom 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 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 inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

In re Application of  
Paul L. Culler

:  
:

Application No. 13326671

:DECISION ON PETITION TO MAKE SPECIAL  
:UNDER 37 CFR 1.102(c)(1)

Filed:

:

Attorney Docket No. 02.018

This is a decision on the electronic petition under 37 CFR 1.102 (c)(1), filed 15-DEC-2011 to make the above-identified application special based on applicant's age as set forth in MPEP § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1), MPEP § 708.02, Section IV: Applicant's Age must include a statement by applicant or a registered practitioner having evidence that applicant is at least 65 years of age. No fee is required.

Accordingly, the above-identified application has been accorded "special" status and will be taken up for action by the examiner upon the completion of all pre-examination processing.

Telephone inquiries concerning this electronic decision should be directed to the Electronic Business Center at 866-217-9197.

All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

Doc Code: PET.GREEN

Document Description: Petition for Green Tech Pilot

PTO/SB/420 (12-09)

Approved for use through 05/31/2010. OMB 0651-0062  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM

Attorney Docket Number: PA0001US\_Err\_C4 Application Number (if known): Filing date: December 15, 2011

First Named Inventor: C. E. Ramberg

Title: Porous Bodies 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 requirement and classification requirement set forth in the notice entitled "Pilot Program for Green Technologies Including Greenhouse Gas Reduction" that 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 /CERamberg/

Date 12/15/2011

Name (Print/Typed) Charles E. Ramberg

Registration Number 55,562

**Note:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required in accordance with 37 CFR 1.33 and 11.18. Please see 37 CFR 1.4(d) for the form of the signature. If necessary, submit multiple forms for more than one signature, see below\*.

\*Total of \_\_\_\_\_ forms are submitted.

The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/327,300	12/15/2011	Charles E. Ramberg	PA0001US_Err_C4	6526
80311	7590	01/06/2012	EXAMINER	
Charles Ramberg P.O. Box 351 Los Altos, CA 94022			ART UNIT	PAPER NUMBER
			1774	
			MAIL DATE	DELIVERY MODE
			01/06/2012	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.



Charles Ramberg  
P.O. Box 351  
Los Altos CA 94022

1/16/12

In re Application of :  
Ramberg et al. : DECISION ON PETITION  
Application No. 13/327,300 : TO MAKE SPECIAL UNDER  
Filed: 12/15/2011 : THE GREEN TECHNOLOGY  
Attorney Docket No. PA0001US\_Err\_C4 : PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/15/2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth in 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquiries concerning this decision should be directed to Tom Dunn at 571-272-1171.

The application is being forwarded to the Technology Center Art Unit 1774 for action on the merits commensurate with this decision.

/Tom Dunn/

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Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700

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**LGCHEM**  
**LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP**  
**600 SOUTH AVENUE WEST**  
**WESTFIELD NJ 07090**

**MAILED**  
**MAR 15 2012**  
**OFFICE OF PETITIONS**

In re Application of: : DECISION ON REQUEST TO  
Seo et al. : PARTICIPATE IN THE PATENT  
Application No. 13/327,976 : PROSECUTION HIGHWAY  
Filed: December 16, 2011 : PROGRAM AND PETITION  
Attorney Docket No. LGCHEM 3.3-018 DIV : 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 19, 2011, to make the above-identified application special.

The request and petition are **DISMISSED**.

**Discussion**

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application is
  - a. a Paris Convention application which either
    - i. validly claims priority under 35 U.S.C. 119(a) and 37 CFR 1.55 to one or more applications filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 119(a)/365(a) to a PCT application that contains no priority claims,or
  - b. a national stage application under the PCT (an application which entered the national stage in the U.S. from a PCT international application after compliance with 35 U.S.C. 371), which PCT application
    - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
    - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
    - iii. contains no priority claim,or

- c. a so-called bypass application filed under 35 U.S.C. 111(a) which validly claims benefit under 35 U.S.C. 120 to a PCT application, which PCT application
  - i. validly claims priority under 35 U.S.C. 365(b) to an application filed in the KIPO, or
  - ii. validly claims priority under 35 U.S.C. 365(b) to a PCT application that contains no priority claims, or
  - iii. contains no priority claim;
2. Applicant must submit a copy of:
  - a. The allowable/patentable claim(s) from the KR application(s);
  - b. An English translation of the allowable/patentable claim(s), and
  - c. A statement that the English translation is accurate (if the claims were published in a language other than English);
3. Applicant must:
  - a. Ensure that all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the KR application(s), and
  - b. Submit a claims correspondence table in English;
4. Examination of the U.S. application has not begun;
5. Applicant must submit:
  - a. A copy of all the office actions (which are relevant to patentability), excluding "Decision to Grant a Patent" from each of the KR application(s) containing the allowable/patentable claim(s);
  - b. An English language translation of the KIPO office action; and
  - c. A statement that the English translation is accurate (if the office actions are not in the English language);
6. Applicant must submit:
  - a. An IDS listing the documents cited by the KIPO examiner in the KIPO office action (unless already filed in this application); and
  - b. Copies of all the documents cited in the KIPO office action, except U.S. patents or U.S. patent application publications (unless already filed in this application);

This request to participate in the PPH program and petition is assessed as follows:

However, the request to participate in the PPH pilot program and petition does not appear to meet conditions (1).

Regarding the requirement of condition (1), Petitioner asserts that "Korean patent application no. 10-2007-0166650 claims domestic priority to Korean patent applications no. 10-2006-0015183, which is the Korean priority application that is claimed in the U.S. national stage application no. 12/223,826 (the '826 application). Further, petitioner asserts "The present application is a divisional application of the '826 application." Additionally, petitioner asserts that "a request to participate in the Patent Prosecution Highway program was granted in the parent case of this divisional application, i.e., the '826 application." And further asserts that "The granted petition in the parent application included the claims pending in this present application." However, the KIPO application with similar claims, Korean Patent Application No. 10-2007-0166650, is not the same application from which the U.S. application claims priority, PCT/KR2007/000848 and Korean patent applications no. 10-2006-0015183. **See Notice Regarding Full Implementation of Patent Prosecution Highway Program between the United States Patent and Trademark Office and the Korean Intellectual Property Office, 1339 OG 155, February 24, 2009.**

Further, the requirement of conditions (2) and (5) additionally require a statement that the English translations are 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 Patent Pros Hwy. Any preliminary amendments and IDS

submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Petitions Examiner Joan Olszewski at 571-272-7751.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/dab/  
David Bucci  
Petitions Examiner  
Office of Petitions



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**OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.**  
**1940 DUKE STREET**  
**ALEXANDRIA VA 22314**

**MAILED**

**MAR 12 2012**

**OFFICE OF PETITIONS**

In re Application of	: DECISION ON REQUEST TO
Okabe et al.	: PARTICIPATE IN THE PATENT
Application No.: 13/328,689	: PROSECUTION HIGHWAY
Filed: December 16, 2011	: PROGRAM AND PETITION
Attorney Docket No. 3900125US99CONT	: TO MAKE SPECIAL UNDER
For: COMPOSITION FOR USE IN ORGANIC	: 37 CFR 1.102(a)
DEVICE, POLYMER FILM, AND ORGANIC	
ELECTROLUMINESCENT ELEMENT	

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 16, 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 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

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**KNOBLE, YOSHIDA & DUNLEAVY  
EIGHT PENN CENTER  
SUITE 1350, 1628 JOHN F KENNEDY BLVD  
PHILADELPHIA PA 19103**

**MAILED**

**JAN 19 2012**

**OFFICE OF PETITIONS**

In re Application of :  
Frampton E. Ellis :  
Application No. 13/328,697 : **ON PETITION**  
Filed: December 16, 2011 :  
Attorney Docket No. GNC37USCONM :

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 19, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

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

**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: <b>XIC023 US</b>	Application Number (if known): <b>TBD</b>	Filing date: <b>Herewith</b>
--	---	------------------------------

First Named Inventor: **Padmanabha Rao Ravillisetty**

Title: **LED-BASED ILLUMINATION MODULES WITH THIN COLOR CONVERTING LAYERS**

**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: Application, Figures, Declaration/POA, SB0014 (w/Req. for Early Pub), Statement

Signature <b>/Michael J. Halbert/</b>	Date <b>December 16, 2011</b>
---------------------------------------	-------------------------------

Name (Print/Typed) <b>Michael J. Halbert</b>	Registration Number <b>40,633</b>
--	-----------------------------------

**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 5 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](http://www.uspto.gov/patents/init_events/green_tech.jsp)):***

- (1) The application must be a non-reissue, non-provisional utility application filed under 35 U.S.C. 111(a), or an international application that has entered the national stage in compliance with 35 U.S.C. 371, irrespective of the filing date of the application. Reexamination proceedings are excluded from this pilot program.
- (2) The application must contain three or fewer independent claims and twenty or fewer total claims. The application must not contain any multiple dependent claims. For an application that contains more than three independent claims or twenty total claims, or multiple dependent claims, applicant must file a preliminary amendment in compliance with 37 CFR 1.121 to cancel the excess claims and/or the multiple dependent claims at the time the petition to make special is filed.
- (3) The claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) the discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) green house gas emission reduction (see the eligibility requirements of sections II and III of the notice (i) cited above). The petition must include a statement that, if the USPTO determines that the claims are directed to multiple inventions (e.g., in a restriction requirement), applicant will agree to make an election without traverse in a telephonic interview, and elect an invention that meets the eligibility requirements in section II or III of the notice (i) cited above.
- (4) The petition to make special must be timely filed electronically using the USPTO electronic filing system, EFS-Web, and selecting the document description of "Petition for Green Tech Pilot" on the EFS-Web screen. Applicant should use form PTO/SB/420, which is available as a Portable Document Format (PDF) fillable form in EFS-Web and on the USPTO Web site.
- (5) The petition to make special must be filed at least one day prior to the date that a first Office action (which may be an Office action containing only a restriction requirement) appears in the Patent Application Information Retrieval (PAIR) system. Applicant may check the status of the application using PAIR.
- (6) The petition to make special must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and the publication fee set forth in 37 CFR 1.18(d).

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



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Alexandria, Virginia 22313-1450  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/328,974	12/16/2011	Padmanabha Rao Ravillisetty	XIC023 US	8039
34036	7590	01/30/2012	EXAMINER	
Silicon Valley Patent Group LLP 4010 Moorpark Avenue Suite 210 San Jose, CA 95117			ART UNIT	PAPER NUMBER
			2875	
			MAIL DATE	DELIVERY MODE
			01/30/2012	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.



Silicon Valley Patent Group LLP  
4010 Moorpark Avenue  
Suite 210  
San Jose CA 95117

In re Application of :  
RAVILLISETTY et al. : DECISION ON PETITION  
Application No. 13/328,974 : TO MAKE SPECIAL UNDER  
Filed: December 16, 2011 : THE GREEN TECHNOLOGY  
Attorney Docket No.: XIC023 US : PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed on December 16, 2011, to make the above-identified application special under the pilot program for applications pertaining to Green Technologies as set forth 74 Federal Register Notice 64666 (December 8, 2009) and amended by 75 Federal Register Notice 28554 (May 21, 2010) and 75 Federal Register Notice 69049 (November 10, 2010).

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102 and the pilot program as set forth in 74 FR 64666 must be directed to a nonprovisional application filed under 35 USC 111(a) or be a national stage entry under 35 USC 371, exclusive of any reissue applications.

In order to qualify for special status, the following requirements must be met. 1) The application must have no more than 3 independent claims and no more than 20 total claims. 2) The application must not contain any multiple dependent claims. 3) The petition must state the basis for seeking special status, i.e., the claimed invention either: A) materially enhances the quality of the environment or B) materially contributes to: i) the discovery or development of renewable energy resources, ii) the more efficient utilization and conservation of energy resources, or iii) greenhouse gas emission reduction. 4) If the disclosure is not clear on its face that the claimed invention materially contributes under category (A) or (B), the petition must be accompanied by a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the materiality standard is met. 5) A statement that applicant will agree to make an election without traverse in a telephonic interview if a restriction requirement is made by the examiner. 6) The petition to make special must be filed electronically. 7) The petition must be filed at least one day prior to the date that a first Office Action appears in the Patent Application Information Retrieval (PAIR) system. 8) The petition must be accompanied by a request for early publication in compliance with 37 CFR 1.219 and include the publication fee as set forth in 37 CFR 1.18(d).

The requirement for a fee for consideration of the petition to make special for applications pertaining to Green Technologies has been waived.

The instant petition complies with items 1 – 8 above. Accordingly, the above-identified application has been accorded “special” status.

Telephone inquires concerning this decision should be directed to Colleen Dunn at 571-272-1170.

The application is being forwarded to the appropriate Technology Center Art Unit for action on the merits commensurate with this decision.

/Colleen Dunn/

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Colleen Dunn  
TQAS, TC 2800

**Doc Code: PET.GREEN**  
**Document Description: Petition for Green Tech Pilot**

PTO/SB/420 (03-11)

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number:	31837/46685	Application Number (if known): 13/328,979-Conf. #6985
		Filing date: December 16, 2011
First Named Inventor:	Pasi Hurri	
Title:	SMARTGRID ENERGY-USAGE-DATA STORAGE AND PRESENTATION SYSTEMS, DEVICES, PROTOCOL, AND PROCESSES INCLUDING A VISUALIZATION, AND LOAD FINGERPRINTING PROCESS	
<b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b>		
This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.		
1. By filing this petition:		
<b>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.</b>		
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	/Milena Sukovic, 60,532/
Date	December 30, 2011
Name (Print/Typed)	Milena Sukovic
Registration Number	60,532
<i>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*.</i>	
<input type="checkbox"/> *Total of <u>  1  </u> 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: December 30, 2011	Signature: <u>/Milena Sukovic, 60.532/</u> (Milena Sukovic)

Docket No.: 31837/46685  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Hurri et al.

Application No.: 13/328,979

Confirmation No.: 6985

Filed: December 16, 2011

Art Unit: 0

For: SMARTGRID ENERGY-USAGE-DATA STORAGE  
AND PRESENTATION SYSTEMS, DEVICES,  
PROTOCOL, AND PROCESSES INCLUDING A  
VISUALIZATION, AND LOAD FINGERPRINTING  
PROCESS

---

Examiner: Not Yet Assigned

STATEMENT OF SPECIAL STATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This paper accompanies the applicants' request to participate in, and petition to make special under the green technology pilot program (Form PTO/SB/420) and the Sunset of the Patent Application Backlog Reduction Stimulus Plan and a Limited Extension of the Green Technology Pilot Program that was signed on December 7, 2011, and published on December 15, 2011, at 76 Fed. Reg. 77979, which follows the Expansion and Extension of the Green Technology Pilot Program that was signed October 15, 2010, and published on November 10, 2010, at 75 Fed. Reg. 69049, which follows the Elimination of Classification Requirement in the Green Technology Pilot Program notice that was signed May 12, 2010, and published on May 21, 2010, at 75 Fed. Reg. 28554, which follows the Pilot Program for Green Technologies Including Greenhouse Gas Reduction notice that was signed November 30, 2009, and published on December 8, 2009, at 74 Fed. Reg. 64666.

On behalf of the applicants, the undersigned states the following:

- (1) The above-captioned application, filed herewith pursuant to 35 USC § 111(a), is a non-reissue, non-provisional utility application.
- (2) As of the accompanying petition's filing date, the applicants do not know, nor are they required to know pursuant to the Elimination of Classification Requirement in the Green Technology Pilot Program notice, the classification of the application; however, the applicants respectfully submit that the application may be classified

as pertaining to energy conservation, as the application falls under eligibility requirement III of the Pilot Program for Green Technologies Including Greenhouse Gas Reduction notice, as the application for invention materially contributes to the more efficient utilization and conservation of energy resources.

- (3) The application has no more than three independent claims and twenty total claims, and no multiple dependent claims.
- (4) Special status is sought because the application is directed to a single invention that materially contributes to more efficient utilization and conservation of energy resources and the reduction of greenhouse gas emissions. The accompanying petition was prepared using Form PTO/SB/420, and is being filed electronically using the Patent Office's electronic filing system.
- (5) The petition is filed before the December 31, 2011 deadline pursuant to the Limited Extension of the Green Technology Pilot Program.
- (6) The accompanying petition is being filed at least one day prior to the date that a first Patent Office action appears in the Patent Application Information Retrieval system.
- (7) The accompanying petition contains a request for early publication in compliance with 37 CFR § 1.219 and payment of the publication fee set forth in 37 CFR § 1.18(d).

Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is urged to contact the undersigned attorney.

Dated: December 30, 2011

Respectfully submitted,

By /Milena Sukovic, 60,532/  
Milena Sukovic  
Registration No.: 60,532  
MARSHALL, GERSTEIN & BORUN LLP  
233 S. Wacker Drive  
6300 Willis Tower  
Chicago, Illinois 60606-6357  
(312) 474-6300  
Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/328,979	12/16/2011	Pasi Hurri	31837/46685	6985
4743	7590	01/26/2012	EXAMINER	
MARSHALL, GERSTEIN & BORUN LLP 233 SOUTH WACKER DRIVE 6300 WILLIS TOWER CHICAGO, IL 60606-6357			ART UNIT	PAPER NUMBER
			2857	
			NOTIFICATION DATE	DELIVERY MODE
			01/26/2012	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):

mgbdoCKET@marshallip.com



MARSHALL, GERSTEIN & BORUN LLP  
233 SOUTH WACKER DRIVE  
6300 WILLIS TOWER  
CHICAGO IL 60606-6357

JAN 26 2012

In re Application of	:	
HURRI et al.	:	DECISION ON PETITION
Application No. 13/328,979	:	TO MAKE SPECIAL UNDER
Filed: December 16, 2011	:	THE GREEN TECHNOLOGY
Attorney Docket No.: 31837/46685	:	PILOT PROGRAM

This is a decision on the renewed petition under 37 CFR 1.102, filed on December 30, 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**.

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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](http://www.uspto.gov)

**HAYNES AND BOONE, LLP**  
**IP SECTION**  
**2323 VICTORY AVENUE**  
**SUITE 700**  
**DALLAS TX 75219**

**MAILED**

**JAN 30 2012**

**OFFICE OF PETITIONS**

In re Application of :  
Haring et al. :  
Application No. 13/329,112 :  
Filed: December 16, 2011 :  
Attorney Docket No. M-16756-1D US :  
(70293.19) :

**DECISION ON PETITION  
TO WITHDRAW  
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed January 6, 2012.

The request is **APPROVED**.

The request was signed by Jennifer A. Harchick on behalf of herself, as she is now an employee of the U.S. Patent and Trademark Office.

All other attorneys/agents of record remain and the correspondence address of record remains unchanged. A courtesy copy of this decision will be mailed to the address listed on the request; all future correspondence will be mailed solely to the address of record.

Telephone inquires concerning this decision should be directed to the undersigned at (571) 272-3206. All other inquires concerning either the examination or status of the application should be directed to the Technology Center.

*/Liana Walsh/*  
Liana Walsh  
Petitions Examiner  
Office of Petitions

cc: BREINER & BREINER, L.L.C.  
P.O. BOX 320160  
ALEXANDRIA VA 22320-0160

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	Jean-Philippe Hasler
Application No. Pending	Filing Date: December 19, 2011
Title of Application:	Arrangement For Exchanging Power

Mail Stop Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**Request To Participate In Patent Prosecution Highway (PPH)**

Filed herewith is form PTO/SB/20PCT-EP requesting participation in the PPH program and petitioning to make special the present U.S. Patent Application.

The present U.S. Patent Application is a continuation of, and claims priority from, PCT application PCT/EP2009/057625, filed on June 18, 2009. Applicant seeks accelerated examination under the PPH Program because corresponding claims in the PCT application have been found patentable an International Preliminary Report on Patentability (IPRP) issued by the European Patent Office.

Filed herewith is a copy of the IPRP dated September 20, 2011, indicating that claims 1-16 were found to have novelty, inventive step and industrial applicability. Also filed herewith is a copy of claims 1-16 from PCT/EP2009/057625 publication WO 2010/145706.

The references cited in the IPRP are submitted to the Office in an IDS filed herewith.

The claims of the present U.S. Patent Application have been amended to conform with U.S. claim format requirements. All claims correspond to claims found pa-

tentable in the IPRP and are believed to have similar or more limited scope, as shown in the claims correspondence table in form PTO/SB/20PCT-EP.

Applicant's request to participate in the Patent Prosecution Highway and petition to make special is believed to be in condition for granting and a favorable decision is hereby requested.

Applicant believes that no fee is due in connection with the filing of this request. However, if any fee is due, please charge Deposit Account No. 19-4516.

Respectfully submitted,

/Wesley W. Whitmyer, Jr./

December 19, 2011

---

Wesley W. Whitmyer, Jr., Registration No. 33,558  
Attorney for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
Tel. 203 324-6155

# PATENT COOPERATION TREATY

HO JL  
 ANKOM  
 2011-09-23

From the  
 INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

NOTIFICATION OF TRANSMITTAL OF  
 THE INTERNATIONAL PRELIMINARY  
 REPORT ON PATENTABILITY  
 (PCT Rule 71.1)

To:  
 ABB AB  
 Intellectual Property  
 Ingenjör Bååths Gata 11  
 T2 Floor E  
 721 83 Västerås  
 SUEDE

Date of mailing (day/month/year)	20.09.2011
-------------------------------------	------------

Applicant's or agent's file reference  
 10678WO/HO/JL

**IMPORTANT NOTIFICATION**

International application No.  
 PCT/EP2009/057625

International filing date (day/month/year)  
 18.06.2009

Priority date (day/month/year)

Applicant  
 ABB Technology AG

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary report on patentability and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**  

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:



European Patent Office  
 D-80298 Munich  
 Tel. +49 89 2399 - 0  
 Fax: +49 89 2399 - 4465

Authorized Officer  
 Kauko, Tuomas  
 Tel. +49 89 2399-4762



FB

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 10678WO/HO/JL		FOR FURTHER ACTION	See Form PCT/PEA/416
International application No. PCT/EP2009/057625		International filing date (day/month/year) 18.06.2009	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC INV. H02M5/458			
Applicant ABB Technology AG			
<p>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.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>9</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> 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).</p> <p><input type="checkbox"/> sheets containing rectifications, where the decision was made by this Authority not to take them into account because they were not authorized by or notified to this Authority at the time when this Authority began to draw up this report, and any accompanying letters (Rules 66.4bis, 70.2(e), 70.16 and 91.2).</p> <p><input type="checkbox"/> 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 as filed, as indicated in item 4 of Box No. I and the Supplemental Box (see Rule 70.16(b)).</p> <p>b. <input type="checkbox"/> (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 3bis of Annex C of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 18.04.2011		Date of completion of this report 20.09.2011	
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 Kruip, Stephan Telephone No. +49 89 2399-4836 	

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/EP2009/057625

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**Box No. I Basis of the report**

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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) 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*):

**Description, Pages**

1-12 as originally filed

**Claims, Numbers**

1-16 filed with the letter of

18-04-2011

**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.
  - 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 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 66.4bis and 70.2(e)).

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/EP2009/057625

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)).

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	<u>1-16</u>
	No: Claims	
Inventive step (IS)	Yes: Claims	<u>1-16</u>
	No: Claims	
Industrial applicability (IA)	Yes: Claims	<u>1-16</u>
	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 FANG ZHENG PENG ET AL: "A multilevel voltage-source inverter with separate DC sources for static VAr generation"INDUSTRY APPLICATIONS CONFERENCE, 1995. THIRTIETH IAS ANNUAL MEETING, IAS '95., CONFERENCE RECORD OF THE 1995 IEEE ORLANDO, FL, USA 8-12 OCT. 1995, NEW YORK, NY, USA,IEEE, US, vol. 3, 8 October 1995 (1995-10-08) , pages 2541-2548, XP010193272ISBN: 978-0-7803-3008-5 cited in the application
- D2 US 5 532 575 A (AINSWORTH JOHN D [GB] ET AL) 2 July 1996 (1996-07-02) cited in the application
- D3 US 2005/035815 A1 (CHENG LOUIS [CA] ET AL) 17 February 2005 (2005-02-17)
- D4 HAO MA ET AL: "Comparison of control strategies for active power filter in three-phase four-wire systems" 2 November 2004 (2004-11-02) , INDUSTRIAL ELECTRONICS SOCIETY, 2004. IECON 2004. 30TH ANNUAL CONFERENCE OF IEEE BUSAN, SOUTH KOREA 2-6 NOV. 2004, PISCATAWAY, NJ, USA,IEEE, PAGE(S) 1429 - 1434 , XP010799497ISBN: 9780780387300
- D5 DIXON J ET AL: "Reactive Power Compensation Technologies: State-of-the-Art Review"PROCEEDINGS OF THE IEEE, IEEE. NEW YORK, US, vol. 93, no. 12, 1 December 2005 (2005-12-01) , pages 2144-2164, XP011244522ISSN: 0018-9219

**2 Novelty and Inventive Step**

**2.1 Claims 1 and 11**

Document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses using the terms of the application:

An arrangement for exchanging power in shunt connection (*title: "inverter for static var generation" in conjunction with fig.6*), with a three-phase electric power network (*fig.6:  $V_{Ca,b,c}$* ), the arrangement comprising:

a Voltage Source Converter (*p. 2543, left hand col.: "multilevel separate dc-source inverter"*) having three phase legs (*a,b,c*) with each a series connection of switching cells (*p. 2542, right hand col.: FBI = full bridge inverter units*) in the form of H-bridges (*full bridges*) comprising two switching elements connected in parallel (*Fig.6*) and each having at least two semiconductor assemblies (*switching devices*) connected in series and having each a semiconductor device of turn-off type and a rectifying element connected in anti-parallel therewith (*Fig.6*), each switching cell further comprising at least one energy storing capacitor (*Fig.6:  $C_{1-4,abc}$* ) connected in parallel with the switching elements, mid points between semiconductor assemblies of each switching element forming terminals of the switching cell (*FBI-unit*) for connection to corresponding terminals of adjacent switching cells for forming the series connection of switching cells (*cascade inverter*), in which the three phase legs (*a,b,c*) of the Voltage Source Converter are interconnected by forming a delta-connection (*fig.6: "Three-phase Delta-connection structure"*), means (*fig.8: e.g. phase detector*) configured to detect electrical conditions (*e.g. phase*) of the three-phase electric power network and of the three phase legs of the Voltage Source Converter ,

a control unit (*fig. 8: switching pattern table*) configured to control the semiconductor devices and by that each switching cell dependent upon information received from the detecting means (*fig.8: e.g. phase detector*) to deliver a voltage across the terminals of each the switching cell being zero, +U or -U (*p. 2543 left hand col.: "each FBI unit can generate three-level output,  $+V_{dc}$ , 0,  $-V_{dc}$ "*), in which U is the voltage across the capacitor (C), for together with other switching cells of the phase leg deliver a voltage pulse (*p. 2543 left hand col.: "M-level output voltage"*) being the sum of the voltages (*p. 2543 left hand col.: "sum of four inverter unit's outputs"*) so delivered by each switching cell.

The subject - matter of claim 1 therefore differs from this known arrangement in that the control unit is configured to calculate a zero-sequence current for which the balance of the total direct voltage of each of the phase legs with respect to the other two phase legs is restored,  
and is therefore new.

The problem to be solved by the present invention may therefore be regarded as to restore the balance of total direct voltages of the phase legs, if faults in the surrounding equipment or disturbances in the electric power network caused unbalance.

The solution given in claim 1, to calculate a zero-sequence current for which the balance of the total direct voltage of each of the phase legs with respect to the other two phase legs is restored, is considered as involving an inventive step (Article 33(3) PCT), because neither it is disclosed nor are there any hints towards the solution in the documents cited in the search report:

Document D2 discloses a Voltage Source Converter with GTOs (*col.1, l. 21: gate turn-off thyristor*).

The control unit of document D3 (*fig.1: 310*) is configured, upon receipt of information from detecting means (*400, 500, 600*) to calculate a zero-sequence current (*table 1, par.36*).

Document D4 discloses a current balancing control method using the park transformation.

Document D5 was cited for the reactive impedance element connected in series to the legs of multilevel converters (*fig. 18, 21 and section IV*).

None of the documents discloses or gives a hint towards the calculation of a zero sequence current in order to balance the total direct voltage of each of the phase legs with respect to the other two phase legs.

The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent method claim 11, which therefore is also considered as involving an inventive step (Article 33(3) PCT).

Claims 2-10 and 12-16 are dependent on claims 1 or 11 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

### 3 Industrial applicability

The industrial applicability (Article 33(4) PCT) is given for the subject matter of the assessed claims.

## CLAIMS

1. An arrangement for exchanging power, in shunt connection, with a three-phase electric power network, said arrangement comprising:
- 5
- a Voltage Source Converter (5) having three phase legs (A-C) with each a series connection of switching cells (7) in the form of so-called H-bridges comprising two switching elements (8, 9) connected in parallel and each having at least

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  - two semiconductor assemblies (10-13) connected in series and having each a semiconductor device (14) of turn-off type and a rectifying element (15) connected in anti-parallel therewith, each said switching cell further comprising at least

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  - one energy storing capacitor (16) connected in parallel with said switching elements, mid points (17, 17') between semiconductor assemblies of each switching element forming terminals of the switching cell (7) for connection to corresponding terminals of adjacent switching cells for forming said series connection of switching cells,

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  - in which the three phase legs (A-C) of the Voltage Source Converter are interconnected by forming a delta-connection,
    - means (18) configured to detect electrical conditions of said three-phase electric power network and of said three phase legs of the Voltage Source Converter ,

25

    - a control unit (19) configured to control said semiconductor devices (14) of said semiconductor assemblies of each switching cell and by that each switching cell dependent upon information received from said detecting means (18) to deliver a voltage across the terminals of each said switching

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    - cell being zero, +U or -U, in which U is the voltage across said capacitor (16), for together with other switching cells of the phase leg deliver a voltage pulse being the sum of the voltages so delivered by each switching cell,

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    - characterized in that said control unit (19) is configured, upon receipt of information from said detecting means (18) of an unbalance of the total direct voltage of each of said three

5 phase legs (A-C) with respect to the other two phase legs, to calculate a value for amplitude and phase position for a zero-sequence current ( $I_0$ ) for which, when circulated in the delta-connection circuit of said three phase legs, the balance of the total direct voltage of each of said three phase legs with respect to the other two phase legs is restored and to control the semiconductor devices (14) of said switching cells of the phase legs to add such a zero-sequence current to the currents of each phase leg of the converter.

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2. An arrangement according to claim 1, characterized in that said control unit (19) is configured to carry out said calculation of said zero-sequence current by utilizing a definition of the differential mode of said total direct voltages of said three phase legs A, B, C as a vector being as follows:

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$$\vec{U}_{DC,Unb} = (2U_{DC,A} - U_{DC,B} - U_{DC,C})/3 + j*(U_{DC,B} - U_{DC,C})/\sqrt{3}$$

20

to calculate a zero-sequence current reference  $\vec{I}_0$  to be added to a current reference for the control of said semiconductor devices (14) of said switching cells (17) as  $\vec{I}_0 =$

$$R\vec{U}_{DC,Unb} * e^{j\omega t},$$

25

$U_{DC,A}$ ,  $U_{DC,B}$ ,  $U_{DC,C}$  being said total direct voltage of said phase legs A, B and C, respectively, and R being a control function with the dimension impedance<sup>-1</sup>.

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3. An arrangement according to claim 1 or 2, characterized in that said control unit (19) is further configured, upon receipt of information from said detecting means (18) causing a need to generate a negative-sequence current, to use this information when calculating a value for amplitude and phase position for said zero-sequence current, for which, when circulated in the delta-connection circuit of said three phase legs upon generation of said negative-sequence current, the resulting energy stored in said energy storing capacitors (16)

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- in each said phase leg will be constant in case of a said balance and to control the semiconductor devices (14) of said switching cells (7) of the phase legs to add such zero-sequence current to the currents of each phase leg of the converter.
- 5
4. An arrangement according to any of the preceding claims, characterized in that each phase leg of the Voltage Source Converter has a reactive impedance element (27) connected in series therewith.
  - 10
  5. An arrangement according to claim 4, characterized in that said reactive impedance element (27) comprises an inductor.
  - 15
  6. An arrangement according to claim 4 or 5, characterized in that said reactive impedance element comprises a capacitor.
  - 20
  7. An arrangement according to any of the preceding claims, characterized in that the number of switching cells (7) in each phase leg (A-C) of said Voltage Source Converter is  $\geq 4$ ,  $\geq 8$  or  $\geq 12$ .
  - 25
  8. An arrangement according to any of the preceding claims, characterized in that said semiconductor devices (14) of said semiconductor assemblies are IGBTs (Insulated Gate Bipolar Transistor), IGCTs (Integrated Gate Commutated Thyristor) or GTOs (Gate Turn-Off thyristor).
  - 30
  9. An arrangement according to any of the preceding claims, characterized in that said Voltage Source Converter (5) has a capacity to together with said reactive impedance element connected in series therewith generate a voltage with a fundamental frequency being equal to the fundamental frequency of the voltage of the respective phase of the electric power network with an amplitude of 20 kV-500 kV, preferably 30 kV-200 kV.
  - 35

10. An arrangement according to any of the preceding claims,  
characterized in that the control unit (19) is configured to  
add a third harmonic current to the current reference when  
controlling said semiconductor devices (14).
11. A method of restoring a balance of the total direct voltage of  
each of three phase legs (A-C) of a Voltage Source Converter  
(5) with respect to the other two phase legs in an arrange-  
ment (4) for exchanging power, in shunt connection, with a  
three-phase electric power network, in which said arrange-  
ment comprises: a Voltage Source Converter having three  
phase legs with each a series connection of switching cells  
(7) in the form of so-called H-bridges comprising two switch-  
ing elements (8, 9) connected in parallel and each having at  
least two semiconductor assemblies (10-13) connected in se-  
ries and having each a semiconductor device (14) of turn-off  
type and a rectifying element (15) connected in anti-parallel  
therewith, each said switching cell further comprising at least  
one energy storing capacitor (16) connected in parallel with  
said switching elements, mid points (17, 17') between semi-  
conductor assemblies of each switching element forming ter-  
minals of the switching cell for connection to corresponding  
terminals of adjacent switching cells for forming said series  
connection of switching cells,  
in which the three phase legs of the Voltage Source Con-  
verter are interconnected by forming a delta-connection, the  
method comprises the steps:
- detecting electrical conditions of said three-phase electric  
power network and of said three phase legs (A-C) of the Volt-  
age Source Converter (5), and
  - controlling said semiconductor devices (14) of said semicon-  
ductor assemblies of each switching cell and by that each  
switching cell dependent upon information from said detection  
to deliver a voltage across the terminals of each said switch-  
ing cell being zero, +U or -U, in which U is the voltage across

said capacitor (16), for together with other switching cells of the phase leg deliver a voltage pulse being the sum of the voltages so delivered by each switching cell,

characterized in that it comprises the further steps:

- 5 calculating, upon detection of an unbalance of the total directed voltage of each of said three phase legs with respect to the other two phase legs, a value for amplitude and phase position for a zero-sequence current for which, when circulated in the delta-connection circuit of said three phase legs,  
 10 the balance of the total direct voltage of each of said three phase legs with respect to the other two phase legs is a restored, and controlling the semiconductor devices (14) of said switching cells (7) of the phase legs to add such a zero-sequence current calculated to the currents of each phase leg (A-C) of the converter.  
 15

12. A method according to claim 11, characterized in that said calculating is carried out by utilizing a definition of the differential mode of said total direct voltages of said three phase legs A, B, C as a vector being as follows:  
 20

$$\vec{U}_{DC,Unb} = (2U_{DC,A} - U_{DC,B} - U_{DC,C})/3 + j*(U_{DC,B} - U_{DC,C})/\sqrt{3}$$

- 25 to calculate a zero-sequence current reference  $\vec{I}_0$  to be added to a current reference for the control of said semiconductor devices (14) of said switching cells (7) as  $\vec{I}_0 = R\vec{U}_{DC,Unb} * e^{j\omega t}$ ,

30  $U_{DC,A}$ ,  $U_{DC,B}$ ,  $U_{DC,C}$  being said total direct voltage of said phase legs A, B and C, respectively, and R being a control function with the dimension impedance<sup>-1</sup>.

13. A method according to claim 11 or 12, characterized in that in said step of calculating, upon detection of a need to generate a negative-sequence current, this information is used  
 35 when calculating a value for amplitude and phase position for

- 5 said zero-sequence current, for which, when circulated in the delta-connection circuit of said three phase legs (A-C) upon generation of said negative-sequence current, the resulting energy stored in said energy storing capacitors (16) in each said phase leg will be constant in case of a said balance, and that when controlling said semiconductor devices of switching cells of the phase legs this is done so as to add such zero-sequence current to the currents of each phase leg of the converter.
- 10
14. Use of an arrangement according to any of claims 1-10 for exchanging power with a three-phase electric power network.
- 15
15. Use according to claim 14, in which said power network is feeding an industrial arc furnace and typically carries a voltage of 36 kV.
- 20
16. Use according to claim 14 for exchanging power with a three-phase electric power network in the form of a high-voltage transmission line, which typically carries a voltage of 132-500 kV.

**REQUEST FOR PARTICIPATION IN THE PATENT COOPERATION TREATY - PATENT PROSECUTION HIGHWAY (PCT-PPH) PILOT PROGRAM BETWEEN THE EUROPEAN PATENT OFFICE (EPO) AND THE USPTO**

Application No:	Pending	Filing date:	December 19, 2011
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First Named Inventor:	Jean-Philippe Hasler
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Title of the Invention:	Arrangement For Exchanging Power
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**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](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/EP2009/057625

**The international filing date of the corresponding PCT application(s) is/are:** June 18, 2009

**I. List of Required Documents:**

**a. A copy of the latest international work product (WO/ISA, WO/IPEA, or IPER) in the above-identified corresponding PCT application(s)**

- Is attached
- Is not attached because the document is already in the U.S. application.

**b. A copy of all claims which were indicated as having novelty, inventive step and industrial applicability in the above-identified corresponding PCT application(s).**

- Is attached.
- Is not attached because the document is already in the U.S. application.

**c. English translations of the documents in a. and b. above are attached (if the documents are not in the English language). A statement that the English translation is accurate is attached for the document in b. above.**

Under the Paperwork Reduction Act of 1995, 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.: Pending

First Named Inventor: Jean-Philippe Hasler

- 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	Corresponding claim (same)
2	2	Corresponding claim (same)
3	3	Corresponding claim (single dependency)
4	4	Corresponding claim (single dependency)
5	5	Corresponding claim (same)
6	6	Corresponding claim (single dependency)
7	7	Corresponding claim (single dependency, no "or" clause)
8	8	Corresponding claim (single dependency)
9	9	Corresponding claim (single dependency, no "preferably" clause)
10	10	Corresponding claim (single dependency)
11	11	Corresponding claim (same)
12	12	Corresponding claim (same)
13	13	Corresponding claim (single dependency)
14	14	Corresponding claim (made independent)
15	15	Corresponding claim (same)
16	16	Corresponding claim (same)

**III. All the claims in the US application sufficiently correspond to the patentable claims in the corresponding PCT application.**

Signature /Wesley W. Whitmyer, Jr./	Date December 19, 2011
Name (Print/Typed) Wesley W. Whitmyer, Jr.	Registration Number 33,558

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant ( *i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE



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**STAMFORD CT 06905-5619**

**MAILED**

**MAR 14 2012**

**OFFICE OF PETITIONS**

In re Application of:	: DECISION ON REQUEST TO
Jean-Philippe Hasler	: PARTICIPATE IN THE PATENT
Application No. 13/330,337	: PROSECUTION HIGHWAY
Filed: December 19, 2011	: PROGRAM AND PETITION
Attorney Docket No. 05144-P0054A	: 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) program and the petition under 37 CFR 1.102(a), filed on December 19, 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 Petitions Examiner Joan Olszewski at 571-272-7751.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc.index.html>.

This application will be forwarded to the examiner for action on the merits commensurate with this decision once this application's formality reviews have been completed.

/dab/  
David Bucci  
Petitions Examiner  
Office of Petitions

Docket No.: 2204819.135US6  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: KALE, Aniket Confirmation No.: 7540  
Application No.: 13/330,355 Art Unit: TBD  
Filed: December 19, 2011 Examiner: TBD  
Title: Algae Harvesting Devices

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



**Doc Code: PET.GREEN**  
**Document Description: Petition for Green Tech Pilot**

PTO/SB/420 (03-11)

<b>PETITION TO MAKE SPECIAL UNDER THE GREEN TECHNOLOGY PILOT PROGRAM</b>		
Attorney Docket Number: 2204819.00135US6	Application Number (if known): 13/330,355	Filing date: December 19, 2011
First Named Inventor: Qiang HU		
Title: ALGAE HARVESTING DEVICES		
<p><b>APPLICANT HEREBY REQUESTS TO PARTICIPATE IN THE GREEN TECHNOLOGY PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION. See Instruction Sheet on page 2.</b></p> <p>This petition must be timely filed electronically using the USPTO electronic filing system, EFS-Web.</p> <p>1. By filing this petition:</p> <p><b><u>Applicant is requesting early publication:</u> 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.</b></p> <p>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.</p> <p>3. This request is accompanied by statements of special status for the eligibility requirement.</p> <p>4. The application contains no more than three (3) independent claims and twenty (20) total claims.</p> <p>5. The application does not contain any multiple dependent claims.</p> <p>6. Other attachments:</p>		

Signature	/Nishat A. Shaikh/	Date	December 21, 2011
Name (Print/Typed)	Nishat Shaikh	Registration Number	66,183
<p><b>Note:</b> 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*.</p>			
<p><input type="checkbox"/> *Total of <u>  3  </u> forms are submitted.</p>			



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/330,355	12/19/2011	Qiang HU	2204819.00135US6	7540
23483	7590	02/01/2012	EXAMINER	
WILMERHALE/BOSTON			MELLON, DAVID C	
60 STATE STREET			ART UNIT	PAPER NUMBER
BOSTON, MA 02109			1777	
			NOTIFICATION DATE	DELIVERY MODE
			02/01/2012	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):

teresa.carvalho@wilmerhale.com  
whipusptopairs@wilmerhale.com



WILMERHALE/BOSTON  
60 STATE STREET  
BOSTON MA 02109

2/1/12

In re Application of	:	
Hu et al.	:	DECISION ON PETITION
Application No. 13/330,355	:	TO MAKE SPECIAL UNDER
Filed: 12/19/2011	:	THE GREEN TECHNOLOGY
Attorney Docket No. 2204819.00135US6	:	PILOT PROGRAM

This is a decision on the petition under 37 CFR 1.102, filed 12/21/2011, 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 1777 for action on the merits commensurate with this decision.

/Tom Dunn/

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Tom Dunn  
Quality Assurance Specialist  
Technology Center 1700

UNITED STATES PATENT AND TRADEMARK OFFICE



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**MAILED**

**JAN 20 2012**

**OFFICE OF PETITIONS**

In re Application of  
Barrie Gilbert  
Application No. 13/330,388  
Filed: December 19, 2011  
Attorney Docket No. 1482-0310

**ON PETITION**

This is a decision on the petition under 37 CFR 1.102(c)(1), filed December 19, 2011, to make the above-identified application special based on applicant's age as set forth in M.P.E.P. § 708.02, Section IV.

The petition is **GRANTED**.

A grantable petition to make an application special under 37 CFR 1.102(c)(1) and MPEP § 708.02, Section IV: Applicant's Age must be accompanied by evidence showing that at least one of the applicants is 65 years of age, or more, such as a birth certificate or a statement by applicant. No fee is required

The instant petition includes a statement (PTO/SB/130 form) by the applicant's attorney that applicant is 65 years of age. Accordingly, the above-identified application has been accorded "special" status.

It is not apparent whether the person signing the instant petition was ever given a power of attorney or authorization of agent to prosecute this patent application. In accordance with 37 CFR 1.34(a), the signature of appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party in whose behalf he/she acts.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7751. All other inquiries concerning either the examination or status of the application should be directed to the Technology Center.

This matter is being referred to the Technology Center Art Unit 2817 for action on the merits commensurate with this decision.

/Joan Olszewski/  
Joan Olszewski  
Petitions Examiner  
Office of Petitions