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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/007,985	03/24/2006	6404480	09325.0013	5389

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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 07/10/2007

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



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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

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**EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO 90/007985

PATENT NO. 6,404,480

ART UNI 3992

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified ex parte reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the ex parte reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

<b>Office Action in Ex Parte Reexamination</b>	Control No. 90/007,985	Patent Under Reexamination 6404480	
	Examiner Stephen J. Stein	Art Unit 3991	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

- a  Responsive to the communication(s) filed on 24 March 2006.      b  This action is made FINAL.  
c  A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1.  Notice of References Cited by Examiner, PTO-892.      3.  Interview Summary, PTO-474.  
2.  Information Disclosure Statement, PTO/SB/08. (22 Pgs)      4.  \_\_\_\_\_.

**Part II SUMMARY OF ACTION**

- 1a.  Claims 1-30 are subject to reexamination.  
1b.  Claims \_\_\_\_\_ are not subject to reexamination.  
2.  Claims \_\_\_\_\_ have been canceled in the present reexamination proceeding.  
3.  Claims 6-10 and 21-25 are patentable and/or confirmed.  
4.  Claims 1-5, 11-20 and 26-30 are rejected.  
5.  Claims \_\_\_\_\_ are objected to.  
6.  The drawings, filed on \_\_\_\_\_ are acceptable.  
7.  The proposed drawing correction, filed on \_\_\_\_\_ has been (7a)  approved (7b)  disapproved.  
8.  Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).  
    a)  All    b)  Some\*    c)  None      of the certified copies have  
    1  been received.  
    2  not been received.  
    3  been filed in Application No. 09/046,685.  
    4  been filed in reexamination Control No. \_\_\_\_\_.  
    5  been received by the International Bureau in PCT application No. \_\_\_\_\_.  
    \* See the attached detailed Office action for a list of the certified copies not received.  
9.  Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.  
10.  Other: \_\_\_\_\_

### ***Reexamination***

1. This is the first Office action in the Reexamination proceeding of Claims 1-30 of U.S. 6,404,480 ('480 patent) issued on June 11, 2002 to Hirakata et al. The application on which the patent was granted, 09/734,177, was filed on December 12, 2000 and is a divisional application of 09/361,218, filed July 27, 1999, which is a divisional of 09/046,685, filed March 24, 1998. A Certificate of Correction was published on September 14, 2004. The earliest effective filing date of the '480 patent is March 24, 1998

### ***Procedural Posture***

2. A request for Reexamination was filed on March 24, 2006 by the third party Requester. An order was granted on May 12, 2006.

### ***Information Disclosure Statement***

3. Information Disclosure statements submitted 7/27/2006 (9), 8/21/2006 (1), 9/14/2006 (1), 11/27/2006 (1), 1/18/2007 (1), 3/2/2007 (1) and 4/23/2007 (1) have been received and reviewed by the Examiner. All documents cited on the PTO-1449s have been considered, however, the cited litigation documents have had a line drawn through the citation since they are not prior art and are not appropriate for publication on the face of the reexamination certificate. Additionally those prior art citations which have already been cited on the face of the '480 patent have had line drawn through the citation since they have already been published on the face of the original patent. Finally those prior art citations that have already been cited on a Form PTO-1449 already submitted have had a line drawn through the citation so as to prevent duplication.

***Prior Art Cited in the Office Action***

Japanese Patent Publication No. JP 5-243333 ('333 publication)

U.S. Patent No. 5,757,456 ('456 patent)

U.S. Patent No. 5,625,474 ('474 patent)

Japanese Patent Publication No. JP 6-289415 ('415 publication)

Japanese Patent Publication No. JP 6-308510 ('510 publication)

U.S. Patent No. 5,486,941 ('941 patent)

U.S. Patent No. 6,124,917 ('917 patent) (Newly Cited).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 5, 11, 12, 15-17, 20, 26, 27 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,757,456 ('456 patent).

Regarding claims 1, 11, 16 and 26 the '456 patent discloses passive or active matrix display such as an LCD (See column 1, lines 7-10). The prior art reference further discloses forming a driver circuit on stick crystal which comprises a glass substrate (31) (first substrate),

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