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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
95/000,514	01/08/2010	7376993	CH13-1K	6127
34431	7590	02/12/2010	EXAMINER	
HANLEY, FLIGHT & ZIMMERMAN, LLC 150 S. WACKER DRIVE SUITE 2100 CHICAGO, IL 60606			DOERRLER, WILLIAM CHARLES	
			ART UNIT	PAPER NUMBER
			3993	
			MAIL DATE	DELIVERY MODE
			02/12/2010	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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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS
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PHILADELPHIA, PA 19103

Date:

MAILED

FEB 12 2010

CENTRAL REEXAMINATION UNIT

**Transmittal of Communication to Third Party Requester
Inter Partes Reexamination**

REEXAMINATION CONTROL NO. : 95000514
PATENT NO. : 7376993
TECHNOLOGY CENTER : 3999
ART UNIT : 3993

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified Reexamination proceeding. 37 CFR 1.903.

Prior to the filing of a Notice of Appeal, each time the patent owner responds to this communication, the third party requester of the inter partes reexamination may once file written comments within a period of 30 days from the date of service of the patent owner's response. This 30-day time period is statutory (35 U.S.C. 314(b)(2)), and, as such, it cannot be extended. See also 37 CFR 1.947.

If an ex parte reexamination has been merged with the inter partes reexamination, no responsive submission by any ex parte third party requester is permitted.

All correspondence relating to this inter partes reexamination proceeding should be directed to the Central Reexamination Unit at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.

PTOL-2070(Rev.07-04)

OFFICE ACTION IN INTER PARTES REEXAMINATION	Control No.	Patent Under Reexamination	
	95/000,514	7376993	
	Examiner	Art Unit	
	William C. Doerrler	3993	

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

Responsive to the communication(s) filed by:

Patent Owner on _____

Third Party(ies) on 8 January 2010

RESPONSE TIMES ARE SET TO EXPIRE AS FOLLOWS:

For Patent Owner's Response:

1 MONTH(S) from the mailing date of this action. 37 CFR 1.945. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.956.

For Third Party Requester's Comments on the Patent Owner Response:

30 DAYS from the date of service of any patent owner's response. 37 CFR 1.947. NO EXTENSIONS OF TIME ARE PERMITTED. 35 U.S.C. 314(b)(2).

All correspondence relating to this inter partes reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

This action is not an Action Closing Prosecution under 37 CFR 1.949, nor is it a Right of Appeal Notice under 37 CFR 1.953.

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

1. Notice of References Cited by Examiner, PTO-892
2. Information Disclosure Citation, PTO/SB/08
3. _____

PART II. SUMMARY OF ACTION:

- 1a. Claims 1-31 are subject to reexamination.
- 1b. Claims _____ are not subject to reexamination.
2. Claims _____ have been canceled.
3. Claims 28-31 are confirmed. [Unamended patent claims]
4. Claims _____ are patentable. [Amended or new claims]
5. Claims 1-27 are rejected.
6. Claims _____ are objected to.
7. The drawings filed on _____ are acceptable are not acceptable.
8. The drawing correction request filed on _____ is: approved. disapproved.
9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119 (a)-(d). The certified copy has:
 - been received. not been received. been filed in Application/Control No _____.
10. Other _____

Inter Partes Reexamination Office Action

Reexamination is requested for claims 1-31 for U.S. Patent No. 7,376,933 (hereinafter "the '933 patent").

The Third Party Requester requested reexamination of claims 1-31 of U.S. Patent No. 7,376,933 (hereinafter "the '933 patent") based upon the following eighteen proposed rejections:

A) Claims 1-5, 12, 13 and 16-18 of the '859 Patent are obvious over the manual for the Fisher Price Motion and Music Jungle Gym Model No. 74067 (hereinafter "Fisher Price") in view of the product manual for the Graco Pack 'N Play (hereinafter "Graco") under 35 U.S.C. §103(a).

B) Claim 21 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of the product manual for the Century Fold 'N Go -Model No. PM-0728AA (hereinafter "Century") under 35 U.S.C. §103(a).

C) Claims 13-19 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of U.S. Patent 6,109,280 to Custer (hereinafter "Custer") under 35 U.S.C. §103(a).

D) Claim 5 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of U.S. Patent 6,702,643 to Drosendahl et al (hereinafter "Drosendahl") under 35 U.S.C. §103(a).

E) Claims 5 and 12 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of U.S. Patent 6,516,823 to Glover et al (hereinafter "Glover") under 35 U.S.C. §103(a).

F) Claims 6-11 and 22-31 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of U.S. Patent 6,711,760 to Yang (hereinafter "Yang"), under 35 U.S.C. §103(a).

G) Claims 6-11 and 22-31 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of U.S. Patent 6,510,569 to Hu (hereinafter "Hu"), under 35 U.S.C. §103(a).

Art Unit: 3993

H) Claims 5-8,12,22,23 and 27 of the '993 Patent are obvious over Fisher Price in view of Graco and further in view of U.S. Patent 4,750,509 to Kim (hereinafter "Kim"), under 35 U.S.C. §103(a).

I) Claims 1,2,5,13 and 17-21 of the '993 Patent are obvious over Drosendahl in view of Graco under 35 U.S.C. §103(a).

J) Claim 21 of the '993 Patent are obvious over Drosendahl in view of Graco and further in view of Century, under 35 U.S.C. §103(a).

K) Claims 13-19 of the '993 Patent are obvious over Drosendahl in view of Graco and further in view of Custer under 35 U.S.C. §103(a).

L) Claims 5 and 12 of the '993 Patent are obvious over Drosendahl in view of Graco and further in view of Glover under 35 U.S.C. §103(a).

M) Claims 6-11 and 22-31 of the '993 Patent are obvious over Drosendahl in view of Graco and further in view of Yang under 35 U.S.C. §103(a).

N) Claims 6-11 and 22-31 of the '993 Patent are obvious over Drosendahl in view of Graco and further in view of Hu under 35 U.S.C. §103(a).

O) Claims 5-8,12,22,23 and 27 of the '993 Patent are obvious over Drosendahl in view of Graco and further in view of Kim under 35 U.S.C. §103(a).

P) Claims 1-11,13-16,18,19 and 22-27 of the '993 Patent are obvious over Graco in view of Custer and further in view of Yang under 35 U.S.C. §103(a).

Q) Claims 1-11,13-16,18,19 and 22-27 of the '993 Patent are obvious over Graco in view of Custer and further in view of Hu under 35 U.S.C. §103(a).

R) Claims 1-8,12-16,18,19,22,23 and 27¹ of the '993 Patent are obvious over Graco in view of Custer and further in view of Kim under 35 U.S.C. §103(a).

¹ It is noted that the request identifies claims "1-11,13-16,18,19,22,23 and 27" as subject to Proposed Rejection R. However, the required detailed explanation for Proposed Rejection R applies the references to claims 1-8,12-16,18,19,22,23 and 27. Because such a detailed explanation is required to give the request a filing date, it is presumed that the inclusion of claims 9-11 and the failure to include claim 12 was a typographical error. In other words, the request did not meet the filing date requirements for proposed rejection R to be applied to claims 9-11, which were identified in the statement of the proposed rejection.

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