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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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90/011,982	10/26/2011	7634228	AFF.0004B10US	4356
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21906 7590 02/06/2014
TROP, PRUNER & HU, P.C.
1616 S. VOSS ROAD, SUITE 750
HOUSTON, TX 77057-2631

EXAMINER

LAROSE, COLIN M

ART UNIT	PAPER NUMBER
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3992

MAIL DATE	DELIVERY MODE
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02/06/2014

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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NEW YORK, NY 10004

EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 90/011,982.

PATENT NO. 7634228.

ART UNIT 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)).

PTOL-465 (Rev.07-04)



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
90/011,982	26 October, 2011	7634228	AFF.0004B10US

EXAMINER	
COLIN LAROSE	
ART UNIT	PAPER
3992	20131212

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	Colin M. LaRose Primary Examiner Art Unit: 3992

PTO-90C (Rev.04-03)



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BEFORE THE PATENT TRIAL AND APPEAL BOARD

Application Number: 90/011,982
Filing Date: 10/26/2011
Appellant(s): Affinity Labs of Texas, LLC

Mark J. Rozman
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 14 October 2013.

(1) Grounds of Rejection to be Reviewed on Appeal

The following ground(s) of rejection are applicable to the appealed claims.

Ground F (partial)

Claims 22, 24, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Empeg Car User Guide 1999 in view of the Empeg Car Release Notes.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Empeg Car User Guide 1999 in view of the Empeg Car Release Notes, and further in view of Kwon.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Empeg Car User Guide 1999 in view of the Empeg Car Release Notes, and further in view of Osann, Jr.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Empeg Car User Guide 1999 in view of the Empeg Car Release Notes, and further in view of Cannon.

The claim charts of the Request establish a prima facie case of obviousness for the above grounds of rejection, and the relevant portions thereof (pp. A-278—A-332) are incorporated herein by reference. The Request also provides supporting rationale for combining the various references in the proposed manners on pp. 83-95, which portions of the Request are also incorporated herein by reference.

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