| | ed States Patent A | and Trademark Office | UNITED STATES DEPAR United States Patent and Address: COMMISSIONER F P.O. Box 1450 Alexandria, Virginia 222 www.uspto.goy | TMENT OF COMMERCE Trademark Office OR PATENTS 513-1450 |
|--|--------------------|----------------------|--|---|
| | | | | |
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 95/001,262 | 11/13/2009 | 7,187,947 | AFF.0004B3US | 6569 |
| ²¹⁹⁰⁶ 7590 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 | | | EXAMINER | |
| | | | LAROSE, COLIN M | |
| HOUSTON, TX | (77057-2631 · | | ART UNIT | PAPER NUMBER |
| | | | 3992 | · · |
| | | | MAIL DATE | DELIVERY MODE |
| | | | 06/12/2014 | 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 NOVAK DRUCE & QUIGG, LLP (NDQ REEXAMINATION GROUP) 1000 LOUISIANA STREET, FIFTY-THIRD FLOOR HOUSTON, TX 77002

Date: MAILED JUN 12 2014 CENTRAL REEXAMINATION UNIT

Transmittal of Communication to Third Party Requester Inter Partes Reexamination

REEXAMINATION CONTROL NO. : 95001262 **+ 90 011 2.54** PATENT NO. : 7187947 ART UNIT : 3992

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.

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| Transmittal of Communication to | Control No. | Patent Under Reexamination |
|---------------------------------|---------------------------|----------------------------|
| Third Party Requester | 95/001,262 and 90/011,254 | 7,187,947 |
| Inter Partes Reexamination | Examiner | Art Unit |
| | COLIN LAROSE | 3992 |

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

- (THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS) ------

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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.

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EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. 95/001,262 and 90/011,254.

PATENT NO. <u>7,187,947</u>.

ART UNIT <u>3992</u>.

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)).

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| | Control No. | Patent Under Reexamination |
|----------------------------|-------------------------|----------------------------|
| ACTION CLOSING PROSECUTION | 95/001,262 & 90/011,254 | 7,187,947 |
| (37 CFR 1.949) | Examiner | Art Unit |
| | COLIN LAROSE | 3992 |

Responsive to the communication(s) filed by:

Patent Owner on <u>16 July, 2013</u> Third Party(ies) on _____

Patent owner may once file a submission under 37 CFR 1.951(a) within <u>1</u> month(s) from the mailing date of this Office action. Where a submission is filed, third party requester may file responsive comments under 37 CFR 1.951(b) within 30-days (not extendable- 35 U.S.C. § 314(b)(2)) from the date of service of the initial submission on the requester. **Appeal <u>cannot</u> be taken from this action.** Appeal can only be taken from a Right of Appeal Notice under 37 CFR 1.953.

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.

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. \boxtimes Claims <u>1-64</u> are subject to reexamination.

- 1b. Claims _____ are not subject to reexamination.
- 2. Claims _____ have been canceled.
- 3. Claims _____ are confirmed. [Unamended patent claims]
- 4. Claims _____ are patentable. [Amended or new claims]
- 5. \boxtimes Claims <u>1-50 and 52-64</u> are rejected.
- 6. \square Claims 51 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:

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10. 🗌 Other

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