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NOTICE OF ALLOWANCE AND FEE(S) DUE

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YOUNG BASILE
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SUITE 624
TROY, MI 48084

EXAMINER

BRINDLEY, TIMOTHY J

ART UNIT PAPER NUMBER

3636

DATE MAILED: 12/05/2014

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

14/057,781 10/18/2013 Anthony J. Warncke SMC-102-A 3309

TITLE OF INVENTION: CHAIR WITH COUPLING COMPANION STOOL BASE

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

nonprovisional UNDISCOUNTED \$960 \$0 \$0 \$960 03/05/2015

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

Client billed; Atty fees 12-5-14

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Art Unit: 3636

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Young on 11/24/14.

The application has been amended as follows:

Claim 15, line 13, "the rotational orientation" has been amended to state:

-- a rotational orientation --.

Allowable Subject Matter

2. Claims 15-20, 22-29, 31-33 and 35-38 are allowed.
3. The following is a statement of the reasons for allowance: Regarding claim 27, upon further consideration and in view of Applicant's arguments, the rocker members of Wright are not considered "beneath" the seat undersurface, as this limitation is taken to mean vertically underneath and the rocker members of Wright are along the sides of the seat portion. Additionally, there is no teaching, suggestion, or motivation to modify the prior art of record absent hindsight.
4. The remaining claims have been amended to include subject matter previously indicated as allowable. Accordingly, claims 15-20, 22-29, 31-33 and 35-38 overcome the prior art of record and are deemed allowable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY J. BRINDLEY whose telephone number is (571)270-7231. The examiner can normally be reached on Monday - Friday: 8:00 - 5:00.