

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): WARNCKE ET AL.
For: CHAIR WITH COUPLING COMPANION STOOL BASE
Application No.: 13/277,778 Examiner: Erika Garrett
Filed: October 20, 2011 Group Art Unit: 3636
Our Ref.: Sauder Manufacturing P1US3-CON

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With respect to the above-identified patent application, and in response to the Examiner's prior Office Action, the Applicants respectfully request amendment of the patent application as follows:

Amendments to the Claims begin on page 2 of this Response; and

General Remarks begin on page 25 of this Response.

CLAIMS AS AMENDED
(01/25/2013)

I claim:

1. (Original) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user.

2. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that:

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, and a claw extending generally downward from said second portion, ~~a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;~~

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, ~~and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch.~~

3. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that said claw comprises a plurality of teeth, said teeth comprising at least a first tooth and a second tooth, both of said teeth releasably engaging said saddle and providing alignment of said chair and said base portion when engaged.

4. (Original) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that when said chair is decoupled from said base, the base portion is adapted for use as casual floor rocker seating.

5. (Original) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that the saddle further comprises a top surface that faces upward, and that defines at least one of a working surface, a writing surface and a sitting surface.

6. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the chair further comprises a receptacle defined between the claw and the latch;

the saddle further comprises a top surface and a perimeter edge incorporating the back and front edges, circumscribing the top surface and defining the top surface with a rotationally asymmetric geometry; and

the lower portion receptacle and the saddle perimeter edge correspond with one another so that the base couples with the frame only in one specific rotational orientation.

7. (Original) The combination of a chair and a stool base portion in accordance with claim 2 further including a bias member that biases the latch to the closed position.

8. (Original) The combination of a chair and a stool base portion in accordance with claim 2 wherein the frame has opposite left and right sides, a first of the two base legs extends generally arcuately downward from the lower portion left side and second portion, and from the lower portion left side and first portion, and a second of the two base legs extends generally arcuately downward from the frame lower portion right side and second portion, and from the frame lower portion right side and first portion, whereby the base legs define rockers.

9. (Original) The combination of a chair and a stool base portion in accordance with claim 6 wherein the rockers define protective rails about the latch.

10. (Original) The combination of a chair and a stool base portion in accordance with claim 2 wherein the latch is located between the two base legs, so that the legs define protective rails about the latch.

11. (Original) The combination of a chair and a stool base portion in accordance with claim 2 wherein the chair has opposite left and right sides and wherein the claw includes each of a claw notch, a first tooth that extends toward the left side from the notch, and a second tooth that extends toward the right side from the notch.

12. (Original) The combination of a chair and a stool base portion in accordance with claim 11, characterized in that:

the chair further comprises a receptacle defined between the claw and the latch;

the saddle further includes a top surface that is sized and shaped with a rotationally asymmetric geometry;

the receptacle and a perimeter edge of the saddle correspond with one another so that the base portion couples with the frame in a rotationally asymmetric configuration;

the saddle front edge includes a pair of cooperating claw notches; and

with the asymmetric configuration, the first tooth and second tooth can be engaged with the saddle only through the engagement of the first tooth with a first one of the cooperating claw notches and the second tooth with a second one of the cooperating claw notches.

13. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the saddle further includes a top surface;

the base portion includes a plurality of lower legs for supporting the base portion;

the claw includes a claw notch generally centered along the claw; and

with the chair decoupled from the base portion, the saddle top surface is adapted to be oriented in front of the frame, and a first lower leg of the plurality of lower legs is initially positionable under the claw, so that with the claw straddling the first leg, the first leg is adapted to nest into the claw notch.

14. (Original) The combination of a chair and a stool base portion in accordance with claim 1 wherein the base portion further includes a pedestal that extends generally upward to the saddle and includes a connector that operatively connects the saddle with the pedestal, the connector including at least one of a tilt mechanism whereby the saddle tilts relative to the pedestal and a swivel mechanism whereby the saddle swivels relative to the pedestal.

15. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the claw includes a pair of spaced apart teeth comprising a first tooth extending toward the left side of the chair and a second tooth extending toward the right side of the chair;

a pair of cooperating claw notches are formed in the saddle front edge whereby the front edge is releasably captured in the claw through engagement of the first tooth with a first one of the cooperating claw notches and the second tooth with a second one of the cooperating claw notches; and

the relative cooperation between the spaced apart teeth and the cooperating claw notches, and the sizing and configuration thereof, cause forces to be generated along the engagement points of the spaced apart teeth and the cooperating claw notches which tend to resist disengagement of the spaced apart teeth from the cooperating claw notches when a user of the chair may exert backwardly directed or other leaning forces on the chair frame.

16. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the base portion further includes a set of triangular shaped ribs extending downwardly behind the back edge of the saddle; and

the positioning and configuration of the triangular shaped ribs behind the saddle back edge tend to generate forces resistive to accidental disengagement of the chair from the frame which may otherwise result from the latch not fully engaging with the cooperating latch notch, or from horizontal forces being exerted on the chair relative to the base which could tend to accidentally disengage the latch.

17. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that a latch ramping surface is positioned at the saddle back edge.

18. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that the latch and the saddle are sized and configured so that when the latch is moved from a disengaged position to a completely engaged position with the saddle back edge, the physical contact occurring between the latch and saddle back edge generates a sound

audible to a chair user, thereby providing the user with positive feedback that correct engagement of the latch with the saddle back edge has been achieved.

19. (Original) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to be releasably engaged with said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said at least one base leg is sized and structured so as to permit a rocking motion of said chair when said combination is in said second configuration.

20. (Original) A combination of a chair and a stool base portion, said chair comprising:

a sitting portion;

base legs attached to and depending downwardly from said sitting portion, said base legs being spaced laterally from one another;

said stool base portion comprising floor engaging members and a saddle located generally at a top of said base portion;

said sitting portion including manually operable means for releasably engaging said chair from said base portion;

said chair and said stool base portion are configurable in a first configuration in which said chair is releasably coupled to said saddle by said engaging means; and

said chair and said stool being configurable in a second configuration wherein said chair and said stool base portion are disconnected, said chair is supported by said chair legs, and said base portion is positioned so as to serve as a side table or work surface, or as a stool for seating a second user.

21. (Original) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion comprising a saddle releasably engaged with said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair being supported on said at least one base leg supported on said horizontal surface, while still functioning as a chair for said first user, and said stool base portion functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said saddle of said base portion comprises a top surface and a perimeter edge circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry.

22. (Original) A combination of a chair and stool base portion in accordance with claim 21, characterized in that said chair further comprises:

at least two base legs attached to and depending downwardly from said lower portion, said base legs being spaced laterally from one another and creating an open space between said base legs on an underside of said sitting portion;

said stool base portion further comprises a plurality of chair legs radiating outwardly, for supporting said base portion;

when said combination is in said second configuration, said chair and said stool base portion are disconnected, said chair is supported by said base legs, and said stool base portion is located in front of said chair with at least one of chair legs projecting underneath said chair, between said laterally spaced base legs, whereby a user can be seated in said chair and can use said saddle base as a work surface.

23. (Original) A combination of a chair and stool base portion in accordance with claim 22, characterized in that said base legs are sufficiently long so that the front of said chair allows said one of said chair legs to extend beneath said sitting portion, but sufficiently short so that when said chair is mounted on said base portion, said base legs do not engage any support surface.

24. (New) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that said lower portion further comprises a latch extending generally downward from said first portion, said latch being connected with said first portion and moving between closed and open positions.

25. (New) The combination of a chair and a stool base portion in accordance with claim 24, characterized in that said saddle further comprises a back edge opposing said front edge, said back edge cooperating with said lower portion latch so that said back edge is releasably captured by said latch.

26. (New) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

said lower portion further comprises a latch extending generally downward from said first portion, said latch being connected with said first portion and moving between said closed and open positions; and

said saddle cooperating with said lower portion latch so that said saddle is releasably captured by said latch.

27. (New) The combination of a chair and a stool portion in accordance with claim 24, characterized in that said latch comprises at least one tooth, said tooth releasably engaging said saddle and providing alignment of said chair and said base portion when engaged.

28. (New) A combination of a chair and a stool base portion, said chair comprising:

- an upper portion providing a backrest for support for a first user;
- a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;
- said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;
- said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;
- said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;
- said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair further comprises a receptacle defined between said claw and said latch;

said saddle further comprises a top surface and a perimeter edge incorporating said back and said front edges, circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry; and

said lower portion receptacle and said saddle perimeter edge correspond with one another so that said base couples with said frame only in one specific rotational orientation.

29. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted

to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair further comprises a receptacle defined between said claw and said latch;
said saddle further comprises a top surface and a perimeter edge incorporating
said back and said front edges, circumscribing said top surface and defining said top surface with
a rotationally asymmetric geometry;

said lower portion receptacle and said saddle perimeter edge correspond with one
another so that said base portion couples with said frame only in one specific rotational
orientation; and

said rockers define protective rails about said latch.

30. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion
for supporting said first user in a seated position, and at least one base leg located
below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted
to releasably engage said chair;

said combination is configurable in a first configuration with said chair being
coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a
second configuration, where said second configuration comprises said chair having said at least one
base leg, while still functioning as a chair for said first user, and said stool functioning so that said
saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is
accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch; and

said frame further has opposite left and right sides, a first of said two base legs extends generally arcuately downward from said lower portion left side and said second portion, and from said lower portion left side and said first portion, and a second of said two base legs extends generally arcuately downward from said frame lower portion right side and said second portion, and from said frame lower portion right side and said first portion, whereby said base legs define rockers.

31. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion

for supporting said first user in a seated position, and at least one base leg located

below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair has opposite left and right sides, and said claw includes each of a claw notch, a first tooth that extends toward said left side from said notch, and a second tooth that extends toward the right side from said notch.

32. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion,

a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair has opposite left and right sides, and said claw includes each of a claw notch, a first tooth that extends toward said left side from said notch, and a second tooth that extends toward the right side from said notch;

said chair further comprises a receptacle defined between said claw and said latch;

said saddle further includes a top surface that is sized and shaped with a rotationally asymmetric geometry;

said receptacle and a perimeter edge of said saddle correspond with one another so that said base portion is coupled with said frame in a rotationally asymmetric configuration;

said saddle front edge includes a pair of cooperating claw notches; and

with said asymmetric configuration, said first tooth and said second tooth can be engaged with said saddle only through the engagement of said first tooth with a first one of said cooperating claw notches and the second tooth with a second one of said cooperating claw notches.

33. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that

said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch.

said saddle further includes a top surface;

said base portion includes a plurality of lower legs for supporting said base portion;

said claw includes a claw notch generally centered along said claw; and

with said chair decoupled from said base portion, said saddle top surface is adapted to be oriented in front of said frame, and a first lower leg of said plurality of lower legs is initially positionable under said claw, so that with said claw straddling said first leg, said first leg is adapted to nest into said claw notch.

34. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is

accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said claw includes a pair of spaced apart teeth comprising a first tooth extending toward said left side of said chair and a second tooth extending toward said right side of said chair;

a pair of cooperating claw notches are formed in said saddle front edge whereby said front edge is releasably captured in said claw through engagement of said first tooth with a first one of said cooperating claw notches and said second tooth with a second one of said cooperating claw notches; and

the relative cooperation between said spaced apart teeth and said cooperating claw notches, and the sizing and configuration thereof, cause forces to be generated along the engagement points of said spaced apart teeth and said cooperating claw notches which tend to resist disengagement of said spaced apart teeth from said cooperating claw notches when a user of said

chair may exert backwardly directed or other leaning forces on said chair frame.

35. (New) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said base portion further includes a set of triangular shaped ribs extending downwardly behind said back edge of said saddle; and

the positioning and configuration of said triangular shaped ribs behind said saddle back edge tend to generate forces resistive to accidental engagement of said chair from said frame which may otherwise result from said latch not fully engaging with said cooperating latch notch, or from horizontal forces being exerted on said chair relative to said base which could tend to accidentally disengage said latch.

GENERAL REMARKS

Claims 1-23 were in the patent application as originally filed. In the Office Action, deemed "non-final" by the Examiner, claim 20 was rejected under 35 U.S.C. § 102(b) as being anticipated by Yu, US Patent No. 6,554,353. Claims 1-5, 7, 10, 14, 17-19 and 21-23 were rejected under 35 U.S.C. § 103, based on combinations of two or more of the following U.S. Patents: Yu 6,554,353; Chiang 5,893,606; Kassai 4,723,813; and Massonet 3,669,497. The following claims were deemed allowable by the Examiner, if rewritten in independent form, including all of the limitations of their base claims and any intervening claims: 6, 8, 9, 11-13, 15 and 16. The Applicants respectfully traverse the objections and the rejections of the Examiner, based upon the amendments to the claims and the following remarks.

The Applicants respectfully traverse the rejection of claim 20 under 35 U.S.C. § 102(b) as being anticipated by the Yu patent.

With referral to the numerical references in the Yu patent, the patent is specifically directed to a dual-purpose chair having a seat structure 10 and a base structure 20. The seat structure 10 consists of a seat 11, backrest 12 and backrest support frame 13. The seat 11 includes two inverted U-shaped support rods 112 used to position the base structure 20 with the seat structure 12. The backrest 12 includes two long side rods 123 which are positioned in opposition to each other. The side rods 123 are connected with each other at the top ends thereof, and are provided at the bottom ends thereof with a support 125. A backrest support frame 13 has a U-shaped construction, with two arms 132. The arms are pivoted at their free ends with two side rods 123 of the backrest 12. At the midsegment of the two arms 132, two side rods 114 associated with the seat 11 are pivoted.

Turning specifically to the base structure 20, it consists of an upright rod 21, caster seat arms 22, a support plate 23 mounted at the top end of an upright rod 21, and a cover plate 40 corresponding in shape and size to the support plate 23. The support plate 23 is provided with a series of fastening holes 24. The cover plate 40 is attached to the support plate 23 by a series of fastening bolts 25 which are received in the fastening holes 24 of the support plate 23 and the cover plate 40. Yu explains that the cover plate 40 is intended to conceal the support plate 23 and fasten the base structure 20 to the seat structure 10 in conjunction with the support plate 23. In this regard, the base structure 20 is fastened with the two support rods 112 of the seat 11 of the seat structure 10 by the fastening bolts 25.

When the seat structure 10 is connected to the base structure 20, the chair serves as an office chair. Correspondingly, when the base structure 20 is separated from the seat structure 10 by unfastening the bolts 25, the seat structure 10 can then be used as a deck chair. In this configuration, the two support portions 125 of the side rods 123 of the backrest 12 rest on a floor surface.

In addition to the foregoing, the seat structure 10 also includes components which function so as to provide for the backrest 12 to be turned on a pivoting point of the backrest support frame 13. With this function, and with a set of pivoting blocks 30, the seat structure 10 can be folded such that the backrest 12 and the seat 11 are joined together. It should be noted that when the chair is being used with the seat structure 10 as a deck chair, there is no function or purpose whatsoever ascribed to the base structure 20. That is, the base structure 20 only has function when it is attached to the seat structure 10 through the support rods 112 and fastening bolts 25.

The Examiner has stated that claim 20 is anticipated by Yu, and has identified various elements in the Yu disclosure which the Examiner considers to correspond to elements defined in

claim 20. Specifically, the Examiner considers that the legs 22 in Yu correspond to the base legs defined in claim 20. The elements 22 described in Yu do not correspond to the base legs defined in claim 20 by the Applicants. Specifically, Yu describes elements 22 as a plurality of caster seat arms extending radially from the bottom end of the upright rod 21 of the base structure 20. In contrast, the base legs defined in claim 20 are defined as being attached to and depending downwardly from the seating portion of the Applicants' chair, and not from any base portion of the chair. Further, the base legs are defined in claim 20 as being spaced laterally from one another. In contrast, Yu describes the caster seat arms 22 as extending radially from a center point. For these reasons, the Applicants respectfully submit that Yu does not teach, or even suggest, base legs as defined in claim 20 of the current application. In this regard, the Applicants have also amended claim 20 so as to clarify the invention and provide a proper antecedent basis. Specifically, the last paragraph of claim 20 has defined the chair as being "supported by said chair legs...". The reference to "chair legs" should, instead, be a reference to "said base legs." With this amendment, the language in the last paragraph of claim 20 includes proper antecedent basis.

Further, claim 20 defines the chair and the stool as being configurable in a second configuration where the chair and the stool base portion are disconnected, and the base portion positioned so as to serve as a side table or work surface, or as a stool for seating a second user. The Applicants respectfully submit that Yu neither teaches nor suggests a base portion which functions as a side table, work surface or seating stool. The Examiner refers to FIG. 2 of the Yu patent as allegedly showing this second configuration. However, for purposes of interpreting the Examiner's statements, reference is made to the Examiner's statements with respect to claim 5, where the saddle of Applicants' invention is defined as having a top surface which faces upward,

and defines at least one of a working surface, writing surface or sitting surface. With this language, the Applicants are assuming that the Examiner considers the support plate 23 shown in FIG. 2 of Yu to have the capability of functioning as a side table, work surface or seating stool. However, the Yu patent further describes the element 40 as a "cover plate." The cover plate is also described as being used to conceal the support plate 23, and to fasten the base structure 20 to the seat structure 10 in conjunction with the support plate 23. There is no express statement or suggestion in Yu that the cover plate 40, support plate 23 or any other elements of the base portion 20 are ascribed a use as a side table, work surface or seating stool. Further, for the cover plate 40 to serve the function as defined for the same in the Yu patent, the plate 40 must have holes and bolts positioned through the same. Such attributes do not, in any manner, lend themselves to any type of effective or comfortable writing or sitting surfaces. Further, it should be noted that to the extent the Examiner considers that the support plate 23 could be used as a seat or writing surface, the Applicants respectfully submit that FIG. 2 and the written disclosure of Yu is incomplete, in that the Yu patent does not correctly define a method for attaching its tilt mechanism to the support plate 23. For such an attachment, the support plate 23 would clearly require additional holes and bolts protruding therethrough.

For all of the foregoing reasons, the Applicants respectfully submit that claim 20 as amended is not anticipated by Yu.

The Applicants respectfully traverse the rejections of claims 1 and 5 under §103(a) as being unpatentable over Yu in view of the Chiang patent.

The Yu patent was previously described herein. The Chiang patent is directed to a multi-functional "children's gear" having a chair, supporting bracket, pair of front legs, pair of rear legs, handle grips, footrest and four wheels. The posts of the supporting bracket can be inserted

into receiving holes of a fixing plate, so as to form a table seat. The cushion pad of the chair can be removed from dowel pins of the supporting bracket, and the chair can be used as a car seat. In the Office Action, the Examiner considers that FIG. 2 of the Chiang patent expressly teaches a second configuration to which the children's gear can be converted, without requiring any manual manipulation of bolts, screws or nuts. More specifically, the Examiner contends that replacing elements 141 on the basis of Yu will allow the attachment and detachment of the chair to and from the base, without the use of tools. Respectfully, the Applicants believe that the reference to elements 141 may be in error, since such elements 141 only appear in the Chiang patent, and not the Yu patent.

The Examiner agrees that the Yu patent fails to show the second configuration defined in claim 1, where such second configuration can be achieved from manual conversion from the first configuration, without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools. However, the Examiner considers Chiang to attach and detach a chair from the base, without requiring the use of tools.

The Applicants respectfully traverse the combination of Yu and Chiang. The Yu patent is expressly directed to a configuration comprising bolts 25, a cover plate 40 and support plate 23 for purposes of attaching a chair portion to a base portion. Providing a different configuration in Yu, as allegedly taught by Chiang, would destroy a primary feature of the Yu patent disclosure. Further, there is no teaching or suggestion whatsoever in Yu to utilize any other type of attachment configuration, beyond that expressly described in Yu. Still further, there is no teaching or suggestion whatsoever to utilize the configuration disclosed in Chiang for purposes of providing a deck chair. For these reasons, the Applicants respectfully submit that Yu and Chiang cannot be tenably combined.

Assuming, arguendo, that Yu and Chiang can be tenably combined, the alleged combination still does not teach or suggest Applicants' invention as defined in claim 1. For the reasons specifically set forth herein with respect to the Examiner's rejection of claim 20 as being anticipated by Yu, the Yu patent does not teach or suggest any type of stool which functions so that a saddle is accessible to a first user as a work surface or, alternatively, that the saddle is accessible to a second user as a sitting surface. That is, as Applicants previously described, the support plate 23 and the cover plate 40, in combination with the bolts 25 and the bolt holes 24, are not ascribed any function associated with a work surface or a sitting surface when configured separately from a chair portion. Applying the teachings of Chiang still does not teach or suggest these features of Applicants' invention as defined in claim 1.

Further, the Applicants respectfully submit that Chiang does not teach or suggest any manual manipulation of bolts, screws or nuts. In fact, the Applicants believe that the Chiang patent does not disclose any realistic method of attachment between the cushion pad 10 and the supporting bracket 14 expressly illustrated in FIG. 2 of the Chiang patent. As described beginning in Column 2, Line 17 of the Chiang patent, and with reference to FIG. 3, the bottom of the cushion pad 10 is provided with four receiving holes. A supporting bracket 14 has the same dimensions as the cushion pad 10. The supporting bracket 14 includes four dowel pins 141 which correspond to those receiving holes of the cushion pad. The Chiang patent goes on to state the chair 1 can be attached to the supporting bracket 14 through these four receiving holes of the cushion pad 10. In fact, with this disclosure, there is no method of actual attachment of the chair 1 to the supporting bracket 14. In this regard, the Applicants further believe that Chiang is not only incomplete, but discloses a configuration which would clearly not be considered realistically functional, from a safety viewpoint, without additional features and

structure so as to provide some type of more secure attachment of the chair 1 to the supporting bracket 14 or other element of the lower portion of the children's gear.

In view of all of the foregoing, the Applicants respectfully submit that claim 1 is patentable over the alleged combination of Yu and Chiang.

With respect to claim 5, the claim is directly dependent from claim 1, and incorporates all limitations thereof. For the reasons previously set forth herein that claim 1 is patentable over the alleged combination of Yu and Chiang, the Applicants respectfully submit that claim 5 is also patentable thereover.

The Applicants respectfully traverse the rejection of claims 2 – 4, 7, 10, 14 and 17 – 19 under §103(a) as being unpatentable over the combination of Yu and Chiang as applied to claim 1, and further in view of Kassai and Massonet.

The Kassai patent describes a construction arrangement for attaching a table to nursing chairs. The attaching mechanism includes longitudinally extending right and left-hand table support frames, a table and right and left-hand operating levers. The levers can be turned between first and second locking and release positions, respectively. In the first position, the levers are in engagement with outer lateral portions and lower portions of the support frames. In the second position, the engagement is released. Slide members are spring operated so as to urge the slide members to slide inwardly. The slide member is attached to the operating member so as to facilitate both locking engagement and removal of the table from the nursing chairs. The Examiner contends that FIGS. 3 and 4 of Kassai illustrates the concept of a claw having a series of teeth, with the teeth comprising at least first and second teeth, both of which are releasably engaging a saddle and provide alignment of the chair and base portion when engaged. The

Examiner also states that Kassai teaches a latch 18, which extends downwardly and moves between open and closed positions.

The Massonet patent is directed to a sectionalized chair. As described in the abstract, the chair includes a stand having two pairs of legs joined by a cross bar, and a unit having an integral back and seat. The cross bar includes inclined and divergent rear and front faces. The lower surface of the seat is provided with formations for centering the seat relative to and attaching it to the inclined surfaces and side edges of the seat. The side edges of the seat fit between the upper ends of the two pairs of legs. The Examiner considers FIGS. 1 and 3 of the Massonet patent to illustrate the use of a claw having teeth and ramping surface. The Examiner specifically identifies FIGS. 6a and 7a as corresponding to these elements.

Each of claims 2 – 4, 7, 10, 14, 17 and 18 are directly or indirectly dependent from claim 1, and incorporate all limitations thereof. For the reasons previously set forth herein, claim 1 is patentable over the alleged combination of Yu and Chiang. The Applicants respectfully submit that adding the teachings and suggestions of Kassai and Massonet to the alleged combination of Yu and Chiang still does not teach or suggest the features of Applicants' invention as defined in claim 1. For these reasons, the Applicants respectfully submit that claim 1 is patentable over the alleged four patent combination. In view of each of these dependent claims being directly or indirectly dependent from claim 1, the Applicants therefore respectfully submit that each of these claims is also patentable over the alleged four patent combination.

With respect to claim 19, the claim is an independent claim. The claim defines elements somewhat similar to those of claim 1. In particular, claim 19 describes the feature that the stool, when in the second configuration, is accessible to the first user as a work surface or, alternatively, is accessible to a second user as a seating surface. In the prior discussion herein,

the Applicants explained that the same features which are defined in claim 1 render claim 1 patentable over the alleged combination of Yu and Chiang. As explained with respect to claims directly or indirectly dependent from claim 1, adding the teachings and suggestions of Kassai and Massonet to those of Yu and Chiang still does not teach or suggest Applicants' invention as described in claim 1. For these same reasons, the Applicants respectfully submit that claim 19 is patentable over the alleged four patent combination.

The Applicants respectfully traverse the rejection of claims 21 – 23 under §103(a) as being unpatentable over the combination of Yu and Chiang.

For the reasons previously set forth herein, the Applicants respectfully submit that Yu and Chiang cannot be tenably combined. Assuming, arguendo, that Yu and Chiang can be tenably combined, the Applicants respectfully submit that each of these claims is patentable over the alleged combination. Claim 21 is an independent claim and, in a manner similar to claim 1, defines a combination of a chair and stool base portion having a second configuration where the saddle is accessible to a first user as a work surface or, alternatively, is accessible to a second user as a sitting surface. As earlier described with respect to claim 1, these features of Applicants' invention are neither taught nor suggested by the alleged combination of Yu and Chiang. For these same reasons, the Applicants respectfully submit that claim 21 is patentable over the alleged combination of Yu and Chiang.

Each of claims 22 and 23 is directly or indirectly dependent from claim 21, and incorporates all limitations thereof. For the reasons previously set forth herein that claim 21 is patentable over the alleged combination of Yu and Chiang, the Applicants respectfully submit that each of these dependent claims is also patentable thereover.

The Applicants have also amended claim 2 so as to more expressly define and clarify Applicants' invention with respect to the claw extending downwardly from a second portion of the lower portion, and with the front edge of the saddle cooperating with the claw, so that the front edge is releasably captured in the claw. These features of claim 2 do not constitute any new matter, and were expressly defined in claim 2 as originally filed.

Each of claims 24 – 27 is a new dependent claim, with each claim being dependent directly from claim 2. Claim 24 defines the latch, and was previously defined in claim 2 as originally filed. Similarly, claim 25 defines the concept of the back edge cooperating with the lower portion latch, with the back edge being releasably captured by the latch. Claim 26 is a dependent claim, directly dependent from claim 2, and defining the concept of the latch and the saddle being releasably captured by the latch. Each of these dependent claims incorporates language which was within originally filed claim 2. Claim 27 is a new dependent claim directly dependent from claim 24, and defines the latch as comprising at least one tooth, with the tooth releasably engaging the saddle and providing alignment of the chair and the base portion when engaged. The features associated with Applicants' invention were previously defined in claim 3 as originally filed, and elsewhere in the written specification.

The Applicants have also added claims 28 – 35, each of these claims being independent. The claims correspond to those claims which are considered allowable by the Examiner, if rewritten in independent form, including all limitations of the base claim and any intervening claims. In this regard, the following correlations exist: Claim 28 corresponds to claims 1, 2 and 6 as originally filed; claim 29 corresponds to originally filed claims 1, 2, 6 and 9; claim 30 corresponds to originally filed claims 1, 2 and 8; claim 31 corresponds to originally filed claims 1, 2 and 11; claim 32 corresponds to originally filed claims 1, 2, 11 and 12; claim 33 corresponds

to originally filed claims 1, 2 and 13; claim 34 corresponds to originally filed claims 1, 2 and 15; and claim 35 corresponds to originally filed claims 1, 2 and 16.

In view of all of the foregoing, the Applicants respectfully submit that the claims as amended are now in condition for allowance, and early notification of allowability is respectfully requested. Should any questions arise in connection with the above, please contact Thomas L. Lockhart at the telephone number of (616) 336-6000.

Respectfully submitted,

Dated: February 26, 2013

By: Thomas L. Lockhart
Thomas L. Lockhart 29,324
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
Bridgewater Place
333 Bridge Street, N.W.
Post Office Box 352
Grand Rapids, Michigan 49501-0352
(616) 336-6000

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Electronic Patent Application Fee Transmittal

Application Number:	13277778
Filing Date:	20-Oct-2011
Title of Invention:	CHAIR WITH COUPLING COMPANION STOOL BASE
First Named Inventor/Applicant Name:	Anthony J. Warncke
Filer:	Thomas L. Lockhart/Sherrill Helms
Attorney Docket Number:	Sauder Mfg. P1US3-CON

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	1202	12	62	744
Independent claims in excess of 3	1201	8	250	2000

Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Extension - 1 month with \$0 paid	1251	1	150	150
Miscellaneous:				
Total in USD (\$)				2894

Electronic Acknowledgement Receipt

EFS ID:	15054102
Application Number:	13277778
International Application Number:	
Confirmation Number:	8216
Title of Invention:	CHAIR WITH COUPLING COMPANION STOOL BASE
First Named Inventor/Applicant Name:	Anthony J. Warncke
Customer Number:	37190
Filer:	Thomas L. Lockhart/Sherrill Helms
Filer Authorized By:	Thomas L. Lockhart
Attorney Docket Number:	Sauder Mfg. P1US3-CON
Receipt Date:	26-FEB-2013
Filing Date:	20-OCT-2011
Time Stamp:	15:27:30
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$2894
RAM confirmation Number	2315
Deposit Account	220257
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Arguments/Remarks Made in an Amendment	sauderp1us3conresponsetooffi ceaction.pdf	154876 6a1b5e2b79c1613ea65ce4aefb87f2eabfe6 c92	no	35

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	33955 ba2e261462d1bd93a5fb8710c56c5f61eb6 8f84c	no	2
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Warnings:

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Total Files Size (in bytes): 188831

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/277,778	Filing Date 10/20/2011	<input type="checkbox"/> To be Mailed
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APPLICATION AS FILED – PART I			OTHER THAN SMALL ENTITY			
	(Column 1)	(Column 2)	SMALL ENTITY <input type="checkbox"/>	OR		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A		N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A		N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A		N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	OR	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =		X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>						
			TOTAL		TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED – PART II			OTHER THAN SMALL ENTITY			
	(Column 1)	(Column 2)	(Column 3)	SMALL ENTITY	OR	

AMENDMENT	02/26/2013	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA						
	Total (37 CFR 1.16(i))	* 35	Minus	** 23	=	12		X \$ =	OR	X \$62=	744	
	Independent (37 CFR 1.16(h))	* 12	Minus	***4	=	8		X \$ =	OR	X \$250=	2000	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))											
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
							TOTAL ADD'L FEE	OR	TOTAL ADD'L FEE	2744		

AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA						
	Total (37 CFR 1.16(i))	*	Minus	**	=	=		X \$ =	OR	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	=		X \$ =	OR	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))											
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
							TOTAL ADD'L FEE	OR	TOTAL ADD'L FEE			

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/SHOWANE SMITH/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AMENDMENTS TO THE CLAIMS

1. (Original) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user.

2. (Previously Amended) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that:

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, and a claw extending generally downward from said second portion;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw.

3. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that said claw comprises a plurality of teeth, said teeth comprising at least a first tooth and a second tooth, both of said teeth releasably engaging said saddle and providing alignment of said chair and said base portion when engaged.

4. (Original) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that when said chair is decoupled from said base, the base portion is adapted for use as casual floor rocker seating.

5. (Original) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that the saddle further comprises a top surface that faces upward, and that defines at least one of a working surface, a writing surface and a sitting surface.

6. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the chair further comprises a receptacle defined between the claw and the latch;

the saddle further comprises a top surface and a perimeter edge incorporating the back and front edges, circumscribing the top surface and defining the top surface with a rotationally asymmetric geometry; and

the lower portion receptacle and the saddle perimeter edge correspond with one another so that the base couples with the frame only in one specific rotational orientation.

7. (Original) The combination of a chair and a stool base portion in accordance with claim 2 further including a bias member that biases the latch to the closed position.

8. (Original) The combination of a chair and a stool base portion in accordance with claim 2 wherein the frame has opposite left and right sides, a first of the two base legs extends generally arcuately downward from the lower portion left side and second portion, and from the lower portion left side and first portion, and a second of the two base legs extends generally arcuately downward from the frame lower portion right side and second portion, and from the frame lower portion right side and first portion, whereby the base legs define rockers.

9. (Original) The combination of a chair and a stool base portion in accordance with claim 6 wherein the rockers define protective rails about the latch.

10. (Original) The combination of a chair and a stool base portion in accordance with claim 2 wherein the latch is located between the two base legs, so that the legs define protective rails about the latch.

11. (Original) The combination of a chair and a stool base portion in accordance with claim 2 wherein the chair has opposite left and right sides and wherein the claw includes each of a claw notch, a first tooth that extends toward the left side from the notch, and a second tooth that extends toward the right side from the notch.

12. (Original) The combination of a chair and a stool base portion in accordance with claim 11, characterized in that:

the chair further comprises a receptacle defined between the claw and the latch;

the saddle further includes a top surface that is sized and shaped with a rotationally asymmetric geometry;

the receptacle and a perimeter edge of the saddle correspond with one another so that the base portion couples with the frame in a rotationally asymmetric configuration;

the saddle front edge includes a pair of cooperating claw notches; and

with the asymmetric configuration, the first tooth and second tooth can be engaged with the saddle only through the engagement of the first tooth with a first one of the cooperating claw notches and the second tooth with a second one of the cooperating claw notches.

13. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the saddle further includes a top surface;

the base portion includes a plurality of lower legs for supporting the base portion;

the claw includes a claw notch generally centered along the claw; and

with the chair decoupled from the base portion, the saddle top surface is adapted to be oriented in front of the frame, and a first lower leg of the plurality of lower legs is initially positionable under the claw, so that with the claw straddling the first leg, the first leg is adapted to nest into the claw notch.

14. (Original) The combination of a chair and a stool base portion in accordance with claim 1 wherein the base portion further includes a pedestal that extends generally upward to the saddle and includes a connector that operatively connects the saddle with the pedestal, the connector including at least one of a tilt mechanism whereby the saddle tilts relative to the pedestal and a swivel mechanism whereby the saddle swivels relative to the pedestal.

15. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the claw includes a pair of spaced apart teeth comprising a first tooth extending toward the left side of the chair and a second tooth extending toward the right side of the chair;

a pair of cooperating claw notches are formed in the saddle front edge whereby the front edge is releasably captured in the claw through engagement of the first tooth with a first one of the cooperating claw notches and the second tooth with a second one of the cooperating claw notches; and

the relative cooperation between the spaced apart teeth and the cooperating claw notches, and the sizing and configuration thereof, cause forces to be generated along the engagement points of the spaced apart teeth and the cooperating claw notches which tend to resist

disengagement of the spaced apart teeth from the cooperating claw notches when a user of the chair may exert backwardly directed or other leaning forces on the chair frame.

16. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

the base portion further includes a set of triangular shaped ribs extending downwardly behind the back edge of the saddle; and

the positioning and configuration of the triangular shaped ribs behind the saddle back edge tend to generate forces resistive to accidental disengagement of the chair from the frame which may otherwise result from the latch not fully engaging with the cooperating latch notch, or from horizontal forces being exerted on the chair relative to the base which could tend to accidentally disengage the latch.

17. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that a latch ramping surface is positioned at the saddle back edge.

18. (Original) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that the latch and the saddle are sized and configured so that when the latch is moved from a disengaged position to a completely engaged position with the saddle back edge, the physical contact occurring between the latch and saddle back edge generates a sound audible to a chair user, thereby providing the user with positive feedback that correct engagement of the latch with the saddle back edge has been achieved.

19. (Original) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to be releasably engaged with said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said at least one base leg is sized and structured so as to permit a rocking motion of said chair when said combination is in said second configuration.

20. (Currently Amended) A combination of a chair and a stool base portion, said chair comprising:

a sitting portion;

base legs attached to and depending downwardly from said sitting portion, said base legs being spaced laterally from one another;

said stool base portion comprising floor engaging members and a saddle located generally at a top of said base portion;

said sitting portion including manually operable means for releasably engaging said chair from said base portion;

said chair and said stool base portion are configurable in a first configuration in which said chair is releasably coupled to said saddle by said engaging means; and

said chair and said stool being configurable in a second configuration wherein said chair and said stool base portion are disconnected, said chair is supported by said ~~chair~~base legs, and said base portion is positioned so as to serve as a side table or work surface, or as a stool for seating a second user.

21. (Original) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion comprising a saddle releasably engaged with said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair being supported on said at least one base leg supported on said horizontal surface, while still functioning as a chair for said

first user, and said stool base portion functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said saddle of said base portion comprises a top surface and a perimeter edge circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry.

22. (Original) A combination of a chair and stool base portion in accordance with claim 21, characterized in that said chair further comprises:

at least two base legs attached to and depending downwardly from said lower portion, said base legs being spaced laterally from one another and creating an open space between said base legs on an underside of said sitting portion;

said stool base portion further comprises a plurality of chair legs radiating outwardly, for supporting said base portion;

when said combination is in said second configuration, said chair and said stool base portion are disconnected, said chair is supported by said base legs, and said stool base portion is located in front of said chair with at least one of chair legs projecting underneath said chair, between said laterally spaced base legs, whereby a user can be seated in said chair and can use said saddle base as a work surface.

23. (Original) A combination of a chair and stool base portion in accordance with claim 22, characterized in that said base legs are sufficiently long so that the front of said chair allows said one of said chair legs to extend beneath said sitting portion, but sufficiently short so

that when said chair is mounted on said base portion, said base legs do not engage any support surface.

24. (Previously Presented) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that said lower portion further comprises a latch extending generally downward from said first portion, said latch being connected with said first portion and moving between closed and open positions.

25. (Previously Presented) The combination of a chair and a stool base portion in accordance with claim 24, characterized in that said saddle further comprises a back edge opposing said front edge, said back edge cooperating with said lower portion latch so that said back edge is releasably captured by said latch.

26. (Previously Presented) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

said lower portion further comprises a latch extending generally downward from said first portion, said latch being connected with said first portion and moving between said closed and open positions; and

said saddle cooperating with said lower portion latch so that said saddle is releasably captured by said latch.

27. (Previously Presented) The combination of a chair and a stool portion in accordance with claim 24, characterized in that said latch comprises at least one tooth, said tooth releasably engaging said saddle and providing alignment of said chair and said base portion when engaged.

28. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair further comprises a receptacle defined between said claw and said latch;

said saddle further comprises a top surface and a perimeter edge incorporating said back and said front edges, circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry; and

said lower portion receptacle and said saddle perimeter edge correspond with one another so that said base couples with said frame only in one specific rotational orientation.

29. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair further comprises a receptacle defined between said claw and said latch;
said saddle further comprises a top surface and a perimeter edge incorporating said back and said front edges, circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry;

said lower portion receptacle and said saddle perimeter edge correspond with one another so that said base portion couples with said frame only in one specific rotational orientation; and

said rockers define protective rails about said latch.

30. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a

second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch; and

said frame further has opposite left and right sides, a first of said two base legs extends generally arcuately downward from said lower portion left side and said second portion, and from said lower portion left side and said first portion, and a second of said two base legs extends generally arcuately downward from said frame lower portion right side and said second portion, and from said frame lower portion right side and said first portion, whereby said base legs define rockers.

31. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally

downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair has opposite left and right sides, and said claw includes each of a claw notch, a first tooth that extends toward said left side from said notch, and a second tooth that extends toward the right side from said notch.

32. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is

accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said chair has opposite left and right sides, and said claw includes each of a claw notch, a first tooth that extends toward said left side from said notch, and a second tooth that extends toward the right side from said notch;

said chair further comprises a receptacle defined between said claw and said latch;

said saddle further includes a top surface that is sized and shaped with a rotationally asymmetric geometry;

said receptacle and a perimeter edge of said saddle correspond with one another so that said base portion is coupled with said frame in a rotationally asymmetric configuration;

said saddle front edge includes a pair of cooperating claw notches; and

with said asymmetric configuration, said first tooth and said second tooth can be engaged with said saddle only through the engagement of said first tooth with a first one of said cooperating claw notches and the second tooth with a second one of said cooperating claw notches.

33. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion

spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch.

said saddle further includes a top surface;

said base portion includes a plurality of lower legs for supporting said base portion;

said claw includes a claw notch generally centered along said claw; and

with said chair decoupled from said base portion, said saddle top surface is adapted to be oriented in front of said frame, and a first lower leg of said plurality of lower legs is initially positionable under said claw, so that with said claw straddling said first leg, said first leg is adapted to nest into said claw notch.

34. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said claw includes a pair of spaced apart teeth comprising a first tooth extending

toward said left side of said chair and a second tooth extending toward said right side of said chair;

a pair of cooperating claw notches are formed in said saddle front edge whereby said front edge is releasably captured in said claw through engagement of said first tooth with a first one of said cooperating claw notches and said second tooth with a second one of said cooperating claw notches; and

the relative cooperation between said spaced apart teeth and said cooperating claw notches, and the sizing and configuration thereof, cause forces to be generated along the engagement points of said spaced apart teeth and said cooperating claw notches which tend to resist disengagement of said spaced apart teeth from said cooperating claw notches when a user of said chair may exert backwardly directed or other leaning forces on said chair frame.

35. (Previously Presented) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg located below said sitting portion;

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one

base leg, while still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface;

said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user;

said lower portion comprises a first portion near said upper portion, a second portion spaced away from said first portion, a claw extending generally downward from said second portion, a latch extending generally downward from said first portion, the latch being connected with said first portion and moving between closed and open positions;

said chair further comprises at least two of said base legs extending generally downward;

said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw, and said back edge cooperates with said lower portion latch so that said back edge is releasably captured by said latch;

said base portion further includes a set of triangular shaped ribs extending downwardly behind said back edge of said saddle; and

the positioning and configuration of said triangular shaped ribs behind said saddle back edge tend to generate forces resistive to accidental engagement of said chair from said frame which may otherwise result from said latch not fully engaging with said cooperating latch notch, or from horizontal forces being exerted on said chair relative to said base which could tend to accidentally disengage said latch.

GENERAL REMARKS

The current patent application was the subject of an Office Action dated October 26, 2012. A Response to the Office Action was filed on February 26, 2013. In the February 26 Response, reference was made in the section titled "General Remarks" to an amendment to claim 20. Specifically, a section of the General Remarks on page 27 read as follows:

"In this regard, the Applicants have also amended claim 20 so as to clarify the invention and provide a proper antecedent basis. Specifically, the last paragraph of claim 20 has defined the chair as being "supported by said chair legs . . .". The reference to "chair legs" should, instead, be a reference to "said base legs." With this amendment, the language in the last paragraph of claim 20 includes proper antecedent basis."

With this language and an amendment to claim 20, the Applicants were to amend the reference to "chair legs" as noted above. However, the Applicants inadvertently retained the term "chair legs" in claim 20 as presented in the February 26 amendment. This was inadvertent on the part of the Applicants, as shown by the language within the General Remarks section regarding an amendment to claim 20. This Supplemental Response is for purposes of correcting the typographical omission.

In view of the amendment to claim 20 as set forth herein, and in view of the amendments to the other claims as set forth in the February 26 Response, the Applicants respectfully submit that claims 1 – 35 are now in condition for allowance and early notification of allowability is respectfully requested. Should any questions arise in connection with the above, please contact Thomas L. Lockhart at the telephone number of (616) 336-6000.

Respectfully submitted,

Dated: March 29, 2013

By: Thomas L. Lockhart
Thomas L. Lockhart 29,324
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
Bridgewater Place
333 Bridge Street, N.W.
Post Office Box 352
Grand Rapids, Michigan 49501-0352
(616) 336-6000

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Electronic Acknowledgement Receipt

EFS ID:	15388641
Application Number:	13277778
International Application Number:	
Confirmation Number:	8216
Title of Invention:	CHAIR WITH COUPLING COMPANION STOOL BASE
First Named Inventor/Applicant Name:	Anthony J. Warncke
Customer Number:	37190
Filer:	Thomas L. Lockhart/Sherrill Helms
Filer Authorized By:	Thomas L. Lockhart
Attorney Docket Number:	Sauder Mfg. P1US3-CON
Receipt Date:	29-MAR-2013
Filing Date:	20-OCT-2011
Time Stamp:	13:11:36
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Arguments/Remarks Made in an Amendment	sauderp1us3supplementalresponse.pdf	119669 <small>26a2626df96678877cac234c8ee33fa6ab71e8c</small>	no	26

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 13/277,778	Filing Date 10/20/2011	<input type="checkbox"/> To be Mailed
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APPLICATION AS FILED – PART I			OTHER THAN SMALL ENTITY			
	(Column 1)	(Column 2)	SMALL ENTITY <input type="checkbox"/>	OR		
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A		N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (j), or (m))</small>	N/A	N/A	N/A		N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A		N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	OR	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =		X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>						
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL	

APPLICATION AS AMENDED – PART II					OTHER THAN SMALL ENTITY			
	(Column 1)	(Column 2)	(Column 3)					
AMENDMENT	03/29/2013	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(i))</small>	* 35	Minus ** 35	= 0	X \$ =		OR	X \$80= 0
	Independent <small>(37 CFR 1.16(h))</small>	* 12	Minus *** 12	= 0	X \$ =		OR	X \$420= 0
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						OR	
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						OR	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE 0

	(Column 1)	(Column 2)	(Column 3)					
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
	Total <small>(37 CFR 1.16(i))</small>	*	Minus **	=	X \$ =		OR	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus ***	=	X \$ =		OR	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>						OR	
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						OR	
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/DANTE SMITH/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/277,778 10/20/2011 Anthony J. Warncke Sauder Mfg. P1US3-CON 8216

37190 7590 04/09/2013
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
333 BRIDGE STREET, NW
P.O. BOX 352
GRAND RAPIDS, MI 49501-0352

EXAMINER

GARRETT, ERIKA P

Table with 2 columns: ART UNIT, PAPER NUMBER

3636

Table with 2 columns: NOTIFICATION DATE, DELIVERY MODE

04/09/2013

ELECTRONIC

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

cnlapekes@varnumlaw.com
patents@varnumlaw.com

Office Action Summary

Application No. 13/277,778	Applicant(s) WARNCKE ET AL.	
Examiner ERIKA GARRETT	Art Unit 3636	

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

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 2/26/2013 and 3/29/2013.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance 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.

Disposition of Claims

- 5) Claim(s) 1-23 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) 28-35 is/are allowed.
- 7) Claim(s) 1-5, 7, 10, 14 and 17-23 is/are rejected.
- 8) Claim(s) 6, 8, 9, 11-13, 15, 16 and 24-27 is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. 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.

2. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Yu (6554353).

3. Regarding claim 20, Yu disclose a combination of a chair and a stool base portion, said chair comprising a sitting portion (114); base legs (22) attached to and depending downwardly from said sitting portion, said base legs being spaced laterally from one another; said stool base portion comprising floor engaging members and a saddle (23) located generally at a top of said base portion; said sitting portion including manually operable means for releasably engaging said chair from said base portion; said chair and said stool base portion are configurable in a first configuration in which said chair is releasably coupled to said saddle by said engaging means; and the chair and said stool being configurable in a second configuration (figure 2) wherein said chair and said stool base portion are disconnected, said chair is supported by the base legs, and said base portion is positioned as a stool for seating a second user.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu (6554353) in view of Chiang (5893606).

6. Regarding claim 1, Yu disclose a combination of a chair and a stool base (20) portion, said chair comprising: an upper portion (12) providing a backrest for support for a first user; a lower portion (11) connected to said upper portion and having a sitting portion for supporting said first user in a seated position, and at least one base leg (21) located below said sitting portion; said stool base portion adapted to support said chair, and comprising a saddle (23) adapted to releasably engage said chair; said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle; said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair having said at least one base leg, while still functioning as a chair for said first user, and stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and said combination is manually convertible between said first configuration.

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7. Regarding claim 5, the saddle further comprises a top surface (40) that faces upward, and that defines at least one of a working surface, a writing surface and a sitting surface.

8. Yu fails to show the second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user.

9. Chiang teaches second configuration (figure 2) without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user (by way of replacing Chiang elements 141 on the base of Yu, will allow a user to attach and detach the chair to and from the base without the use of tools).

10. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the base configuration of Yu with the configuration of Chiang as shown on figures 1 and 2; it will provide an alternative way of attaching the chair to the stool.

11. Claims 2-4,7,10,14 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yu and Chiang as applied to claim 1 above, and further in view of Kassai (4723813) and Massonet (3669497).

12. The combination of Yu and Chiang teaches the base portion is adapted for use as casual floor rocker seating (figure 5); the connector including at least one of a tilt mechanism whereby the saddle tilts relative to the pedestal (20) and a swivel mechanism (by way of the backrest) whereby the saddle swivels relative to the pedestal and said at least one base leg is sized and structured so as to permit a rocking motion of said chair when said combination is in said second configuration.

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13. The combination of Yu and Chaing fails to show claw comprises a plurality of teeth, said teeth comprising at least a first tooth and a second tooth, both of said teeth releasably engaging said saddle and providing alignment of said chair and said base portion when engaged; a latch extending downward and moving between the open and closed positions; latch ramping surface is position at the back edge.

14. Massonet teaches claw with teeth and a ramping surface (6a, 7a), see figures 1 and 3.

15. Kassai teaches claw (figures 3-4) comprises a plurality of teeth, said teeth comprising at least a first tooth and a second tooth, both of said teeth releasably engaging said saddle and providing alignment of said chair and said base portion when engaged; a latch (18) extending downward and moving between the open and closed positions.

16. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the seat with a claw, teeth and latch as taught by Kassai and Massonet, in order to clamp or attach the seat to the stool. Such would provide the biasing means, ramping surfaces, and due to the biased latch, a clicking sound may be achieved when the elements are engaged.

17. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yu and Chiang.

18. Yu disclose a plurality of chair legs (114) radiating outwardly, for supporting said base portion; one of said chair legs to extend beneath said sitting portion, but

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sufficiently short so that when said chair is mounted on said base portion, said base legs do not engage any support surface.

19. The combination of Yu and Chiang fails to show a perimeter edge circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry.

20. It would have been an obvious matter of design choice to separation between a perimeter edge circumscribing said top surface and defining said top surface with a rotationally asymmetric geometry solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with edge of Yu and Chiang.

Allowable Subject Matter

21. Claims 6, 8, 9, 11-13, 15, 16 and 24-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

22. Claims 28-35 are allowed.

Response to Arguments

23. Applicant's arguments filed 2/26/13 have been fully considered but they are not persuasive.

24. In response to applicant's argument that Yu cover plate is not used for a side table, work force or seating stool, a recitation of the intended use of the claimed invention must result in **a structural difference** between the claimed invention and the

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prior art in order to patentably distinguish the claimed invention from the prior art. **If the prior art structure is capable of performing the intended use, then it meets the claim.** The cover plate 40 and 23 can be used as a table or a work surface and a stool, see figure 2.

25. In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, the bolts of Yu can be replaced with pin as taught by Chiang in order to simply change from one configuration to another.

Conclusion

27. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIKA GARRETT whose telephone number is (571)272-6859. The examiner can normally be reached on Monday, Wednesday-Thursday 8:30 a.m.-6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on 571-272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. G. /
Examiner, Art Unit 3636

/DAVID DUNN/
Supervisory Patent Examiner, Art Unit 3636

Search Notes 	Application/Control No. 13277778	Applicant(s)/Patent Under Reexamination WARNCKE ET AL.
	Examiner ERIKA GARRETT	Art Unit 3636

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
297	134,130,118,	7/13/12	eg
updated		3/20/13	

SEARCH NOTES		
Search Notes	Date	Examiner
east search	7/13/12	eg
ids search		
inventor search		
forward and backward citations		

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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BIB DATA SHEET
CONFIRMATION NO. 8216

SERIAL NUMBER	FILING or 371(c) DATE RULE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO. Sauder Mfg. P1US3-CON	
13/277,778	10/20/2011	297	3636		
APPLICANTS Anthony J. Warncke, Archbold, OH; Jeffrey A. Jameson, Archbold, OH; Thomas A. Hagerty, Somerville, MA;					
** CONTINUING DATA ***** This application is a CON of 11/877,478 10/23/2007 PAT 8083288 which claims benefit of 60/853,669 10/23/2006					
** FOREIGN APPLICATIONS *****					
** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 11/07/2011					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged <u>/ERIKA P GARRETT/</u> Examiner's Signature	<input type="checkbox"/> Met after Allowance eg Initials	STATE OR COUNTRY OH	SHEETS DRAWINGS 12	TOTAL CLAIMS 23	INDEPENDENT CLAIMS 4
ADDRESS VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP 333 BRIDGE STREET, NW P.O. BOX 352 GRAND RAPIDS, MI 49501-0352 UNITED STATES					
TITLE CHAIR WITH COUPLING COMPANION STOOL BASE					
FILING FEE RECEIVED 4424	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		



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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes application details for Anthony J. Warncke and examiner information for Erika P. Garrett.

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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@varnumlaw.com
cwcarr@varnumlaw.com

Applicant-Initiated Interview Summary	Application No. 13/277,778	Applicant(s) WARNCKE ET AL.	
	Examiner ERIKA GARRETT	Art Unit 3636	

All participants (applicant, applicant's representative, PTO personnel):

- (1) ERIKA GARRETT. (3) Tom Lockhart.
(2) David Dunn. (4) _____.

Date of Interview: 15 May 2013.

Type: Telephonic Video Conference
 Personal [copy given to: applicant applicant's representative]

Exhibit shown or demonstration conducted: Yes No.
If Yes, brief description: _____.

Issues Discussed 101 112 102 103 Others
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 1,4,8 and 20.

Identification of prior art discussed: Yu & Chiang.

Substance of Interview

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

The applicant discussed the claimed invention, specifically with respect to claims 4, 8, and 20. The PTO noted in the 102 rejection of claim 20, the base legs of the sitting portion should have been identified as element 125 (as in Figure 2). The applicant will consider amending claims 1 & 20 to recite that the legs of the chair are rockers.

Applicant recordation instructions: The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

Examiner recordation instructions: Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/DAVID DUNN/
Supervisory Patent Examiner, Art Unit 3636

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Amendments to the Claims begin on page 2 of this Response; and
General Remarks begin on page 9 of this Response.

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A combination of a chair and a stool base portion, said chair comprising:

an upper portion providing a backrest for support for a first user;

a lower portion connected to said upper portion and having a sitting portion for supporting said first user in a seated position, ~~and at least one base leg located below said sitting portion;~~

said stool base portion adapted to support said chair, and comprising a saddle adapted to releasably engage said chair;

said combination is configurable in a first configuration with said chair being coupled to said saddle, and said sitting portion being positioned above said saddle;

said combination is manually convertible between said first configuration and a second configuration, where said second configuration comprises said chair ~~having said at least one base leg, while~~ still functioning as a chair for said first user, and said stool functioning so that said saddle is accessible to said first user as a work surface or, alternatively, so that said saddle is accessible to a second user as a sitting surface; and

said combination further comprises an assembly positioned below said sitting portion and forming at least a pair of base legs which are structured so as to function as rockers for said chair when said combination is in said second configuration.

~~said combination is manually convertible between said first configuration and said second configuration without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user.~~

2. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that:

said lower portion comprises a first portion near said upper portion, and a second portion spaced away from said first portion, ~~and a claw extending generally downward from said second portion; and~~

~~said chair further comprises at least two of said base legs extending generally downward; said base portion extends generally upward to said saddle, said saddle having opposite back and front edges, with said front edge cooperating with said lower portion claw, so that said front edge is releasably captured in said claw.~~

3. - Canceled.

4. - Canceled.

5. (Original) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that the saddle further comprises a top surface that faces upward, and that defines at least one of a working surface, a writing surface and a sitting surface.

6. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that:

~~the chair further comprises a receptacle defined between the claw and the latch;~~

the saddle further comprises a top surface and a perimeter edge incorporating the back and front edges, circumscribing the top surface and defining the top surface with a rotationally asymmetric geometry; and

the lower portion receptacle and the saddle perimeter edge correspond with one another so that the base couples with the frame only in one specific rotational orientation.

7. - Canceled.

8. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim 2 wherein ~~the frame has opposite left and right sides,~~ a first of the two base legs extends generally arcuately downward from ~~the~~a lower portion left side and second portion, and from the lower portion left side and first portion, and a second of the two base legs extends generally arcuately downward from ~~the~~a frame lower portion right side and second portion, and from the frame lower portion right side and first portion, ~~whereby~~with the base legs ~~define~~defining the rockers.

9. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim ~~6~~8 wherein the rockers define protective rails ~~about the latch~~.

10. Claims 10 – 13 – Canceled

14. (Original) The combination of a chair and a stool base portion in accordance with claim 1 wherein the base portion further includes a pedestal that extends generally upward to the

saddle and includes a connector that operatively connects the saddle with the pedestal, the connector including at least one of a tilt mechanism whereby the saddle tilts relative to the pedestal and a swivel mechanism whereby the saddle swivels relative to the pedestal.

Claims 15 – 19 – Canceled.

20. (Currently Amended) A combination of a chair and a stool base portion, said chair comprising:

a sitting portion;

base legs attached to and depending downwardly from said sitting portion, ~~said base legs being spaced laterally from one another;~~

said stool base portion comprising floor engaging members and a saddle located generally at a top of said base portion;

said sitting portion including manually operable means for releasably engaging said chair ~~from~~to said base portion;

said chair and said stool base portion are configurable in a first configuration in which said chair is releasably coupled to said saddle by said engaging means; and

said chair and said stool base portion being configurable in a second configuration wherein said chair and said stool base portion are disconnected, said chair is supported by said base legs, and said base portion is positioned so as to serve as a side table or work surface, or as a stool for seating a second user; and

said base legs function as rockers when said chair is in said second configuration.

21. - Canceled.

22. (Currently Amended) A combination of a chair and stool base portion in accordance with claim ~~21~~20, characterized in that ~~said chair further comprises:~~

~~at least two base legs attached to and depending downwardly from said lower portion,~~
said base legs ~~being~~are spaced laterally from one another and ~~creating~~create an open space between said base legs on an underside of said sitting portion;

said stool base portion further comprises a plurality of chair legs radiating outwardly, for supporting said base portion;

when said combination is in said second configuration, said chair and said stool base portion are disconnected, said chair is supported by said base legs, and said stool base portion is ~~located~~positionable in front of said chair with at least one of chair legs projecting underneath said chair, between said laterally spaced base legs, whereby a user can be seated in said chair and can use said saddle base as a work surface.

23. (Original) A combination of a chair and stool base portion in accordance with claim 22, characterized in that said base legs are sufficiently long so that the front of said chair allows said one of said chair legs to extend beneath said sitting portion, but sufficiently short so that when said chair is mounted on said base portion, said base legs do not engage any support surface.

24. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim 2, characterized in that said lower portion further comprises a latch

~~extending generally downward from said first portion, said latch being connected with said first portion and moving between closed and open positions.~~

25. (Currently Amended) The combination of a chair and a stool base portion in accordance with claim 24, characterized in that said saddle ~~further comprises a back edge opposing said front edge, said back edge cooperating~~cooperates with said lower portion latch so that said ~~back edge~~saddle is releasably captured by said latch.

Claims 26 – 35 – Canceled.

36. (New) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that said combination is manually convertible between said first configuration and said second configuration, without requiring any manual manipulation of bolts, screws or nuts, or the use of any tools by said first user.

37. (New) The combination of a chair and a stool base portion in accordance with claim 1, characterized in that said pair of base legs are spaced laterally from one another.

GENERAL REMARKS

Claims 1 – 35 were currently pending at the time of the issuance of the current Office Action, deemed final by the Examiner and dated April 9, 2013. In the Office Action, claim 20 was rejected under 35 U.S.C. § 102(b) as being anticipated by Yu, U.S. Patent No. 6,554,353. Claims 1 – 5, 7, 10, 14, 17 – 19 and 21 – 23 were rejected under 35 U.S.C. § 103, based on combinations of two or more of the following U.S. patents: Yu, 6,554,353; Chiang, 5,893,606; Kassai, 4,723,813; and Massonet, 3,669,497. Claims 28 – 35 were allowed by the Examiner. The following claims were deemed allowable by the Examiner, if rewritten in independent form, including all limitations of their base claims and any intervening claims: 6, 8, 9, 11 – 13, 15 and 16.

Following issuance of the current Office Action, Applicants' attorney, Thomas L. Lockhart, was a party to a telephone interview initiated by Mr. Lockhart, with the participants including Mr. Lockhart, Examiner Erika Garrett, and Supervisor David Dunn.

The Applicants respectfully traverse the objections and the rejections of the Examiner, based upon the Amendments to the claims as set forth herein, the substance of the Applicant-initiated telephone interview, and the following remarks.

First, the Applicants wish to graciously acknowledge and thank Examiner Garrett and Supervisor Dunn for granting the telephone interview with the Applicants' attorney, Thomas L. Lockhart. The interview was held on May 15, 2013, and was a telephonic interview. No exhibits were shown and no demonstration was conducted during the interview. Issues discussed during the interview involved the rejections by the Examiner based on 35 U.S.C. § 102 and 35 U.S.C. § 103. Specific claims discussed during the interview were claims 1, 4, 8 and 20. The

prior art references discussed during the interview were the U.S. Patents to Yu, 6,554,353 and Chiang, 5,893,606.

During the interview, and as set forth in the Interview Summary Record prepared by the Examiner and dated May 23, 2013, the claimed invention was discussed by the Applicants' attorney, specifically with respect to claims 4, 8 and 20. It was noted by Examiner Garrett and Supervisor Dunn that with respect to the rejection of claim 20 under § 102, the base legs of the sitting portion should have been identified as element 125 (as in FIG. 2). The Applicants believe that agreement was reached at least in part with respect to the claims and the prior art references, subject to the Applicants setting forth appropriate amendments to claims 1 and 20, reciting concepts that the legs associated with the chair can function as rockers in certain circumstances.

The Applicants respectfully traverse the rejection of claim 20, as amended, under 35 U.S.C. § 102(b) as being anticipated by the Yu patent.

In the Office Action, the Examiner set forth a detailed description of the disclosure of the Yu patent. A further detailed description of the disclosure of the Yu patent was set forth in the Applicants' Response to the First Office Action, with the Response dated February 26, 2013. In view of these descriptions, details regarding the Yu patent will not be repeated herein. Briefly, the Yu patent is directed to a dual-purpose chair having a seat structure 10 and a base structure 20. When the seat structure is connected to the base structure, the chair serves as an office chair. When the base structure 20 is separated from the seat structure 10 by unfastening the bolts 25, the seat structure 10 is used as a deck chair.

To clarify the Applicants' invention as defined in claim 20, and to clearly distinguish the Applicants' invention from the teachings and suggestions of the Yu patent, claim 20 has been amended with respect to the definition of the base legs associated with the chair of the

combination of the chair and stool base portion. As set forth in originally-filed claim 20, the chair and the stool base portion are configurable in a second configuration where the chair and the stool base portion are disconnected, and the chair is supported by base legs, with the base portion positionable so as to serve as a side table, work surface or stool. Specifically, claim 20 has been amended so as to further define the base legs as functioning as rockers when the chair is in the second configuration.

As discussed during the telephone interview, with respect to potential amendments to claim 20, and in accordance with the specific amendments made herein to claim 20, the Applicants respectfully submit that the base legs functioning as rockers with the chair in the second configuration as defined in amended claim 20 clearly distinguishes Applicants' invention from the teachings and suggestions of the Yu patent. Applicants further respectfully submit that other elements of claim 20 distinguish Applicants' invention from the Yu patent disclosure, with those elements being described in the Applicants' Response to the first Office Action. In any event, however, and as discussed during the telephone interview, the Applicants respectfully believe that this amendment to claim 20 expressly defining the base legs as functioning as rockers with the chair in the second configuration makes clear that claim 20 is not anticipated by Yu. Further, the Applicants respectfully submit that there is no suggestion in Yu to utilize any type of rockers. For all of these reasons, the Applicants respectfully submit that claim 20, as amended, is not anticipated by Yu.

The Applicants respectfully traverse the rejection of claims 1 and 5, as amended, under § 103(a) as being unpatentable over Yu in view of the Chiang patent.

The Yu patent has been previously described in this and prior Responses and the first Office Action. The Chiang patent was also described in the first and current Office Actions, and

the Applicants' Response to the first Office Action, and will not be repeated in detail herein. Briefly, the Chiang patent is directed to a multi-functional "childrens gear" having a chair, supporting bracket, pair of front legs, pair of rear legs, handle grips, footrest and four wheels. A cushion pad of the chair can be removed from dowel pins of the supporting bracket, and the chair can be used as a car seat.

In the Office Action, the Examiner agrees that the Yu patent fails to show a second configuration, where the configuration can be achieved from manual conversion from a first configuration, without requiring any manual manipulation of bolts, screws or nuts. However, the Examiner considers Chiang to attach and detach the chair from the base, without requiring the use of tools. Further, the Examiner considers that Yu and Chiang can be combined so as to provide for the modification of the base configuration of Yu, with the configuration of Chiang, as shown in FIGS. 1 and 2, thus providing for an alternative way of attaching a chair to a stool, without requiring any manipulation of bolts, screws or nuts, or the use of any tools.

To clarify the Applicants' invention, and to clearly overcome the Examiner's rejections, independent claim 1 has been amended. Specifically, the paragraph in claim 1 which defined the combination as being convertible between first and second configurations without requiring manual manipulation of bolts, screws or nuts, or the use of any tools, has been deleted from the claim. Instead, these concepts have been incorporated within a new claim 36. New claim 36 is directly dependent from claim 1, and expressly defines the concepts of the convertibility between first and second configurations without requiring manipulation of bolts, screws or nuts, or the use of any tools by the user. Support for the subject matter of new claim 36 is found in originally-filed claim 1, and throughout the patent application disclosure.

Claim 1 has been further amended so as to define the combination as comprising an assembly positioned below the sitting portion and forming at least a pair of base legs which are structured so as to function as rockers for the chair when the combination is in the second configuration. This additional definition within claim 1 was specifically discussed during the prior telephone interview among Examiner Garrett, Supervisor Dunn, and Attorney Lockhart. The Applicants respectfully submit that the alleged combination of Yu and Chiang, assuming, *arguendo*, that Yu and Chiang can be tenably combined, still does not teach or suggest the Applicants' invention as defined in claim 1 as amended, with the base legs functioning as rockers for the chair when the combination is in the second configuration.

With respect to the concept of the base legs functioning as rockers, the Applicants are aware of the Examiner's rejections of other claims in the Application (as described in subsequent paragraphs herein) where the combination of Yu and Chiang is alleged to teach a base portion as adapted for use as casual floor rocker seating, with at least one base leg sized and structured so as to permit a rocking motion of the chair when the combination is in the second configuration. As discussed during the prior telephone interview, and with reference to FIG. 5 of Chiang, the Applicants note that with the Chiang childrens gear used as a chair seat, the bottom of the seat is in the form of a cushion pad 10. There is no teaching or suggestion whatsoever in Chiang to utilize the cushion pad 10 or any other elements of the chair seat to provide for a rocking motion, or an express pair of base legs which are structured so as to function as rockers. In view of the foregoing, the Applicants respectfully submit that the alleged combination of Yu and Chiang still does not teach Applicants' invention as defined in claim 1, as amended.

Further, the Applicants respectfully submit that the Chiang patent is substantially inadequate with respect to any description of the structure of the chair seat, or functions thereof,

as allegedly illustrated in FIG. 5. Although the Chiang patent identifies FIG. 5 as a "schematic illustration of another preferred embodiment," there is no further description or reference to FIG. 5 any place within the Chiang patent, including disclosure and claims. For these reasons, the Applicants respectfully submit that the Chiang patent cannot be characterized as teaching or suggesting any type of rocking function associated with the Chiang childrens gear as illustrated in FIG. 5. For these further reasons, the Applicants respectfully submit that claim 1 as amended is patentable over the alleged combination of Yu and Chiang.

Claim 5 has not been amended and is directly dependent from claim 1. Claim 5 defines the saddle as comprising a top surface that faces upward, and that defines at least one of a working surface, writing surface or sitting surface. In view of claim 5 being directly dependent from claim 1 as amended, the Applicants respectfully submit that claim 5 is patentable over the alleged combination of Yu and Chiang, for the same reasons previously set forth herein that claim 1 as amended is patentable over the alleged combination.

The Applicants respectfully traverse the rejection of claims 2 – 4, 7, 10, 14 and 17 – 19 under § 103(a) as being unpatentable over the combination of Yu and Chiang as applied to claim 1 as amended, and further in view of the Kassai and Massonet patents.

Claims 3, 4, 7, 10 and 17 – 19 have been cancelled. Accordingly, the claims to which the Examiner's rejection are applied are claims 2 and 14, as amended. The Kassai and Massonet patents were previously described in the first Office Action and the Applicants' Response to the first Office Action, as well as in the current Office Action. For these reasons, these patents will not be described in detail herein. The Massonet patent has been cited by the Examiner as teaching a claw with teeth and a ramping surface, as alleged shown in FIGS. 1 and 3 of Massonet. The Kassai patent has been cited as teaching a claw (FIGS. 3 and 4 of Kassai) having

a plurality of teeth, with the teeth comprising at least a first tooth and a second tooth, and providing alignment of the chair and the base portion when engaged. Kassai is also cited for teaching a latch.

Claim 2 is directly dependent from claim 1 as amended, and incorporates all limitations thereof. Further, claim 2 has been amended so as to delete reference to a claw, and to delete reference to the saddle having opposite back and front edges, with the front edge cooperating with the lower portion claw, so that the front edge is captured in the claw. With these amendments to claim 2, the Applicants respectfully submit that the Massonet and Kassai patents have no relevance to the subject matter of claim 2. Further, and as previously described herein, claim 1 has been amended so as to expressly define at least a pair of base legs structured so as to function as rockers for the chair when the combination is in the second configuration. For the reasons previously set forth herein, claim 1 as amended is patentable over the alleged combination of Yu and Chiang. Adding the teachings of Massonet and Kassai, in an alleged combination with Yu and Chiang, still does not teach or suggest Applicants' invention as defined in claim 1 as amended. That is, the alleged four patent combination still does not teach or suggest the forming of at least a pair of base legs structured so as to function as rockers for the chair, when the combination is in the second configuration. In view of the dependency of claim 2 directly from claim 1, the Applicants respectfully submit that claim 2 as amended is patentable over the alleged four patent combination, for the same reasons that claim 1 as amended is patentable over the alleged combination.

Similarly, claim 14, which is in its original format, is directly dependent from claim 1. Claim 14 defines the base portion as including a pedestal extending generally upward to the saddle, with a connector operatively connecting the saddle with the pedestal. For the reasons

previously set forth herein, claim 1 as amended is patentable over the alleged four patent combination. For the same reasons, claim 14, being directly dependent from claim 1, is also patentable over the alleged combination.

The Applicants respectfully traverse the rejection of claims 21 – 23 under § 103(a) as being unpatentable over the combination of Yu and Chiang.

Claim 21 has been cancelled. Claim 22, previously directly dependent from claim 1, has been amended so as to be made directly dependent from claim 20, as amended. Claim 20, as amended, expressly defines the chair as having base legs functioning as rockers when the chair is in the second configuration. For the reasons previously set forth herein with respect to various claims, the Applicants respectfully submit that Yu and Chiang, even if they can be tenably combined, still do not teach or suggest Applicants' invention as defined in claim 20 as amended, which expressly defines the rockers of the chair. In view of claim 22 now being made directly dependent from claim 20, the Applicants respectfully submit that claim 22, as amended, is patentable over the alleged combination of Yu and Chiang, for the same reasons that claim 20 is patentable thereover.

Similarly, claim 23, which remains in its original form, is directly dependent from claim 22 and incorporates all limitations thereof. For the reasons that claim 22 is patentable over the alleged combination of Yu and Chiang, the Applicants respectfully submit that claim 23 is also patentable thereover.

The Examiner considered claims 6, 8, 9, 11 – 13, 15, 16, and 24 – 27 to be allowable if rewritten in independent form, including all limitations of the base claim and any intervening claims. Claims 11, 12, 13, 15, 16, 26, and 27 have been cancelled. Claim 24 is directly dependent from claim 2, which, in turn, is directly dependent from claim 1. For the reasons

previously set forth herein, the Applicants respectfully submit that claims 1 and 2, as amended, are patentable. For the same reasons, claim 24, being directly dependent from claim 2, is also patentable.

Similarly, claim 25 is directly dependent from claim 24, and incorporates all limitations thereof. For the reasons previously set forth herein that claims 1, 2, and 24 are patentable, the Applicants respectfully submit that claim 25 is also patentable.

Each of claims 26 – 35 has been cancelled. As previously described, new claims 36 and 37 have been added by amendment, with each of these claims being directly dependent from claim 1, as amended. New claim 36 was previously described herein, with support for the claim found in originally filed claim 1 and elsewhere in the application disclosure. New claim 37, which is also directly dependent from claim 1, defines the pair of base legs as being spaced laterally from one another. Support for new claim 37 is found in the language of claim 22, prior to the amendments to claim 22 as set forth in this Response. This support is also found elsewhere in the originally filed patent application disclosure.

In view of all of the foregoing, the Applicants respectfully submit that claims 1, 2, 5, 6, 8, 9, 14, 20, 22 – 25, 36 and 37, as amended, are now in condition for allowance, and early notification of allowability is respectfully requested. Should any questions arise in connection with the above, please contact Thomas L. Lockhart at the telephone number of (616) 336-6000.

Respectfully submitted,

Dated: July 2, 2013

By: Thomas L. Lockhart
Thomas L. Lockhart 29,324
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
Bridgewater Place
333 Bridge Street, N.W.
Post Office Box 352
Grand Rapids, Michigan 49501-0352
(616) 336-6000

6266392_1.DOC

Electronic Acknowledgement Receipt

EFS ID:	16220077
Application Number:	13277778
International Application Number:	
Confirmation Number:	8216
Title of Invention:	CHAIR WITH COUPLING COMPANION STOOL BASE
First Named Inventor/Applicant Name:	Anthony J. Warncke
Customer Number:	37190
Filer:	Thomas L. Lockhart/Sherrill Helms
Filer Authorized By:	Thomas L. Lockhart
Attorney Docket Number:	Sauder Mfg. P1US3-CON
Receipt Date:	02-JUL-2013
Filing Date:	20-OCT-2011
Time Stamp:	16:07:25
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Arguments/Remarks Made in an Amendment	Sauderp1us3conrequestforreconsideration.pdf	119564 6aa443b888f4b46f8c987f4c94cd557336fb04aa	no	18

Warnings:

Information:

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



NOTICE OF ALLOWANCE AND FEE(S) DUE

37190 7590 07/19/2013
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
333 BRIDGE STREET, NW
P.O. BOX 352
GRAND RAPIDS, MI 49501-0352

Table with 2 columns: EXAMINER (GARRETT, ERIKA P), ART UNIT (3636), PAPER NUMBER (8216)

DATE MAILED: 07/19/2013

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

13/277,778 10/20/2011 Anthony J. Warncke SAUDER MFG. PIUS3-CON 8216
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

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.

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.

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PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/277,778	10/20/2011	Anthony J. Warncke	SAUDER MFG. PIUS3-CON	8216

TITLE OF INVENTION: CHAIR WITH COUPLING COMPANION STOOL BASE

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	\$1780	\$300	\$0	\$2080	10/21/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
GARRETT, ERIKA P	3636	297-134000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2</p> <p>_____ 3</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent) : Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

Applicant asserting small entity status. See 37 CFR 1.27

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
Row 1: 13/277,778, 10/20/2011, Anthony J. Warncke, SAUDER MFG. PLUS3-CON, 8216
Row 2: 37190, 7590, 07/19/2013, EXAMINER GARRETT, ERIKA P
Row 3: ART UNIT 3636, PAPER NUMBER

VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
333 BRIDGE STREET, NW
P.O. BOX 352
GRAND RAPIDS, MI 49501-0352

DATE MAILED: 07/19/2013

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No. 13/277,778	Applicant(s) WARNCKE ET AL.	
	Examiner ERIKA GARRETT	Art Unit 3636	AIA (First Inventor to File) Status No

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY 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.

1. This communication is responsive to the amendment filed 7/2/13.
 A declaration(s)/affidavit(s) under 37 CFR 1.130(b) was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 1,2,5,6,8,9,14,20,22-25,36 and 37. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) All b) Some *c) None of the:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.


5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Examiner's Amendment/Comment |
| 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 6. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 7. <input type="checkbox"/> Other _____. |
| 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | |


/DAVID DUNN/
Supervisory Patent Examiner, Art Unit 3636

Amendments to the Claims begin on page 2 of this Response; and
General Remarks begin on page 9 of this Response.

Issue Classification 	Application/Control No. 13277778	Applicant(s)/Patent Under Reexamination WARNCKE ET AL.
	Examiner ERIKA GARRETT	Art Unit 3636


US ORIGINAL CLASSIFICATION					INTERNATIONAL CLASSIFICATION									
CLASS		SUBCLASS			CLAIMED					NON-CLAIMED				
297		134			A	4	7	D	1 / 10 (2006.01.01)					
CROSS REFERENCE(S)														
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)													
297	130	118												

/ERIKA GARRETT/ Examiner. Art Unit 3636 (Assistant Examiner)	7/15/13 (Date)	Total Claims Allowed: 14	
/DAVID DUNN/ Supervisory Patent Examiner. Art Unit 3636 (Primary Examiner)	07/15/2013 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 9,18

Issue Classification 	Application/Control No. 13277778	Applicant(s)/Patent Under Reexamination WARNCKE ET AL.
	Examiner ERIKA GARRETT	Art Unit 3636

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47									
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
1	1		17		33										
2	2		18		34										
	3		19		35										
	4	12	20	10	36										
8	5		21	11	37										
3	6	13	22												
	7	14	23												
4	8	6	24												
5	9	7	25												
	10		26												
	11		27												
	12		28												
	13		29												
9	14		30												
	15		31												
	16		32												

/ERIKA GARRETT/ Examiner.Art Unit 3636 (Assistant Examiner)	7/15/13 (Date)	Total Claims Allowed: 14	
/DAVID DUNN/ Supervisory Patent Examiner.Art Unit 3636 (Primary Examiner)	07/15/2013 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 9,18

Search Notes 	Application/Control No. 13277778	Applicant(s)/Patent Under Reexamination WARNCKE ET AL.
	Examiner ERIKA GARRETT	Art Unit 3636

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
297	134,130,118,	7/13/12	eg
updated		3/20/13	
d6	366	7/13/13	eg

SEARCH NOTES		
Search Notes	Date	Examiner
east search	7/13/12	eg
ids search		
inventor search		
forward and backward citations		
consulted examiner Dunn	7/10/13	eg

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
297	130, 134, 118,	7/10/13	eg

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ITJ

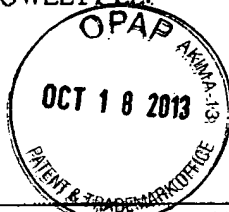
PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

37190 7300 07/19/2013 VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP 333 BRIDGE STREET, NW P.O. BOX 352 GRAND RAPIDS, MI 49501-0352



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Table with 3 rows: Depositor's name, Signature, Date

Table with 4 columns: APPLICATION NO., FILING DATE, INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Values: 13/277,778, 10/20/2011, Anthony J. Warnecke, SAUDER MFG. PIUS3-CON, 8216

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. Values: nonprovisional, UNDISCOUNTED, \$1780, \$300, \$0, \$2080, 10/21/2013

Table with 3 columns: EXAMINER, ART UNIT, CLASS-SUBCLASS. Values: GARRETT, ERIKA P, 3636, 297-134000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. Fee printing on the patent front page. list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE: Sauder Manufacturing Co. (B) RESIDENCE: (CITY and STATE OR COUNTRY): 930 W. Barre Road, Archbold, OH 43502

Please check the appropriate assignee category or categories (will not be printed on the patent): [] Individual [X] Corporation or other private group entity [] Government 4a. The following fee(s) are submitted: [X] Issue Fee [] Publication Fee [] Advance Order - # of Copies 4b. Payment of Fee(s): [] A check is enclosed. [] Payment by credit card. Form PTO-2038 is attached. [X] The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 22-0257 (enclose an extra copy of this form).

10/21/2013 CCHAU2 00000010 220257 13277778

01 FC:1501 1780.00 DA 02 FC:1504 300.00 DA

5. Change in Entity Status (from status indicated above)

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Thomas L. Lockhart/

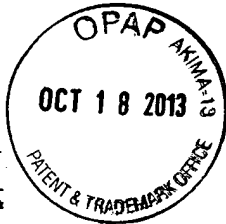
Date 10-18-2013

Typed or printed name Thomas L. Lockhart

Registration No. 29324

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



Bridgewater Place • Post Office Box 352
Grand Rapids, Michigan 49501-0352
www.varnumlaw.com

FAX

To: **USPTO Issue Fee**

From: **Thomas L. Lockhart**
tlockhart@varnumlaw.com

Phone: **616 / 336-6614**

Fax: **616 / 336-7000**

Date: **October 18, 2013**

Pages: **2, including cover page**

If you have difficulty receiving this fax, please contact Sherrill Helms at 616 / 336-6847.

*****CONFIDENTIAL*****

The information contained in this communication may be confidential, may be attorney-client privileged, may constitute inside information, and is only for the viewing and use of the intended recipients. If you are not an intended recipient, you are hereby notified that any use, disclosure, or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender at 616 / 336-6000.

*****CIRCULAR 230*****

To ensure compliance with IRS regulations, we inform you that, unless otherwise expressly indicated herein, any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (1) avoiding tax penalties or (2) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Comments:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., ISSUE DATE, PATENT NO., ATTORNEY DOCKET NO., CONFIRMATION NO.
13/277,778 11/19/2013 8585136 SAUDER MFG. PIUS3-CON 8216

37190 7590 10/30/2013
VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP
333 BRIDGE STREET, NW
P.O. BOX 352
GRAND RAPIDS, MI 49501-0352

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

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APPLICANT(s) (Please see PAIR WEB site http://pair.uspto.gov for additional applicants):

Anthony J. Warncke, Archbold, OH;
Jeffrey A. Jameson, Archbold, OH;
Thomas A. Hagerty, Somerville, MA;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit SelectUSA.gov.

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	--

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of Ohio on the following
 Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 3:14-cv-962	DATE FILED 5/2/2014	U.S. DISTRICT COURT Northern District of Ohio
PLAINTIFF Sauder Manufacturing Company		DEFENDANT J. Squared, Inc. d/b/a University Loft Company
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 D585,204	1/27/2009	Sauder Manufacturing Company
2 8,585,136	11/19/2013	Sauder Manufacturing Co.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	--

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of Ohio on the following

Trademarks or Patents. (the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 3:14-cv-962	DATE FILED 5/2/2014	U.S. DISTRICT COURT Northern District of Ohio
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PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 D585,204	1/27/2009	Sauder Manufacturing Company
2 8,585,136	11/19/2013	Sauder Manufacturing Co.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
-------	-------------------	------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy