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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 95/001,453 | 09/28/2010 | 7,601,662 | 04119.000100.36 | 2755 |

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EXAMINER

DIAMOND, ALAN D

ART UNIT PAPER NUMBER

3991

MAIL DATE DELIVERY MODE

06/14/2012

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS
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1290 AVENUE OF THE AMERICAS
NEW YORK, NY 10104-3800

Date: **MAILED**

JUN 14 2012

CENTRAL REEXAMINATION UNIT

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

REEXAMINATION CONTROL NO. : 95001453
PATENT NO. : 7601662
TECHNOLOGY CENTER : 3999
ART UNIT : 3991

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

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

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

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

PTOL-2070(Rev.07-04)

| | | |
|---|-------------------------------|-----------------------------------|
| Transmittal of Communication to Third Party Requester Inter Partes Reexamination | Control No. | Patent Under Reexamination |
| | 95/001,453 Examiner | 7,601,662 Art Unit |
| | ALAN DIAMOND | 3991 |

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

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

| | | |
|---|---|--------------------------------------|
| INTER PARTES REEXAMINATION COMMUNICATION | Control No. | Patent Under Reexamination |
| | 95/001,453 Examiner ALAN DIAMOND | 7,601,662 Art Unit 3991 |

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

BELOW/ATTACHED YOU WILL FIND A COMMUNICATION FROM THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICIAL(S) IN CHARGE OF THE PRESENT REEXAMINATION PROCEEDING.

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

**Right of Appeal Notice
(37 CFR 1.953)**

| | |
|--------------|----------------------------|
| Control No. | Patent Under Reexamination |
| 95/001,453 | 7,601,662 |
| Examiner | Art Unit |
| ALAN DIAMOND | 3991 |

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

Responsive to the communication(s) filed by:

Patent Owner on _____

Third Party(ies) on _____

Patent owner and/or third party requester(s) may file a notice of appeal with respect to any adverse decision with payment of the fee set forth in 37 CFR 41.20(b)(1) within **one-month or thirty-days (whichever is longer)**. See MPEP 2671. In addition, a party may file a notice of **cross appeal** and pay the 37 CFR 41.20(b)(1) fee **within fourteen days of service** of an opposing party's timely filed notice of appeal. See MPEP 2672.

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

If no party timely files a notice of appeal, prosecution on the merits of this reexamination proceeding will be concluded, and the Director of the USPTO will proceed to issue and publish a certificate under 37 CFR 1.997 in accordance with this Office action.

The proposed amendment filed _____ will be entered will not be entered*

*Reasons for non-entry are given in the body of this notice.

- 1a. Claims 1-25 and 28-55 are subject to reexamination.
- 1b. Claims _____ are not subject to reexamination.
2. Claims 26 and 27 have been cancelled.
3. Claims _____ are confirmed. [Unamended patent claims].
4. Claims 1-24,30,32-38 and 44-55 are patentable. [Amended or new claims].
5. Claims 25,28,29,31 and 39-43 are rejected.
6. Claims _____ are objected to.
7. The drawings filed on _____ are acceptable. are not acceptable.
8. The drawing correction request filed on _____ is approved. disapproved.
9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119 (a)-(d) or (f). The certified copy has:
 been received. not been received. been filed in Application/Control No. _____.
10. Other _____

Attachments

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

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