04119.000100.36

REEXAMINATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Inter Partes Reexamination of:)	
IVOR BULL ET AL.	: Examiner: Unassigned	
	: Group Art Unit: Unassigned	
Patent No. 7,601,662)	
Issued: October 13, 2009	:)	
For: COPPER CHA ZEOLITE CATALYS	TS) September 28, 2010	

Mail Stop Inter Partes Reexamination Central Reexamination Unit Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR INTER PARTES REEXAMINATION

Sir:

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Pursuant to 35 U.S.C. §§ 311 through 318 and 37 C.F.R. §§ 1.902 through 1.997, inter

partes reexamination is requested of United States Patent No. 7,601,662 ("the '662 Patent"),

which issued on October 13, 2009, in the name of Ivor Bull et al.

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	I.	Dědeček, J. et al., Siting of the Cu ⁺ Ions in Dehydrated Ion Exchanged Synthetic and Natural Chabasites: A Cu ⁺ Photoluminescence Study, Microporous and Mesoporous Materials, vol. 32, pp. 63-74 (1999) (Dědeček et al.)	
	J.	Chung, S.Y. et al., Effect of Si/Al Ratio of Mordenite and ZSM-5 Type Zeolite Catalysts on Hydrothermal Stability for NO Reduction by Hydrocarbons, Studies in Surface Science and Catalysis, vol. 130, pp. 1511-1516 (2000) (Chung et al.)11	

VI.

SUB DET PER	TEMENT UNDER 37 C.F.R. § 1.510(B)(1) POINTING OUT STANTIAL NEW QUESTIONS OF PATENTABILITY AND AILED EXPLANATION UNDER 37 C.F.R. § 1.510(B)(2) OF THE FINENCY AND MANNER OF APPLYING THE CITED PRIOR
A.	Claim 1 is unpatentable under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Pub. No. 2006/0115403 (Yuen) including the disclosure incorporated by reference from U.S. Patent No. 4,297,328 (Ritscher et al.)
В.	Claim 1 is unpatentable under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Application Pub. No. 2006/0115403 (Yuen) in view of U.S. Patent No. 4,297,328 (Ritscher et al.)
C.	Claims 1-11 are unpatentable under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,709,644 (Zones et al.) in view of Ishihara, T. et al., Copper Ion-Exchanged SAPO-34 as a Thermostable Catalyst for Selective Reduction of NO with C_3H_6 , Journal of Catalysis, vol. 169, pp. 93-102 (1997) (Ishihara et al.)
	 Claims 12-32 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Zones et al. in view of Ishihara et al. and further in view of U.S. Patent Application Pub. No. 2006/0039843 (Patchett et al.)
	 Claims 33, 34 and 36-38 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Zones et al. in view of Ishihara et al. and further in view of U.S. Patent Application Pub. No. 2005/0031514 (Patchett '514)
	 Claim 35 is unpatentable under 35 U.S.C. § 103(a) as being obvious over Zones et al. in view of Ishihara et al. and further in view of U.S. Patent Application Pub. No. 2004/0098973 (Tennison et al)
D.	Claims 1-11 are unpatentable under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,709,644 (Zones et al.) in view of U.S. Patent Application Pub. No. 2004/0171476 (Nam et al.)
	 Claims 12-32 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Zones et al. in view of Nam et al. and further in view of U.S. Patent Application Pub. No. 2006/0039843 (Patchett et al.)
	 Claims 33, 34 and 36-38 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Zones et al. in view of Nam

		et al. and further in view of U.S. Patent Application Pub. No. 2005/0031514 (Patchett '514)51
	3.	Claim 35 is unpatentable under 35 U.S.C. § 103(a) as being obvious over Zones et al. in view of Nam et al. and further in view of U.S. Patent Application Pub. No. 2004/0098973 (Tennison et al)
E.	Claims 1-11 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Dědeček, J. et al., Siting of the Cu ⁺ Ions in Dehydrated Ion Exchanged Synthetic and Natural Chabasites: A Cu ⁺ Photoluminescence Study, Microporous and Mesoporous Materials, vol. 32, pp. 63-74 (1999) (Dědeček et al.) in view of Chung, S.Y. et al., Effect of Si/Al Ratio of Mordenite and ZSM-5 Type Zeolite Catalysts on Hydrothermal Stability for NO Reduction by Hydrocarbons, Studies in Surface Science and Catalysis, vol. 130, pp. 1511-1516 (2000) (Chung et al.)	
	1.	Claims 12-32 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Dĕdeček et al. in view of Chung et al. and further in view of U.S. Patent Application Pub. No. 2006/0039843 (Patchett et al.)
	2.	Claims 33, 34 and 36-38 are unpatentable under 35 U.S.C. § 103(a) as being obvious over Dĕdeček et al. in view of Chung et al. and further in view of U.S. Patent Application Pub. No. 2005/0031514 (Patchett '514)
	3.	Claim 35 is unpatentable under 35 U.S.C. § 103(a) as being obvious over Dĕdeček et al. in view of Chung et al. and further in view of U.S. Patent Application Pub. No. 2004/0098973 (Tennison et al)
CONC	CLUSIO	N72

APPENDIX

VII.

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- Copy of U.S. Patent No. 7,601,662 (patent to be reexamined)
- Exhibit A (D.W. Breck, Zeolite Molecular Sieves: Structure, Chemistry, and Use, pp. 4-5, 493, 536 (John Wiley & Sons, Inc.) (1974))
- Exhibit B (R. M. Heck, et al., Catalytic Air Pollution Control: Commercial Technology, p. 15 (2d ed., John Wiley & Sons, Inc.) (2002))
- Exhibit C (Chung, S.Y. et al., Effect of Si/Al Ratio of Mordenite and ZSM-5 Type Zeolite Catalysts on Hydrothermal Stability for NO Reduction by Hydrocarbons, Studies in Surface Science and Catalysis, vol. 130, pp. 1511-1516 (2000))
- Exhibit D (Ishihara, T. et al., Copper Ion-Exchanged SAPO-34 as a Thermostable Catalyst for Selective Reduction of NO with C₃H₆, Journal of Catalysis, vol. 169, pp. 93-102 (1997))

- Exhibit E (Dědeček, J. et al., Siting of the Cu⁺ Ions in Dehydrated Ion Exchanged Synthetic and Natural Chabasites: A Cu⁺ Photoluminescence Study, Microporous and Mesoporous Materials, vol. 32, pp. 63-74 (1999))
- Exhibit F (January 13, 2009 Office Action)
- Exhibit G (May 28, 2009 Supplemental Amendment)
- Exhibit H (July 31, 2009 Notice of Allowability)
- Exhibit I (*Telemac Cellular Corp. v. Topp Telecom, Inc.*, 247 F.3d 1316, 58 U.S.P.Q.2d 1545 (Fed. Cir. 2001))
- Exhibit J (Declaration by Gabriele Centi, Ph.D., under 37 C.F.R. § 1.132)
- Certificate of Service

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