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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
95/001,485	11/12/2010	7043543	57058.0148	8636

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HOLLAND & HART, LLP
P.O BOX 8749
DENVER, CO 80201

EXAMINER

LEE, CHRISTOPHER E

ART UNIT	PAPER NUMBER
3992	

MAIL DATE	DELIVERY MODE
03/29/2012	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.

Revised by Server Technology



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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS

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Date:

MAILED

MAR 29 2012

CENTRAL REEXAMINATION UNIT

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

REEXAMINATION CONTROL NO. : 95001485

PATENT NO. : 7043543

TECHNOLOGY CENTER : 3999

ART UNIT : 3992

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

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

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

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
	95/001,485	7043543
	Examiner	Art Unit
	Christopher E. Lee	3992

-- 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.

OFFICE ACTION IN INTER PARTES REEXAMINATION	Control No.	Patent Under Reexamination
	95/001,485	7043543
	Examiner	Art Unit
	Christopher E. Lee	3992

-- 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 20 June, 2011
 Third Party(ies) on 29 September, 2011

RESPONSE TIMES ARE SET TO EXPIRE AS FOLLOWS:

For Patent Owner's Response:

2 MONTH(S) from the mailing date of this action. 37 CFR 1.945. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.956.

For Third Party Requester's Comments on the Patent Owner Response:

30 DAYS from the date of service of any patent owner's response. 37 CFR 1.947. NO EXTENSIONS OF TIME ARE PERMITTED. 35 U.S.C. 314(b)(2).

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.

This action is not an Action Closing Prosecution under 37 CFR 1.949, nor is it a Right of Appeal Notice under 37 CFR 1.953.

PART I. THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

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

PART II. SUMMARY OF ACTION:

- 1a. Claims 1-50 are subject to reexamination.
- 1b. Claims _____ are not subject to reexamination.
2. Claims _____ have been canceled.
3. Claims _____ are confirmed. [Unamended patent claims]
4. Claims _____ are patentable. [Amended or new claims]
5. Claims 1-50 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). The certified copy has:
 been received. not been received. been filed in Application/Control No _____.
10. Other _____

DETAILED ACTION

Inter Partes Reexamination

1. This is an *Inter Partes* Reexamination of United States Patent Number US 7,043,543 B2, which issued to Ewing et al. [hereinafter '543 Patent].

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Receipt Acknowledgement

2. The Patent Owner filed 1st Response on 15th of April 2011 after *Inter Partes* REX Non-ACP Office Action mailed on 15th of January 2011 (hereinafter "the previous Office action"), and the Third Party requester filed 1st Comments on 16th of May 2011 after the previous Office action; however, the 1st Response was defective and it was not entered.

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The Patent Owner newly filed 2nd Response on 20th of June 2011, and the Third Party requester newly filed 2nd Comments on 20th of July 2011; however, the 2nd Comments was an improper paper and expunged from the record by the petition's decision mailed on 14th of September 2011. The Third Party requester newly filed 3rd Comments on 29th of September 2011.

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Therefore, receipts are acknowledged of Patent Owner's 2nd Response on 20th of June 2011 (hereinafter "the Response") to the previous Office action, and Third Party requester's 3rd Comments filed on 29th of September 2011 (hereinafter "the Comments") to the previous Office action and the Response.

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No claim has been amended; no claim has been canceled; and claims 24-50 have been newly added to the original claims of the '543 Patent. Currently, the claims 1-50 are subject to reexamination in this *inter partes* reexamination.

Reexamination Procedures

3. In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office Action. Submissions after the next Office Action, which is intended to be an Action Closing Prosecution (ACP), will be governed by 37 CFR 1.116(b) and (d), which will be strictly enforced.

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Information Disclosure Statement

4. The information disclosure statements filed on 5th of August 2011 fail to comply with the provisions of 37 CFR §1.97, §1.98 and MPEP § 609 because the inclusion of the court

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