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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,780	08/15/2001	Carrel W. Ewing	MLF-600-14	3325

7590 10/22/2004  
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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 10/22/2004

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

Raritan v. Server Technology  
SERVER TECH EXHIBIT 2002

BJA

**Office Action Summary**

<b>Application No.</b> 09/930,780	<b>Applicant(s)</b> EWING ET AL.	
<b>Examiner</b> Ashok B. Patel	<b>Art Unit</b> 2154	

-- 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) 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 the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- 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 15 August 2001.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  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**

- 4)  Claim(s) 10-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 10-32 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  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).
- 11)  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**

- 12)  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-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/10/04, 8/15/01.
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_.

### DETAILED ACTION

1. Application Number 09/930, 780 was filed on 08/30/2000. Claims 10-32 are subject to examination.

#### *Priority*

2. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional application); the disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

The instant application's incorporation of "a user display disposed on vertical strip enclosure whereby a user may observe information relative to the amount of current flowing through the power input and plurality of power outputs as shown in Fig.1, element 104 " which Examiner was unable to locate in the applications 09/735, 471 and 08/685, 436. And as such, the priority date was considered as being 12/08/2000.

#### *Specification*

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is

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suggested: REMOTELY CONTROLLED RACK MOUNT ELECTRICAL POWER  
DISTRIBUTION PLUGSTRIP

***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 10-23, 26 and 28 are rejected under 35 U.S.C. 103(a) as being Unpatentable over Schreiber (US 5, 424, 903) in view of Lovrenich (US 5, 619, 722)

**Referring to claim 10,**

The reference Schreiber teaches an electrical power distribution on plugstrip of the type for providing power to one or more electrical loads in a vertical electrical equipment rack (Fig.1, element 16, Fig.2), the electrical power distribution plugstrip comprising in combination:

- A. a vertical strip enclosure having a long length and relatively thin width (Fig.1, element 16);
- B. a power input penetrating said vertical strip enclosure (Fig.1, element 30);
- C. a plurality of power outputs disposed along said long length of the strip enclosure, each among the plurality of power outputs being connectable to a corresponding one of said one or more electrical loads (Fig.1, elements 32a-32f);
- D. a plurality of power control relays disposed in said vertical strip enclosure, each among said plurality of power control relays being connected to independently control

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power from said power input to one or more corresponding power outputs among said plurality of power outputs (Fig.2, elements 46a-46e). The reference fails to teach a user display disposed on said vertical strip enclosure in information-determining communication with at least one among said power input and said plurality of power outputs, whereby a user may observe information relative to the amount of current flowing through at least one among the power input and said plurality of power outputs. The reference Lovrenich teaches "a computer interface that is capable of providing an unlimited number of addressable multiplexed output ports to interface with remote peripheral devices, wherein the remote peripheral devices need not have inherent addressing circuitry, and wherein the computer interface can be inexpensively manufactured." In col. 3, lines 8-14. The reference also teaches a digital Ammeter which can be interfaced for communication over the network in Fig.1, element 24, col. 6, lines 29-59. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the functionality of the power strip of Schreiber by adding the interface and the interface-able ammeter of Lovrenich such that "The computer 32 can then signal the voltmeter 22 (ammeter 24) to perform functions such as transmitting its present measurement (whereby a user may observe information relative to the amount of current flowing through at least one among the power input and said plurality of power outputs, in person or over the network), changing the scale of measurement, clearing its memories, or initiating a calibration routine. The extent of the functions which can be performed depend on the capabilities of the device. Supposing that the computer inquires the present voltage measurement from the

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