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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
95/001,621 Golotto II	05/16/2011	7,241,034	SVIPGP109RE	1240
92045 The Caldwell Firm, LLC	7590 12/18/2012		EXAMINER TON, MY TRANG	
PO Box 59655 Dept. SVIPGP Dallas, TX 75229			ART UNIT 3992	PAPER NUMBER
			MAIL DATE 12/18/2012	DELIVERY MODE 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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MAILED

DEC 18 2012

CENTRAL REEXAMINATION UNIT

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

REEXAMINATION CONTROL NUMBER 95/001,621; 90/011,011

PATENT NUMBER 7,241,034.

TECHNOLOGY CENTER 3900.

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.

<b>ACTION CLOSING PROSECUTION (37 CFR 1.949)</b>	Control Nos.	Patent Under Reexamination
	95/001,621; 90/011,011	7,241,034
	Examiner	Art Unit
	MY-TRANG TON	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 26 July, 2012

Third Party(ies) on \_\_\_\_\_

Patent owner may once file a submission under 37 CFR 1.951(a) within 1 month(s) from the mailing date of this Office action. Where a submission is filed, third party requester may file responsive comments under 37 CFR 1.951(b) within 30-days (not extendable- 35 U.S.C. § 314(b)(2)) from the date of service of the initial submission on the requester. **Appeal cannot be taken from this action.** Appeal can only be taken from a Right of Appeal Notice under 37 CFR 1.953.

**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.

**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 1-41 are subject to reexamination.
- 1b.  Claims \_\_\_\_\_ are not subject to reexamination.
2.  Claims 1 and 2 have been canceled.
3.  Claims \_\_\_\_\_ are confirmed. [Unamended patent claims]
4.  Claims 3-13 and 15-35, 38-41 are patentable. [Amended or new claims]
5.  Claims 14,36 and 37 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 \_\_\_\_\_

### **ACTION CLOSING PROSECUTION**

This is an inter partes reexamination of United States Patent Number 7,241,034 ("the '034 patent"), a merger of proceedings having control Number 95/001,621 and 90/011,011.

The '034 patent issued on July 10, 2007 based on US Patent Application No. 10/285,312 (the base application) filed on October 31, 2002.

The '034 patent is currently assigned to "Dana Corporation".

### **Status of Patent Owner's Response**

Patent owner responded to the prior office action on 7/26/2012 ("Response") and proposed amendments to claims 3-5, and cancellation of claims 1-2. This proposed amendment has been considered by the examiner and made of record. This action is in response to the Patent Owner's response.

### **Status of Requester's Comments**

There is no comment from the third Party requester.

### **Status of the claims**

The following is the status of the claims with respect to the proposed Amendment:

Claims 1-2 are cancelled.

Claims 3-5 are amended (Amend claim 3 to allegedly incorporate the features of claim 1, and amend claim 4-5 to depend on claim 3).

Claims 6-41 are newly added (the amendments filed 4/27/2012).

Of these, claims 3 and 7 are independent claims.

Thus, all subsequent reexamination prosecution and examination will be on the basis of the claims as amended in the proposed amendment. **It is noted that although the Office actions will treat proposed amendments as though they have been entered, the proposed amendments will not be effective until the reexamination certificate is issued.**

### References

Request for reexamination in EP 90/011,011:

U.S. Patent 4,733,333 issued to Shibata (hereinafter "Shibata")

Request for reexamination in IP 95/001,621:

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