

PATENT



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------------------------|---|-------------------------|
| In re Application of: |) | |
| JAMES E. SMITH et al. |) | Group Art Unit 2875 |
| |) | |
| Serial No. 10/285,312 |) | Examiner Ali Alavi |
| |) | |
| Filed: October 31, 2002 |) | Confirmation No. 1413 |
| |) | |
| For: AUTOMATIC DIRECTIONAL CONTROL |) | Attorney Docket 1-23649 |
| SYSTEM FOR VEHICLE HEADLIGHTS |) | |

Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

Reconsideration of the above-identified application is respectfully requested in light of the following remarks.

REMARKS

Section 707.07(f) of the M.P.E.P. states that in "order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application." Because the Examiner has completely failed to do this in the Office Action dated October 6, 2006, withdrawal of the rejections and reconsideration of the application is appropriate.

Independent Claim 1 recites that the controller is responsive to the sensor signal for generating an output signal only when the sensor signal changes by more than a predetermined amount. Independent Claim 14 recites that the controller is responsive

to the sensor signal for generating an output signal only when the sensor signal changes by more than a predetermined minimum threshold amount to prevent the actuator from being operated continuously or unduly frequently in response to relatively small variations in the sensed operating condition. The cited references fail to disclose either of these features.

The Examiner rejected independent Claims 1 and 14 as being anticipated by either of the Toda et al., Okuchi et al., and Gotoh references. However, the Examiner did not cite any portion of such references that meets the language of these claims. The Examiner is requested to specifically identify the portions of the cited references that anticipate the claimed recitations of either:

- (1) a controller that is responsive to the sensor signal for generating an output signal only when the sensor signal changes by more than a predetermined amount, as recited in Claim 1; or
- (2) a controller that is responsive to the sensor signal for generating an output signal only when the sensor signal changes by more than a predetermined minimum threshold amount to prevent the actuator from being operated continuously or unduly frequently in response to relatively small variations in the sensed operating condition, as recited in Claim 14.

The Examiner stated that the limitation of the controller being responsive to the sensor signal for generating an output signal only when the sensor signal changes by more than a predetermined amount was "considered an intended use, because the actuator would change the headlight according to the output signal generated by the sensor." This statement is simply incorrect. Independent Claims 1 and 14 define a system wherein the actuator does not change the headlight according to the output signal generated by the sensor unless the sensor signal changes by more than a predetermined amount. Thus, the Examiner is incorrect in stating that the "actuator would change the headlight according to the output signal generated by the sensor." On the contrary, the claims define a system that specifically prevents this from occurring unless a threshold condition (namely, the sensor signal changing by more

than a predetermined amount) is met. This recitation is not a mere statement of use but an important structural feature of the claimed invention.

Claim 7 recites that the controller is responsive to a rate of change of the sensor signal for generating the output signal. The Toda et al. and the Okuchi et al. references fail to disclose this feature. Indeed, the term “rate of change” does not even appear in the Examiner’s Office Action. Thus, the Examiner is also requested to specifically identify the portions of the cited references that anticipate the claimed recitations of a controller is responsive to a rate of change of the sensor signal for generating the output signal, as recited in Claim 7.

Respectfully submitted,



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