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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 95/001,621      | 05/16/2011  | 7,241,034            |                     | 1240             |

92045 7590 06/23/2011

The Caldwell Firm, LLC  
PO Box 59655  
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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 06/23/2011

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



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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

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MAILED

JUN 23 2011

CENTRAL REEXAMINATION UNIT

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

REEXAMINATION CONTROL NUMBER 95/001,621.

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>ORDER GRANTING/DENYING<br/>REQUEST FOR INTER PARTES<br/>REEXAMINATION</b> | Control No.  | Patent Under Reexamination |  |
|  | 95/001,621   | 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. --

The request for *inter partes* reexamination has been considered. Identification of the claims, the references relied on, and the rationale supporting the determination are attached.

Attachment(s):     PTO-892             PTO/SB/08             Other: \_\_\_\_\_

1.  The request for *inter partes* reexamination is GRANTED.

An Office action is attached with this order.

An Office action will follow in due course.

2.  The request for *inter partes* reexamination is DENIED.

This decision is not appealable. 35 U.S.C. 312(c). Requester may seek review of a denial by petition to the Director of the USPTO within ONE MONTH from the mailing date hereof. 37 CFR 1.927. EXTENSIONS OF TIME ONLY UNDER 37 CFR 1.183. In due course, a refund under 37 CFR 1.26(c) will be made to requester.

**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 Order.

**DECISION GRANTING INTER PARTES EXAMINATION**

**Summary**

Reexamination has been requested for claims 1-5 of U.S. Patent No. 7,241,034 ("the '034 patent") to Smith, entitled "AUTOMATIC DIRECTIONAL CONTROL SYSTEM FOR VEHICLE HEADLIGHTS".

The '034 patent is currently assigned to Dana Corporation.

A substantial new question of patentability (SNQ) affecting claims 1-5 of the '034 patent is raised by the present request for inter partes reexamination filed ("the Request").

An Office action on the merits does not accompany this order for *inter partes* reexamination. An Office action on the merits will be provided in due course. Patent owner is reminded that no proposed amendment may be made in this proceeding until after the first Office action on the merits. 37 CFR 1.939(b).

***References Relied Upon in the Request***

Pages 9-10 of the Request identify the following documents as providing teachings relevant to claims 1-5 of the '034 patent:

1. United Kingdom Patent Application Publication No. 2309773 by Uchida (hereinafter "Uchida").
2. United Kingdom Patent Application Publication No. 2309774 by Takahashi (hereinafter "Takahashi").
3. U.S. Patent No. 5,182,460 by Hussman (hereinafter "Hussman").
4. German Patent Application Publication No. 3110094 by Miskin et al (hereinafter "Miskin et al.").
5. German Patent Application Publication No. 3129891 by Leleve (hereinafter "Leleve").
6. U.S. Patent No. 6,305,823 by Toda et al (hereinafter "Toda et al.").
7. U.S. Patent No. 6,193,398 by Okuchi et al (hereinafter "Okuchi et al.").
8. U.S. Patent No. 5,909,949 by Gotoh (hereinafter "Gotoh").
9. U.S. Patent No. 4,954,933 by Wassen et al (hereinafter "Wassen et al.").

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