

AO 120 (Rev. 08/10)

TO: <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> P.O. Box 1450 Alexandria, VA 22313-1450	<b>REPORT ON THE                  FILING OR DETERMINATION OF AN                  ACTION REGARDING A PATENT OR                  TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of Georgia on the following  
 Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 1:14-cv-3026-WSD	DATE FILED 9/19/2014	U.S. DISTRICT COURT Northern District of Georgia
PLAINTIFF Invisaflow, LLC		DEFENDANT Euramax International, Inc. and Euramax Holdings, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US 8,556,195 B1	10/15/2013	InvisaFlow, LLC
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

AO 120 (Rev. 08/10)

<b>TO:</b> <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
---	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Northern District of Georgia on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

DOCKET NO. 1:14-cv-3026-WSD	DATE FILED 9/19/2014	U.S. DISTRICT COURT Northern District of Georgia
PLAINTIFF Invisaflow, LLC		DEFENDANT Euramax International, Inc. and Euramax Holdings, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US 8,556,195 B1	10/15/2013	InvisaFlow, LLC
2		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
1	HOLDER OF PATENT OR TRADEMARK
2	
3	
4	
5	

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

**CONFIRMATION NO. 9990**  
**POWER OF ATTORNEY NOTICE**



Date Mailed: 06/20/2014

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 06/05/2014.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/dtvernon/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/545,713	07/10/2012	Haynes Sloan JR.	

45309  
Williams Mullen  
999 Waterside Drive, Suite 1700  
Norfolk, VA 23510-3303

**CONFIRMATION NO. 9990**  
**POA ACCEPTANCE LETTER**



OC000000069134247

Date Mailed: 06/20/2014

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 06/05/2014.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/dtvernon/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



## POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
13/545,713	7/10/2012

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

- I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 45309
- OR
- I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

- The address associated with the above-mentioned Customer Number
- OR
- The address associated with Customer Number:
- OR

Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

InvisaFlow, LLC

- Inventor or Joint Inventor (title not required below)
- Legal Representative of a Deceased or Legally Incapacitated inventor (title not required below)
- Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

**SIGNATURE of Applicant for Patent**

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	Date (Optional)
Name	Jeffrey E. Smith
Title	VP of Operations

**NOTE:** Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.131, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	19221219
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Richard Thomas Matthews/DeAnna Robertson
<b>Filer Authorized By:</b>	Richard Thomas Matthews
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	05-JUN-2014
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	14:05:11
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	13545713POA.pdf	105659 <small>953669593c757f362b8d89f09abf818f46a50c75</small>	no	1

### Warnings:

### Information:

Total Files Size (in bytes):

105659

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



UNITED STATES PATENT AND TRADEMARK OFFICE

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Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

**CONFIRMATION NO. 9990**  
**MISCELLANEOUS NOTICE**



OC000000068189987

Date Mailed: 05/02/2014

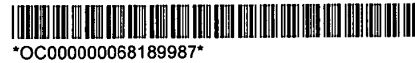
A communication which cannot be delivered in electronic form has been mailed to the applicant.


**UNITED STATES PATENT AND TRADEMARK OFFICE**

 UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT

**CONFIRMATION NO. 9990**

 20792  
 MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
 RALEIGH, NC 27627


\*OC00000068189987\*

 Cc: WILLIAMS MULLEN  
 999 WATERSIDE DOWN  
 SUITE 1700  
 NORFOLK, VA 23510

 Date Mailed: 05/02/2014
**DENIAL OF REQUEST FOR POWER OF ATTORNEY**

The request for Power of Attorney filed 04/30/2014 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(c) has not been received.
- The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- The signature(s) of \_\_\_\_\_, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.
- Only one Customer Number can be designated for the Power of Attorney in an application. The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.
- A request under 37 CFR 1.48 to add an inventor was granted in this application, however, no power of attorney consistent with the power of attorney granted by the originally named inventive entity has been received. Thus, the addition of the inventor has resulted in the loss of power of attorney in the application. See 37 CFR 1.32(e).



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www.uspto.gov

- The power of attorney has not been accepted because the party who is giving power of attorney has not been identified. Power of attorney may only be signed by the applicant for patent (37 CFR 1.42) or the patent owner. A patent owner who was not the applicant must appoint any power of attorney in compliance with 37 CFR 3.71 and 3.73. See 37 CFR 1.32(b)(4).
- The power of attorney from the inventors has not been accepted because it is a copy from a prior national application for which benefit is claimed and the continuing application names an inventor who was not named as an inventor in the prior application.
- The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).
- Any request to correct or update the name of the applicant must include an application data sheet (ADS) in compliance with 37 CFR 1.76, specifying the correct or updated name of the applicant in the applicant information section. Any request to change the applicant after an original applicant has been specified under 37 CFR 1.46(b) must include a new ADS in compliance with 37 CFR 1.76 specifying the applicant in the applicant information section and comply with 37 CFR 3.71 and 3.73. See 37 CFR 1.46(c).

Any inquiries regarding this notice should be directed to the Application Assistance Unit at 571-272-4200.

*Jon*

Application Assistance Unit  
571-272-4200

## POWER OF ATTORNEY BY APPLICANT

I hereby revoke all previous powers of attorney given in the application identified in either the attached transmittal letter or the boxes below.

Application Number	Filing Date
13/545,713	7/10/2012

(Note: The boxes above may be left blank if information is provided on form PTO/AIA/82A.)

- I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 45309
- OR
- I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

Please recognize or change the correspondence address for the application identified in the attached transmittal letter or the boxes above to:

- The address associated with the above-mentioned Customer Number
- OR
- The address associated with Customer Number:
- OR

Firm or Individual Name			
Address			
City	State		Zip
Country			
Telephone	Email		

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

- Inventor or Joint Inventor (title not required below)
- Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)
- Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)
- Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

**SIGNATURE of Applicant for Patent**

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	
Name	Jeffrey E. Smith
Title	Inventor
Date (Optional)	

**NOTE:** Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.151, 1.32, and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES ON COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	18898712
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Richard Thomas Matthews/DeAnna Robertson
<b>Filer Authorized By:</b>	Richard Thomas Matthews
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	30-APR-2014
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	09:56:45
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Power of Attorney	POA-13545713.pdf	271055 <small>914e664aaf051b730cac166271c1f90a48daaf2e</small>	no	1

### Warnings:

### Information:



Total Files Size (in bytes):

271055

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	10/15/2013	8556195	9952-6IPCT	9990

20792 7590 09/25/2013  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

**ISSUE NOTIFICATION**

The projected patent number and issue date are specified above.

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 10 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Haynes Sloan JR., Gallatin, TN;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov).

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
 or **Fax** (571)-273-2885

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20792 7590 06/21/2013  
**MYERS BIGEL SIBLEY & SAJOVEC**  
 PO BOX 37428  
 RALEIGH, NC 27627

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273 2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	07/10/2012	Haynes Sloan JR.	9952-61PCT	9990

TITLE OF INVENTION: LOW PROFILE ATTACHMENT FOR EMITTING WATER

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEES DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	09/23/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
GANEY, STEVEN J	3752	239-593000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number** is required.
2. For printing on the patent front page, list
- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- 1 Myers Bigel Sibley & Sajovec,  
 2 P.A.  
 3 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE  
 InvisaFlow, LLC

(B) RESIDENCE: (CITY and STATE OR COUNTRY)  
 Alpharetta, Ga.

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

- 4a. The following fee(s) are submitted:
- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies \_\_\_\_\_

- 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)
- A check is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 50-0220 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

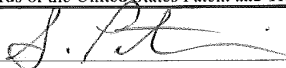
NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature



Date

9/6/2013

Typed or printed name

Stephen J. Petroski

Registration No.

64,947

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13545713			
<b>Filing Date:</b>	10-Jul-2012			
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER			
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan			
<b>Filer:</b>	Stephen Petroski/Carey Gregory			
<b>Attorney Docket Number:</b>	9952-6IPCT			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Utility Appl Issue Fee	2501	1	890	890
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>890</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	16784434
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski/Carey Gregory
<b>Filer Authorized By:</b>	Stephen Petroski
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	06-SEP-2013
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	14:34:29
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$890
RAM confirmation Number	861
Deposit Account	500220
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Issue Fee Payment (PTO-85B)	9952-6IPCT_issuefee.pdf	198851 6fd68e66b7b75e0fa1b35b4620927ca194e110cc	no	2
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (SB06)	fee-info.pdf	30343 8638c7a038fb99f3c9684bfe9e540a3bccd08296e	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				229194	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>					





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	07/10/2012	Haynes Sloan JR.	9952-61PCT	9990

20792 7590 08/09/2013  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

EXAMINER

GANEY, STEVEN J

ART UNIT	PAPER NUMBER
3752	

MAIL DATE	DELIVERY MODE
08/09/2013	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.

<b>Response to Rule 312 Communication</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	13/545,713	SLOAN, HAYNES
	<b>Examiner</b>	<b>Art Unit</b>
	STEVEN J. GANEY	3752

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

1.  The amendment filed on 10 July 2013 under 37 CFR 1.312 has been considered, and has been:
- a)  entered.
  - b)  entered as directed to matters of form not affecting the scope of the invention.
  - c)  disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
  - d)  disapproved. See explanation below.
  - e)  entered in part. See explanation below.

	/STEVEN J. GANEY/ Primary Examiner Art Unit: 3752
--	---

Attorney Docket No. 9952-6IPCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
For: **LOW PROFILE ATTACHMENT FOR EMITTING WATER**

Confirmation No.: 9990  
Group Art Unit: 3752  
Examiner: Steven J. Ganey

Date: July 10, 2013

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER ALLOWANCE AND INTERVIEW SUMMARY**

Sir:

The present Amendment after Allowance pursuant to 37 C.F.R. §1.312 is responsive to the Notice of Allowance mailed June 21, 2013.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Amendments to the Specification** begin on page 2 of this paper.

**Remarks** begin on page 3 of this paper.

In re: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 2

**In the Specification:**

Please amend paragraph [0025] as follows:

[0025] Fig. 7 is ~~an end view of the outlet end of the embodiment of Fig. 1~~ a side-view of an embodiment of the current invention.

Please amend paragraph [0026] as follows:

[0026] Fig. 8 shows ~~a side view of a resilient finger and lateral projection of the embodiment of Fig. 1~~ an end view of the inlet end of one embodiment of the current invention. This embodiment is shown without the internal sleeve and has a direct flow of the water through the attachment.

In re: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 3

**REMARKS**

Applicant appreciates the examination of the present application as set forth in the Notice of Allowance of June 21, 2013.

Applicant sincerely appreciates all courtesies extended by Examiner Ganey during the telephonic interview of June 27, 2013. Applicant agrees that the Interview Summary mailed July 9, 2013 accurately reflects the substance of the interview.

Applicant believes that this paper satisfies all requirements for a Statement of the Substance of the Interview as set forth in 37 C.F.R. §1.133 and MPEP §713.04. If the Examiner should believe that any further submission should be required with respect to the telephonic interview of June 27, 2013, Applicant respectfully requests that the Examiner contact the undersigned attorney via telephone at (919) 854-1400.

The present Amendment after Allowance is being filed to correct typographical errors in the specification. Specifically, the brief description of Figures 7 and 8 at paragraphs [0025] and [0026] has been amended and now corresponds to the brief description of Figures 7 and 8 found in parent Application Serial No. 11/561,313, filed November 17, 2006, now U.S. Patent No. 7,458,532.

Entry of this Amendment after Allowance is respectfully requested as no new issues have been raised and no new matter has been added.

Accordingly, Applicant submits that the present application remains in condition for allowance. The Examiner is encouraged to contact the undersigned attorney by telephone should any additional issues need to be addressed.

Respectfully submitted,



Stephen J. Petroski  
Registration No. 64,947

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
**Customer Number 20792**

**CERTIFICATION OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on July 10, 2013.

  
Carey Gregory

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	16274271
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski/Carey Gregory
<b>Filer Authorized By:</b>	Stephen Petroski
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	10-JUL-2013
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	12:58:08
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		9952-6IPCT_Amendmentafterallowance.pdf	198348 <small>e2fad131476cf61c84a645da7d1746739ff159b5</small>	yes	3

<b>Multipart Description/PDF files in .zip description</b>			
	<b>Document Description</b>	<b>Start</b>	<b>End</b>
	Amendment after Notice of Allowance (Rule 312)	1	1
	Specification	2	2
	Applicant Arguments/Remarks Made in an Amendment	3	3

**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>	198348
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT	9990

20792 7590 07/09/2013  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

EXAMINER

GANEY, STEVEN J

ART UNIT	PAPER NUMBER
3752	

MAIL DATE	DELIVERY MODE
07/09/2013	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.



<b>Applicant-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	13/545,713	SLOAN, HAYNES	
	<b>Examiner</b>	<b>Art Unit</b>	
	STEVEN J. GANEY	3752	

All participants (applicant, applicant's representative, PTO personnel):

(1) STEVEN J. GANEY. (3)\_\_\_\_\_.

(2) STEPHEN J. PETROSKI(ATTORNEY). (4)\_\_\_\_\_.

Date of Interview: 27 June 2013.

Type:  Telephonic  Video Conference  
 Personal [copy given to:  applicant  applicant's representative]

Exhibit shown or demonstration conducted:  Yes  No.  
If Yes, brief description: \_\_\_\_\_.

Issues Discussed 101 112 102 103 Others  
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

**Substance of Interview**  
(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Attorney called to discuss a future 312 amendment to be filed to correct some minor typographical errors in the specification. Examiner indicated such an amendment would be looked favorably upon filing and entered accordingly.

**Applicant recordation instructions:** The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/STEVEN J. GANEY/  
Primary Examiner, Art Unit 3752

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



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NOTICE OF ALLOWANCE AND FEE(S) DUE

20792 7590 06/21/2013
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

GANEY, STEVEN J

ART UNIT PAPER NUMBER

3752

DATE MAILED: 06/21/2013

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/545,713 07/10/2012 Haynes Sloan JR. 9952-6IPCT 9990

TITLE OF INVENTION: LOW PROFILE ATTACHMENT FOR EMITTING WATER

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE
nonprovisional SMALL \$890 \$0 \$0 \$890 09/23/2013

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

20792 7590 06/21/2013  
**MYERS BIGEL SIBLEY & SAJOVEC**  
 PO BOX 37428  
 RALEIGH, NC 27627

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT	9990

TITLE OF INVENTION: LOW PROFILE ATTACHMENT FOR EMITTING WATER

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$890	\$0	\$0	\$890	09/23/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
GANNEY, STEVEN J	3752	239-593000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. **Change in Entity Status** (from status indicated above)

- Applicant certifying micro entity status. See 37 CFR 1.29
- Applicant asserting small entity status. See 37 CFR 1.27
- Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see form PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

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NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/545,713 07/10/2012 Haynes Sloan JR. 9952-6IPCT 9990
20792 7590 06/21/2013
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

GANEY, STEVEN J

ART UNIT PAPER NUMBER

3752

DATE MAILED: 06/21/2013

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 41 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 41 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>Notice of Allowability</b>	<b>Application No.</b> 13/545,713	<b>Applicant(s)</b> SLOAN, HAYNES	
	<b>Examiner</b> STEVEN J. GANEY	<b>Art Unit</b> 3752	<b>AIA (First Inventor to File) Status</b> No

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed June 14, 2013.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
2.  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
3.  The allowed claim(s) is/are 32-42. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/oph/index.jsp](http://www.uspto.gov/patents/init_events/oph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

**Certified copies:**

- a)  All    b)  Some    \*c)  None of the:
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)).
- \* Certified copies not received: \_\_\_\_\_.

**Interim copies:**

- a)  All    b)  Some    c)  None of the: Interim copies of the priority documents have been received.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
 including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> <li>4. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>7. <input type="checkbox"/> Other _____</li> </ol> |
|---|---|



### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The prior art did not teach or suggest a drainage attachment as claimed by the applicant, specifically a drainage attachment comprising an inlet end including an intake opening, the intake opening comprising an inlet width, the intake opening including an inlet center point defining a longitudinal axis; wherein the longitudinal axis extends in a first plane that is parallel to a second plane that is located between the top and bottom portions of the outlet end and bisects the first and second side portions of the outlet end; wherein at least a portion of the outlet opening top portion is positioned below the first plane; and wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion adjacent the outlet opening, together in combination with the other claimed features of applicant's invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN J. GANEY whose telephone number is (571)272-4899. The examiner can normally be reached on 9:00-5:00; Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571-272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3752

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/STEVEN J. GANEY/  
Primary Examiner  
Art Unit 3752

sjg

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3752**

Attorney Docket No. 9952-6IPCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Haynes Sloan Jr.

Confirmation No.: 9990

Application No.: 13/545,713

Group Art Unit: 3752

Filed: July 10, 2012

Examiner: Steven J. Ganey

For: **LOW PROFILE ATTACHMENT FOR EMITTING WATER**

Date: June 14, 2013

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL ACTION  
PURSUANT TO 37 C.F.R. § 1.116**


Dear Sirs:

In response to the Final Office Action dated April 15, 2013 (the "Final Action"), please amend the application as follows.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 4 of this document.

<b>Search Notes</b>  	<b>Application/Control No.</b>  13545713	<b>Applicant(s)/Patent Under Reexamination</b>  SLOAN, HAYNES
	<b>Examiner</b>  STEVEN J GANEY	<b>Art Unit</b>  3752

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
239	499,525,531,589,592,593,594,597,598,600,601	09/11/12	SJG
285	305,328,331,397,398,399,239,256,259	09/11/12	SJG
52	16	09/11/12	SJG
138	177	09/11/12	SJG
	ABOVE UPDATED.	04/08/13	SJG
	ABOVE UPDATED.	06/17/13	SJG

SEARCH NOTES		
Search Notes	Date	Examiner
TEXT AND INVENTORSHIP SEARCHED.	09/11/12	SJG
ABOVE UPDATED.	04/08/13	SJG
ABOVE UPDATED.	06/17/13	SJG

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
	INTERFERENCE SEARCH HISTORY PRINTOUT.	06/17/13	SJG


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<b>Index of Claims</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	09/11/2012	04/08/2013	06/17/2013					
	1	✓	✓	-					
	2	✓	✓	-					
	3	✓	-	-					
	4	✓	-	-					
	5	✓	✓	-					
	6	✓	✓	-					
	7	✓	✓	-					
	8	✓	✓	-					
	9	✓	-	-					
	10	✓	-	-					
	11	✓	-	-					
	12	✓	✓	-					
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	14	✓	✓	-					
	15	✓	✓	-					
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	27		✓	-					
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	29		✓	-					
	30		✓	-					
	31		✓	-					
	32		=	=					
	33		=	=					
	34		=	=					
	35		=	=					
	36		=	=					

<b>Index of Claims</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

✓	<b>Rejected</b>
=	<b>Allowed</b>


-	<b>Cancelled</b>
÷	<b>Restricted</b>

<b>N</b>	<b>Non-Elected</b>
<b>I</b>	<b>Interference</b>

<b>A</b>	<b>Appeal</b>
<b>O</b>	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	09/11/2012	04/08/2013	06/17/2013					
	37		=	=					
	38		=	=					
	39		=	=					
	40		=	=					
	41		=	=					
	42		=	=					
	43		✓	-					
	44		✓	-					
	45		✓	-					
	46		✓	-					
	47		✓	-					
	48		✓	-					
	49		✓	-					
	50		✓	-					
	51		✓	-					
	52		✓	-					
	53		✓	-					
	54		✓	-					


<b>Issue Classification</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES	
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752	

CPC			
Symbol		Type	Version

CPC Combination Sets				
Symbol	Type	Set	Ranking	Version

US ORIGINAL CLASSIFICATION				INTERNATIONAL CLASSIFICATION						
CLASS		SUBCLASS		CLAIMED			NON-CLAIMED			
239		593		B	0	5	B	1 / 04 (2006.01.01)		
CROSS REFERENCE(S)										
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)									
239	499	525	592	598	600					
239	601									


NONE		<b>Total Claims Allowed:</b>	
		11	
(Assistant Examiner)	(Date)		
/STEVEN J GANEY/ Primary Examiner. Art Unit 3752	06/17/2013	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	1, 2

<b>Issue Classification</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

285	239	331																	
138	177																		

NONE		<b>Total Claims Allowed:</b>	
		11	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/STEVEN J GANEY/ Primary Examiner.Art Unit 3752	06/17/2013	1	1, 2
(Primary Examiner)	(Date)		



<b>Issue Classification</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

<input checked="" type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b>																<input type="checkbox"/> <b>CPA</b>		<input checked="" type="checkbox"/> <b>T.D.</b>		<input type="checkbox"/> <b>R.1.47</b>	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
	1		17		33		49														
	2		18		34		50														
	3		19		35		51														
	4		20		36		52														
	5		21		37		53														
	6		22		38		54														
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	12		28		44																
	13		29		45																
	14		30		46																
	15		31		47																
	16		32		48																

NONE		<b>Total Claims Allowed:</b>	
		11	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/STEVEN J GANEY/ Primary Examiner.Art Unit 3752	06/17/2013	1	1, 2
(Primary Examiner)	(Date)		

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3752**

Attorney Docket No. 9952-6IPCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Haynes Sloan Jr.

Confirmation No.: 9990

Application No.: 13/545,713

Group Art Unit: 3752

Filed: July 10, 2012

Examiner: Steven J. Ganey

For: **LOW PROFILE ATTACHMENT FOR EMITTING WATER**

Date: June 14, 2013

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL ACTION  
PURSUANT TO 37 C.F.R. § 1.116**

Dear Sirs:

In response to the Final Office Action dated April 15, 2013 (the "Final Action"), please amend the application as follows.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks** begin on page 4 of this document.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 2

**Amendments to the Claims:**

This listing of claims will replace all prior versions in the application.

1-31. (Canceled)

32. (Previously presented) A drainage attachment for directing water from an elevated water source, the attachment comprising:

an inlet end including an intake opening, the intake opening comprising an inlet width, the intake opening including an inlet center point defining a longitudinal axis;

an outlet end comprising a top portion, a bottom portion, and first and second side portions, the outlet end including an outlet opening, the outlet opening comprising an outlet width; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and decreases in height towards the outlet end;

wherein the longitudinal axis extends in a first plane that is parallel to a second plane that is located between the top and bottom portions of the outlet end and bisects the first and second side portions of the outlet end;

wherein at least a portion of the outlet opening top portion is positioned below the first plane; and

wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion adjacent the outlet opening.

33. (Previously presented) The attachment of claim 32, wherein the attachment is any one of polymeric, polyvinyl chloride, ceramic and metal.

34. (Previously presented) The attachment of claim 32, wherein the intake opening is adapted to fit the water source.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 3

35. (Previously presented) The attachment of claim 34, wherein the water source comprises any one of a pipe and down spout.

36. (Previously presented) The attachment of claim 32, wherein the intake opening is any one of circular, polygonal and elliptical.

37. (Previously presented) The attachment of claim 32, wherein the outlet opening is polygonal.

38. (Previously presented) The attachment of claim 32, wherein the inlet end includes an attachment member to removably secure the water source to the inlet end.

39. (Previously presented) The attachment of claim 38, wherein the attachment member is positioned along an interior surface of the inlet end.

40. (Previously presented) The attachment of claim 38, wherein the attachment member comprises a slot configured to engage the water source.

41. (Previously presented) The attachment of claim 32, wherein the inlet end is configured to engage 4 inch diameter piping from the water source.

42. (Previously presented) The attachment of claim 32, wherein at least a major portion of the outlet opening is positioned below the inlet center point relative to the longitudinal axis such that gravity influences water flowing through at least a portion of the attachment.

43-54. (Canceled)

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 4

#### REMARKS

Applicant sincerely appreciates the continued examination of the application as set forth in the Final Action. Applicant acknowledges, with appreciation, the allowance of Claims 32-42.

Claims 1, 2, 5-8, 12-15, 18 and 20-54 were pending at the time of the Final Action. Claims 1, 2, 5-8, 12-15, 18, 20-31 and 43-54 stand rejected under Section 112, first paragraph, as failing to comply with the written description requirement.

Claims 1, 2, 5-8, 12-15, 18, 20-31 and 43-54 have been canceled. These claims are being canceled to advance prosecution of the application to allowance and without prejudice to Applicant's right to pursue the subject matter of these claims as previously presented in one or more continuing applications.

#### CONCLUSION

Applicant respectfully submits that the present application is in condition for allowance and the same is earnestly solicited. The Examiner is encouraged to telephone the undersigned attorney at 919-854-1400 to address any outstanding issues.

Respectfully submitted,

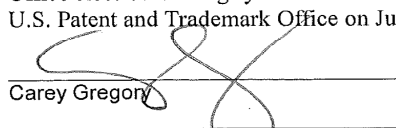


Stephen J. Petroski  
Registration No. 64,947

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

#### CERTIFICATION OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on June 14, 2013.



Carey Gregory

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	16046881
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski/Carey Gregory
<b>Filer Authorized By:</b>	Stephen Petroski
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	14-JUN-2013
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	16:07:02
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		9952-6IPCT_amendmentafterfinal.pdf	308927 <small>6783aed79712accebb04546d4b021e2a08c7943b</small>	yes	4

<b>Multipart Description/PDF files in .zip description</b>			
	<b>Document Description</b>	<b>Start</b>	<b>End</b>
	Amendment After Final	1	1
	Claims	2	3
	Applicant Arguments/Remarks Made in an Amendment	4	4

**Warnings:**

**Information:**

<b>Total Files Size (in bytes):</b>	308927
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**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875			Application or Docket Number <b>13/545,713</b>	Filing Date <b>07/10/2012</b>	<input type="checkbox"/> To be Mailed
ENTITY: <input type="checkbox"/> LARGE <input checked="" type="checkbox"/> SMALL <input type="checkbox"/> MICRO					
<b>APPLICATION AS FILED – PART I</b>					
(Column 1)		(Column 2)			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		
TOTAL CLAIMS (37 CFR 1.16(j))	minus 20 =	*	X \$ =		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))					
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		

<b>APPLICATION AS AMENDED – PART II</b>							
(Column 1)		(Column 2)		(Column 3)			
AMENDMENT	<b>06/14/2013</b>	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 11	Minus	** 20	= 0	X \$40 = 0	
	Independent (37 CFR 1.16(h))	* 1	Minus	***3	= 0	X \$210 = 0	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))						
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						
					TOTAL ADD'L FEE	<b>0</b>	

(Column 1)		(Column 2)		(Column 3)		
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					
					TOTAL ADD'L FEE	
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.						
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".						
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".						
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.						
LIE /DAWN BREWER/						

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**  
 If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





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BIB DATA SHEET

CONFIRMATION NO. 9990

<b>SERIAL NUMBER</b> 13/545,713	<b>FILING or 371(c) DATE</b> 07/10/2012 <b>RULE</b>	<b>CLASS</b> 239	<b>GROUP ART UNIT</b> 3752	<b>ATTORNEY DOCKET NO.</b> 9952-6IPCT		
<b>APPLICANTS</b> Haynes Sloan JR., Gallatin, TN; <b>** CONTINUING DATA *****</b> This application is a CON of 12/620,327 11/17/2009 PAT 8,251,302 which is a CIP of 12/262,621 10/31/2008 PAT 7,748,650 which is a CON of 11/561,313 11/17/2006 PAT 7,458,532 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** ** SMALL ENTITY **</b> 07/23/2012						
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input type="checkbox"/> No Verified and Acknowledged <u>/STEVEN J GANEY/</u> Examiner's Signature		<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> TN	<b>SHEETS DRAWINGS</b> 8	<b>TOTAL CLAIMS</b> 19	<b>INDEPENDENT CLAIMS</b> 2
<b>ADDRESS</b> MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH, NC 27627 UNITED STATES						
<b>TITLE</b> LOW PROFILE ATTACHMENT FOR EMITTING WATER						
<b>FILING FEE RECEIVED</b> 1461	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit			



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	07/10/2012	Haynes Sloan JR.	9952-61PCT	9990

20792 7590 04/15/2013  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

EXAMINER

GANEY, STEVEN J

ART UNIT	PAPER NUMBER
3752	

MAIL DATE	DELIVERY MODE
04/15/2013	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.

<b>Office Action Summary</b>	<b>Application No.</b> 13/545,713	<b>Applicant(s)</b> SLOAN, HAYNES	
	<b>Examiner</b> STEVEN J. GANEY	<b>Art Unit</b> 3752	<b>AIA (First Inventor to File) Status</b> No

**-- 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) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 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 3 November 2012.  
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  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**

- 5)  Claim(s) 1, 2, 5-8, 12-15, 18 and 20-54 is/are pending in the application.  
5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) 32-42 is/are allowed.
- 7)  Claim(s) 1, 2, 5-8, 12-15, 18, 20-31 and 43-54 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

\* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).

**Application Papers**

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

**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).

**Certified copies:**

- a)  All    b)  Some \*    c)  None of the:
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.

**Interim copies:**

- a)  All    b)  Some    c)  None of the: Interim copies of the priority documents have been received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 3)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 4)  Other: \_\_\_\_\_.

### DETAILED ACTION

1. Receipt is acknowledged of the amendment filed on November 3, 2012, which has been fully considered in this action.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of 35 U.S.C. 112(a):  
(a) IN GENERAL.—The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor or joint inventor of carrying out the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), first paragraph:  
The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 2, 5-8, 12-15, 18, 20-31 and 43-54 are rejected under 35 U.S.C. 112(a) or 35 U.S.C. 112 (pre-AIA), first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor or a joint inventor, or for pre-AIA the inventor(s), at the time the application was filed, had possession of the claimed invention. In claim 1, lines 13 and 14, claim 20, lines 12 and 13, claim 43, lines 1 and 2 and claim 44, lines 12 and 13, the recitation of "the bottom portion of the transitional section is positioned below a bottom portion of the inlet end relative to the longitudinal axis" is not disclosed or described in the specification nor is it shown in the drawings. This newly

Art Unit: 3752

amended limitation in claim 1 and new limitations in claims 20, 43 and 44 are considered new matter.

*Allowable Subject Matter*

4. Claims 32-42 are allowed.

*Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN J. GANEY whose telephone number is (571)272-4899. The examiner can normally be reached on 9:00-5:00; Monday-Friday.

Application/Control Number: 13/545,713

Page 4


Art Unit: 3752

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571-272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/STEVEN J. GANEY/  
Primary Examiner  
Art Unit 3752

sjg

<b>Search Notes</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

CPC- SEARCHED		
Symbol	Date	Examiner


CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
239	499,525,531,589,592,593,594,597,598,600,601	09/11/12	SJG
285	305,328,331,397,398,399,239,256,259	09/11/12	SJG
52	16	09/11/12	SJG
138	177	09/11/12	SJG
	ABOVE UPDATED.	04/08/13	SJG

SEARCH NOTES		
Search Notes	Date	Examiner
TEXT AND INVENTORSHIP SEARCHED.	09/11/12	SJG
ABOVE UPDATED.	04/08/13	SJG

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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<b>Index of Claims</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	09/11/2012	04/08/2013						
	1	✓	✓						
	2	✓	✓						
	3	✓	-						
	4	✓	-						
	5	✓	✓						
	6	✓	✓						
	7	✓	✓						
	8	✓	✓						
	9	✓	-						
	10	✓	-						
	11	✓	-						
	12	✓	✓						
	13	✓	✓						
	14	✓	✓						
	15	✓	✓						
	16	✓	-						
	17	✓	-						
	18	✓	✓						
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	25		✓						
	26		✓						
	27		✓						
	28		✓						
	29		✓						
	30		✓						
	31		✓						
	32		=						
	33		=						
	34		=						
	35		=						
	36		=						



<b>Index of Claims</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	09/11/2012	04/08/2013						
	37		=						
	38		=						
	39		=						
	40		=						
	41		=						
	42		=						
	43		✓						
	44		✓						
	45		✓						
	46		✓						
	47		✓						
	48		✓						
	49		✓						
	50		✓						
	51		✓						
	52		✓						
	53		✓						
	54		✓						

Attorney Docket No. 9952-6IPCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Haynes Sloan Jr.

Confirmation No.: 9990

Application No.: 13/545,713

Group Art Unit: 3752

Filed: July 10, 2012

Examiner: Steven J. Ganey

For: **LOW PROFILE ATTACHMENT FOR EMITTING WATER**

Date: November 3, 2012

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT**

Sir:

The present Supplemental Amendment is being filed to supplement the response filed September 28, 2012 in response to the Office Action dated September 13, 2012.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Director is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 10 of this paper.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 2

**Amendments to the Claims:**

This listing of claims will replace all prior versions in the application.

1. (Currently amended) A low-profile drainage attachment configured to direct water ~~from a~~ for directing water from an elevated water source ~~to a drainage location~~, the attachment comprising:

an inlet end including an intake opening, the intake opening comprising an inlet width ~~and an inlet height~~, the ~~inlet end~~ intake opening including ~~[[a]]~~ an inlet center point defining a longitudinal axis;

an outlet end including an outlet opening, the outlet opening comprising an outlet width ~~and an outlet height~~, wherein the outlet width is greater than the outlet height; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and decreases in height towards the outlet end;

wherein the longitudinal axis extends parallel to a bottom portion of the transitional section;

wherein the bottom portion of the transitional section is positioned below a bottom portion of the inlet end relative to the longitudinal axis;

~~wherein the outlet opening is positioned below the inlet end center point;~~ and

wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion ~~at the drainage location~~ adjacent the outlet opening.

2. (Original) The attachment of claim 1, wherein the attachment is any one of polymeric, polyvinyl chloride, ceramic and metal.

3. (Canceled)

4. (Canceled)

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 3

5. (Original) The attachment of claim 1, wherein the intake opening is adapted to fit the water source.

6. (Original) The attachment of claim 5, wherein the water source comprises any one of a pipe and down spout.

7. (Currently amended) The attachment of claim 1, wherein the ~~inlet end~~ intake opening is any one of circular, polygonal and elliptical.

8. (Currently amended) The attachment of claim 1, wherein the outlet ~~end~~ opening is ~~rectangular~~ polygonal.

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Original) The attachment of claim 1, wherein the inlet end includes an attachment member to removably secure the water source to the inlet end.

13. (Original) The attachment of claim 12, wherein the attachment member is positioned along an interior surface of the inlet end.

14. (Original) The attachment of claim 12, wherein the attachment member comprises a slot configured to engage the water source.

15. (Original) The attachment of claim 1, wherein the inlet end is configured to engage 4 inch diameter piping from the water source.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 4

16. (Canceled)

17. (Canceled)

18. (Currently amended) The attachment of claim 1, wherein at least a major portion of the outlet opening is positioned below the inlet ~~end~~ center point relative to the longitudinal axis such that gravity influences water flowing through at least a portion of the attachment.

19. (Canceled)

20. (New) A drainage attachment for directing water from an elevated water source, the attachment comprising:

an inlet end including an intake opening, the intake opening including an inlet center point defining a longitudinal axis;

an outlet end comprising a top portion, a bottom portion, and first and second side portions, the outlet end including an outlet opening, the outlet opening including an outlet center point; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and decreases in height towards the outlet end;

wherein the longitudinal axis extends parallel to a plane that bisects the first and second side portions of the outlet end;

wherein a bottom portion of the transitional section is positioned below a bottom portion of the inlet end relative to the longitudinal axis; and

wherein the longitudinal axis is positioned closer to the outlet end top portion than the outlet center point.

21. (New) The attachment of claim 20, wherein the intake opening comprises an inlet width, wherein the outlet opening comprises an outlet width, and wherein the outlet width is

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 5

greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion adjacent the outlet opening.

22. (New) The attachment of claim 20, wherein the attachment is any one of polymeric, polyvinyl chloride, ceramic and metal.

23. (New) The attachment of claim 20, wherein the intake opening is adapted to fit the water source.

24. (New) The attachment of claim 23, wherein the water source comprises any one of a pipe and down spout.

25. (New) The attachment of claim 20, wherein the intake opening is any one of circular, polygonal and elliptical.

26. (New) The attachment of claim 20, wherein the outlet opening is polygonal.

27. (New) The attachment of claim 20, wherein the inlet end includes an attachment member to removably secure the water source to the inlet end.

28. (New) The attachment of claim 27, wherein the attachment member is positioned along an interior surface of the inlet end.

29. (New) The attachment of claim 27, wherein the attachment member comprises a slot configured to engage the water source.

30. (New) The attachment of claim 20, wherein the inlet end is configured to engage 4 inch diameter piping from the water source.

31. (New) The attachment of claim 20, wherein at least a major portion of the outlet opening is positioned below the inlet center point relative to the longitudinal axis such that gravity influences water flowing through at least a portion of the attachment.

32. (New) A drainage attachment for directing water from an elevated water source, the attachment comprising:

an inlet end including an intake opening, the intake opening comprising an inlet width, the intake opening including an inlet center point defining a longitudinal axis;

an outlet end comprising a top portion, a bottom portion, and first and second side portions, the outlet end including an outlet opening, the outlet opening comprising an outlet width; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and decreases in height towards the outlet end;

wherein the longitudinal axis extends in a first plane that is parallel to a second plane that is located between the top and bottom portions of the outlet end and bisects the first and second side portions of the outlet end;

wherein at least a portion of the outlet opening top portion is positioned below the first plane; and

wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion adjacent the outlet opening.

33. (New) The attachment of claim 32, wherein the attachment is any one of polymeric, polyvinyl chloride, ceramic and metal.

34. (New) The attachment of claim 32, wherein the intake opening is adapted to fit the water source.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 7

35. (New) The attachment of claim 34, wherein the water source comprises any one of a pipe and down spout.

36. (New) The attachment of claim 32, wherein the intake opening is any one of circular, polygonal and elliptical.

37. (New) The attachment of claim 32, wherein the outlet opening is polygonal.

38. (New) The attachment of claim 32, wherein the inlet end includes an attachment member to removably secure the water source to the inlet end.

39. (New) The attachment of claim 38, wherein the attachment member is positioned along an interior surface of the inlet end.

40. (New) The attachment of claim 38, wherein the attachment member comprises a slot configured to engage the water source.

41. (New) The attachment of claim 32, wherein the inlet end is configured to engage 4 inch diameter piping from the water source.

42. (New) The attachment of claim 32, wherein at least a major portion of the outlet opening is positioned below the inlet center point relative to the longitudinal axis such that gravity influences water flowing through at least a portion of the attachment.

43. (New) The attachment of claim 32, wherein a bottom portion of the transitional section is positioned below a bottom portion of the inlet end relative to the longitudinal axis.

44. (New) A drainage attachment for directing water from an elevated water source, the attachment comprising:



an inlet end including an intake opening, the intake opening comprising an inlet width, the intake opening including an inlet center point defining a longitudinal axis;

an outlet end comprising a top portion, a bottom portion, and first and second side portions, the outlet end including an outlet opening, the outlet opening comprising an outlet width, the outlet opening including an outlet center point; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and decreases in height towards the outlet end;

wherein the longitudinal axis extends parallel to a bottom portion of the transitional section;

wherein the bottom portion of the transitional section is positioned below a bottom portion of the inlet end relative to the longitudinal axis;

wherein the longitudinal axis is positioned closer to the outlet end top portion than the outlet center point; and

wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion adjacent the outlet opening.

45. (New) The attachment of claim 44, wherein the attachment is any one of polymeric, polyvinyl chloride, ceramic and metal.

46. (New) The attachment of claim 44, wherein the intake opening is adapted to fit the water source.

47. (New) The attachment of claim 46, wherein the water source comprises any one of a pipe and down spout.

48. (New) The attachment of claim 44, wherein the intake opening is any one of circular, polygonal and elliptical.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 9

49. (New) The attachment of claim 44, wherein the outlet opening is polygonal.
50. (New) The attachment of claim 44, wherein the inlet end includes an attachment member to removably secure the water source to the inlet end.
51. (New) The attachment of claim 50, wherein the attachment member is positioned along an interior surface of the inlet end.
52. (New) The attachment of claim 50, wherein the attachment member comprises a slot configured to engage the water source.
53. (New) The attachment of claim 44, wherein the inlet end is configured to engage 4 inch diameter piping from the water source.
54. (New) The attachment of claim 44, wherein at least a major portion of the outlet opening is positioned below the inlet center point relative to the longitudinal axis such that gravity influences water flowing through at least a portion of the attachment.

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 10

**REMARKS**

This Supplemental Amendment is being filed to supplement the response filed September 28, 2012 and is in response to the Office Action dated September 13, 2012.

Claims 1, 7, 8 and 18 have been amended. Claims 3, 4, 9-11, 16, 17 and 19 have been canceled. New Claims 20-54 have been added for a more complete claim set.

Applicant respectfully submits that the present application is in condition for allowance and the same is earnestly solicited. The Examiner is encouraged to telephone the undersigned attorney at 919-854-1400 to address any outstanding issues.

Respectfully submitted,

/s/ Stephen J. Petroski  
Stephen J. Petroski  
Registration No. 64,947

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Facsimile: 919/854-1401

**CERTIFICATION OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on November 3, 2012.

/s/ Stephen J. Petroski

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13545713			
<b>Filing Date:</b>	10-Jul-2012			
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER			
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan			
<b>Filer:</b>	Stephen Petroski			
<b>Attorney Docket Number:</b>	9952-6IPCT			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
Claims in excess of 20	2202	26	31	806
Independent claims in excess of 3	2201	1	125	125
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>931</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14143246
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	03-NOV-2012
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	23:36:37
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 931
RAM confirmation Number	7464
Deposit Account	500220
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Supplemental Response or Supplemental Amendment	1247874_1.pdf	93154 fc11aca5c95c764918491fd228a69164d39e3935	no	10
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (SB06)	fee-info.pdf	31592 ec3a86ad5efdd5cdb08d90138d8a79f29d08dda8	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				124746	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>					

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>13/545,713</b>		Filing Date <b>07/10/2012</b>		<input type="checkbox"/> To be Mailed			
<b>APPLICATION AS FILED – PART I</b>					OTHER THAN							
(Column 1)			(Column 2)		SMALL ENTITY <input checked="" type="checkbox"/>		OR			SMALL ENTITY		
FOR		NUMBER FILED	NUMBER EXTRA		RATE (\$)	FEE (\$)	OR		RATE (\$)	FEE (\$)		
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))		N/A	N/A		N/A		OR		N/A			
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))		N/A	N/A		N/A		OR		N/A			
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))		N/A	N/A		N/A		OR		N/A			
TOTAL CLAIMS (37 CFR 1.16(j))		minus 20 =		*	X \$ =		OR		X \$ =			
INDEPENDENT CLAIMS (37 CFR 1.16(h))		minus 3 =		*	X \$ =		OR		X \$ =			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))		If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).										
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))												
* If the difference in column 1 is less than zero, enter "0" in column 2.												
<b>APPLICATION AS AMENDED – PART II</b>					OTHER THAN							
(Column 1)			(Column 2)		SMALL ENTITY			OR			SMALL ENTITY	
AMENDMENT	<b>11/03/2012</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	* 46	Minus	** 20	= 26	X \$31 =	806	OR		X \$ =		
	Independent (37 CFR 1.16(h))	* 4	Minus	***3	= 1	X \$125 =	125	OR		X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))											
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
						TOTAL ADD'L FEE	<b>931</b>	OR		TOTAL ADD'L FEE		
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR		RATE (\$)	ADDITIONAL FEE (\$)	
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =		OR		X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =		OR		X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))											
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))											
						TOTAL ADD'L FEE		OR		TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.												
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".												
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".												
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.												

Legal Instrument Examiner:  
/RUTH LLOYD/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



<b>Doc Code: DIST.E.FILE</b> <b>Document Description: Electronic Terminal Disclaimer - Filed</b>		PTO/SB/26 U.S. Patent and Trademark Office Department of Commerce
Electronic Petition Request	<b>TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT</b>	
Application Number	13545713	
Filing Date	10-Jul-2012	
First Named Inventor	Haynes Sloan	
Attorney Docket Number	9952-6IPCT	
Title of Invention	LOW PROFILE ATTACHMENT FOR EMITTING WATER	
<input checked="" type="checkbox"/> Filing of terminal disclaimer does not obviate requirement for response under 37 CFR 1.111 to outstanding Office Action  <input checked="" type="checkbox"/> This electronic Terminal Disclaimer is not being used for a Joint Research Agreement.		
Owner	Percent Interest	
InvisaFlow, LLC	100%	
<p>The owner(s) with percent interest listed above in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent number(s)</p> <p>8251302</p> <p>as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:</p> <ul style="list-style-type: none"> <li>- expires for failure to pay a maintenance fee;</li> <li>- is held unenforceable;</li> <li>- is found invalid by a court of competent jurisdiction;</li> <li>- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;</li> <li>- has all claims canceled by a reexamination certificate;</li> <li>- is reissued; or</li> <li>- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</li> </ul> <p><input checked="" type="radio"/> Terminal disclaimer fee under 37 CFR 1.20(d) is included with Electronic Terminal Disclaimer request.</p>		

I certify, in accordance with 37 CFR 1.4(d)(4), that the terminal disclaimer fee under 37 CFR 1.20(d) required for this terminal disclaimer has already been paid in the above-identified application.

Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

Applicant(s) status remains as SMALL ENTITY.

Applicant(s) status remains as other than SMALL ENTITY.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

THIS PORTION MUST BE COMPLETED BY THE SIGNATORY OR SIGNATORIES

I certify, in accordance with 37 CFR 1.4(d)(4) that I am:

An attorney or agent registered to practice before the Patent and Trademark Office who is of record in this application

Registration Number 64947

A sole inventor

A joint inventor; I certify that I am authorized to sign this submission on behalf of all of the inventors

A joint inventor; all of whom are signing this request

The assignee of record of the entire interest that has properly made itself of record pursuant to 37 [CFR 3.71](#)

Signature	/Stephen Petroski/
Name	Stephen Petroski

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13545713			
<b>Filing Date:</b>	10-Jul-2012			
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER			
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan			
<b>Filer:</b>	Stephen Petroski			
<b>Attorney Docket Number:</b>	9952-6IPCT			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
Statutory or terminal disclaimer	2814	1	80	80
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>80</b>

Doc Code: DISQ.E.FILE

Document Description: Electronic Terminal Disclaimer – Approved

Application No.: 13545713

Filing Date: 10-Jul-2012

Applicant/Patent under Reexamination: Sloan et al.

Electronic Terminal Disclaimer filed on September 28, 2012

APPROVED

**This patent is subject to a terminal disclaimer**

DISAPPROVED

Approved/Disapproved by: Electronic Terminal Disclaimer automatically approved by EFS-Web

U.S. Patent and Trademark Office

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	13865608
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	28-SEP-2012
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	14:10:29
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$80
RAM confirmation Number	4092
Deposit Account	500220
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Electronic Terminal Disclaimer-Filed	eTerminal-Disclaimer.pdf	33690 969ee933099f9e93c71e0428588a2f5afe221048	no	2
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (SB06)	fee-info.pdf	30054 35cf51a580441ba17e95e5f28e9aeeca131b7548	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				63744	
<p><b>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</b></p>					

Attorney Docket No. 9952-6IPCT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
For: **LOW PROFILE ATTACHMENT FOR EMITTING WATER**

Confirmation No.: 9990  
Group Art Unit: 3752  
Examiner: Steven J. Ganey

Date: September 28, 2012

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION MAILED SEPTEMBER 13, 2012**

Sir:

This paper is responsive to the Office Action dated September 13, 2012 (the "Office Action").

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Director is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

**Remarks** begin on page 2 of this paper.



In re Application: Haynes Sloan Jr.  
Application No.: 13/545,713  
Filed: July 10, 2012  
Page 2

**REMARKS**

Applicant sincerely appreciates the thorough examination of the application as set forth in the Office Action. Applicant respectfully submits that the application is in condition for allowance in view of the remarks that follow.

Claims 1-19 are pending and stand rejected on the ground of nonstatutory obviousness-type double patenting based on Claims 1-22 of U.S. Patent No. 8,251,302. Office Action, p. 3.

Applicant electronically filed a terminal disclaimer over U.S. Patent No. 8,251,302 on September 28, 2012. The terminal disclaimer has been approved. As such, Applicant respectfully submits that the double patenting rejections have been overcome.

In view of the above, Applicant respectfully submits that the present application is in condition for allowance and the same is earnestly solicited. The Examiner is encouraged to telephone the undersigned attorney at 919-854-1400 to address any outstanding issues.

Respectfully submitted,

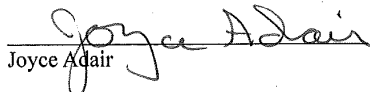


Stephen J. Petroski  
Registration No. 64,947

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

**CERTIFICATION OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on September 28, 2012.



Joyce Adair

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	13869842
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski/Joyce Adair
<b>Filer Authorized By:</b>	Stephen Petroski
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	28-SEP-2012
<b>Filing Date:</b>	10-JUL-2012
<b>Time Stamp:</b>	16:20:28
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	9952-6IPCT.pdf	139340 <small>b7730a7f2fe95873b26f42f2fb1ca8d0c811f afe</small>	no	2

### Warnings:

### Information:

Total Files Size (in bytes):

139340

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT	9990

20792 7590 09/13/2012  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

EXAMINER

GANEY, STEVEN J

ART UNIT	PAPER NUMBER
3752	

MAIL DATE	DELIVERY MODE
09/13/2012	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.

<b>Office Action Summary</b>	<b>Application No.</b> 13/545,713	<b>Applicant(s)</b> SLOAN, HAYNES	
	<b>Examiner</b> STEVEN J. GANEY	<b>Art Unit</b> 3752	

**-- 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) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, 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 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 10 July 2012.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  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**

- 5)  Claim(s) 1-19 is/are pending in the application.
  - 5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 1-19 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  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).
- 12)  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**

- 13)  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/SB/08)  
Paper No(s)/Mail Date 7/10/12
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_

## DETAILED ACTION

### *Double Patenting*

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-19 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-22 of U.S. Patent No. 8,251,302. Although the conflicting claims are not identical, they are not patentably distinct from each other because they both claim an inlet end, outlet end, the inlet end including a center point, a transitional section, an outlet opening positioned below the inlet end center point and the outlet width great than the inlet width. The claims of the instant invention are broader in scope than claims 1-22 of U.S. Patent No. 8,251,302 and are therefore encompassed in claims 1-22 of U.S. Patent No. 8,251,302.

#### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN J. GANEY whose telephone number is (571)272-4899. The examiner can normally be reached on 9:00-5:00; Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Len Tran can be reached on 571-272-1184. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3752

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/STEVEN J. GANEY/  
Primary Examiner  
Art Unit 3752

sjg



<b>Notice of References Cited</b>	Application/Control No. 13/545,713	Applicant(s)/Patent Under Reexamination SLOAN, HAYNES	
	Examiner STEVEN J. GANEY	Art Unit 3752	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-8,251,302	08-2012	Sloan, Jr., W. Haynes	239/593
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			


**FOREIGN PATENT DOCUMENTS**

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

**NON-PATENT DOCUMENTS**

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
V	
W	
X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b>Search Notes</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

SEARCHED			
Class	Subclass	Date	Examiner
239	499,525,531,589,592,593,594,597,598,600,601	09/11/12	SJG
285	305,328,331,397,398,399,239,256,259	09/11/12	SJG
52	16	09/11/12	SJG
138	177	09/11/12	SJG

SEARCH NOTES		
Search Notes	Date	Examiner
TEXT AND INVENTORSHIP SEARCHED.	09/11/12	SJG

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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Receipt date: 07/10/2012

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Complete if Known</i>	
				Application Number	Not yet assigned
<i>(use as many sheets as necessary)</i>				Filing Date	Concurrently herewith
				First Named Inventor	Willard Haynes Sloan, Jr.
Sheet <b>1</b> of <b>1</b>				Art Unit	TBA
				Examiner Name	TBA
				Attorney Docket Number	9952-6IPCT

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)				
	1.	US-	7,458,532	12/2008	Sloan, W. Haynes	
	2.	US-	7,748,650	07/2010	Sloan, W. Haynes	
		US-				
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code, Number, Kind Code (if known)					

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T

Examiner Signature	/Steven Ganey/	Date Considered	09/11/2012
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SG/

Receipt date: 07/10/2012

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-10)

Approved for use through 07/31/2012. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		42620327 <sup>e</sup> TBA	
	Filing Date		2009-11-17 <sup>e</sup>	
	First Named Inventor	Haynes Sloan, Jr.		
	Art Unit	3751		
	Examiner Name	Unknown		
	Attorney Docket Number	002627 <sup>e</sup> 9952-6IPCT		

U.S.PATENTS							Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	
	1	0455910		1891-07-14	Gordon		
	2	0577362		1897-02-16	Ettlinger		
	3	0749232		1904-01-12	Shaw		
	4	1033195		1912-07-23	Robinson		
	5	1239373		1917-09-04	Farmer et al.		
	6	1273200		1918-07-23	Symonds		
	7	2116863		1938-05-10	Dinley		
	8	2397655		1946-04-02	Francis		

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Receipt date: 07/10/2012

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		1262032 <i>TBA</i>
	Filing Date		2009-11-17 <i>e</i>
	First Named Inventor	Haynes Sloan, Jr.	
	Art Unit	3751	
	Examiner Name	Unknown	
	Attorney Docket Number	002627 <i>9952-6IPCT</i>	

	9	2586145		1952-02-19	Breuer et al.	
	10	2655408		1953-10-13	Williams	
	11	2661225		1953-12-01	Lyon	
	12	2814529		1957-11-26	Arnt	
	13	3861419		1975-01-21	Johnson	
	14	4112568		1978-09-12	Hale	
	15	4247136		1981-01-27	Fouss et al.	
	16	4273367		1981-06-16	Keeney et al.	
	17	4480855		1984-11-06	Rosenbaum	
	18	4575133		1986-03-11	Nattel	
	19	4688720		1987-08-25	MacDonald	

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Receipt date: 07/10/2012

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		42620927	
	Filing Date		2009-11-17	
	First Named Inventor	Haynes Sloan, Jr.		
	Art Unit	3751		
	Examiner Name	Unknown		
	Attorney Docket Number	002627 9952-6IPCT		

	20	5031426		1991-07-16	Wilson	
	21	5150930		1992-09-29	Petty et al.	
	22	5332270		1994-07-26	Petty et al.	
	23	5358007		1994-10-25	Carlberg	
	24	5375891		1994-12-27	Sicotte	
	25	5387016		1995-02-07	Joseph et al.	
	26	5658092		1997-08-19	Sweers	
	27	5823580		1998-10-20	Ungerecht	
	28	5862632		1999-01-26	Zima	
	29	5915735		1999-06-29	Noble	
	30	6007110		1999-12-28	Amatsutsu	

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Receipt date: 07/10/2012

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number	12620327 <i>TBA</i>
	Filing Date	2009-11-17 <i>R</i>
	First Named Inventor	Haynes Sloan, Jr.
	Art Unit	3751
	Examiner Name	Unknown
	Attorney Docket Number	002627 <i>9952-6IPCT</i>

31	6202358		2001-03-20	Janesky	
32	6612075		2003-09-02	Knoop et al.	
33	7017949		2006-03-28	Luft et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

**U.S. PATENT APPLICATION PUBLICATIONS**

Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> j	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1							<input type="checkbox"/>

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**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1		<input type="checkbox"/>

EFS Web 2.1.17

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SG/


Receipt date: 07/10/2012

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number	12620327 <del>TBA</del>
	Filing Date	2009-11-17
	First Named Inventor	Haynes Sloan, Jr.
	Art Unit	3751
	Examiner Name	Unknown
	Attorney Docket Number	002627e 9952-6IPCT

If you wish to add additional non-patent literature document citation information please click the Add button <input type="button" value="Add"/>			
<b>EXAMINER SIGNATURE</b>			
Examiner Signature	/Steven Ganey/	Date Considered	09/11/2012
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
<small><sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="http://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.</small>			

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /SG/



<b>Index of Claims</b> 	<b>Application/Control No.</b> 13545713	<b>Applicant(s)/Patent Under Reexamination</b> SLOAN, HAYNES
	<b>Examiner</b> STEVEN J GANEY	<b>Art Unit</b> 3752

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

<b>N</b>	<b>Non-Elected</b>
<b>I</b>	<b>Interference</b>

<b>A</b>	<b>Appeal</b>
<b>O</b>	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	09/11/2012							
	1	✓							
	2	✓							
	3	✓							
	4	✓							
	5	✓							
	6	✓							
	7	✓							
	8	✓							
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	14	✓							
	15	✓							
	16	✓							
	17	✓							
	18	✓							
	19	✓							

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b>						Application or Docket Number 13/545,713					
Substitute for Form PTO-875											
<b>APPLICATION AS FILED - PART I</b>											
		(Column 1)	(Column 2)		SMALL ENTITY		OR	OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA		RATE(\$)	FEE(\$)			RATE(\$)	FEE(\$)		
BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A		N/A	95			N/A			
SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A		N/A	310			N/A			
EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A		N/A	125			N/A			
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	19	minus 20 =	*		x 30 =	0.00	OR				
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	2	minus 3 =	*		x 125 =	0.00	OR				
APPLICATION SIZE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				0.00						
MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>						0.00					
						TOTAL		TOTAL			
						530					
* If the difference in column 1 is less than zero, enter "0" in column 2.											
<b>APPLICATION AS AMENDED - PART II</b>											
		(Column 1)	(Column 2)		(Column 3)		SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)			RATE(\$)	ADDITIONAL FEE(\$)
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**		x	=	OR	x	=	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***		x	=	OR	x	=	
	Application Size Fee <small>(37 CFR 1.16(s))</small>								OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>								OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE(\$)	ADDITIONAL FEE(\$)			RATE(\$)	ADDITIONAL FEE(\$)
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**		x	=	OR	x	=	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***		x	=	OR	x	=	
	Application Size Fee <small>(37 CFR 1.16(s))</small>								OR		
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>								OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.											
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".											
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".											
The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.											



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 13/545,713, 07/10/2012, 1778, 530, 9952-6IPCT, 19, 2

CONFIRMATION NO. 9990

20792
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

FILING RECEIPT



Date Mailed: 07/24/2012

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Haynes Sloan JR., Gallatin, TN;

Power of Attorney: The patent practitioners associated with Customer Number 20792

Domestic Priority data as claimed by applicant

This application is a CON of 12/620,327 11/17/2009
which is a CIP of 12/262,621 10/31/2008 PAT 7748650
which is a CON of 11/561,313 11/17/2006 PAT 7458532

Foreign Applications (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.)

If Required, Foreign Filing License Granted: 07/23/2012

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 13/545,713

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title**

LOW PROFILE ATTACHMENT FOR EMITTING WATER

**Preliminary Class**

210

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
13/545,713	07/10/2012	Haynes Sloan JR.	9952-6IPCT

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

**CONFIRMATION NO. 9990**  
**POA ACCEPTANCE LETTER**



Date Mailed: 07/24/2012

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 07/10/2012.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/abalinang/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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<b>UTILITY                  PATENT APPLICATION                  TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	9952-6IPCT
	First Inventor	Haynes Sloan, Jr.
	Title	Low Profile Attachment for Emit....
	Express Mail Label No.	

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> (e.g., PTO/SB/17) 2. <input checked="" type="checkbox"/> <b>Applicant claims small entity status.</b> See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <u>15</u> ] Both the claims and abstract must start on a new page (For information on the preferred arrangement, see MPEP 608.01(a)) 4. <input checked="" type="checkbox"/> <b>Drawing(s)</b> (35 U.S.C. 113) [Total Sheets <u>4</u> ] 5. <b>Oath or Declaration</b> [Total Sheets <u>3</u> ] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> A copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> <b>Application Data Sheet.</b> See 37 CFR 1.76 7. <input type="checkbox"/> <b>CD-ROM or CD-R</b> in duplicate, large table or Computer Program (Appendix) <input type="checkbox"/> Landscape Table on CD 8. <b>Nucleotide and/or Amino Acid Sequence Submission</b> (if applicable, items a. - c. are required) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies	<b>ACCOMPANYING APPLICATION PARTS</b> 9. <input type="checkbox"/> <b>Assignment Papers</b> (cover sheet & document(s)) Name of Assignee _____ 10. <input checked="" type="checkbox"/> <b>37 CFR 3.73(b) Statement</b> <input checked="" type="checkbox"/> <b>Power of Attorney</b> (when there is an assignee) 11. <input type="checkbox"/> <b>English Translation Document</b> (if applicable) 12. <input checked="" type="checkbox"/> <b>Information Disclosure Statement</b> (PTO/SB/08 or PTO-1449) <input type="checkbox"/> Copies of citations attached 13. <input type="checkbox"/> <b>Preliminary Amendment</b> 14. <input type="checkbox"/> <b>Return Receipt Postcard</b> (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> <b>Certified Copy of Priority Document(s)</b> (if foreign priority is claimed) 16. <input checked="" type="checkbox"/> <b>Nonpublication Request</b> under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent. 17. <input checked="" type="checkbox"/> Other: <u>Notice of Acceptance of Power of Attorney</u>
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18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: 12/620,327.....

Prior application information:                      Examiner Steven J. Ganey                      Art Unit: 3752

**19. CORRESPONDENCE ADDRESS**

The address associated with Customer Number: 20792    OR     Correspondence address below

Name	
Address	
City	State      Zip Code
Country	Telephone      Email

Signature		Date	July 10, 2012
Name (Print/Type)	Stephen J. Petroski	Registration No. (Attorney/Agent)	64,947

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
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<h1 style="margin: 0;">FEE TRANSMITTAL</h1>	<b>Complete if Known</b>	
	Application Number	not yet assigned
	Filing Date	concurrently herewith
	First Named Inventor	Haynes Sloan, Jr.
	Examiner Name	TBA
	Art Unit	TBA
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No. 9952-6IPCT
<b>TOTAL AMOUNT OF PAYMENT</b>	(\$)	530.00

**METHOD OF PAYMENT** (check all that apply)

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	380	190	620	310	250	125	530.00
Design	250	125	120	60	160	80	
Plant	250	125	380	190	200	100	
Reissue	380	190	620	310	750	375	
Provisional	250	125	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	60	30
Each independent claim over 3 (including Reissues)	250	125
Multiple dependent claims	450	225

**Total Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**  
19 - 20 or HP = 0 x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims**    **Extra Claims**    **Fee (\$)**    **Fee Paid (\$)**  
2 - 3 or HP = 0 x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

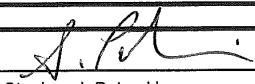
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 = _____ (round up to a whole number)	x _____ = _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount) **Fees Paid (\$)**

Other (e.g., late filing surcharge): \_\_\_\_\_

<b>SUBMITTED BY</b>		
Signature		Registration No. (Attorney/Agent) 64,947
Name (Print/Type)	Stephen J. Petroski	Telephone 919 854 1400
		Date

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## LOW PROFILE ATTACHMENT FOR EMITTING WATER

### CROSS-REFERENCES TO RELATED APPLICATIONS

[0001] This application is a continuation application of U.S. Patent Application Serial No. 12/620,327, filed November 17, 2009, which is a continuation-in-part application of U.S. Patent Application Serial No. 12/262,621, filed October 31, 2008, now U.S. Patent No. 7,748,650, which is a continuation application of U.S. Patent Application Serial No. 11/561,313, filed November 17, 2006, now U.S. Patent No. 7,458,532, the disclosures of which are hereby incorporated by reference herein in their entireties.

[0002] A portion of the disclosure of this patent document contains material that is subject to copyright protection. The copyright owner has no objection to the facsimile reproduction by anyone of the patent document or the patent disclosure, as it appears in the U.S. Patent and Trademark Office patent file or records, but otherwise reserves all copyright rights whatsoever.

[0003] All patents and publications described herein are hereby incorporated by reference in their entirety.

### FIELD OF THE INVENTION

[0004] The present invention relates generally to an attachment for emitting water from a water source, and more specifically, but not by way of limitation, to a drain pipe attachment that has a low profile design to emit water from a pipe or down spout.

## BACKGROUND OF THE INVENTION

[0005] Numerous prior art attachment designs exist to direct water flowing from pipes and down spouts on buildings. These prior art designs have attempted to manipulate the outflow of water from the pipes and down spouts in order to increase the flow efficiency of the water or transfer the water to a different location.

[0006] However, almost all of the prior art patents fail to adequately provide an apparatus which properly disperses the water away from the down spout or pipe and maintains the water dispersing apparatus in such a manner to keep the prior art water dispersing apparatus from interfering with operations and maintenance around the water dispersing apparatus. For example, U.S. Patent Nos. 2,814,529, 3,861,419, and 5,358,007, require manual manipulation of the water dispersing apparatus to move these prior art devices out of the way when maintenance or other operations are required around those prior art down spouts or water dispersing devices.

[0007] Other prior art devices have attempted to position the water outlet attachment in the surrounding structure or the ground. However, these prior art devices failed to adequately maintain the structural integrity of the water outlet device in order to maintain the water flow from the pipe or down spout. For example, U.S. Pat. No. 2,397,655 lacks any reinforcing feature designed to strengthen the device and requires structural support from the surrounding materials in to which it is inserted in order to maintain a proper water exit opening height for the drain pipe.

[0008] The current invention is an improvement over the old designs in several ways. For example, the current invention adds a structural support element build into the water emitting attachment in order to maintain the dimensions of the outlet end of the attachment. Also, the inlet end of the current invention facilitates engagement of the water emitting attachment to a pipe or down spout through inclusion of ribbed attachment members spaced around the inlet end of the current invention. Also, the outlet end of the current invention is an improvement over these prior art devices through the improved water emitting design that increases the fluid dynamic flow out of the outlet end of the current invention thereby reducing erosion around the outlet end of the current invention.

[0009] Thus, there is a need in the art for a low profile attachment with increased structural integrity for efficiently emitting water from a pipe or down spout.

#### SUMMARY OF THE INVENTION

[00010] The present invention provides an attachment for emitting water from a water source. The attachment comprises an inlet end, a transitional section connected to the inlet end, an outlet end connected to the transitional section opposite from the inlet end, and a reinforcement member attached to the transitional section and the outlet end to support the transitional section. The inlet end includes an external cover and an internal sleeve disposed within and spaced from the external cover.

[00011] The internal sleeve of the drain pipe attachment includes a plurality of attachment members spaced along the outer surface. The attachment members are positioned to removably secure the water source to the drain pipe attachment. The outlet end includes a dispersing opening and a support rim

supporting the dispersion opening. In this embodiment the outlet height is smaller than the inlet height and the outlet width is larger than the inlet width.

[00012] The invention is designed to lower the exit height of drain pipes and down spouts. The invention provides a less obtrusive exit from the pipe or down spout. This lowered exit area facilitates maintenance around the exit area of the pipe or down spout and reduces erosion of the surrounding surface near the exit of the water source to which the invention is attached.

[00013] The invention has numerous uses in water dispersion areas. For example, the invention can be utilized in such areas as over the top of curbs, into boundary swells, from landscaping beds onto the lawn, onto the tops of sidewalks and driveways, in flat elevations, and in sloping grades.

[0010] In one embodiment, this invention is designed to have an outlet end height that is approximately 75 percent lower than the exit height of other conventional drain pipe/down spout attachments. However, the current invention still allows a smooth flow of water out of the dispersion, or exit, opening without increasing the effective erosion on the ground surrounding the exit opening.

[0011] When placed in a manner such that the outlet end of the attachment extends out into a yard or landscaped area, maintenance and lawn care around the outlet end is easily accomplished due to the fact that a mower can mow over the outlet end without damaging the mower or the invention.

[0012] Accordingly, it is an object of the present invention to provide an improved attachment for emitting water from a water source.

[0013] Another object of the present invention is to provide a water emitting attachment that has an outlet opening that is shorter in height than the height of the inlet opening.

[0014] Another object of the present invention is to provide a water emitting attachment that has an outlet opening that has a low profile exit height.

[0015] Another object of the present invention is to provide a water emitting attachment that has an outlet opening that facilitates maintenance around the exit of the attachment without the need for repositioning of the attachment.

[0016] Yet another object of the present invention is to provide a water emitting attachment adapted to direct water from a pipe or down spout.

[0017] Still yet another object of the present invention is to provide an attachment for emitting water that contains a self reinforcing section to promote the retention of the size of the outlet opening of the attachment.

[0018] Numerous other objects, features, and advantages of the present invention will be readily apparent to those skilled in the art, upon a reading of the following disclosure, when taken in conjunction with the accompanying drawings.

#### BRIEF DESCRIPTION OF THE DRAWINGS

[0019] Fig. 1 is a perspective view of an embodiment of the present invention showing the outlet end.

[0020] Fig. 2 is a perspective view of one embodiment of the current invention showing the inlet end.

[0021] Fig. 3 is a perspective view of the current invention. Fig. 3 details the transitional section and the direction of flow of water through the current invention.

[0022] Fig. 4 shows a top view of the current invention.

[0023] Fig. 5 shows an end view of the current invention. Fig. 5 details one embodiment of the inlet end of the current invention, including the external cover, internal sleeve, and plurality of attachment members.

[0024] Fig. 6 shows an end view of the outlet end of the current invention.

[0025] Fig. 7 is an end view of the outlet end of the embodiment of Fig. 1.

[0026] Fig. 8 shows a side view of a resilient finger and lateral projection of the embodiment of Fig. 1.

#### DESCRIPTION OF THE PREFERRED EMBODIMENTS

[0027] Referring now to the drawings, and particularly to Fig. 1, an attachment for emitting water is shown and generally designated by the numeral 10. The attachment 10 can also be described as a low profile exit emitter 10, a drain pipe attachment 10, or a down spout attachment 10. The attachment 10 for emitting water (not shown) from a water source 12 comprises an inlet end 14, a transitional section 16 connected to the inlet end 14, an outlet end 18 connected to the transitional section 16 opposite from the inlet end 14. The inlet end 14, also described as a universal received 14, of the attachment 10 accepts water from the water source 12 and allows that water to pass through the transitional section 16 and to the outlet end 18 where the water exits the attachment 10.

[0028] In a preferred embodiment, the inlet end 14 includes an external cover 22 and an internal sleeve 24 disposed within and spaced from the external cover

22. The external cover 22 and internal sleeve 24 are designed to match the water source 12 in order to facilitate the movement of the water from the water source 12 to the attachment 10. The water source 12 fits between the external cover 22 and internal sleeve 24. This placement allows the free flow of water from the water source 12 through the inlet end 14 of the attachment 10.

[0029] As seen in FIG. 5, the internal sleeve 24 includes an outer surface 26 and a plurality of attachment members 28 spaced along the outer surface 26 and positioned to removably secure the water source 12 to the inlet end 14 of the attachment 12. The attachment members 28 are ribbed type extensions along the outer surface 26 of the internal sleeve 24. In alternate embodiments, the attachment members 28 can include slots designed to accept the water source 12, buckles, snaps, hooks, and other fasteners known to one skilled in the art to secure two items together.

[0030] The inlet end 14 can be configured in various ways to facilitate the engagement between the attachment 10 and the water source 12. For example, the internal sleeve 24 can surround the water source 12 in order to define the engagement between the attachment 10 and the water source 12. Also, as seen in FIG. 8, the external cover 22 can contain a plurality of attachment members 28 spaced along the interior surface 30 of the external cover 22. These attachment members 28 can engage the water source 12 in order to facilitate the attachment between the water source 12 and the inlet end 14 of the attachment 10.

[0031] The shape of the inlet end 14 can vary in order to correspond with and attach to the water source 12. For example, the inlet end 14 can have a circular shape, a polygonal shape, an elliptical shape, and other shapes that correspond to the form of the water source 12.

[0032] Additionally, inlet end 14 can include a center point 54 wherein the dispersion opening 32 of the outlet end 18 is positioned below the center point 54. This facilitates the low profile design of the attachment 10.

[0033] Due to the design of the outlet end 18, the effects of erosion are reduced when the current invention is used to disperse water. This reduction occurs due to the fact that the attachment 10 disperses the fluid exiting the outlet end 10 of the attachment 18 over a wider area than the area of dispersion of most conventional devices used for water dispersion in association with a pipe or down spout. The size of the outlet width 44 of the outlet end 18 slows the speed of the water exiting the water source, thereby reducing the effects of erosion on the surrounding area.

[0034] The outlet end 18 includes a dispersion opening 32, also called an outlet opening 32, and a support rim 34 surrounding and supporting the dispersion opening 32. The support rim 34, also described as a support rib 34, enhances the durability of the outlet end 18, and especially the dispersion opening 32. The support rim 34 can vary in size depending on the external forces applied on the dispersion opening 32 in a manner as to close the dispersion opening 32. The support rim 34 helps to maintain the size of the dispersion opening 32 by providing support to the dispersion opening 32 to counteract the closing effect that external forces apply to the dispersion opening 32.

[0035] The inlet end 14 includes an intake opening 36. The intake opening 36 includes an inlet height 38, also called an inlet vertical dimension 38, and inlet width 40. The outlet end 18 includes a dispersion opening 32 having an outlet height 42, also called an outlet vertical dimension 42, and an outlet width 44. The relationship between the inlet height 38 and the outlet height 42, as well as the



relationship between the inlet width 40 and the outlet width 44, can vary according to different embodiments of the current invention and still maintain the spirit of the invention.

[0036] For example, in one of the embodiments the outlet width 44 is at least 1.5 times larger than the inlet width 40. In another embodiment, the inlet height 38 is at least twice as large as the outlet height 42. In another embodiment, the inlet height 38 is designed to accept 3 inch or 4 inch diameter piping from a water source 12. The attachment 10 then transitions to an outlet height 42 of 1.5 inches tall and outlet width 44 of 6 inches long. Preferably, the outlet vertical dimension 42 is substantially less than the inlet vertical dimension 38.

[0037] The reinforcement member 20 is designed to support the transitional section 16 and potentially the outlet end 18 without necessarily engaging the outlet end 18. The reinforcement 20 can be attached to the transitional section 16 and the outlet end 18 and can span the connection between the transitional section 16 and the outlet end 18.

[0038] The reinforcement member 20 has a diamond, or pyramid, shaped appearance that increases in mass from the edges 46 of the reinforcement member 20 to a peak point 48. The design of the reinforcement member 20 strengthens the intermediate area between the outlet end 18 and the transitional section 16. This allows the apparatus 10 to be placed in the ground or under other objects that apply pressure and/or weight onto the attachment 10. The reinforcement member 20 helps to maintain the cross-sectional area of the outlet end 18. This facilitates a smooth flow of the water out the outlet end 18. The shape and the location of the reinforcement member 20 can vary from different embodiments of the current invention. The reinforcement member 20 however,

needs to maintain a location such that it can support the transitional section 16 and the outlet end 18 to maintain proper spacing of the outlet end of the dispersing opening 32 of the outlet end 18.

[0039] FIG. 3 details the transition from the inlet end 14 to the outlet end 18 through the transitional section 16. The transitional section 16 provides a geometric transition from a circular inlet end 14 to a rectangular outlet end 18. This figure also shows the preferred direction of flow of the water passing through the attachment 10.

[0040] The attachment 10 includes a collection area 50 designed to collect a small amount of water as it passes through the attachment 10. This collection area 50 effectively widens the stream of water as the water passes through the attachment 10 and decreases erosion of the area near the outlet end 18. Also, the attachment 10 includes a base 52 designed to engage the water source 12 as the water source 12 fully engages the inlet end 14. This base 52 gives the user of the attachment 10 a reference point in which to connect the water source 12 with the attachment 10.

[0041] The attachment 10 is used in a gravity flow, surface drainage system and is designed to attach to a water source 12 that comprises a 3 inch diameter pipe, a 4 inch diameter pipe, or a 4 inch diameter corrugated pipe. The attachment 10 is also designed to attach to a down spout that directs water from a building. The attachment 10 can be designed to attach to any shaped down spout known by one skilled in the art to direct water away from a building and still maintain its inventive spirit.

[0042] The attachment 10 is composed of polymers, but can be composed of metal, ceramic, polyvinyl chloride or other comparable materials.

[0043] In a preferred embodiment, the overall length of the apparatus 10 is 18.25 inches long. The outlet end 18 is rectangular in shape and measures 1.5 inches tall by 6.6 inches wide. The internal sleeve 24 has an internal diameter of 3.63 inches and the outer surface 26 has an exterior diameter of 5.0 inches. The reinforcement member 20 extends back 6.5 inches towards the transitional section 16 and increase in height from the outlet width 44 to the peak pint 48 in a 12 degree measurement. The support rim 34 extends 0.25 inches from the dispersing opening 32 and extends backwards 0.25 inches from the dispersing opening 32.

[0044] Thus, it is seen that the apparatus of the present invention readily achieves the ends and advantages mentioned as well as those inherent therein. While certain preferred embodiments of the invention have been illustrated and described for purposes of the present disclosure, numerous changes in the arrangement and construction of parts may be made by those skilled in the art, which changes are encompassed within the scope and spirit of the present invention as defined by the appended claims.

THAT WHICH IS CLAIMED IS:

1. A low profile attachment configured to direct water from a water source to a drainage location, the attachment comprising:

an inlet end including an intake opening, the intake opening comprising an inlet width and an inlet height, the inlet end including a center point;

an outlet end including an outlet opening, the outlet opening comprising an outlet width and an outlet height, wherein the outlet width is greater than the outlet height; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and decreases in height towards the outlet end;

wherein the outlet opening is positioned below the inlet end center point; and

wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion at the drainage location adjacent the outlet opening.

2. The attachment of claim 1, wherein the attachment is any one of polymeric, polyvinyl chloride, ceramic and metal.

3. The attachment of claim 1, further comprising an elongated rectangular section between the transitional section and the outlet end.

4. The attachment of claim 1, further comprising a collection area adapted to collect water and widen a stream of water flowing through the attachment.

5. The attachment of claim 1, wherein the intake opening is adapted to fit the water source.

6. The attachment of claim 5, wherein the water source comprises any one of a pipe and down spout.

7. The attachment of claim 1, wherein the inlet end is any one of circular, polygonal and elliptical.

8. The attachment of claim 1, wherein the outlet end is rectangular.

9. The attachment of claim 1, wherein the transitional section transitions into a rectangular shape towards the outlet end.

10. The attachment of claim 1, wherein the outlet width is substantially greater than the inlet width.

11. The attachment of claim 1, wherein the inlet height is at least twice as large as the outlet height.

12. The attachment of claim 1, wherein the inlet end includes an attachment member to removably secure the water source to the inlet end.

13. The attachment of claim 12, wherein the attachment member is positioned along an interior surface of the inlet end.

14. The attachment of claim 12, wherein the attachment member comprises a slot configured to engage the water source.

15. The attachment of claim 1, wherein the inlet end is configured to engage 4 inch diameter piping from the water source.

16. The attachment of claim 1, wherein the inlet end has an inlet height that is substantially greater than the outlet height, and wherein differential between the inlet height and outlet height and the inlet width and outlet width

along a length of the attachment gently disperses water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion at the drainage location adjacent the outlet opening.

17. The attachment of claim 1, wherein, in position, the inlet end is engaged with the water source and the outlet end is configured to be positioned under a surface adjacent the drainage location, thereby facilitating maintenance around and over the outlet end.

18. The attachment of claim 1, wherein the outlet opening is positioned below the inlet end center point such that gravity influences water flowing through at least a portion of the attachment.

19. A gravity flow drainage attachment for directing water from an elevated water source to a drainage location, the attachment comprising:

an inlet end including an intake opening comprising an inlet width and an inlet height, the inlet end including a center point;

an outlet end, the outlet end comprising an outlet width and outlet height, the outlet end comprising an outlet opening, wherein the outlet width is greater than the outlet height; and

a transitional section between the inlet end and the outlet end, wherein the transitional section increases in width and reduces in height and transitions into a rectangular shape towards the outlet end;

wherein the outlet opening is positioned below the inlet end center point;

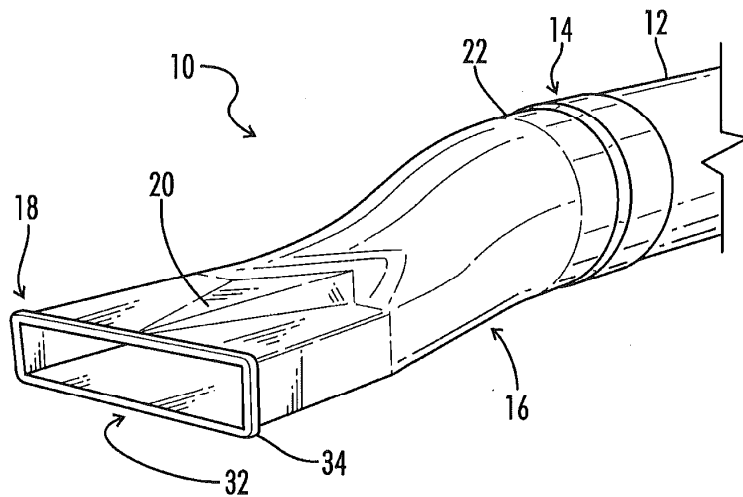
wherein the outlet width is greater than the inlet width to disperse water flowing through the attachment and out of the outlet opening, thereby reducing the effects of erosion at the drainage location adjacent the outlet opening; and

wherein the attachment includes a support rib mounted thereto.

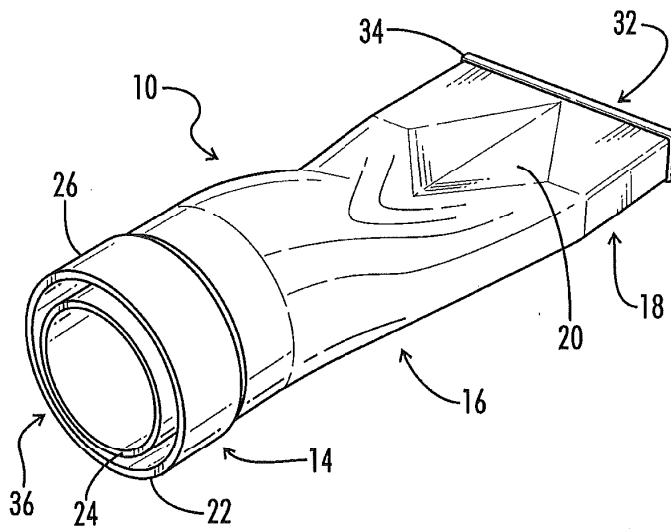
### ABSTRACT OF THE DISCLOSURE

The present invention provides an attachment for emitting water from a water source. The attachment comprises an inlet end, a transitional section connected to the inlet end an outlet end connected to the transitional section opposite from the inlet end, and a reinforcement member attached to the transitional section and the outlet end to support the transitional section. The inlet end includes an external cover and an internal sleeve disposed within and spaced from the external cover.

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**FIG. 1**

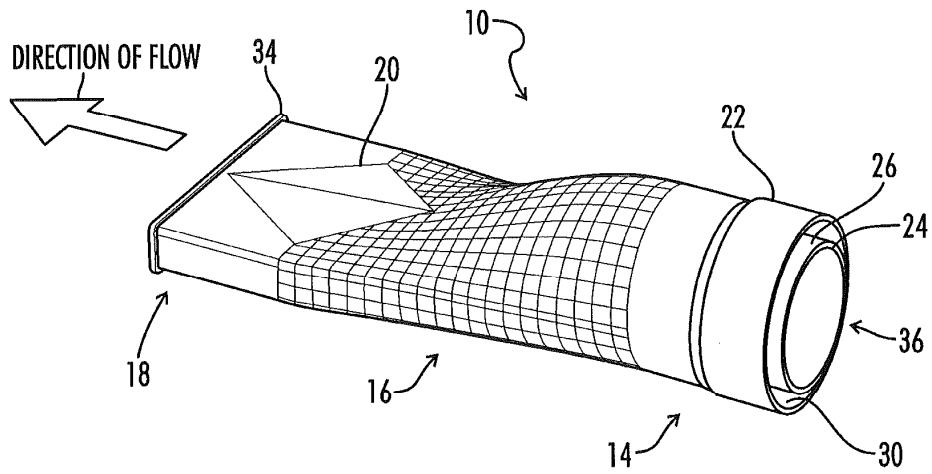


**FIG. 2**

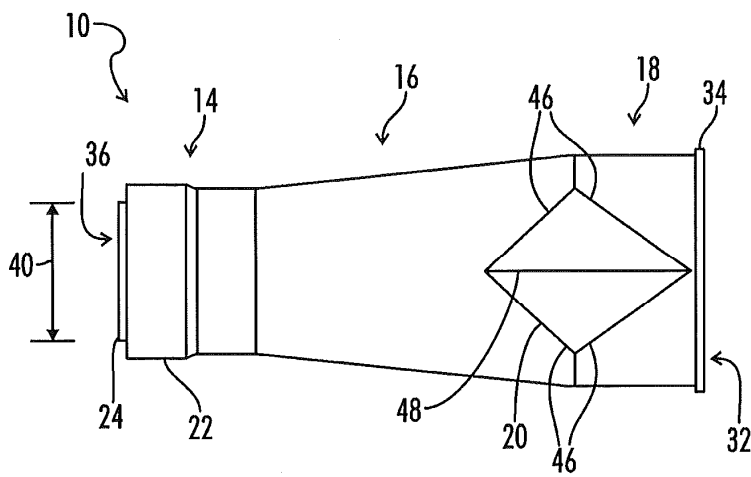
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**FIG. 3**



**FIG. 4**

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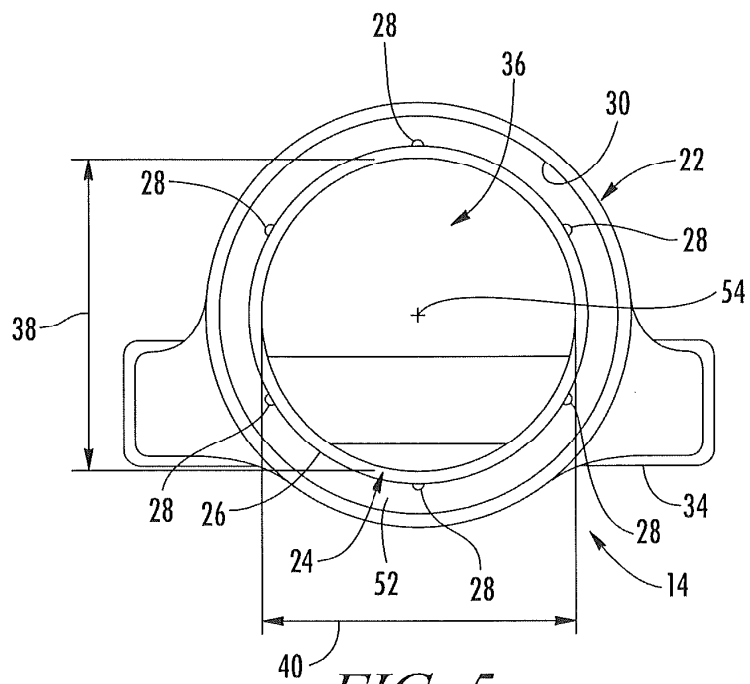


FIG. 5

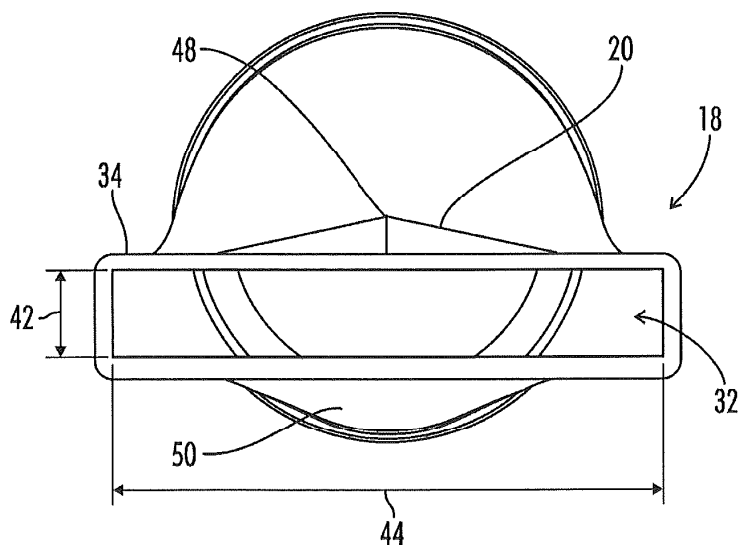
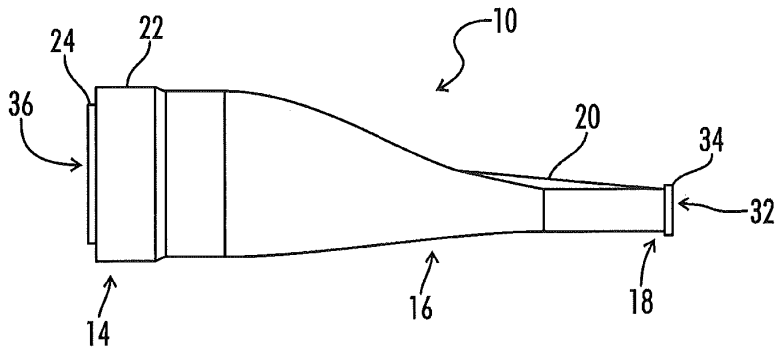
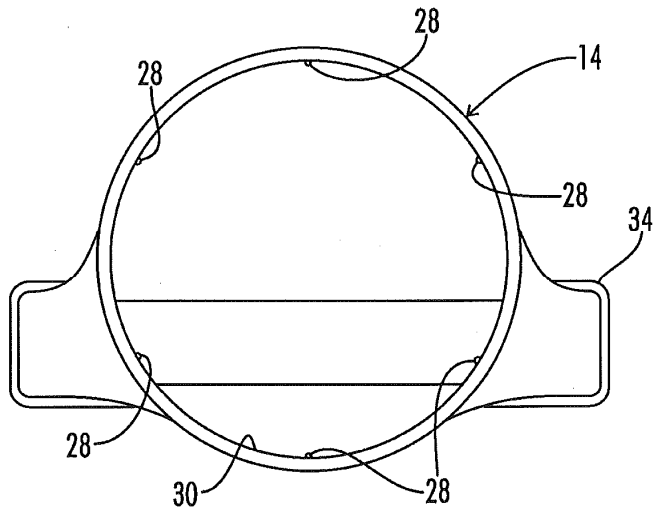


FIG. 6

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**FIG. 7**



**FIG. 8**

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**DECLARATION AND POWER OF ATTORNEY**

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor named below to be the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**LOW PROFILE ATTACHMENT FOR EMITTING WATER WITH  
CONNECTOR FOR CORRUGATED PIPE**

the application of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part applications.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, or inventor's or plant

breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: None

I hereby claim priority benefits under 35 U.S.C. §119(e) of any United States Provisional application(s) listed below: None

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below:

U.S. Patent Application Serial No. 12/262,621 filed October 31, 2008 entitled "Low Profile Attachment For Emitting Water."

U.S. Patent Application Serial No. 11/561,313 filed November 17, 2006 entitled "Low Profile Drain Pipe Emitter," now U.S. Patent No. 7,458,532 issued December 2, 2008.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners associated with Customer Number **23456** as my attorneys to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please direct correspondence and telephone calls to Phillip E. Walker at the address and telephone number associated with the Customer Number.

Inventor's signature:



Residence:

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11-11-09  
Date

Citizenship:

United States

Post Office Address:

445 Belle Breeze Pl.  
Gallatin, TN 37066-4685

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number	Not yet assigned	
				Filing Date	Concurrently herewith	
				First Named Inventor	Willard Haynes Sloan, Jr.	
				Art Unit	TBA	
				Examiner Name	TBA	
Sheet	1	of	1	Attorney Docket Number	9952-6IPCT	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)				
	1.	US-	7,458,532	12/2008	Sloan, W. Haynes	
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		US-				
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		42620327 <sup>e</sup> TBA	
	Filing Date		2009-11-17 <sup>e</sup>	
	First Named Inventor	Haynes Sloan, Jr.		
	Art Unit	3751		
	Examiner Name	Unknown		
	Attorney Docket Number	002627 <sup>e</sup> 9952-6IPCT		

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Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	
	1	0455910		1891-07-14	Gordon		
	2	0577362		1897-02-16	Ettlinger		
	3	0749232		1904-01-12	Shaw		
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		1262032 <i>TBA</i>	
	Filing Date		2009-11-17 <i>e</i>	
	First Named Inventor	Haynes Sloan, Jr.		
	Art Unit	3751		
	Examiner Name	Unknown		
	Attorney Docket Number	002627 <i>e</i> 9952-6IPCT		

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		42620927
	Filing Date		2009-11-17
	First Named Inventor	Haynes Sloan, Jr.	
	Art Unit	3751	
	Examiner Name	Unknown	
	Attorney Docket Number	002627 9952-6IPCT	

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	30	6007110		1999-12-28	Amatsutsu	

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number	12620327 <i>TBA</i>
	Filing Date	2009-11-17 <i>R</i>
	First Named Inventor	Haynes Sloan, Jr.
	Art Unit	3751
	Examiner Name	Unknown
	Attorney Docket Number	002627 <i>9952-6IPCT</i>

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	33	7017949		2006-03-28	Luft et al.	

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**U.S. PATENT APPLICATION PUBLICATIONS**

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		12620327 <del>TBA</del>
	Filing Date		2009-11-17
	First Named Inventor	Haynes Sloan, Jr.	
	Art Unit	3751	
	Examiner Name	Unknown	
	Attorney Docket Number	002627e 9952-6IPCT	


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<p><small><sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="http://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.</small></p>		

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<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Haynes Sloan, Jr.
	Title	Low Profile Attachment for Emitting Water	
	Attorney Docket Number		9952-6IPCT

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

	July 10, 2012
_____ Signature	_____ Date
Stephen J. Petroski	64,947
_____ Typed or printed name	_____ Registration Number, if applicable
919-854-1400	
_____ Telephone Number	

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 0 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
12/620,327	11/17/2009	Haynes Sloan JR.	4491-104

CONFIRMATION NO. 1359

POA ACCEPTANCE LETTER

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627



Date Mailed: 03/02/2012

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 02/24/2012.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/snguyen/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>				
<b>Filing Date:</b>				
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER			
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan, Jr.			
<b>Filer:</b>	Stephen Petroski/Joyce Adair			
<b>Attorney Docket Number:</b>	9952-6IPCT			
Filed as Small Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
Utility filing Fee (Electronic filing)	4011	1	95	95
Utility Search Fee	2111	1	310	310
Utility Examination Fee	2311	1	125	125
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>530</b>



## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	13217898
<b>Application Number:</b>	13545713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	9990
<b>Title of Invention:</b>	LOW PROFILE ATTACHMENT FOR EMITTING WATER
<b>First Named Inventor/Applicant Name:</b>	Haynes Sloan, Jr.
<b>Customer Number:</b>	20792
<b>Filer:</b>	Stephen Petroski/Joyce Adair
<b>Filer Authorized By:</b>	Stephen Petroski
<b>Attorney Docket Number:</b>	9952-6IPCT
<b>Receipt Date:</b>	10-JUL-2012
<b>Filing Date:</b>	
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<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 530
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<b>File Listing:</b>					
<b>Document Number</b>	<b>Document Description</b>	<b>File Name</b>	<b>File Size(Bytes)/ Message Digest</b>	<b>Multi Part /.zip</b>	<b>Pages (if appl.)</b>
1		9952-6IPCT-application.pdf	1617502 303819b7c283726d8520fa77d38b63de98d544a	yes	17
	<b>Multipart Description/PDF files in .zip description</b>				
	<b>Document Description</b>		<b>Start</b>		<b>End</b>
	Transmittal of New Application		1		2
	Specification		3		13
	Claims		14		16
	Abstract		17		17
<b>Warnings:</b>					
<b>Information:</b>					
2	Drawings-only black and white line drawings	9952-6IPCT-drawings.pdf	183013 4423ae07bf0c8591e01d721c21b09c8f815ceccd	no	4
<b>Warnings:</b>					
<b>Information:</b>					
3	Oath or Declaration filed	9952-6IPCT-declaration.pdf	199031 990b0528892eaf6f19636c2f043ee9a6bb35fd	no	3
<b>Warnings:</b>					
<b>Information:</b>					
4	Power of Attorney	9952-6IPCT-POA.pdf	262492 a06535a6a122352610802167e1bb96d65673353	no	2
<b>Warnings:</b>					
<b>Information:</b>					
5		9952-6IPCT-IDS.pdf	761713 b62bf50fe8bb1fd36b50165bcb0955frc40d45	yes	8
	<b>Multipart Description/PDF files in .zip description</b>				
	<b>Document Description</b>		<b>Start</b>		<b>End</b>
	Transmittal Letter		1		2
	Information Disclosure Statement (IDS) Form (SB08)		3		8
<b>Warnings:</b>					

<b>Information:</b>					
6	Nonpublication request from applicant.	9952-6IPCT-NONPUB.pdf	128503 b3cd2aa5b757a40ac6af318cc3c65289b854296	no	1
<b>Warnings:</b>					
<b>Information:</b>					
7	List-up to 10 attys appointed in a POA	9952-6IPCT-ntcacctPOA.pdf	54508 a876061f71b549c8ca52c6eb75be232ace0512f8	no	1
<b>Warnings:</b>					
<b>Information:</b>					
8	Fee Worksheet (SB06)	fee-info.pdf	32945 8867f84d643a5e73eb7f2583dfe1b3595cab0a30	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				3239707	
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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### POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

Practitioners associated with the Customer Number: 20792

OR

Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

The address associated with Customer Number:  

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

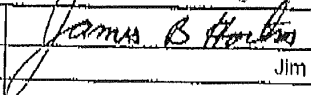
Assignee Name and Address:

InvisaFlow, LLC  
 1350 Bluegrass Lakes Parkway  
 Alpharetta, GA 30004

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/98 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	2/9/12
Name	Jim Horton	Telephone	
Title	President		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: W. Haynes Sloan (9952-61P)  
Application No./Patent No.: 12/620,327 Filed/Issue Date: November 17, 2009  
Titled: Low Profile Attachment for Emitting Water with Connector for Corrugated Pipe

Invisiflow LLC, a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest in;
2.  an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3.  the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 025844, Frame 0319, or for which a copy therefore is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

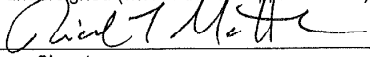
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

February 28, 2012  
Date

Richard T. Matthews  
Printed or Typed Name

Attorney of Record  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Haynes Sloan, Jr.  
Application No.: To be assigned  
Filed: Concurrently herewith  
For: **LOW PROFILE ATTACHMENT FOR EMITTING WATER**

Date: July 10, 2012

Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Attached is an Information Disclosure Statement listing of documents previously of record in parent Application No. 12/620,327, filed November 17, 2009, with the application number and attorney docket number of the parent application struck through and the attorney docket number of the present application written in. Also enclosed is a listing of documents on Information Disclosure Statement by Applicant. As the benefit of this application is claimed under 35 U.S.C. § 120, no copies of references previously of record need to be furnished in accordance with 37 C.F.R. § 1.98(d); however, copies will be furnished on request.

- In accordance with **37 CFR 1.97(b)**, the Information Disclosure Statement is being filed:
- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
  - (2) within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
  - (3) before the mailing of a first Office Action on the merits; or
  - (4) before the mailing of a first Office Action after the filing of a request for continued examination under §1.114.

In accordance with **37 CFR 1.97(c)**, the Information Disclosure Statement is being filed after the period specified in 37 CFR 1.97(b) above, but before the mailing date of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by **one** of the following:

- (1) The statement specified under **37 CFR 1.97(e)**, as follows:
- Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**
  - No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual

designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **or**

(2) The fee set forth in §1.17(p);

In accordance with **37 CFR 1.97(d)**, the Information Disclosure Statement is being filed after the period specified in 37 CFR 1.97(c) above, but on or before payment of the issue fee, and is accompanied by **both** of the following:

(1) The statement specified under **37 CFR 1.97(e)**, as follows:

That each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; **or**

That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement; **and**

(2) The fee set forth in §1.17(p);


In accordance with **37 CFR 1.97(g)**, the Information Disclosure Statement shall not be construed as a representation that a search has been made.

In accordance with **37 CFR 1.97(h)**, the Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

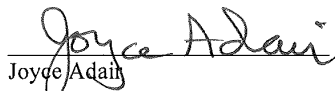
The Commissioner is hereby authorized to charge \$180.00 as fee specified in 37 C.F.R. § 1.17(p), and any fee deficiency or credit any overpayment, to Deposit Account No. 50-0220; **or**

No fee is believed due. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

  
Stephen J. Petroski  
Registration No. 64,947

**Customer Number 20792**  
Myers Bigel Sibley & Sajovec, P.A.  
P.O. Box 37428  
Raleigh, NC 27627  
Phone: 919-854-1400  
Fax: 919-854-1401

**CERTIFICATION OF ELECTRONIC TRANSMISSION**  
I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on July 10, 2012.  
  
Joyce Adair