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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Includes application details for Donald K. Smith and examiner information for SOUW, BERNARD E.

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 701 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 701 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.

**Notice of Allowability**

**Application No.**

11/695,348

**Examiner**

BERNARD E. SOUW

**Applicant(s)**

SMITH, DONALD K.

**Art Unit**

2881

**-- 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 5/23/2007 (PreAmdt).
- 2.  The allowed claim(s) is/are 1-43.
- 3.  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 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: \_\_\_\_\_.

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.**

- 4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  - 5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  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)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- 4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material
- 5.  Notice of Informal Patent Application
- 6.  Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

/Bernard E Souw/  
Primary Examiner, Art Unit 2881

4/24/2010

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

#### **In the specification:**

► On page 1, paragraph [0001] line 2, after "March 31, 2006," prior to "*the entire disclosure*", insert - **now US Patent No. 7,43,982, -**

The amendment being of formal matter, no authorization from Applicant's Attorney is required.

### ***Preliminary Amendment***

2. The Preliminary Amendment filed on 05/23/2007 has been entered. The present Office Action is made with all the suggested amendments being fully considered.

Replacement Drawings (Figures 1-8B) have been submitted to replace all of the original sheets.

No claim has been amended, cancelled or added.

Claims 1-43 are pending in this Office Action.

### ***Information Disclosure Statement***

Art Unit: 2881

3. Receipt is acknowledged of information disclosure statement (IDS) submitted on 2/7/2010 and 5/9/2007. The submissions are in compliance with the provisions of 37 CFR 1.97.

Signed copies of the information disclosure statement are here enclosed.

### **ALLOWANCE**

4. Claims 1-43 are allowed.

### ***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance:

► Claims 1, 28 and 34 are allowed for reciting a light source or method of producing a light source, comprising steps or means for igniting a gas within a chamber comprising a reflective surface with an ignition source, directing electromagnetic energy toward a reflector for reflecting a first set of wavelengths toward the ionized gas in the chamber to produce (i.e., to feed and sustain) a plasma that generates a high brightness light.

► Claims 17, 19, 35 and 39 are allowed for reciting a light source or method of producing a light source, comprising steps or means for ionizing a gas within a chamber comprising a reflective surface with an ignition source, and providing laser energy to the ionized gas in the chamber to produce (i.e., to feed or sustain) a plasma that generates a high brightness light.

Art Unit: 2881

► Claims 2-16, 18, 20-27, 29-33, 36-38 and 40-43 are also allowed for their dependency, either directly or indirectly, to the previously allowed claims 1, 17, 19, 28, 34, 35 or 39.

6. 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."

#### ***Relevant Prior Art***

7. This prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

► US 2009/0032740 and US 7,435,982 issued to Smith et al. disclose a related invention. However, the claims are fully different in scope such that a Double Patenting is here not an issue.

► US 2005/0167618 issued to Hoshino et al. and US 2004/0264512 issued to Hartlove et al. teach a light source or method of producing a light source comprising steps or means for producing an ionized gas or plasma within a chamber comprising a reflective surface with laser beam to produce a plasma that generates a high brightness light. However, both Hoshino and Hartlove failed to teach ionizing the gas with an ignition source.

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