PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: LIK HON

14/244,376 APPLICATION No.:

FILED: **APRIL 3, 2014**

FOR: ELECTRONIC CIGARETTE

EXAMINER: DIONNE WALLS

MAYES

ART UNIT: 1747

CONF. No: 2981

SUPPLEMENTAL STATEMENT OF RELATED APPLICATIONS

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

Dear Commissioner:

Further to the Statement of Related Applications filed 12/22/2015, Applicant provides the following clarifications and additional information:

- In 12/226,818, now U.S. Patent No. 8,156,944, Examiner Mayes rejected 1. claims over CN 2719043 (Family 3, US 2007/0267031) alone, and in view of WO2004/095955 (Family 2, US 2006/0196518).
- 2. In IPR2013-00387 claims in U.S. Patent No. 8,156,944 have been ruled to be invalid as anticipated by Liu WO2007/078273 and as obvious over WO2005/099494 (Family 3, US 2007/0267031) and Liu WO2007/078273, in a final decision now on appeal.

Certificate of Electronic Filing

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being electronically filed with the U.S. Patent and Trademark Office on the date entered below.

January 13, 2016

Date of Electronic Submission

111971-8012.US04/129432672.1

/DebbieGilbert/

Debbie Gilbert



Attorney Dkt. No. 111971-8012.US04

Application No. 14/244,376 Supplemental Statement of Related Applications

- 3. In IPR2015-00859 the Petition asserts claims of U.S. Patent No. 8,365,742 are invalid over: CN 2719043 (Family 3, US 2007/0267031) in view of Susa EP 0845220; CN 2719043 in view of Counts U.S. Patent No. 5,144,962; CN 2719043 in view of Abhuliman WO 2003/034847; CN 2719043 in view of Whittemore U.S. Patent No. 2,057,353; Susa alone; Susa in view of Abhuliman; and Susa in view of Whittemore. In a 9/16/2015 Decision, the Patent Trial and Appeal Board denied this Petition on the basis that the Petitioner had not established a reasonable likelihood of prevailing with respect to the claims in the patent.
- 4. In Application No. 13/740,011 Examiner Mayes rejected claims on the ground of nonstatutory double patenting over claims in U.S. Patent No. 8,893,726; U.S. Patent No. 8,490,628; U.S. Patent No. 8,156,944; and Application No. 14/244,376.

Dated: <u>January 13, 2016</u> Respectfully submitted,

Customer No. 34055
Perkins Coie LLP
Patent - LA
P.O. Box 1247
Seattle, WA 98111-1247
Phone: (310) 788-3267

Phone: (310) 788-3267 Fax: (206) 359-7198

Email: KOhriner@perkinscole.com

By: /KennethHOhriner/ Kenneth H. Ohriner Reg. No. 31,646

PERKINS COIE LLP

