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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,669	12/10/2001	David W. Brown	P213976	5760

7590 08/22/2002
Michael R. Schacht
2801 Meridian St., Suite 202
Bellingham, WA 98225-2412

EXAMINER

CABRERA, ZOILA E

ART UNIT PAPER NUMBER

2125

DATE MAILED: 08/22/2002

8

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

PTO-90C (Rev. 07-01)

9

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Supplemental
Notice of Allowability

Application No.	Applicant(s)	
10/021,669	BROWN ET AL.	
Examiner	Art Unit	
Zoila E. Cabrera	2125	

- 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 _____.
2. The allowed claim(s) is/are 1-10.
3. The drawings filed on _____ are accepted by the Examiner.
4. 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)).
 - o Certified copies not received: _____.
5. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) The translation of the foreign language provisional application has been received.
6. Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

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**

7. 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.
8. CORRECTED DRAWINGS 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. 6.
 - (b) including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. 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)

- | | |
|--|---|
| <input type="checkbox"/> Notice of References Cited (PTO-892) | <input checked="" type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. Z. | <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | <input type="checkbox"/> Other |

Comment

The IDS filed on February 25, 2002 has been considered. Four of the references, which are lined through, have already been considered in Form PTO-892, Paper No. 6.



LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/021,669
		Filing Date	12/10/01
		First Named Inventor	David W. Brown
		Group Art Unit	2121
		Examiner Name	Cabrera
Sheet 1 of 7	Attorney Docket Number	P213976	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ²	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ³			
<i>[initials]</i>		5,746,602		Kikinis	05-1998	434/169
<i>[initials]</i>		5,752,880		Gabai et al.	05-19-1998	463/11
<i>[initials]</i>		5,733,131		Park	03-31-1998	424/307R
<i>[initials]</i>		5,636,994		Tong	06-10-1997	434/308
<i>[initials]</i>		5,655,945		Jani	08/12/1997	446/175
<i>[initials]</i>		4,846,693		Baer	07-11-1989	434/308
<i>[initials]</i>		4,809,335		Rumsy	02-28-1989	704/266
<i>[initials]</i>		5,846,132		Junkin	12-08-1998	463/40
<i>[initials]</i>		5,707,289		Watanabe et al.	01-13-1998	463/40
<i>[initials]</i>		5,800,268		Molnick	09-01-1998	463/40
<i>[initials]</i>		5,801,946		Nissen et al.	09/01/1998	700/95
<i>[initials]</i>		4,840,602		Rose	06-20-1989	446/175
<i>[initials]</i>		4,857,030		Rose	08/15/1989	446/303
<i>[initials]</i>		5,607,336		Lehensfeld et al.	03/04/1997	446/297
<i>[initials]</i>		5,596,994		Bro	01-1997	600/545
<i>[initials]</i>		5,377,258		Bro	12-1994	379/106.02
<i>[initials]</i>		4,897,835		Gaskill	01-1990	370/314
<i>[initials]</i>		4,713,808		Gaskill	12-1987	370/314
<i>[initials]</i>		5,666,161		Kohiyama et al.	09-09-1997	375/240.18
<i>[initials]</i>		5,790,178		Shibata et al.	08-04-1998	348/14.07

FOREIGN PATENT DOCUMENTS							
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		Office ³	Number	Kind Code ⁵ (if known)			
<i>[initials]</i>			EP0508912 A1		European Patent Office	10-14-1992	
<i>[initials]</i>			0275826 A1		European Patent Office	07-1998	
<i>[initials]</i>			0442676 A2		European Patent Office	08-1991	
<i>[initials]</i>			WO 95/07504		WIPO	03-1995	
<i>[initials]</i>			0 281 427 B1		Pierce et al. EPX	08-05-1992	
<i>[initials]</i>			0 583 908 A2		Edgar et al. EPX	02-23-1994	
<i>[initials]</i>			Japanese 59 228473			06-09-1983	
<i>[initials]</i>			2-224 896 A		Powell GBX	12-11-1991	
<i>[initials]</i>			WO 92/11731		WIPO/Bell	07-09-1992	
<i>[initials]</i>			WO 93/08654		WIPO/Stillman et al.	04-29-1993	

Examiner Signature	ZOLA CABRERA	Date Considered	8/13/02
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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.

¹ Unique citation designation number ² See attached Kinds of U.S. Patent Documents ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3) ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible ⁶ Applicant is to place a check mark here if English language Translation is attached.

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			Examiner Name	Cabrera	
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<i>[initials]</i>		5,493,281		Owens	02-20-1996	340/825.24
<i>[initials]</i>		5,453,933		Wright et al.	09/1995	700/181
<i>[initials]</i>		4,531,182		Hvatt	07-1985	700/2
<i>[initials]</i>		4,937,737		Schwane et al.	06-1990	709/300
<i>[initials]</i>		5,095,445		Sekiguchi	03-1992	709/246
<i>[initials]</i>		5,126,932		Wolfson et al.	06-1992	709/202
<i>[initials]</i>		5,175,817		Adams et al.	12-1992	709/236
<i>[initials]</i>		5,245,703		Hubert	09-1993	710/105
<i>[initials]</i>		5,247,650		Judd et al.	09-1993	703/20
<i>[initials]</i>		5,390,330		Talati	02-1995	717/1104
<i>[initials]</i>		5,491,813		Bondy et al.	02-1996	709/323
<i>[initials]</i>		5,604,843		Shaw et al.	02-1997	358/11
<i>[initials]</i>		5,608,894		Kawakami et al.	03-1997	717/162
<i>[initials]</i>		5,168,441		Onarheim et al.	12-1992	
<i>[initials]</i>		5,392,207		Wilson et al.	02-1995	
<i>[initials]</i>		5,442,757		Endo	05-1995	
<i>[initials]</i>		5,465,215		Strickland et al.	11-1995	
<i>[initials]</i>		4,159,417		Rubincam	06-26-1979	235/375
<i>[initials]</i>		4,767,334		Thorne et al.	08-30-1988	434/29
<i>[initials]</i>		4,855,725		Fernandez	08-08-1989	345/173

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		Office ³	Number	Kind Code ⁵ (if known)				

Examiner Signature	<i>ZOLA CABRERA</i>	Date Considered	8/15/02
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