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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/460,711	06/02/1995	JOHN C. HARVEY	5634.212	5686
70813 GOODWIN PR	7590 12/21/200 COCTER LLP	EXAMINER		
901 NEW YOR	K AVENUE, N.W.	MOORE JR, MICHAEL J		
WASHINGTO	N, DC 20001		ART UNIT	PAPER NUMBER
			2467	
			NOTIFICATION DATE	DELIVERY MODE
			12/21/2009	ELECTRONIC

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

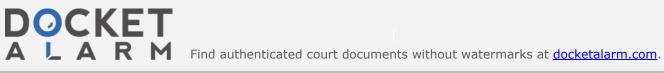
The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

AAlpha-Kpetewama@goodwinprocter.com patentdc@goodwinprocter.com fmckeon@goodwinprocter.com



	Application No.	Applicant(s)				
Office Astics O	08/460,711	HARVEY ET AL.				
Office Action Summary	Examiner	Art Unit				
	MICHAEL J. MOORE, JR.	2467				
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 1	<u> 3 March 2002</u> .					
2a) ☐ This action is FINAL . 2b) ☐ 2	This action is FINAL . 2b) This action is non-final.					
3)⊠ Since this application is in condition for allo	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice und	ler <i>Ex parte Quayle</i> , 1935 C.D. 1	1, 453 O.G. 213.				
Disposition of Claims						
4) Claim(s) 2,7-21,23,57,59,61,63,65-67,70-74,87,88,96 and 101 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 2,7-21,23,57,59,61,63,65-67,70-74,87,88,96 and 101 is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.						
Application Papers						
9) ☐ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 02 June 1995 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). 11) ☐ 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						
 12) 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)	57					
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 		mary (PTO-413) lail Date mal Patent Application				



	Application No.	Applicant(s)				
Examiner-Initiated Interview Summary	08/460,711	HARVEY ET AL.				
Lxanimer-initiated linerview Summary	Examiner	Art Unit				
	MICHAEL J. MOORE, JR.	2467				
All Participants:	Participants: Status of Application: <u>Ex Parte Quayle</u>					
(1) MICHAEL J. MOORE, JR.	(3)					
(2) <u>Carl L. Benson (Reg. No. 38,378)</u> .	(4)					
Date of Interview: <u>11 December 2009</u>	Time: <u>10:00am</u>					
Type of Interview: ☐ Telephonic ☐ Video Conference ☐ Personal (Copy given to: ☐ Applicant Exhibit Shown or Demonstrated: ☐ Yes ☐ No If Yes, provide a brief description:	nt's representative)					
Part I.						
Rejection(s) discussed:						
Claims discussed:						
Claims 2, 6, 57, 59, and 61 were discussed.						
Prior art documents discussed: Yanagimachi et al. (U.S. 3,936,595)						
Part II.						
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED: See Continuation Sheet						
Part III.						
 ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability. ☑ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above. 						
/Michael J. Moore, Jr./ Primary Examiner, Art Unit 2467						
	oplicant/Applicant's Representat	ive Signature – if appropriate)				



Continuation of Substance of Interview including description of the general nature of what was discussed: Amendments to independent claims 2, 57, 59, and 61 that would obviate the Yanagimachi et al. reference of record were suggested to Applicant by Examiner. Applicant agreed to incorporate these suggested amendments which are provided in the attached Examiner's Amendment.

Upon Applicant complying with the Administrative Requirement, the application may then proceed to allowance..



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DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

The Administrative Requirement as set forth below.

Prosecution on the merits is closed in accordance with the practice under *Ex* parte Quayle, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

- 2. As the application has prosecution closed on the merits, Applicant is now required to make the submission to comply with the <u>Administrative Requirement</u>. Applicants' compliance will take the form of one of the following actions:
- (1) Filing terminal disclaimers in each of the related co-pending applications terminally disclaiming each of the other co-pending applications;
- (2) Providing an affidavit attesting to the fact that all claims in the co-pending applications have been reviewed by Applicant and that no conflicting claims exist between the applications; or
- (3) Resolving all conflicts between claims in the identified co-pending applications by identifying how all the claims in the instant application are distinct and separate inventions from all the claims in the identified co-pending applications.

EXAMINER'S AMENDMENT



DOCKET

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