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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	7590	12/21/2009	EXAMINER	
GOODWIN PROCTER LLP 901 NEW YORK AVENUE, N.W. WASHINGTON, DC 20001			MOORE JR, MICHAEL J	
			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):

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<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 08/460,711	<b>Applicant(s)</b> HARVEY ET AL.	
	<b>Examiner</b> MICHAEL J. MOORE, JR.	<b>Art Unit</b> 2467	

**All Participants:**

- (1) MICHAEL J. MOORE, JR.  
(2) Carl L. Benson (Reg. No. 38,378).

**Status of Application:** Ex Parte Quayle

- (3) \_\_\_\_\_  
(4) \_\_\_\_\_

**Date of Interview:** 11 December 2009

**Time:** 10:00am

**Type of Interview:**

- Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant  Applicant's representative)

Exhibit Shown or Demonstrated:  Yes  No  
If Yes, provide a brief description:

**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

(Applicant/Applicant's Representative 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..

### 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 Administrative Requirement. 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

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