



APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/107,665	11/18/2014	8887332	1735-14 CON	1990

109802 7590 10/29/2014
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

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 Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Bedgear, LLC, Farmingdale, NY, Assignee (with 37 CFR 1.172 Interest);
Eugene Alletto, Glen Head, NY;

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Receipt date: 12/16/2013

14107665 - GAI: 3673

Doc code: IDS

410/08 (07-10)

Doc description: Information Disclosure Statement (IDS) Filed

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		
	First Named Inventor	Eugene Alletto	
	Art Unit	TBD	
	Examiner Name	TBD	
	Attorney Docket Number	1735-14 CON	

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	1212515	A	1917-01-16	SHELDON LEAVITT;	
Change(s) applied to document 2 / J.E.B. / 9/12/2014	2	1876591	A	1932-09-13	Bawden	
	3	4665575	A	1987-05-19	RAUGHT DEAN A;	
	4	5642543	A	1997-07-01	HUNTLEY JAMES BENJAMIN;	
	5	6701555	B1	2004-03-09	ERMINI TERRY SAVITRI;	
	6	6760935	B1	2004-07-13	BURTON ROBERT D et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

109802 7590 07/21/2014
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Table with 2 columns: Name/Signature/Date and Role (Depositor's name, Signature, Date). Row 1: Leo G. Lenna (Depositor's name). Row 2: /Leo G. Lenna/ (Signature). Row 3: October 20, 2014 (Date).

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO. Row 1: 14/107,665, 12/16/2013, Eugene Alletto, 1735-14 CON, 1990

TITLE OF INVENTION: PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE. Row 1: nonprovisional, SMALL, \$480, \$0, \$0, \$480, 10/21/2014

Table with 3 columns: EXAMINER, ART UNIT, CLASS-SUBCLASS. Row 1: TRETTEL, MICHAEL, 3673, 005-636000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). [] Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. [] "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. 2. For printing on the patent front page, list (1) The names of up to 3 registered patent attorneys or agents OR, alternatively, (2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. Sorell, Lenna & Schmidt, LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Bedgear, Inc. Farmingdale, NY

Please check the appropriate assignee category or categories (will not be printed on the patent): [] Individual [X] Corporation or other private group entity [] Government

4a. The following fee(s) are submitted: [X] Issue Fee [X] Publication Fee (No small entity discount permitted) [] Advance Order - # of Copies 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) [] A check is enclosed. [X] Payment by credit card. Form PTO-2038 is attached. [X] The Director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment to Deposit Account Number 50-5960

5. Change in Entity Status (from status indicated above) [] Applicant certifying micro entity status. See 37 CFR 1.29 [] Applicant asserting small entity status. See 37 CFR 1.27 [] Applicant changing to regular undiscounted fee status. NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment. NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status. NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Leo G. Lenna/ Date October 20, 2014
Typed or printed name Leo G. Lenna Registration No. 42796

Electronic Patent Application Fee Transmittal

Application Number:	14107665
Filing Date:	16-Dec-2013
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Attorney Docket Number:	1735-14 CON

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl Issue Fee	2501	1	480	480

Extension-of-Time:

IPR2017-00351

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				480

Electronic Acknowledgement Receipt

EFS ID:	20456573
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	20-OCT-2014
Filing Date:	16-DEC-2013
Time Stamp:	11:55:14
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$480
RAM confirmation Number	9220
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digits	Multi Part (if appl.)	Pages (if appl.)

1	Issue Fee Payment (PTO-85B)	1735-14-CON-ISSFEEXMTL.pdf	183473	no	1
			8a7884fbc5ffb6b8419233f41ed7a2a9f27dff461		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30012	no	2
			448e11b91e553bb5b1c5cca499e0a61f18b9d004		

Warnings:

Information:

Total Files Size (in bytes):			213485		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111


If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office


If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Issue Classification 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

CPC							
Symbol						Type	Version
A47G		9		1036		F	2013-01-01
A47G		9		10		I	2013-01-01


CPC Combination Sets								
Symbol					Type	Set	Ranking	Version

NONE			Total Claims Allowed:	
(Assistant Examiner)			36	
(Date)				
/MICHAEL TRETTEL/ Primary Examiner.Art Unit 3673			07/15/2014	O.G. Print Claim(s)
(Primary Examiner)			(Date)	O.G. Print Figure
			14	1,3

Issue Classification 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

US ORIGINAL CLASSIFICATION					INTERNATIONAL CLASSIFICATION									
CLASS		SUBCLASS			CLAIMED					NON-CLAIMED				
5		636			A	4	7	G	9 / 10 (2006.01.01)					
CROSS REFERENCE(S)														
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)													
5	490	652.1	724	645										

NONE		Total Claims Allowed:	
(Assistant Examiner)		36	
(Date)			
/MICHAEL TRETTEL/ Primary Examiner.Art Unit 3673		07/15/2014	O.G. Print Claim(s)
(Primary Examiner)		(Date)	O.G. Print Figure
		14	1,3

Issue Classification 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant																<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
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-	13	13	29	24	45																
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2	15	14	31	26	47																
3	16	31	32	27	48																

NONE		Total Claims Allowed:	
		36	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/MICHAEL TRETTEL/ Primary Examiner.Art Unit 3673	07/15/2014	14	1,3
(Primary Examiner)	(Date)		

Index of Claims 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
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31	32	=	=						
32	33	=	=						
15	34	✓	=						
	35	✓	-						
	36	O	-						

<i>Index of Claims</i> 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
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Claims renumbered in the same order as presented by applicant
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 R.1.47


CLAIM		DATE							
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33	52		=						
34	53		=						

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/MICHAEL TRETTEL/ Primary Examiner. Art Unit 3673	07/15/2014	14	1,3
(Primary Examiner)	(Date)		

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/MICHAEL TRETTEL/ Primary Examiner. Art Unit 3673	07/15/2014	14	1,3
(Primary Examiner)	(Date)		

Index of Claims 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
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31	35	✓	-						
32	36	O	-						

Index of Claims 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

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CLAIM		DATE							
Final	Original	06/12/2014	07/15/2014						
16	37	○	=						
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34	53		=						



NOTICE OF ALLOWANCE AND FEE(S) DUE

109802 7590 07/21/2014
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

Table with 2 columns: EXAMINER (TRETTEL, MICHAEL), ART UNIT (3673), PAPER NUMBER

DATE MAILED: 07/21/2014

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.

TITLE OF INVENTION: PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

Table with 7 columns: APPLN. TYPE, ENTITY STATUS, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE 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.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 1/2 the amount of undiscounted fees, and micro entity fees are 1/2 the amount of small entity fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

109802 7590 07/21/2014
Sorell, Lenna & Schmidt, LLP
 99 Smithtown Bypass, 2nd Floor
 Hauppauge, NY 11788

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/107,665	12/16/2013	Eugene Alletto	1735-14 CON	1990

TITLE OF INVENTION: PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	SMALL	\$480	\$0	\$0	\$480	10/21/2014

EXAMINER	ART UNIT	CLASS-SUBCLASS
TRETTEL, MICHAEL	3673	005-636000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) The names of up to 3 registered patent attorneys or agents OR, alternatively, _____ 1</p> <p>(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. _____ 2</p> <p>_____ 3</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE _____ (B) RESIDENCE: (CITY and STATE OR COUNTRY) _____

Please check the appropriate assignee category or categories (will not be printed on the patent) : Individual Corporation or other private group entity Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credits any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
---	--

5. Change in Entity Status (from status indicated above)

Applicant certifying micro entity status. See 37 CFR 1.29

Applicant asserting small entity status. See 37 CFR 1.27

Applicant changing to regular undiscounted fee status.

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____



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Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
14/107,665 12/16/2013 Eugene Alletto 1735-14 CON 1990

109802 7590 07/21/2014
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

EXAMINER

TRETTEL, MICHAEL

ART UNIT PAPER NUMBER

3673

DATE MAILED: 07/21/2014

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

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.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IPR2017-00351

Notice of Allowability	Application No. 14/107,665	Applicant(s) ALLETTO, EUGENE	
	Examiner Michael Trettel	Art Unit 3673	AIA (First Inventor to File) Status No

-- 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 applicant's communication of July 9, 2014.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
2. An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
3. The allowed claim(s) is/are 14-16,20-29,31-34,37-53. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- 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.

5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 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)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material 4. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. | <ol style="list-style-type: none"> 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 6. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 7. <input type="checkbox"/> Other _____. |
|--|--|

/Michael Trettel/
Primary Examiner, Art Unit 3673

Art Unit: 3673

Examiner's Amendment

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 line 3 of paragraph [0001] the following was inserted after "2008":

--and now U.S. Patent No. 8,646,134--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Trettel whose telephone number is (571)272-7052. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pete Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3673

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Trettel
Primary Examiner
Art Unit 3673

/Michael Trettel/
Primary Examiner, Art Unit 3673

Search Notes 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

CPC- SEARCHED		
Symbol	Date	Examiner
A47G9/10	6/12/2014	MT

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
5	636-645,724,652.1,490	6/12/2014	MT

SEARCH NOTES		
Search Notes	Date	Examiner
Search updated.	7/15/2014	MT

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
5	636-645,724,652.1,490	7/15/2014	MT

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Index of Claims 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	06/12/2014	07/15/2014						
	1	-	-						
	2	-	-						
	3	-	-						
	4	-	-						
	5	-	-						
	6	-	-						
	7	-	-						
	8	-	-						
	9	-	-						
	10	-	-						
	11	-	-						
	12	-	-						
	13	-	-						
1	14	✓	=						
2	15	✓	=						
3	16	✓	=						
	17	✓	-						
	18	O	-						
	19	O	-						
4	20	✓	=						
5	21	✓	=						
6	22	✓	=						
7	23	✓	=						
8	24	✓	=						
9	25	✓	=						
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12	28	✓	=						
13	29	✓	=						
	30	-	-						
14	31	✓	=						
	32	=	=						
	33	=	=						
15	34	✓	=						
31	35	✓	-						
32	36	O	-						

Index of Claims 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

✓	Rejected
=	Allowed


-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47


CLAIM		DATE							
Final	Original	06/12/2014	07/15/2014						
16	37	○	=						
17	38	○	=						
18	39	○	=						
19	40	○	=						
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22	43	○	=						
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24	45	○	=						
25	46	○	=						
26	47	○	=						
27	48	○	=						
28	49	○	=						
29	50	○	=						
30	51	○	=						
33	52		=						
34	53		=						

Issue Classification 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

CPC						
Symbol					Type	Version
A47G		9		1036	F	2013-01-01
A47G		9		10	I	2013-01-01


CPC Combination Sets							
Symbol				Type	Set	Ranking	Version

NONE		Total Claims Allowed:	
		34	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/MICHAEL TRETTEL/ Primary Examiner.Art Unit 3673	07/15/2014	14	1,3
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

US ORIGINAL CLASSIFICATION					INTERNATIONAL CLASSIFICATION								
CLASS		SUBCLASS			CLAIMED				NON-CLAIMED				
5		636			A	4	7	G	9 / 10 (2006.01.01)				
CROSS REFERENCE(S)													
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)												
5	490	652.1	724	645									

NONE		Total Claims Allowed:	
		34	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/MICHAEL TRETTEL/ Primary Examiner. Art Unit 3673	07/15/2014	14	1,3
(Primary Examiner)	(Date)		

Issue Classification 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant																<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original						
-	1	-	17	-	33	28	49														
-	2	-	18	15	34	29	50														
-	3	-	19	31	35	30	51														
-	4	4	20	32	36	33	52														
-	5	5	21	16	37	34	53														
-	6	6	22	17	38																
-	7	7	23	18	39																
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-	9	9	25	20	41																
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-	11	11	27	22	43																
-	12	12	28	23	44																
-	13	13	29	24	45																
1	14	-	30	25	46																
2	15	14	31	26	47																
3	16	-	32	27	48																

NONE		Total Claims Allowed:	
		34	
(Assistant Examiner)	(Date)	O.G. Print Claim(s)	O.G. Print Figure
/MICHAEL TRETTEL/ Primary Examiner. Art Unit 3673	07/15/2014	14	1,3
(Primary Examiner)	(Date)		



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BIB DATA SHEET

CONFIRMATION NO. 1990

SERIAL NUMBER 14/107,665	FILING or 371(c) DATE 12/16/2013 RULE	CLASS 005	GROUP ART UNIT 3673	ATTORNEY DOCKET NO. 1735-14 CON	
APPLICANTS Bedgear, LLC, Farmingdale, NY, Assignee (with 37 CFR 1.172 Interest); INVENTORS Eugene Alletto, Glen Head, NY; ** CONTINUING DATA ***** This application is a CON of 13/531,122 06/22/2012 PAT 8646134 which claims benefit of 61/499,907 06/22/2011 ** FOREIGN APPLICATIONS ***** ** IF REQUIRED, FOREIGN FILING LICENSE GRANTED *** SMALL ENTITY ** 12/26/2013					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and Acknowledged /MICHAEL TRETTEL/ Examiner's Signature	<input type="checkbox"/> Met after Allowance MT Initials	STATE OR COUNTRY NY	SHEETS DRAWINGS 4	TOTAL CLAIMS 37	INDEPENDENT CLAIMS 2
ADDRESS Sorell, Lenna & Schmidt, LLP 99 Smithtown Bypass, 2nd Floor Hauppauge, NY 11788 UNITED STATES					
TITLE PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION					
FILING FEE RECEIVED 1690	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		

EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S33	2522	(5/636-645).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/07/15 08:22
S34	405	(5/724,652.1).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/07/15 08:22
S35	1624	(5/636,490).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/07/15 08:22
S36	3026	S33 or S34 or S35	US-PGPUB; USPAT	OR	OFF	2014/07/15 08:22
S37	3509	A47G9/10.cpc.	US-PGPUB; USPAT; FPRS	OR	ON	2014/07/15 09:28

EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S38	16	(5/636-645).CCLS.	UPAD	OR	OFF	2014/07/15 09:09
S39	2	(5/724,652.1).CCLS.	UPAD	OR	OFF	2014/07/15 09:09
S40	18	(5/636,490).CCLS.	UPAD	OR	OFF	2014/07/15 09:09

7/ 15/ 2014 12:54:41 PM

C:\Users\mtrettel\Documents\EAST\Workspaces\14107665.wsp

IN THE CLAIMS

Please enter the amendments shown in the claim listing below, which replaces all previous claim listings, as follows:

1-13. (Canceled).

14. (Currently Amended) A pillow comprising:
a first panel having an edge defining a perimeter;
a second panel having an edge defining a perimeter; and
a gusset joining said first and second panels,

wherein said first panel and said second panel each comprise a porous material, and wherein said gusset comprises a material having a greater porosity than the porous material.

15. (Previously Presented) A pillow as recited in Claim 14, wherein:

a first end of said gusset engages said edge of said first panel such that said gusset extends continuously about an entire portion of the perimeter of the first panel;
and

a second end of said gusset opposite said first end engages said edge of said second panel such that said gusset extends continuously about an entire portion of the perimeter of the second panel.

16. (Previously Presented) A pillow as recited in Claim 14, wherein said gusset perimetrically bounds said first and second panels.

17-19. (Canceled).

20. (Previously Presented) A pillow as recited in claim 14, wherein said first and second panels each define a generally rectangular footprint common with said gusset.

21. (Previously Presented) A pillow as recited in claim 14, wherein said first and second panels are arcuately bowed out in opposing directions.

22. (Previously Presented) A pillow as recited in claim 14, wherein said first panel is formed with a moisture dispersing material.

23. (Previously Presented) A pillow as recited in claim 14, wherein said cover is formed by at least two partially or wholly separable portions, with said separable portions being selectively joinable by a fastening means.

24. (Previously Presented) A pillow as recited in claim 14, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover.

25. (Previously Presented) A pillow as recited in claim 24, wherein said fill material comprises a compliant material.

26. (Previously Presented) A pillow as recited in claim 24, wherein said fill material comprises a gel.

27. (Previously Presented) A pillow as recited in claim 24, further comprising an inner cover disposed inside of said cover, at least a portion of said fill material being disposed within said inner cover.

28. (Previously Presented) A pillow as recited in claim 25, wherein said compliant fill material includes first and second solid foam layers located on opposing sides of said inner cover within said cover.

29. (Previously Presented) A pillow as recited in claim 14, wherein said gusset is formed of an open cell construction and a base material, and said open cell construction is formed by porosity of said base material being substantially greater than porosity of material forming said first panel and substantially greater than porosity of material forming said second panel.

30. (Canceled).

31. (Previously Presented) A pillow as recited in claim 14, wherein said gusset comprises indicia relating to an intended use of said pillow.

32. (Previously Presented) A pillow comprising:
a first panel;
a second panel opposite the first panel; and
a gusset perimetrically bounding and joining said first and second panels,
wherein said first panel, said second panel and said gusset define a cover having an inner surface defining a chamber for fill material,

wherein an interface between said first panel and said gusset comprises a zipper configured to provide access to the chamber.

33. (Previously Presented) A pillow as recited in claim 32, further comprising an inner cover disposed inside of said cover, at least a portion of said fill material being disposed within said inner cover.

34. (Previously Presented) A pillow as recited in claim 14, wherein at least one of said first panel and said second panel comprise a material selected from a group consisting of: a 100% polyester fabric, rayon, nylon, or a spandex-blend fabric.

35-36. (Canceled).

37. (Currently Amended) A pillow as recited in claim 14, wherein:
inner surfaces of said first panel, said second panel and said gusset define an inner cavity; and

said pillow is configured to have air enter the cavity through pores in the first and second panels and have the air exit the cavity through pores in the gusset.

38. (Currently Amended) A pillow as recited in claim 14, wherein said porous material comprises rayon.

39. (Currently Amended) A pillow as recited in claim 14, wherein said porous material comprises an open cell construction.

40. (Currently Amended) A pillow as recited in claim 14, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover such that an outer surface of said fill material engages inner surfaces of said first and second panels.

41. (Currently Amended) A pillow as recited in claim ~~[[36]]~~ 14, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover, said fill material comprising memory foam.

42. (Currently Amended) A pillow as recited in claim ~~[[36]]~~ 14, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover, said fill material comprising a gel.

43. (Currently Amended) A pillow as recited in Claim ~~[[36]]~~ 14, wherein said gusset is formed of an open cell construction, said open cell construction being formed by strands defining a mesh configuration.

44. (Previously Presented) A pillow as recited in claim 43, wherein said strands comprise polyester.

45. (Previously Presented) A pillow as recited in claim 43, wherein said strands are connected at points of intersection of said strands.

46. (Previously Presented) A pillow as recited in claim 43, wherein said strands are arranged in a "x" pattern.

47. (Previously Presented) A pillow as recited in claim 43, wherein said strands are arranged in a rectangular pattern.

48. (Previously Presented) A pillow as recited in claim 43, wherein said strands are disposed in multiple layers.

49. (Currently Amended) A pillow as recited in claim ~~[[36]]~~ 14, wherein said gusset comprises two longer longitudinal portions joined by two shorter end portions, the longitudinal portions being contiguous with the end portions.

50. (Currently Amended) A pillow as recited in claim ~~[[36]]~~ 14, further comprising a reinforcing material provided at points of connection between the gusset and each of the first and second panels.

51. (Previously Presented) A pillow as recited in claim 50, wherein said reinforcing material is piping.

52. (New) A pillow comprising:
a first panel having an edge defining a perimeter;
a second panel having an edge defining a perimeter; and
a gusset joining said first and second panels,
wherein said gusset is formed of an open cell construction, said open cell construction being formed by interlaced strands.

53. (New) A pillow comprising:
a first panel having an edge defining a perimeter;
a second panel having an edge defining a perimeter; and
a gusset joining said first and second panels,
wherein said gusset is formed of an open cell construction, said open cell construction being formed by spaced-apart strands.

REMARKS

This application has been reviewed in light of the Office Action mailed June 13, 2014. Claims 14-29 and 31-51 are pending in the application. Applicant would like to thank the Examiner for acknowledging that Claims 32 and 33 are allowed and that Claims 18, 19 and 36-51 would be allowable if rewritten in independent form. Claim 14 has been amended to include the features of allowable Claim 36. New independent Claim 52 has been added to include the features of Claim 18. New independent Claim 53 has been added to include the features of Claim 19. Claims 37-43, 49 and 50 have been amended to conform with the amendments to Claim 14. Support for the amendments to Claims 14, 37-43, 49 and 50 and new Claims 52 and 53 can be found throughout the claims and specification of the present disclosure. Applicant submits that no new matter has been added by the amendments to Claims 14, 37-43, 49 and 50 or new Claims 52 and 53. Claims 17-19, 35 and 36 have been canceled. Applicant reserves the right to prosecute the subject matter of any canceled or withdrawn claims in divisional and/or continuation applications. Further, Applicant does not acquiesce to any portion of the Office Action not particularly addressed.

In the Office Action, the Examiner rejected (i) Claims 14-17, 20, 24, 25 and 35 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 7,080,421 to Delfs (Delfs); (ii) Claims 14-17, 20, 24, 25 and 35 under 35 U.S.C. § 102(b) as allegedly being anticipated by GB 2270254A by Starkey (Starkey); and (iii) Claims 14-17, 20-25, 27, 28, 34 and 35 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,760,935 to Burton et al. (Burton). Applicant respectfully disagrees with all rejections and allegations of anticipation in the Office Action, and submits that all pending claims are patentable over the cited art. However, in order to advance prosecution, Applicant has amended Claim 14 to include the features of Claim 36. Because Claim 36 is not part of items (i)-(iii) of the rejection under 35 U.S.C. § 102(b), the rejection under 35 U.S.C. § 102(b) is moot. Reconsideration and withdrawal is respectfully requested.

In the Office Action, Claims 26 and 31 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Burton. Applicant respectfully disagrees

with all rejections and allegations of obviousness in the Office Action, and submits that all pending claims are patentable over the cited art. However, in order to advance prosecution, Applicant has amended Claim 14 to include the features of Claim 36. Because Claim 36 is not part of the rejection under 35 U.S.C. § 103(a), the rejection under 35 U.S.C. § 103(a) is moot. Reconsideration and withdrawal is respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that Claims 14-16, 20-29, 31-34 and 37-43 are believed to be in condition for allowance and patentably distinguishable over the art of record. An early notice thereof is earnestly solicited. If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicant's undersigned attorney.

Respectfully submitted,

/Leo G. Lenna/
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Electronic Acknowledgement Receipt

EFS ID:	19531433
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Sally Moon
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	09-JUL-2014
Filing Date:	16-DEC-2013
Time Stamp:	15:14:45
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Amendment/Req. Reconsideration-After Non-Final Reject	1735-14CONRspNFOA6-13.pdf	42948 <small>294501abd4b07d3c4bad8579f818d1daf7e7142b</small>	no	9

Warnings:

Information:

IPR2017-00351

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/107,665	Filing Date 12/16/2013	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A	N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A	N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A	N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$ =	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$ =	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	07/09/2014	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	* 34	Minus	** 37	= 0	X \$40 = 0
	Independent <small>(37 CFR 1.16(h))</small>	* 4	Minus	***3	= 1	X \$210 = 210
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	210

	(Column 1)	(Column 2)	(Column 3)	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	X \$ =
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	X \$ =
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>						
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LIE
/TERRY MALLOY/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/107,665	12/16/2013	Eugene Alletto	1735-14 CON	1990
109802	7590	06/13/2014	EXAMINER	
Sorell, Lenna & Schmidt, LLP 99 Smithtown Bypass, 2nd Floor Hauppauge, NY 11788			TRETTEL, MICHAEL	
			ART UNIT	PAPER NUMBER
			3673	
			MAIL DATE	DELIVERY MODE
			06/13/2014	PAPER

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.

Office Action Summary	Application No. 14/107,665	Applicant(s) ALLETTO, EUGENE	
	Examiner Michael Trettel	Art Unit 3673	AIA (First Inventor to File) Status No

-- 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 MONTHS 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 04/04/2014.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.
- 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) Claim(s) 14-29 and 31-51 is/are pending in the application.
5a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 6) Claim(s) 32 and 33 is/are allowed.
- 7) Claim(s) 14-17, 20-29, 31, 34 and 35 is/are rejected.
- 8) Claim(s) 18, 19 and 36-51 is/are objected to.
- 9) Claim(s) _____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) The specification is objected to by the Examiner.
- 11) The drawing(s) filed on _____ 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).

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).

Certified copies:

- 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)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
 Paper No(s)/Mail Date _____.</p> | <p>3) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.</p> <p>4) <input type="checkbox"/> Other: _____.</p> |
|---|--|

DETAILED ACTION

The present application is being examined under the pre-AIA first to invent provisions.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of pre-AIA 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 14-17, 20, 24, 25, and 35 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Delfs (US 7,080,421). Delfs shows a pillow in Figures 8 that comprises a first rectangular panel 70 that has an edge defining a perimeter, a second rectangular panel 74 that has an edge defining a perimeter, and a side gusset 78 that extend between the edges the panels 70, 74 to join them. The gusset 78 is continuously joined to the panels 70, 74 along the entire extent of the perimeters to perimetrically bound the panels. The interior of the pillow is filled with a loose fill such as down or feathers. With respect to the use of the term “open cell construction” in claim 17, the examiner notes that this is not an art recognized term that has gained a special meaning or definition in the art. While the applicant has defined this term within the specification the applicant's preferred definition of this term has not been read directly into the claims since the structural features that are used to define this term are not present in the claim.

Art Unit: 3673

Claims 14-17, 20, 24, 25, and 35 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by the UK Patent Application to Starkey (GB 2270254A). Starkey shows a filled product that can be used to construct a pillow. The product comprises at least two superimposed rectangular sheets 10 each of which has its perimeter sewn to a gusset 11 that extends between the sheets. The upper and lower edges 13, 14 of the resulting box-like structure can have piped seams. The resulting structure can be filled and conventional loose material typically used as a filler (page 2, 5th paragraph). With respect to the use of the term “open cell construction” in claim 17, the examiner notes that this is not an art recognized term that has gained a special meaning or definition in the art. While the applicant has defined this term within the specification the applicant's preferred definition of this term has not been read directly into the claims since the structural features that are used to define this term are not present in the claim.

Claim 14-17, 20-25, 27, 28, 34, and 35 are rejected under pre-AIA 35 U.S.C. 102(b) as being anticipated by Burton et al (US 6,760,935). Burton et al shows a pillow 10 that is formed from an opposing rectangular top panel 12 and bottom panel 14 that are attached to one another around their perimeters by a gusset 16. The gusset 16 is formed by a continuous strip of cotton material that defines the sides of a filled chamber formed between the top and bottom panels 12, 14. The top and bottom panels 12, 14 are arcuately bowed outwardly as shown in Figure 1 when the pillow is filled. An edge 25 of the pillow left open (Figure1) to allow the pillow to be filled, with edge 25 then being sewn shut to close the interior of the pillow after being filled. This forms separable portions that are selectively joinable by a fastening means (claim 23). In further embodiments the interior of the pillow is further subdivided into compartments defined by upper

Art Unit: 3673

and lower internal partitions 38, 40 (Figure 5). This forms three stacked chambers that can be filled, and can be considered as forming an inner cover (claim 9). The interior of the pillow is filled with conventional materials such as down, feathers or solid fillers such as foam as is well known in the art (column 2, lines 48-53). This means that the top and bottom compartments of the embodiment shown in Figures 3-5 can be filled with foam (claim 10). With respect to the use of the term "open cell construction" in claim 17, the examiner notes that this is not an art recognized term that has gained a special meaning or definition in the art. While the applicant has defined this term within the specification the applicant's preferred definition of this term has not been read directly into the claims since the structural features that are used to define this term are not present in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of pre-AIA 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26 and 31 are rejected under pre-AIA 35 U.S.C. 103(a) as being unpatentable over Burton et al (US 6,760,935). The examiner notes that the use of a gel filler material for a pillow or cushion is extremely well known in the art. It would have been obvious to the skilled artisan to have used a gel filler in the Burton et al pillow, since this is an overall old and well known combination of elements in the art and would be expected to yield no unexpected results. With respect to claim 31 it is already well known in the art to add indicia to a pillow relating to

Art Unit: 3673

its intended use, such as indicating what type of materials the pillow is made from or which orientation the pillow should be placed in. It would have been obvious to the skilled artisan to have placed any desired indicia wanted upon the pillow of Burton et al, with the location being little more than a matter of choice in design.

Allowable Subject Matter

Claims 18, 19 and 36-51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 32 and 33 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fenichel (US 2003/0056292) shows a pillow with indicia which is of general interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Trettel whose telephone number is (571)272-7052. The examiner can normally be reached on Monday, Tuesday, Thursday, and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Pete Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3673

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Trettel
Primary Examiner
Art Unit 3673

/Michael Trettel/
Primary Examiner, Art Unit 3673

Notice of References Cited	Application/Control No. 14/107,665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE	
	Examiner Michael Trettel	Art Unit 3673	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A US-2003/0056292 A1	03-2003	Fenichel, Tamara L.	5/636
*	B US-6,760,935 B1	07-2004	Burton et al.	5/645
*	C US-7,080,421 B1	07-2006	Delfs, Juliette M.	5/645
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N GB 2270254 A	03-1994	United Kingdom	STARKEY, ANDREW HERIOT	A47C 21/02
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)				
	U				
	V				
	W				
	X				

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

(12) **UK Patent Application** (19) **GB** (11) **2 270 254** (13) **A**

(43) Date of A Publication 09.03.1994

(21) Application No 9315954.9

(22) Date of Filing 02.08.1993

(30) Priority Data

(31) 9216751.9 (32) 07.08.1992 (33) GB

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(51) INT CL⁵

A47C 21/02 , A47G 9/02

(52) UK CL (Edition M)

A4M M12

A4S S12

(56) Documents Cited

GB 2225230 A GB 1059790 A GB 0823166 A

GB 0813917 A

(58) Field of Search

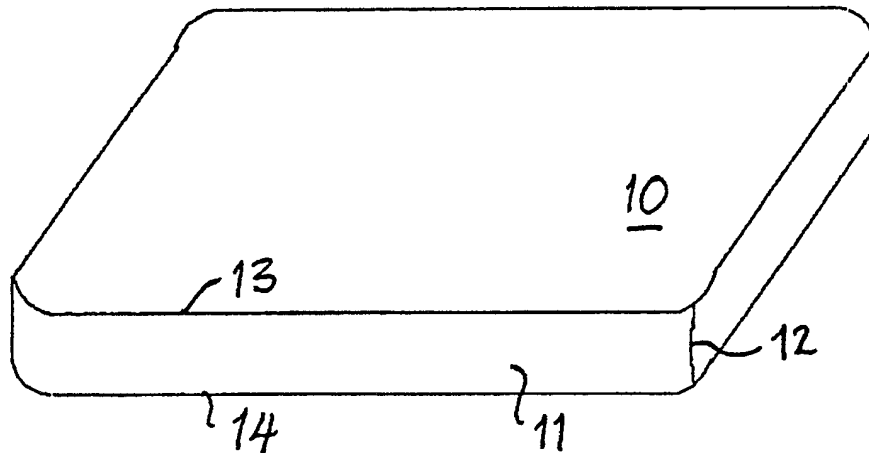
UK CL (Edition L) A4M , A4S S12

INT CL⁵ A47C 21/02 , A47G 9/02

(54) **A filled product such as a pillow, cushion or duvet**

(57) A filled product such a pillow, cushion or duvet comprises an envelope containing a filling material and consisting of a pair of superimposed sheets (10) of a cover material connected together all around the product by a gusset (11) preferably having a single seam (12), such that a box-like structure is provided. A piped seam may be provided between the edge of each superimposed sheet (10) and the adjacent edge of the gusset (11). The product may have two superimposed separate compartments constructed in like manner and/or may be divided lengthwise by internal panels to create separate side-by-side compartments.

Fig.1



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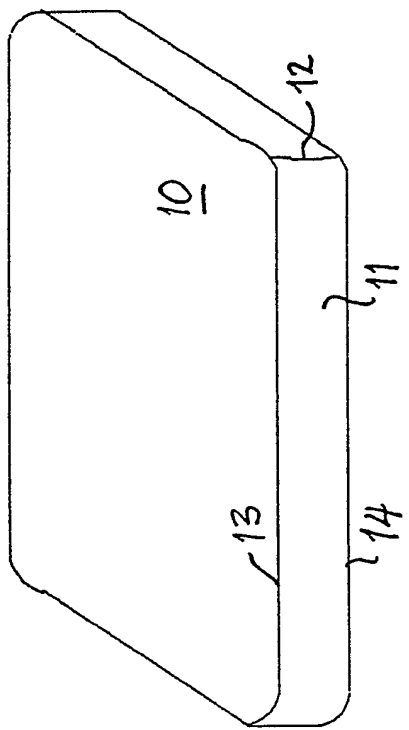


Fig. 1

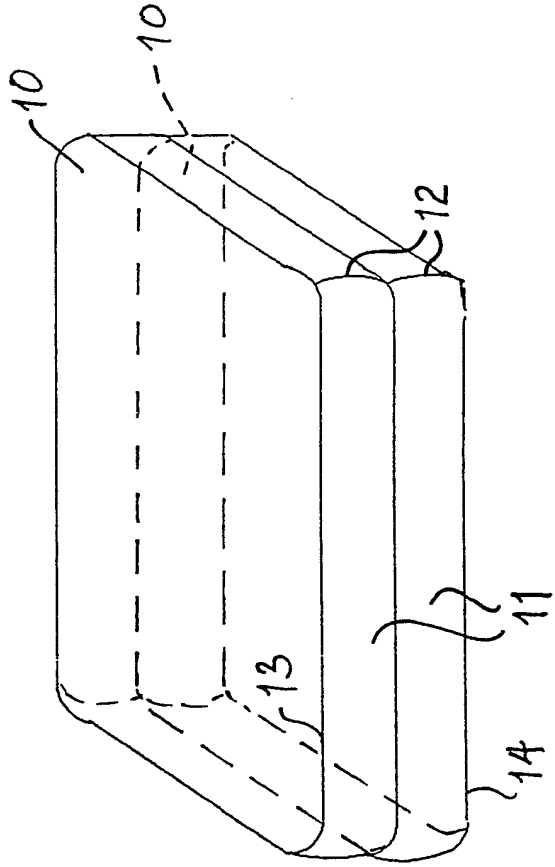


Fig. 2

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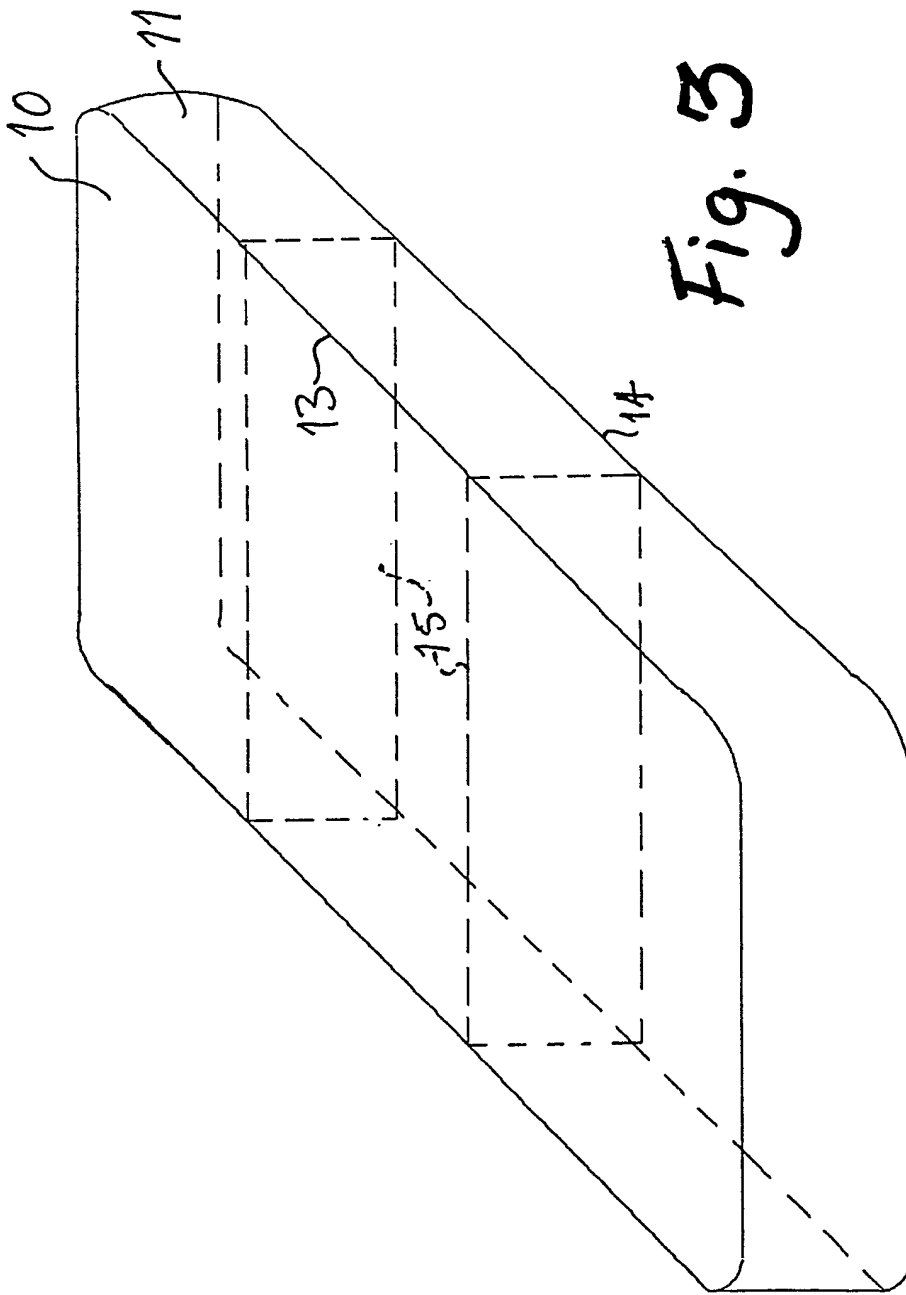


Fig. 3

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A FILLED PRODUCT SUCH AS A PILLOW, CUSHION OR DUVET

THIS INVENTION concerns a filled product such as a pillow, cushion or duvet, comprising an envelope containing loose filling material such as feather. Conventionally, such products are made from two superimposed sheets of a woven cover material, sewn around the edges and containing the filling material.

An object of the present invention is to provide an improved form of filled product with increased comfort and support.

According to the present invention there is provided a filled product such as a pillow, cushion or duvet, comprising an envelope containing a filling material, characterised in that the envelope consists of a pair of superimposed sheets of a cover material connected together all around the filled product by a gusset of a cover material, such that when the envelope is filled with said filling material a box-like structure is provided.

Preferably, a piped seam is provided between the edge of each of the superimposed sheets and the adjacent edge of the gusset.

In one embodiment, the filled product may comprise two envelopes and constructed of three superimposed sheets of cover material connected together by two gussets one above the other thus to provide an envelope having two superimposed separate compartments.

In addition, the interior of the box-like structure may be divided lengthwise into two or more separate compartments by internal panels sewn to the superimposed sheets and to the gusset, whereby filling material is confined to the separate compartments and prevented from moving lengthwise along the filled product.

Three embodiments of the invention will now be described, by way of example only, with reference to the accompanying drawings which are three schematic isometric views illustrating pillows made in accordance with the invention.

In Fig. 1, in the simplest embodiment, a box-like pillow is provided by two superimposed sheets 10 of cover material which, for example, may be 100% cotton cambric, each sewn separately to a shallow gusset 11 of a similar material having a single seam 12 at one corner. The upper and lower edges 13 and 14 of the so formed box-like structure may be provided with a piped seam for an enhanced external appearance.

As with conventional filled products, the box-like structure is filled optionally with 100% duck feather or by any of the loose materials usually employed as fillings.

In a second embodiment as illustrated in Fig. 2 a double box-like structure is formed by three superimposed sheets 10 of cover material, and two side gussets 11 to form two discrete superimposed

compartments each containing a filling material. In this case, the characteristics of the two filling materials may be different thus to combine the advantages of comfort and support.

In Fig. 3 there is illustrated a further embodiment comprising a single box-like pillow generally similar to that illustrated in Fig. 1 but in this case divided lengthwise by two sewn panels 15 of any material capable of dividing the interior of the pillow into three discrete compartments each containing filling material. Provision of the dividing panels ensures that the filling cannot drift preferentially to the end regions leaving the central region partially flattened. If required, the central region may contain a different filling material from that contained in the end regions to be more or less firm than the latter for support or comfort, or for ease of washing.

In the embodiments of Figs. 2 and 3 as in that of Fig. 1 external piping may be provided around the upper and lower edges of the finished pillow.

In each embodiment, the overall dimensions of the pillow are selected such that they may be introduced into a standard pillow case. Typically the length will be 65 cm and the width will be 40 cm. In the single layered embodiments of Figs. 1 and 3 the depth will be in the region of 10 cm whilst in the embodiment of Fig. 2 the depth may be between 15 and 20 cm.

In the case of a cushion or duvet, again the product will have dimensions similar to conventional products for introduction into



standard decorative covers.

CLAIMS

1. A filled product such as a pillow, cushion or duvet comprising an envelope containing a filling material; characterised in that the envelope consists of a pair of superimposed sheets of a cover material connected together all around the filled product by a gusset of a cover material, such that when the envelope is filled with said filling material a box-like structure is provided.

2. A filled product according to Claim 1, wherein a piped seam is provided between the edge of each of the superimposed sheets and the adjacent edge of the gusset.

3. A filled product according to Claim 1 or Claim 2, wherein the filled product comprises two envelopes and constructed of three superimposed sheets of cover material connected together by two gussets one above the other thus to provide an envelope having two superimposed separate compartments.

4. A filled product according to any preceding claim, in which the interior of the box-like structure is divided length-wise into two or more separate side-by-side compartments by internal panels attached to the superimposed sheets and to the or each gusset whereby filling material is confined in said separate compartments and prevented from moving lengthwise along the filled product.

5. A filled product according to Claim 3 or Claim 4, wherein two or more different filling materials having different

characteristics are contained within the separate side-by-side compartments respectively thus to combine the advantages of comfort and support.

6. A filled product according to any preceding claim, wherein the cover material is 100% cotton cambric.

7. A filled product according to any preceding claim, wherein the or at least some of the filling material is 100% duck feather.

8. A filled product such as a pillow cushion or duvet, substantially as hereinbefore described with reference to and as illustrated in the accompanying drawings.

Relevant Technical Fields

- (i) UK Cl (Ed.L) A4M; A4S (S12)
- (ii) Int Cl (Ed.5) A47C 21/02; A47G 9/02

Search Examiner
M J PENNELL

Date of completion of Search
29 NOVEMBER 1993

Databases (see below)

- (i) UK Patent Office collections of GB, EP, WO and US patent specifications.
- (ii)

Documents considered relevant following a search in respect of Claims :-
1-8

Categories of documents

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- E:** Patent document published on or after, but with priority date earlier than, the filing date of the present application.
- &:** Member of the same patent family; corresponding document.

Category	Identity of document and relevant passages	Relevant to claim(s)
X	GB 2225230 A (McGOWAN) See eg. Figure 1	
X	GB 1059790 (BEAUVALE) See Figures	
X	GB 823166 (SLATER)	
X	GB 813917 (REISNER) See Figures	

Databases: The UK Patent Office database comprises classified collections of GB, EP, WO and US patent specifications as outlined periodically in the Official Journal (Patents). The on-line databases considered for search are also listed periodically in the Official Journal (Patents).

Receipt date: 12/16/2013

14107665 - GAI: 3673

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

Approved for use through 07/31/2012. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		
	First Named Inventor	Eugene Alletto	
	Art Unit	TBD	
	Examiner Name	TBD	
	Attorney Docket Number	1735-14 CON	

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	1212515	A	1917-01-16	SHELDON LEAVITT;	
	2	1876591	A	1932-09-13		
	3	4665575	A	1987-05-19	RAUGHT DEAN A;	
	4	5642543	A	1997-07-01	HUNTLEY JAMES BENJAMIN;	
	5	6701555	B1	2004-03-09	ERMINI TERRY SAVITRI;	
	6	6760935	B1	2004-07-13	BURTON ROBERT D et al.	

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U.S.PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665 - GAU: 3673	
	Filing Date			
	First Named Inventor	Eugene Alletto		
	Art Unit	TBD		
	Examiner Name	TBD		
	Attorney Docket Number	1735-14 CON		

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FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
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EXAMINER SIGNATURE

Examiner Signature	/Michael Trettel/	Date Considered	06/09/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665 - GAU: 3673	
	Filing Date			
	First Named Inventor	Eugene Alletto		
	Art Unit	TBD		
	Examiner Name	TBD		
	Attorney Docket Number	1735-14 CON		

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Leo G. Lenna/	Date (YYYY-MM-DD)	2013-12-16
Name/Print	Leo G. Lenna	Registration Number	42796

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EAST Search History

EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	1537	(5/636,490).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/08/06 13:08
S2	2401	(5/636-645).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/08/06 13:51
S3	38	gusset and S2	US-PGPUB; USPAT	OR	OFF	2013/08/06 13:52
S4	234	(5/638).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/08/06 14:03
S5	229	(5/645).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/08/06 14:07
S6	91	("1211548" "1212515" "1271672" "20110047699" "2154910" "2805428" "3148389" "3175230" "3411164" "3443267" "3581322" "4164797" "4426945" "4513462" "4768248" "5136741" "5299333" "5360017" "5528784" "5557816" "5778470" "5953777" "5987669" "6026330" "6151733" "6230347" "7045191").PN. OR ("1876591" "4445241" "5642543" "6701555" "6760935" "8028360").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/08/06 14:17
S7	376	(5/724,652.1).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/08/06 14:20
S8	20	("0813731" "0869766" "2296559" "2493067" "2978972" "3090972" "3266064" "4004305" "4292703" "4445241").PN. OR ("4665575").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/08/06 14:27
S9	11	("0327677" "3216028" "3818522" "4125911").PN. OR ("4292703").URPN.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/08/06 14:28
S10	2433	(5/636-645).CCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/11/14 09:34
S11	383	(5/724,652.1).CCLS.	US-PGPUB; USPAT;	OR	OFF	2013/11/14 09:34

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			EPO			
S12	1565	(5/636,490).OCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2013/11/14 09:34
S13	2915	S10 or S11 or S12	US-PGPUB; USPAT	OR	OFF	2013/11/14 09:38
S17	2512	(5/636-645).OCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/06/06 16:29
S18	399	(5/724,652.1).OCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/06/06 16:29
S19	1614	(5/636,490).OCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/06/06 16:29
S20	3010	S17 or S18 or S19	US-PGPUB; USPAT	OR	OFF	2014/06/06 16:29
S21	3509	A47G9/10.cpc.	US-PGPUB; USPAT; FPRS	OR	ON	2014/06/09 07:28
S22	2442	A47G9/10.cpc.	FPRS	OR	ON	2014/06/09 07:41
S23	302	delfs.INV.	US-PGPUB; USPAT	OR	ON	2014/06/09 10:29
S24	49656	"5"/\$.ccls.	US-PGPUB; USPAT	OR	ON	2014/06/09 10:30
S25	10	S23 and S24	US-PGPUB; USPAT	OR	ON	2014/06/09 10:30
S26	29	("1206775" "2589303" "2604641" "2691179" "3297023" "3298044" "3411164" "3443267" "4389742" "4922564" "5471691" "5557816" "5644810" "5661862" "5778470" "5987669").PN. OR ("7080421").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/06/09 10:30
S27	16	("2805428" "3175230" "3443267" "4513462").PN. OR ("6760935").URPN.	US-PGPUB; USPAT; USOCR	OR	ON	2014/06/09 12:47
S28	43	(5/657.5).OCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/06/09 12:57
S29	72	(5/907).OCLS.	US-PGPUB; USPAT; EPO	OR	OFF	2014/06/09 13:53
S30	2512	(5/636-645).OCLS.	US-PGPUB;	OR	OFF	2014/06/09 13:55

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Fredman EX1002 Page 68

			USPAT; EPO			
S31	59	indicia and S30	US- PGPUB; USPAT	OR	ON	2014/06/09 13:55
S32	1	("2003/0056292").URPN.	USPAT	OR	ON	2014/06/09 13:57

EAST Search History (Interference)

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S15	2	(5/724,652.1).CCLS.	UPAD	OR	OFF	2013/11/14 09:48
S16	6	(5/490).CCLS.	UPAD	OR	OFF	2013/11/14 09:49

6/ 12/ 2014 11:07:09 AM**C:\Users\mtrettel\Documents\EAST\Workspaces\14107665.wsp**

Receipt date: 03/26/2014

14107665 - GAI: 3673

Doc code: IDS

Doc description: Information Disclosure Statement (IDS) Filed

Approved for use through 07/31/2012. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665
	Filing Date		2013-12-16
	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		1735-14 CON

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	2128978	A	1938-09-06	AKIN RUTH H;	
	2	2566790	A	1951-09-04	BLOOMFIELD MABEL G;	
	3	2765480	A	1956-10-09	MUELLER ELEANOR S;	
	4	2784420	A	1957-03-12	MOLTANE DAVID P;	
	5	2927331	A	1960-03-08	RUIZ VIRGINIA;	
	6	3103669	A	1963-09-17	MUNDIS EDGAR R;	
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Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665	14107665 - GAU: 3673
	Filing Date	2013-12-16	
	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	1735-14 CON	

9	3521310	A	1970-07-21	MONTE H. GREENAWALT;	
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Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665	14107665 - GAU: 3673
	Filing Date	2013-12-16	
	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	1735-14 CON	

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	21	5385036	A	1995-01-31	SPILLANE ROBERT T et al.	
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	28	5706534	A	1998-01-13	SHERMAN TERESA KATHLEEN;	
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Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665	14107665 - GAU: 3673
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	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	1735-14 CON	

	31	5855031	A	1999-01-05	SWIFT JR. WADE;	
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Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665	14107665 - GAU: 3673	
	Filing Date		2013-12-16		
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	Art Unit				
	Examiner Name				
	Attorney Docket Number		1735-14 CON		

	42	6168495	B1	2001-01-02	YOON YOUNG W;	
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Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665	14107665 - GAU: 3673	
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	First Named Inventor	Eugene Alletto			
	Art Unit				
	Examiner Name				
	Attorney Docket Number		1735-14 CON		

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59	7055192	B2	2006-06-06	WATERS SUSAN MARIE et al.	
60	D394366		1998-05-19	GRAEBE et. al.	
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Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665	14107665 - GAU: 3673
	Filing Date	2013-12-16	
	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	1735-14 CON	

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U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010000362	A1	2001-04-26	WAGNER ALLEN S et al.	
	2	20020034901	A1	2002-03-21	FUJITA ETSUNORI et al.	
	3	20020178500	A1	2002-12-05	KOENIG J. FRANK;	
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	First Named Inventor	Eugene Alletto			
	Art Unit				
	Examiner Name				
	Attorney Docket Number		1735-14 CON		

7	20050177942	A1	2005-08-18	FINN BETSY J et al.	
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10	20090083908	A1	2009-04-02	FRY, JOHN	
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FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	2004056237	WO	A2	2004-07-08	WATERS, SUSAN, MARIE, et al.		<input type="checkbox"/>

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NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	S. MUNOZ, Shopping Around/Antimicrobial Sheets, Wall Street Journal, Jan. 4, 2007	<input type="checkbox"/>

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665	14107665 - GAU: 3673	
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	Art Unit				
	Examiner Name				
	Attorney Docket Number		1735-14 CON		

2	Silver used by big business to make antimicrobial clothing, http://www.nanobiosilver.com/applications.html (7/2008)	<input type="checkbox"/>
3	C. GROMER, "Smart Threads Today's Technology Driven Fabrics Coddle You While Battling the Elements", Popular Mechanics, pp. 78-81 (April 2004)	<input type="checkbox"/>

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EXAMINER SIGNATURE

Examiner Signature	/Michael Trettel/	Date Considered	06/09/2014
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

Receipt date: 03/26/2014 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665	14107665 - GAU: 3673
	Filing Date	2013-12-16	
	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number	1735-14 CON	

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Leo G. Lenna/	Date (YYYY-MM-DD)	2014-03-26
Name/Print	Leo G. Lenna	Registration Number	42796

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<i>Index of Claims</i> 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

✓	Rejected
=	Allowed

-	Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claims renumbered in the same order as presented by applicant
 CPA
 T.D.
 R.1.47

CLAIM		DATE							
Final	Original	06/12/2014							
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	33	=							
	34	✓							
	35	✓							
	36	O							

<i>Index of Claims</i> 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

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CLAIM		DATE							
Final	Original	06/12/2014							
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	38	○							
	39	○							
	40	○							
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	50	○							
	51	○							

Search Notes 	Application/Control No. 14107665	Applicant(s)/Patent Under Reexamination ALLETTO, EUGENE
	Examiner MICHAEL TRETTEL	Art Unit 3673

CPC- SEARCHED		
Symbol	Date	Examiner
A47G9/10	6/12/2014	MT

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
5	636-645,724,652.1,490	6/12/2014	MT

SEARCH NOTES		
Search Notes	Date	Examiner

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner

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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/107,665, 12/16/2013, 3673, 1480, 1735-14 CON, 37, 2

CONFIRMATION NO. 1990

UPDATED FILING RECEIPT

109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788



Date Mailed: 05/28/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s)

Eugene Alletto, Glen Head, NY;

Applicant(s)

Bedgear, LLC, Farmingdale, NY

Assignment For Published Patent Application

Bedgear, LLC, Farmingdale, NY

Power of Attorney: None

Domestic Priority data as claimed by applicant

This application is a CON of 13/531,122 06/22/2012 PAT 8646134 which claims benefit of 61/499,907 06/22/2011

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.

Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 12/26/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 14/107,665

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

Preliminary Class

005

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/107,665

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	37 minus 20 = *	17
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	680
x 210 =	0.00
	0.00
TOTAL	1410

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**
Independent (37 CFR 1.16(h))	*	Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**
Independent (37 CFR 1.16(h))	*	Minus	***	=
Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))				

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

PATENT

1735-14 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugene Alletto Examiner: TBD
Serial No: 14/107,665 Art Unit: TBD
Filed: December 16, 2013 Conf. No.: 1990
For: PILLOW WITH GUSSET AND OPEN CELL CONSTRUCTION

May 20, 2014

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION
FILING DATE GRANTED**

The Notice of Incomplete Reply (Nonprovisional Application) mailed April 8, 2014 in the above-identified patent application required a new declaration, and \$70.00 surcharge for late submission of declaration, as well as additional small entity claim fees in the amount of \$40.00.

In response, Applicant submits a properly executed Declaration in compliance with 37 CFR 1.63 and the surcharge for late submission in the amount of \$70.00.

Also submitted is the fee for an extra claim in the amount of \$40.00.

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via the Office's electronic filing system on May 20, 2014 .

Dated: May 20, 2014

/Leo G. Lenna/
Leo G. Lenna

Applicant: Eugene Alletto
Serial No.: 14/107,665
Filed: December 16, 2013
Response to Notice of Incomplete Reply
Page 2

It is believed that no other fees will be incurred as a result of this response. However, charge any deficiency or credit any overpayment of such fees to Deposit Account No. 50-5960. Also, in the event that any extensions of time are required for this response, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-5960.

Respectfully submitted,

/Leo G. Lenna/
Leo G. Lenna
Registration No.: 42,796
Attorney for Applicants

SORELL, LENNA & SCHMIDT, LLP
99 Smithtown Bypass
2nd Floor Suite
Hauppauge, NY 11788
Tel.: (631) 656-9818
FAX: (631) 406-7146

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number	1735-14 CON
		First Named Inventor	Eugene Aletto
<input type="checkbox"/> Declaration Submitted With Initial Filing <input type="radio"/> OR <input checked="" type="checkbox"/> Declaration Submitted After Initial Filing (surcharge (37 CFR 1.16(f)) required)		<i>COMPLETE IF KNOWN</i>	
		Application Number	14 107665
		Filing Date	12-16-2013
		Art Unit	
		Examiner Name	

I hereby declare that: (1) Each inventor's residence, mailing address, and citizenship are as stated below next to their name; and (2) I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention titled:

PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

(Title of the invention)

the application of which was made or was authorized to be made by me and

is attached hereto

OR

was filed on (MM/DD/YYYY) 12-16-2013 as United States Application Number or PCT International Application Number 14107665 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

Authorization To Permit Access To Application by Participating Offices

If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the above-identified patent application is filed access to the above-identified patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the above-identified patent application is filed to have access to the above-identified patent application.

In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the above-identified patent application with respect to: 1) the above-identified patent application-as-filed; 2) any foreign application to which the above-identified patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the above-identified patent application; and 3) any U.S. application-as-filed from which benefit is sought in the above-identified patent application.

In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing the Authorization to Permit Access to Application by Participating Offices.

[Page 1 of 3]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Claim of Foreign Priority Benefits

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

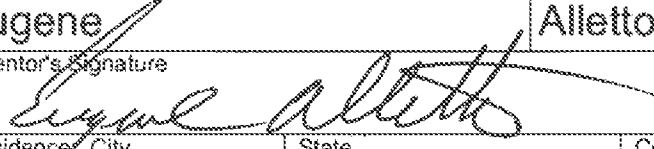
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application number(s) are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 2 of 3]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:	<input checked="" type="checkbox"/> The address associated with Customer Number:	<input type="checkbox"/> OR	<input type="checkbox"/> Correspondence address below
		109802	
Name			
Address			
City		State	Zip
Country	Telephone	Email	
WARNING:			
<p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.</p>			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Eugene		Alletto	
Inventor's Signature		Date	
		5/10/14	
Residence City	State	Country	Citizenship
Glen Head	NY		US
Mailing Address			
180 High Farms Road			
City	State	Zip	Country
Glen Head	NY	11545	US
<input type="checkbox"/> Additional inventors or a legal representative are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto			

[Page 3 of 3]

Electronic Patent Application Fee Transmittal

Application Number:	14107665
Filing Date:	16-Dec-2013
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Attorney Docket Number:	1735-14 CON

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	1	40	40

Miscellaneous-Filing:

Late Filing Fee for Oath or Declaration	2051	1	70	70
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Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

IPR2017-00351

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				110

Electronic Acknowledgement Receipt

EFS ID:	19076357
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	20-MAY-2014
Filing Date:	16-DEC-2013
Time Stamp:	16:57:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$110
RAM confirmation Number	3777
Deposit Account	505960
Authorized User	LENNA, LEO G

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	1735-14-CON-RespNoticeInc.pdf	16991 c9ec7213fd8c8f8065e06dd6e9fa37bb7b51f3fb	no	2
Warnings:					
Information:					
2	Oath or Declaration filed	1735-14-CON-DECL-EA.pdf	228993 e6aab052d70edcfd93b4dccc943edee23f2ad6bd	no	3
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31399 b7fe95c68b594decfd458a05ab87748b4f43fdf5	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			277383		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Electronic Acknowledgement Receipt

EFS ID:	19076357
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	20-MAY-2014
Filing Date:	16-DEC-2013
Time Stamp:	16:57:42
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$110
RAM confirmation Number	3777
Deposit Account	505960
Authorized User	LENNA, LEO G

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Applicant Response to Pre-Exam Formalities Notice	1735-14-CON-RespNoticeInc.pdf	16991 c9ec7213fd8c8f8065e06dd6e9fa37bb7b51f3fb	no	2
Warnings:					
Information:					
2	Oath or Declaration filed	1735-14-CON-DECL-EA.pdf	228993 e6aab052d70edcfd93b4dccc943edee23f2ad6bd	no	3
Warnings:					
Information:					
3	Fee Worksheet (SB06)	fee-info.pdf	31399 b7fe95c68b594decfd458a05ab87748b4f43fdf5	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			277383		

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 05/21/2014

MTEKLEMI SALE #0000032 Mailroom Dt: 05/20/2014 505960 14107665
01 FC : 2253 700.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 4 columns: APPLICATION NUMBER (14/107,665), FILING OR 371(C) DATE (12/16/2013), FIRST NAMED APPLICANT (Eugene Alletto), ATTY. DOCKET NO./TITLE (1735-14 CON)

CONFIRMATION NO. 1990

PUBLICATION NOTICE

109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788



Title: PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

Publication No. US-2014-0096323-A1
Publication Date: 04/10/2014

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at www.uspto.gov. The direct link to access the publication is currently http://www.uspto.gov/patft/.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at www.uspto.gov using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently http://pair.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/107,665

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	37 minus 20 = *	17
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2 minus 3 = *	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	680
x 210 =	0.00
	0.00
TOTAL	1410

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2.

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=
	Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=
	Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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UNITED STATES DEPARTMENT OF COMMERCE
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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY. DOCKET NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/107,665, 12/16/2013, 3673, 1370, 1735-14 CON, 37, 2

CONFIRMATION NO. 1990

109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

FILING RECEIPT



Date Mailed: 04/08/2014

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s) Eugene Alletto, Glen Head, NY;
Applicant(s) Bedgear, LLC, Farmingdale, NY
Assignment For Published Patent Application Bedgear, LLC, Farmingdale, NY

Power of Attorney: None

Domestic Priority data as claimed by applicant
This application is a CON of 13/531,122 06/22/2012 PAT 8646134
which claims benefit of 61/499,907 06/22/2011

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 12/26/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 14/107,665

Projected Publication Date: 04/10/2014

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

Preliminary Class

005

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 4 columns: APPLICATION NUMBER (14/107,665), FILING OR 371(C) DATE (12/16/2013), FIRST NAMED APPLICANT (Eugene Alletto), ATTY. DOCKET NO./TITLE (1735-14 CON)

CONFIRMATION NO. 1990

FORMALITIES LETTER



109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

Date Mailed: 04/08/2014

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 04/04/2014 to the Notice to File Missing Parts (Notice) mailed 12/30/2013 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice. A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Applicant is given TWO MONTHS from the date of the Notice to File Missing Parts (Notice) mailed 12/30/2013 within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Items Required to Avoid Abandonment:

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- Surcharge as set forth in 37 CFR 1.16(f) must be submitted. The surcharge is due for any one of:
- late submission of the basic filing fee, search fee, or examination fee,
- late submission of inventor's oath or declaration,
- filing an application that does not contain at least one claim on filing, or
- submission of an application filed by reference to a previously filed application.
• Additional claim fees of \$ 40 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

The fee(s) required within TWO MONTHS from the date of the Notice to avoid abandonment is/are itemized below. Small entity discount is in effect. If applicant is qualified for micro entity status, an acceptable Certification of Micro Entity Status must be submitted to establish micro entity status. (See 37 CFR 1.29 and forms PTO/SB/15A and 15B.)

- \$ 70 surcharge.
• \$ 40 for 17 total claims over 20.

- \$(640) previous unapplied payment amount.
- **\$ 110** TOTAL FEE BALANCE DUE.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

- A properly executed inventor's oath or declaration has not been received for the following inventor(s):
Eugene Alletto

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice".
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/ybedada/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

IN THE CLAIMS:

This listing of the claims will replace all prior versions, and listings, of claims in the application, without prejudice, as follows:

1-13. (Canceled).

14. (Previously Presented) A pillow comprising:
a first panel having an edge defining a perimeter;
a second panel having an edge defining a perimeter; and
a gusset joining said first and second panels.

15. (Previously Presented) A pillow as recited in Claim 14, wherein:
a first end of said gusset engages said edge of said first panel such that said gusset extends continuously about an entire portion of the perimeter of the first panel;
and
a second end of said gusset opposite said first end engages said edge of said second panel such that said gusset extends continuously about an entire portion of the perimeter of the second panel.

16. (Previously Presented) A pillow as recited in Claim 14, wherein said gusset perimetrically bounds said first and second panels.

17. (Previously Presented) A pillow as recited in Claim 14, wherein said gusset is formed of an open cell construction.

18. (Previously Presented) A pillow as recited in Claim 17, wherein said open cell construction is formed by interlaced strands.

19. (Previously Presented) A pillow as recited in Claim 17, wherein said open cell construction is formed by spaced-apart strands.

20. (Previously Presented) A pillow as recited in claim 14, wherein said first and second panels each define a generally rectangular footprint common with said gusset.

21. (Previously Presented) A pillow as recited in claim 14, wherein said first and second panels are arcuately bowed out in opposing directions.

22. (Previously Presented) A pillow as recited in claim 14, wherein said first panel is formed with a moisture dispersing material.

23. (Previously Presented) A pillow as recited in claim 14, wherein said cover is formed by at least two partially or wholly separable portions, with said separable portions being selectively joinable by a fastening means.

24. (Previously Presented) A pillow as recited in claim 14, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover.

25. (Previously Presented) A pillow as recited in claim 24, wherein said fill material comprises a compliant material.

26. (Previously Presented) A pillow as recited in claim 24, wherein said fill material comprises a gel.

27. (Previously Presented) A pillow as recited in claim 24, further comprising an inner cover disposed inside of said cover, at least a portion of said fill material being disposed within said inner cover.

28. (Previously Presented) A pillow as recited in claim 25, wherein said compliant fill material includes first and second solid foam layers located on opposing sides of said inner cover within said cover.

29. (Previously Presented) A pillow as recited in claim 14, wherein said gusset is formed of an open cell construction and a base material, and said open cell construction is formed by porosity of said base material being substantially greater than porosity of material forming said first panel and substantially greater than porosity of material forming said second panel.

30. (Canceled).

31. (Previously Presented) A pillow as recited in claim 14, wherein said gusset comprises indicia relating to an intended use of said pillow.

32. (Previously Presented) A pillow comprising:
a first panel;
a second panel opposite the first panel; and
a gusset perimetrically bounding and joining said first and second panels,
wherein said first panel, said second panel and said gusset define a cover having an inner surface defining a chamber for fill material,
wherein an interface between said first panel and said gusset comprises a zipper configured to provide access to the chamber.

33. (Currently Amended) A pillow as recited in claim ~~[[14]]~~ 32, further comprising an inner cover disposed inside of said cover, at least a portion of said fill material being disposed within said inner cover.

34. (New) A pillow as recited in claim 14, wherein at least one of said first panel and said second panel comprise a material selected from a group consisting of: a 100% polyester fabric, rayon, nylon, or a spandex-blend fabric.

35. (New) A pillow as recited in claim 14, wherein said first panel and said second panel each comprise a porous material.

36. (New) A pillow as recited in claim 35, wherein said gusset comprises a material having a greater porosity than the porous material.

37. (New) A pillow as recited in claim 36, wherein:
inner surfaces of said first panel, said second panel and said gusset define an inner cavity; and
said pillow is configured to have air enter the cavity through pores in the first and second panels and have the air exit the cavity through pores in the gusset.

38. (New) A pillow as recited in claim 36, wherein said porous material comprises rayon.

39. (New) A pillow as recited in claim 36, wherein said porous material comprises an open cell construction.

40. (New) A pillow as recited in claim 36, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover such that an outer surface of said fill material engages inner surfaces of said first and second panels.

41. (New) A pillow as recited in claim 36, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover, said fill material comprising memory foam.

42. (New) A pillow as recited in claim 36, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover, said fill material comprising a gel.

43. (New) A pillow as recited in Claim 36, wherein said gusset is formed of an open cell construction, said open cell construction being formed by strands defining a mesh configuration.

44. (New) A pillow as recited in claim 43, wherein said strands comprise polyester.

45. (New) A pillow as recited in claim 43, wherein said strands are connected at points of intersection of said strands.

46. (New) A pillow as recited in claim 43, wherein said strands are arranged in a "x" pattern.

47. (New) A pillow as recited in claim 43, wherein said strands are arranged in a rectangular pattern.

48. (New) A pillow as recited in claim 43, wherein said strands are disposed in multiple layers.

49. (New) A pillow as recited in claim 36, wherein said gusset comprises two longer longitudinal portions joined by two shorter end portions, the longitudinal portions being contiguous with the end portions.

50. (New) A pillow as recited in claim 36, further comprising a reinforcing material provided at points of connection between the gusset and each of the first and second panels.

51. (New) A pillow as recited in claim 50, wherein said reinforcing material is piping.

REMARKS

The specification has been amended to reflect the priority data associated with the subject continuation application. Claim 33 has been amended to correct a typographical error. Claims 34-51 have been added. Support for new Claims 34-51 can be found throughout the specification, in the figures and the claims as originally filed. No new matter has been added. Claim 30 has been canceled.

Prosecution of Claims 14-29 and 31-51 is respectfully requested.

In view of the foregoing, favorable consideration of the application as amended is respectfully requested and early favorable action is earnestly solicited. The Examiner is encouraged to contact the undersigned by telephone.

Respectfully submitted,

/Leo G. Lenna/
Leo G. Lenna
Reg. No. 42, 796
Attorney for Applicant

SORELL, LENNA & SCHMIDT, LLP
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2nd Floor Suite
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FAX: (631) 406-7146

Electronic Patent Application Fee Transmittal

Application Number:	14107665
Filing Date:	16-Dec-2013
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Attorney Docket Number:	1735-14 CON

Filed as Small Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Claims in excess of 20	2202	16	40	640

Miscellaneous-Filing:

Petition:

Patent-Appeals-and-Interference:

Post-Allowance-and-Post-Issuance:

Extension-of-Time:

IPR2017-00351

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				640

Electronic Acknowledgement Receipt

EFS ID:	18676880
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	04-APR-2014
Filing Date:	16-DEC-2013
Time Stamp:	15:15:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$640
RAM confirmation Number	1674
Deposit Account	505960
Authorized User	LENNA, LEO G

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Preliminary Amendment	1735-14-CON-PRELAMD.pdf	34608 97561c2d51a7a01304549fb6d59f02c07d9268	no	8

Warnings:**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	29896 10f8ee8030a9dcc990219ba897f5bc375cb1e40f	no	2
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Warnings:**Information:**

Total Files Size (in bytes):	64504
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New International Application Filed with the USPTO as a Receiving Office

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Electronic Acknowledgement Receipt

EFS ID:	18676880
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	04-APR-2014
Filing Date:	16-DEC-2013
Time Stamp:	15:15:37
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$640
RAM confirmation Number	1674
Deposit Account	505960
Authorized User	LENNA, LEO G

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Preliminary Amendment	1735-14-CON-PRELAMD.pdf	34608 97561c2d51a7a0130454f9fb6d59f02c07d9268	no	8

Warnings:**Information:**

2	Fee Worksheet (SB06)	fee-info.pdf	29896 10f8ee8030a9dcc990219ba897f5bc375cb1e40f	no	2
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Warnings:**Information:**

Total Files Size (in bytes):	64504
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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875	Application or Docket Number 14/107,665	Filing Date 12/16/2013	<input type="checkbox"/> To be Mailed
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ENTITY: LARGE SMALL MICRO

APPLICATION AS FILED – PART I

	(Column 1)	(Column 2)		RATE (\$)	FEE (\$)
FOR	NUMBER FILED	NUMBER EXTRA			
<input type="checkbox"/> BASIC FEE <small>(37 CFR 1.16(a), (b), or (c))</small>	N/A	N/A		N/A	
<input type="checkbox"/> SEARCH FEE <small>(37 CFR 1.16(k), (l), or (m))</small>	N/A	N/A		N/A	
<input type="checkbox"/> EXAMINATION FEE <small>(37 CFR 1.16(o), (p), or (q))</small>	N/A	N/A		N/A	
TOTAL CLAIMS <small>(37 CFR 1.16(i))</small>	minus 20 =	*	X \$	=	
INDEPENDENT CLAIMS <small>(37 CFR 1.16(h))</small>	minus 3 =	*	X \$	=	
<input type="checkbox"/> APPLICATION SIZE FEE <small>(37 CFR 1.16(s))</small>	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).				
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT <small>(37 CFR 1.16(j))</small>					
<small>* If the difference in column 1 is less than zero, enter "0" in column 2.</small>				TOTAL	

APPLICATION AS AMENDED – PART II

	(Column 1)	(Column 2)	(Column 3)	(Column 3)	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT	04/04/2014	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total <small>(37 CFR 1.16(i))</small>	* 37	Minus	** 37	= 0	0
	Independent <small>(37 CFR 1.16(h))</small>	* 2	Minus	***3	= 0	0
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	0

	(Column 1)	(Column 2)	(Column 3)	(Column 3)	RATE (\$)	ADDITIONAL FEE (\$)
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total <small>(37 CFR 1.16(i))</small>	*	Minus	**	=	
	Independent <small>(37 CFR 1.16(h))</small>	*	Minus	***	=	
	<input type="checkbox"/> Application Size Fee <small>(37 CFR 1.16(s))</small>					
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <small>(37 CFR 1.16(j))</small>					
					TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

LDRG
/ANDREW JAMES JR/

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665
	Filing Date		2013-12-16
	First Named Inventor	Eugene Alletto	
	Art Unit		
	Examiner Name		
	Attorney Docket Number		1735-14 CON

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	2128978	A	1938-09-06	AKIN RUTH H;	
	2	2566790	A	1951-09-04	BLOOMFIELD MABEL G;	
	3	2765480	A	1956-10-09	MUELLER ELEANOR S;	
	4	2784420	A	1957-03-12	MOLTANE DAVID P;	
	5	2927331	A	1960-03-08	RUIZ VIRGINIA;	
	6	3103669	A	1963-09-17	MUNDIS EDGAR R;	
	7	3183527	A	1965-05-18	TURNER, D.V.	
	8	3438069	A	1969-04-15	HAROLD W. LONG;	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	14107665
Filing Date	2013-12-16
First Named Inventor	Eugene Alletto
Art Unit	
Examiner Name	
Attorney Docket Number	1735-14 CON

9	3521310	A	1970-07-21	MONTE H. GREENAWALT;	
10	3882871	A	1975-05-13	TANIGUCHI TAKASI;	
11	4232415	A	1980-11-11	WEBBER GLORIA C;	
12	4280342	A	1981-07-28	ENG KJELL et al.	
13	4370765	A	1983-02-01	WEBBER GLORIA C;	
14	4644591	A	1987-02-24	GOLDBERG MEL;	
15	4767419	A	1988-08-30	FATTORE MARY E;	
16	4903357	A	1990-02-27	KRUCHEN HANS et al.	
17	4922565	A	1990-05-08	BLAKE BONNAE C;	
18	5010611	A	1991-04-30	MALLETT SARAH;	
19	5086530	A	1992-02-11	BLAKE BONNAE C;	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		14107665
Filing Date		2013-12-16
First Named Inventor	Eugene Alletto	
Art Unit		
Examiner Name		
Attorney Docket Number		1735-14 CON

	20	5148564	A	1992-09-22	REDER LARRY M;	
	21	5385036	A	1995-01-31	SPILLANE ROBERT T et al.	
	22	5509157	A	1996-04-23	STORY LANA;	
	23	5566407	A	1996-10-22	LIEN WILLIAM W;	
	24	5575025	A	1996-11-19	PETERS MICHAEL J;	
	25	5577276	A	1996-11-26	NICHOLSON BEVERLEY A et al.	
	26	5642545	A	1997-07-01	HOWARD BRIDGET;	
	27	5699571	A	1997-12-23	YOWELL DONALD H;	
	28	5706534	A	1998-01-13	SHERMAN TERESA KATHLEEN;	
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	30	5806112	A	1998-09-15	HARMS ANTIONETTE A;	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	14107665
Filing Date	2013-12-16
First Named Inventor	Eugene Alletto
Art Unit	
Examiner Name	
Attorney Docket Number	1735-14 CON

31	5855031	A	1999-01-05	SWIFT JR. WADE;	
32	5857232	A	1999-01-12	MAHDAVI HABIB;	
33	5881408	A	1999-03-16	BASHISTA DOREEN ANNE et al.	
34	5933885	A	1999-08-10	GLASSFORD CLAY T;	
35	5937458	A	1999-08-17	DEROSA SUSAN FRACASSO;	
36	6012189	A	2000-01-11	DUDLEY SHERRI H;	
37	6019421	A	2000-02-01	ROH WARREN E;	
38	6026330	A	2000-02-15	CHUANG HENRY;	
39	6039393	A	2000-03-21	ROH WARREN E;	
40	6055690	A	2000-05-02	KOENIG J. FRANK;	
41	6089947	A	2000-07-18	GREEN DENNIS E;	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	14107665
Filing Date	2013-12-16
First Named Inventor	Eugene Alletto
Art Unit	
Examiner Name	
Attorney Docket Number	1735-14 CON

42	6168495	B1	2001-01-02	YOON YOUNG W;	
43	6170101	B1	2001-01-09	MCCLOUD CRYSTAL WATERS;	
44	6178573	B1	2001-01-30	WAGNER ALLEN S et al.	
45	6243895	B1	2001-06-12	AMIN ARMANDO;	
46	6302487	B1	2001-10-16	FUJITA HITOSHI et al.	
47	6315364	B1	2001-11-13	FUJITA ETSUNORI et al.	
48	6347422	B2	2002-02-19	HEAVRIN THOMAS;	
49	6421857	B2	2002-07-23	WHATMAN SUSAN LEIGN et al.	
50	6438775	B1	2002-08-27	KOENIG J. FRANK;	
51	6489000	B1	2002-12-03	OGURA YUMI et al.	
52	6550083	B1	2003-04-22	LAMANTIA MARK;	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	14107665
Filing Date	2013-12-16
First Named Inventor	Eugene Alletto
Art Unit	
Examiner Name	
Attorney Docket Number	1735-14 CON

53	6670018	B2	2003-12-30	FUJITA ETSUNORI et al.	
54	6760935	B1	2004-07-13	BURTON ROBERT D et al.	
55	6772457	B1	2004-08-10	ALABACK ELIZABETH P;	
56	6859962	B2	2005-03-01	DIAK/GHANEM DARLENE;	
57	6979491	B2	2005-12-27	YAN JIXIONG et al.	
58	7007325	B1	2006-03-07	GOMEH RAM;	
59	7055192	B2	2006-06-06	WATERS SUSAN MARIE et al.	
60	D394366		1998-05-19	GRAEBE et. al.	
61	D396981		1998-08-18	LIDLAW	
62	D433851		2000-11-21	Roh	
63	D517698		2006-03-21	SAVAGE	

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	14107665
Filing Date	2013-12-16
First Named Inventor	Eugene Alletto
Art Unit	
Examiner Name	
Attorney Docket Number	1735-14 CON

64	D532640		2004-09-08	PRESSLER	
65	7523513		2006-10-05	WATERS SUSAN MARIE et al.	
66	4665575		1987-05-19	RAUGHT, DEAN	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20010000362	A1	2001-04-26	WAGNER ALLEN S et al.	
	2	20020034901	A1	2002-03-21	FUJITA ETSUNORI et al.	
	3	20020178500	A1	2002-12-05	KOENIG J. FRANK;	
	4	20040128764	A1	2004-07-08	MCGRATH DEBORAH et al.	
	5	20040199999	A1	2004-10-14	LANDRY JO-ANN;	
	6	20050132498	A1	2005-06-23	VRIONIS PETER;	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665
	Filing Date	2013-12-16
	First Named Inventor	Eugene Alletto
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1735-14 CON

7	20050177942	A1	2005-08-18	FINN BETSY J et al.
8	20050217030	A1	2005-10-06	SEIGLER DONALD;
9	20060010608	A1	2006-01-19	DEFRANKS MICHAEL S et al.
10	20090083908	A1	2009-04-02	FRY, JOHN
11	20090106904	A1	2009-04-30	SWARTS, LAURA A.

If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ² i	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1	2004056237	WO	A2	2004-07-08	WATERS, SUSAN, MARIE, et al.		<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1	S. MUNOZ, Shopping Around/Antimicrobial Sheets, Wall Street Journal, Jan. 4, 2007	<input type="checkbox"/>

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		14107665	
	Filing Date		2013-12-16	
	First Named Inventor	Eugene Alletto		
	Art Unit			
	Examiner Name			
	Attorney Docket Number		1735-14 CON	

2	Silver used by big business to make antimicrobial clothing, http://www.nanobiosilver.com/applications.html (7/2008)	<input type="checkbox"/>
3	C. GROMER, "Smart Threads Today's Technology Driven Fabrics Coddle You While Battling the Elements", Popular Mechanics, pp. 78-81 (April 2004)	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number	14107665
	Filing Date	2013-12-16
	First Named Inventor	Eugene Alletto
	Art Unit	
	Examiner Name	
	Attorney Docket Number	1735-14 CON

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Leo G. Lenna/	Date (YYYY-MM-DD)	2014-03-26
Name/Print	Leo G. Lenna	Registration Number	42796

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	18588130
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	26-MAR-2014
Filing Date:	16-DEC-2013
Time Stamp:	14:32:02
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Form (SB08)	1735-14-CON-IDS-3-26-14.pdf	92181 <small>28414e94cf0f0b7227d04908de4b677429b09993</small>	no	11

Warnings:

Information:

IPR2017-00351

This is not an USPTO supplied IDS fillable form

2	Non Patent Literature	AntimicrobialSheets.pdf	68944	no	2
			95cdc8fa4a09ab3ba954efcdf23e026f06d17419		

Warnings:

Information:

3	Non Patent Literature	NanoSilver_Colloidal.pdf	3125488	no	5
			72ddec60a057fdcb0028ab291ade1941213cd615		

Warnings:

Information:

4	Non Patent Literature	Smart-Threads.pdf	8631070	no	2
			24960fe635d33ce1f2352bf32552fec2f0a51592		

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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number
14/107,665

APPLICATION AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(j))	20	minus 20 = *
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2	minus 3 = *
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$310 (\$155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	70
N/A	300
N/A	360
x 40 =	0.00
x 210 =	0.00
	0.00
	0.00
TOTAL	730

OR OTHER THAN SMALL ENTITY

RATE(\$)	FEE(\$)
N/A	
N/A	
N/A	
TOTAL	

APPLICATION AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=
	Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

(Column 1) (Column 2) (Column 3)

AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total (37 CFR 1.16(i))	*	Minus	**	=
	Independent (37 CFR 1.16(h))	*	Minus	***	=
	Application Size Fee (37 CFR 1.16(s))				
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))					

SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

OR OTHER THAN SMALL ENTITY

RATE(\$)	ADDITIONAL FEE(\$)
x =	
x =	
TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.



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Table with 7 columns: APPLICATION NUMBER, FILING or 371(c) DATE, GRP ART UNIT, FIL FEE REC'D, ATTY,DOCKET,NO, TOT CLAIMS, IND CLAIMS. Row 1: 14/107,665, 12/16/2013, 3721, 730, 1735-14 CON, 20, 2

CONFIRMATION NO. 1990

109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

FILING RECEIPT



Date Mailed: 12/30/2013

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Inventor(s) Eugene Alletto, Glen Head, NY;
Applicant(s) Bedgear, LLC, Farmingdale, NY
Assignment For Published Patent Application Bedgear, LLC, Farmingdale, NY

Power of Attorney: None

Domestic Priority data as claimed by applicant
This application is a CON of 13/531,122 06/22/2012
which claims benefit of 61/499,907 06/22/2011

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

If Required, Foreign Filing License Granted: 12/26/2013

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 14/107,665

Projected Publication Date: 04/10/2014

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

Preliminary Class

053

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4258).

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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Table with 4 columns: APPLICATION NUMBER (14/107,665), FILING OR 371(C) DATE (12/16/2013), FIRST NAMED APPLICANT (Eugene Alletto), ATTY. DOCKET NO./TITLE (1735-14 CON)

CONFIRMATION NO. 1990

FORMALITIES LETTER



109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788

Date Mailed: 12/30/2013

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing.

Applicant is given TWO MONTHS from the date of this Notice within which to file all required items below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- A surcharge as set forth in 37 CFR 1.16(f) was not received. The surcharge is due for any one of:
- late submission of the basic filing fee, search fee, or examination fee,
- late submission of inventor's oath or declaration,
- filing an application that does not contain at least one claim on filing, or
- submission of an application filed by reference to a previously filed application.

SUMMARY OF FEES DUE:

The fee(s) required for a small entity within TWO MONTHS from the date of this Notice to avoid abandonment is/are:

- \$ 70 surcharge.
\$(.00) Previous Payment Amount.
\$ 70 TOTAL FEE BALANCE DUE.

Items Required To Avoid Processing Delays:

Applicant is notified that the above-identified application contains the deficiencies noted below. No period for reply is set forth in this notice for correction of these deficiencies. However, if a deficiency relates to the inventor's oath or declaration, the applicant must file an oath or declaration in compliance with 37 CFR 1.63, or a substitute statement in compliance with 37 CFR 1.64, executed by or with respect to each actual inventor no later than the expiration of the time period set in the "Notice of Allowability" to avoid abandonment. See 37 CFR 1.53(f).

- A properly executed inventor's oath or declaration has not been received for the following inventor(s): Eugene Alletto

Replies must be received in the USPTO within the set time period or must include a proper Certificate of Mailing or Transmission under 37 CFR 1.8 with a mailing or transmission date within the set time period. For more information and a suggested format, see Form PTO/SB/92 and MPEP 512.

Replies should be mailed to:

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Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web, including a copy of this Notice and selecting the document description "Applicant response to Pre-Exam Formalities Notice".
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If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

/aabranoyos/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
14/107,665	12/16/2013	Eugene Alletto	1735-14 CON

**CONFIRMATION NO. 1990
IMPROPER CPOA LETTER**

109802
Sorell, Lenna & Schmidt, LLP
99 Smithtown Bypass, 2nd Floor
Hauppauge, NY 11788



Date Mailed: 12/30/2013

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the power of attorney filed 12/16/2013. The power of attorney in this application is not accepted for the reason(s) listed below:

- The power of attorney from the inventors has not been accepted because the power of attorney must be signed by the applicant for patent. See 37 CFR 1.32(b)(4).

/fpan/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

IN THE SPECIFICATION:

Please amend paragraph [0001] with the following amended paragraph:

[0001] This application ~~is a continuation application of U.S. patent application Ser. No. 13/531,122, entitled "PILLOW WITH GUSSET AND OPEN CELL CONSTRUCTION," filed June 22, 2008, which claims priority to U.S. Provisional Patent Application No. 61/499,907 filed June 22, 2011, the entire contents of which are incorporated by reference herein. The above-identified applications are incorporated herein by reference, in their entireties.~~

IN THE CLAIMS:

This listing of the claims will replace all prior versions, and listings, of claims in the application, without prejudice, as follows:

- 1-13. (Canceled).
14. (New) A pillow comprising:
a first panel having an edge defining a perimeter;
a second panel having an edge defining a perimeter; and
a gusset joining said first and second panels.
15. (New) A pillow as recited in Claim 14, wherein:
a first end of said gusset engages said edge of said first panel such that said gusset extends continuously about an entire portion of the perimeter of the first panel;
and
a second end of said gusset opposite said first end engages said edge of said second panel such that said gusset extends continuously about an entire portion of the perimeter of the second panel.
16. (New) A pillow as recited in Claim 14, wherein said gusset perimetrically bounds said first and second panels.
17. (New) A pillow as recited in Claim 14, wherein said gusset is formed of an open cell construction.
18. (New) A pillow as recited in Claim 17, wherein said open cell construction is formed by interlaced strands.
19. (New) A pillow as recited in Claim 17, wherein said open cell construction is formed by spaced-apart strands.

20. (New) A pillow as recited in claim 14, wherein said first and second panels each define a generally rectangular footprint common with said gusset.

21. (New) A pillow as recited in claim 14, wherein said first and second panels are arcuately bowed out in opposing directions.

22. (New) A pillow as recited in claim 14, wherein said first panel is formed with a moisture dispersing material.

23. (New) A pillow as recited in claim 14, wherein said cover is formed by at least two partially or wholly separable portions, with said separable portions being selectively joinable by a fastening means.

24. (New) A pillow as recited in claim 14, wherein said first panel, said second panel and said gusset define a cover, said pillow further comprising a fill material disposed within said cover.

25. (New) A pillow as recited in claim 24, wherein said fill material comprises a compliant material.

26. (New) A pillow as recited in claim 24, wherein said fill material comprises a gel.

27. (New) A pillow as recited in claim 24, further comprising an inner cover disposed inside of said cover, at least a portion of said fill material being disposed within said inner cover.

28. (New) A pillow as recited in claim 25, wherein said compliant fill material includes first and second solid foam layers located on opposing sides of said inner cover within said cover.

29. (New) A pillow as recited in claim 14, wherein said gusset is formed of an open cell construction and a base material, and said open cell construction is formed by porosity of said base material being substantially greater than porosity of material forming said first panel and substantially greater than porosity of material forming said second panel.

30. (New) A pillow as recited in claim 14, wherein said gusset is formed of an open cell construction and a base material, and said open cell construction is formed by porosity of said base material being substantially greater than porosity of material forming said first panel and substantially greater than porosity of material forming said second panel.

31. (New) A pillow as recited in claim 14, wherein said gusset comprises indicia relating to an intended use of said pillow.

32. (New) A pillow comprising:
a first panel;
a second panel opposite the first panel; and
a gusset perimetrically bounding and joining said first and second panels,
wherein said first panel, said second panel and said gusset define a cover having an inner surface defining a chamber for fill material,
wherein an interface between said first panel and said gusset comprises a zipper configured to provide access to the chamber.

33. (New) A pillow as recited in claim 14, further comprising an inner cover disposed inside of said cover, at least a portion of said fill material being disposed within said inner cover.

REMARKS

The specification has been amended to reflect the priority data associated with the subject continuation application. Claims 1-13 have been canceled. Claims 14-33 have been added. Support for Claims 14-33 can be found throughout the specification, in the figures and the claims as originally filed. No new matter has been added.

Prosecution of Claims 14-33 is respectfully requested.

In view of the foregoing, favorable consideration of the application as amended is respectfully requested and early favorable action is earnestly solicited. The Examiner is encouraged to contact the undersigned by telephone.

Respectfully submitted,

/Leo G. Lenna/
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PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

CROSS-REFERENCE TO RELATED APPLICATION

[001] This application claims priority to U.S. Provisional Patent Application No. 61/499,907, filed June 22, 2011, the entire contents of which are incorporated by reference herein.

BACKGROUND OF THE INVENTION

1. Field of the Invention

[002] The present invention relates to upper neck and head support in the form of a pillow for the human body.

2. Description of the Related Art

[003] The use of a pillow made typically of a fabric cover stuffed with a compliant soft material is known in the prior art. Conventional pillows generally provide a soft cushion on which to place the head of an infant, child, or adult while resting or sleeping, either in bed, or on upholstered furniture in which case the pillows typically have a permanent fabric cover. Additionally, positional specific pillows have been heretofore devised and utilized for the purpose of supporting the head and neck of people.

SUMMARY OF THE INVENTION

[004] A pillow is provided herein which includes a cover having opposing first and second panels. A gusset perimetrically bounds, and joins, the first and second panels. The gusset is formed of an open cell construction. Compliant fill material is disposed within the cover. Advantageously, with the subject invention, a pillow is provided allowing for lateral ventilation between opposing panels. This permits a cooling effect while a user is resting or sleeping.

[005] An "open cell construction" as used herein refers to a construction having overall porosity greater than the inherent porosity of the constituent material or inherently having high porosity.

[006] These and other features of the invention will be better understood through a study of the following detailed description and accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[007] Figure 1 is a perspective view of a pillow formed in accordance with the subject invention;

[008] Figure 2 is a partial cut-away view of the pillow of Figure 1;

[009] Figures 3-5 depict different open cell constructions useable with the subject invention;

[010] Figure 6 is a perspective view of a pillow formed in accordance with the subject invention have a cover with separable portions; and,

[011] Figure 7 is a perspective view of a foam layer useable with the subject invention.

DETAILED DESCRIPTION OF THE INVENTION

[012] With reference to the Figures, a pillow 10 is provided having generally a cover 12 with compliant fill material 14 disposed therein. The cover 12 includes opposing first and second panels 16, 18 and a gusset 20 which perimetrically bounds, and joins, the first and second panels 16, 18, the gusset 20 being formed of an open cell construction. The first and second panels 16, 18 are sized and shaped to accept a user's head to provide support therefor.

[013] The gusset 20 preferably is generally flat. In addition, it is preferred that the gusset 20 have sufficient width to separate the first panel 16 from the second panel 18 so as to define an air flow channel therethrough. This, thus, allows for an open cell construction band to be defined about the pillow 10 between the first and second panels 16, 18. With pressure and/or heat applied to one or both of the first and second panels 16, 18, the gusset 20 provides venting therethrough of the interior of the cover 12. The venting may enhance the comfort of a user.

With the first and second panels 16, 18 preferably defining each a generally rectangular footprint common with the gusset 20, the gusset 20 is provided as four contiguous portions, including two longer longitudinal portions 22 joined by two shorter end portions 24.

[014] The open cell construction of the gusset 20 may be defined by various constructions. With reference to Figure 3, the gusset 20 may be defined by a plurality of interlaced or spaced-apart strands 26 arranged randomly or in various patterns, such as a “x” pattern (Figure 1) or a rectangular pattern (Figure 3). The strands 26 may be of various materials, including, e.g., polyester, and may be elastic or inelastic. The strands 26 are arranged so that open cells 28 are defined therebetween. The strands 26 may be connected at points of intersection (e.g., by fusion, stitching, being tied, by a fastener, and so forth) or may be not connected so as to permit free movement between contacting strands 26. If connected, it is preferred that the strands 26 be formed of elastic material. In addition, the strands 26 may be disposed in multiple layers so as to define a three-dimensional structure in a direction towards the interior of the pillow 10.

[015] With reference to Figure 4, the gusset 20 may be formed of a base material 30, which is preferably a textile, such as a polyester textile. Apertures 32 may be defined in the base material 30 with the apertures 32 defining the open cells of the gusset 20. The apertures 32 are larger in size than any pores that may be inherently defined in the base material 30. The apertures 32 may be formed during manufacture of the base material 32 or formed after

manufacture, such as by cutting, or material removal from, the base material 30. The apertures 32 may be unfinished or finished, such as with trim or stitching. The base material 30 may be single or multi-ply.

[016] As a further variation, and with reference to Figure 5, the gusset 20 may be formed with the base material 30 being inherently significantly porous. Preferably, the base material 30 is formed of 3D spacer fabric, which is inherently highly porous. More preferably, the base material 30 is formed of polyester 3D spacer fabric. The pores of the base material 30 may be formed with irregular or regular shapes, such as circle-like or polygon-like shapes (e.g., diamond-like shapes). The porosity of the base material 30 may be substantially greater than the porosity of the material forming the first panel 16 and/or substantially greater than the porosity of the material forming the second panel 18. "Substantially greater" refers to being at least greater than, but preferably being at least twice greater than. The base material 30 may be single or multi-ply. If multi-ply, the collective porosity of the base material 30, through all layers, is considered as being substantially greater than the porosity of the material of either the first panel 16 or the second panel 18.

[017] The gusset 20 may include one or more of the open cell configurations described above in connection with Figures 3-5 singularly or in any combination.

[018] The gusset 20 may be joined to the first and second panels 16, 18 using any

conventional technique, including being sewn together. To provide the pillow 10 with a robust construction, it is preferred that piping 34, or other reinforcing material and/or stitching, be provided at the points of connection between the gusset 20 and each of the first and second panels 16, 18.

[019] One or more labels 36 may be provided with the pillow 10 to indicate the intended use of the pillow 10, and/or to provide additional or explanatory information regarding the pillow 10. For example, with reference to Figure 1, the label 36 may be in the form of banner 36A which may be a strip of textile, e.g., satin, having indicia 38 thereon, e.g. by embroidery, with the banner 36A being secured to a portion of the pillow 10. Preferably, the banner 36A with the indicia 38 thereon is located over a portion of the gusset 20. The banner 36A is preferably attached along one of its faces so as to have one face 37 exposed with the indicia 38 thereon. This allows for easy visual recognition of information related to the pillow 10, such as an intended purpose of the pillow, even with a plurality of the pillows 10 being stacked. The label 36 may be also in the form of tag 36B which may be in the form of one or more individual pieces of sheet material (e.g., paper and/or textile) which is affixed to the pillow 10 in any known technique, such as by sewing, gluing, mechanically fastening, and so forth. The tag 36B may include printed, or otherwise provided thereon, information, such as care and/or allergy information. The tag 36B may be secured at a seam in the cover 12, such as along the connection between one of the first and second panels 16, 18 and the gusset 20. The tag 36B is preferably attached along one of its edges so as to have both faces viewable.

[020] The indicia 38, without the banner 36A, may be directly affixed to the pillow 10, such as by embroidery, printing or other marking. For example, the indicia 38 may be directly affixed to the gusset 20, such as by embroidery. With direct application of the indicia 38 to the gusset 20, the ability to pass air through the gusset 20 is minimally impacted.

[021] Different fill materials 14 are possible for the pillow 10. The fill material may be blends of hypoallergenic polyester fibers to achieve different levels of support versus softness as described above. For example, with the pillow 10 being intended for a stomach sleeping position, the pillow 10 may be provided with a fill of microfiber; with the pillow 10 being intended for a back sleeping position, the pillow 10 may be provided with a fill of a blend of conjugate and hollow slick fiber; and, with the pillow 10 being intended for a side sleeping position, the pillow 10 may be provided with a fill of cluster/ball fiber. As will be appreciated by those skilled in the art, other fills are possible. Various down, memory foam (solid layer(s) and/or clusters) and/or latex (solid layer(s) and/or springs), in varying combinations, may be utilized with the pillow 10 herein. The indicia 38 may be provided to indicate the intended sleep position of the pillow 10 based on the fill material therein.

[022] The pillow 10 may be of various configurations. In a preferred embodiment, the pillow 10 is provided with increased height at central portions, as shown in Figures 1 and 2. The fill material 14 is configured to provide the desired shape. More preferably, the first and second

panels 16, 18 may be arcuately bowed-out in opposing directions (e.g., being convexly arc-shaped in opposing directions). Preferably, top edges 40 of the first and second panels 16, 18 are generally straight and parallel as viewed in a direction perpendicular to the first and second panels 16, 18. The top edges 40 may be parallel to the longitudinal portions 22 of the gusset 20. An area 42 may be defined between and be bounded by the top edge 40 and the longitudinal portion 22 on opposing sides of each of the first and second panels 16, 18. The areas 42 are preferably flat and coplanar with the corresponding top edge 40 and longitudinal portion 22.

[023] The first and second panels 16, 18 each preferably include bottom edges 44, each extending along the bottom of one of the areas 42, and end edges 46. The bottom edges 44 extend between the end edges 46 so as to define a generally rectangular profile. The gusset 20 is preferably attached to the first and second panels 16, 18 along the rectangular profiles of the bottom edges 44/end edges 46 of the first and second panels 16, 18.

[024] The present invention provides the correct alignment to head and neck area for the specific position of the user (back, stomach or side) while at the same time creating an environment of cooling and airflow, which allows the sleeper to maintain their body temperature, and spine alignment, which encourages a normal sleep cycle.

[025] To enhance the cooling effect, it is preferred that an inner cover 48 be provided, located inside the cover 12, in which the fill material 14 is disposed. Preferably, the inner cover

48 is relatively resistant to air flow therethrough, such as being formed by one or more layers of non-woven material (e.g., 100% polyester). The inner cover 48 may be formed of spandex or a spandex blend, such as polyester/spandex; although less resistance to air flow therethrough is provided by spandex or a spandex blend as compared to non-woven material, the spandex or spandex blend provides greater elasticity than the non-woven material which may provide greater comfort to a user. The inner cover 48 acts as a barrier against air flow into the fill material 14. With the gusset 20 being of open cell construction, air exchange about the inner cover 48 is permitted. This allows for heat dissipation and minimal heat collection within the pillow 10. In addition, because the inner cover 48 acts as an air barrier during use, heat transfer by air flow into the fill material 14 may be reduced.

[026] The first panel 14 and/or the second panel 18 may be formed of various materials particularly various textiles. Preferably, the first panel 14 and/or the second panel 18 is formed of a moisture-wicking fabric, such as 100% polyester fabric, rayon, nylon, or spandex-blend fabric for increased performance and stretch-ability, which allows for moisture dispersion and, thus, heat management to cool the head and body. A cooling material, such as a gel, may be applied interiorly to the front panel 14 and/or the second panel 18. The cooling material may be silicon or polyether gel formed into layers and applied shapes, as well as, formed ceramics, neoprene and other material technology as developed and available for use to perform heat transfer and temperature regulation function. Depending on the nature and stability of the cooling material, the cooling material may be applied internally and/or externally to the front panel 14

and/or the second panel 18.

[027] In an alternative embodiment, the first panel 14 and/or the second panel 18 may be partially or wholly formed with open cell construction. Any of the open cell constructions discussed above may be utilized. The first panel 14, the second panel 18 and/or the gusset 20 may use the same or different open cell configurations in various combinations. The first panel 14, the second panel 18 and/or the gusset 20 may be provided with different visual appearances (e.g., different colors, patterns, etc.) in various combinations.

[028] To allow for washing of the cover 12, the cover 12 may be formed by at least two partially or wholly separable portions 12A, 12B, as shown in Figure 6. By separating the separable portions 12A, 12B, the cover 12 may be removed from the fill material 14, and the inner cover 48, if used. Preferably, the cover 12 is separated along at least one of the longitudinal portions 22 of the gusset 20 and possibly along portions of one or both of the end portions 24 and/or along the other of the longitudinal portions 22. One or more fasteners 50 may be provided to selectively join the separable portions 12A, 12B. The fastener(s) 50 is preferably a zipper, but may also include buttons, snaps, hook-and-pile fasteners, and so forth.

[029] With the inner cover 48 being used, it is preferred that all of the fill material 14 be located therein. In an alternative embodiment, as shown in Figure 6, a portion of the fill material 14 may be located outside of the inner cover 48 within the cover 12. If a portion of the fill

material 14 is located outside of the inner cover 48, it is preferred that the fill material 14 include one or more solid foam layers 52 located between the cover 12 and the inner cover 48. In a preferred arrangement, the same number of similarly configured (shape, material) solid foam layers 52 are located on both sides of the inner cover 48. As shown in Figure 7, the solid foam layers 52 may be shaped to impart overall shape to the pillow 10. Preferably, the solid foam layers 52 have an arcuate profile to impart an outwardly-bowed shape to the first and second panels 16, 18.

WHAT IS CLAIMED IS:

1. A pillow comprising:
a cover having opposing first and second panels, and a gusset perimetrically bounding, and joining, said first and second panels, said gusset being formed of an open cell construction;
and,
compliant fill material disposed within said cover.
2. The pillow as in claim 1, wherein said open cell construction is formed by interlaced or spaced-apart strands.
3. The pillow as in claim 1, wherein said gusset is formed of a base material, and wherein said open cell construction is formed by apertures defined in said base material, said apertures being larger than any pores inherently defined in said base material.
4. A pillow as in claim 1, wherein said gusset is formed of a base material, and wherein said open cell construction is formed by porosity of said base material being substantially greater than porosity of material forming said first panel and substantially greater than porosity of material forming said second panel.
5. The pillow of claim 1, wherein said first and second panels each define a generally rectangular footprint common with said gusset.

6. A pillow as in claim 1, wherein said first and second panels are arcuately bowed out in opposing directions.
7. A pillow as in claim 1, wherein said first panel is formed with a moisture dispersing material.
8. A pillow as in claim 1, wherein said cover is formed by at least two partially or wholly separable portions, with said separable portions being selectively joinable by a fastening means.
9. A pillow as in claim 1, further comprising an inner cover disposed inside of said cover, at least a portion of said compliant fill material being disposed within said inner cover.
10. A pillow as in claim 9, wherein said compliant fill material includes first and second solid foam layers located on opposing sides of said inner cover within said cover.
11. A pillow as in claim 1, further comprising an inner cover disposed inside of said cover, said compliant fill material being disposed within said inner cover.
12. A pillow as in claim 11, wherein said inner cover is formed of one or more layers of nonwoven material.

13. A pillow as in claim 1, wherein said mesh gusset includes 3D spacer material.

ABSTRACT

[030] A pillow is provided herein which includes a cover having opposing first and second panels. A gusset perimetrically bounds, and joins, the first and second panels. The gusset is formed of an open cell construction. Compliant fill material is disposed within the cover. Advantageously, with the subject invention, a pillow is provided allowing for lateral ventilation between opposing panels. This permits a cooling effect while a user is resting or sleeping.

10
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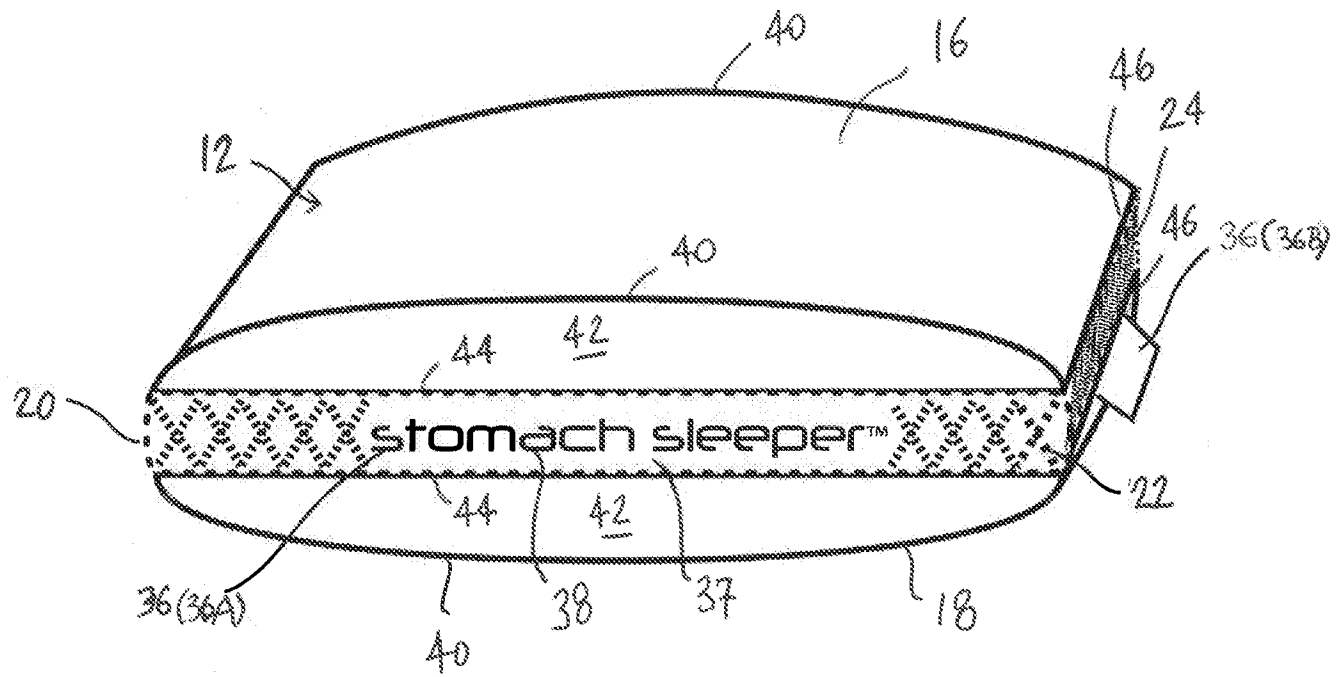


FIG. 1

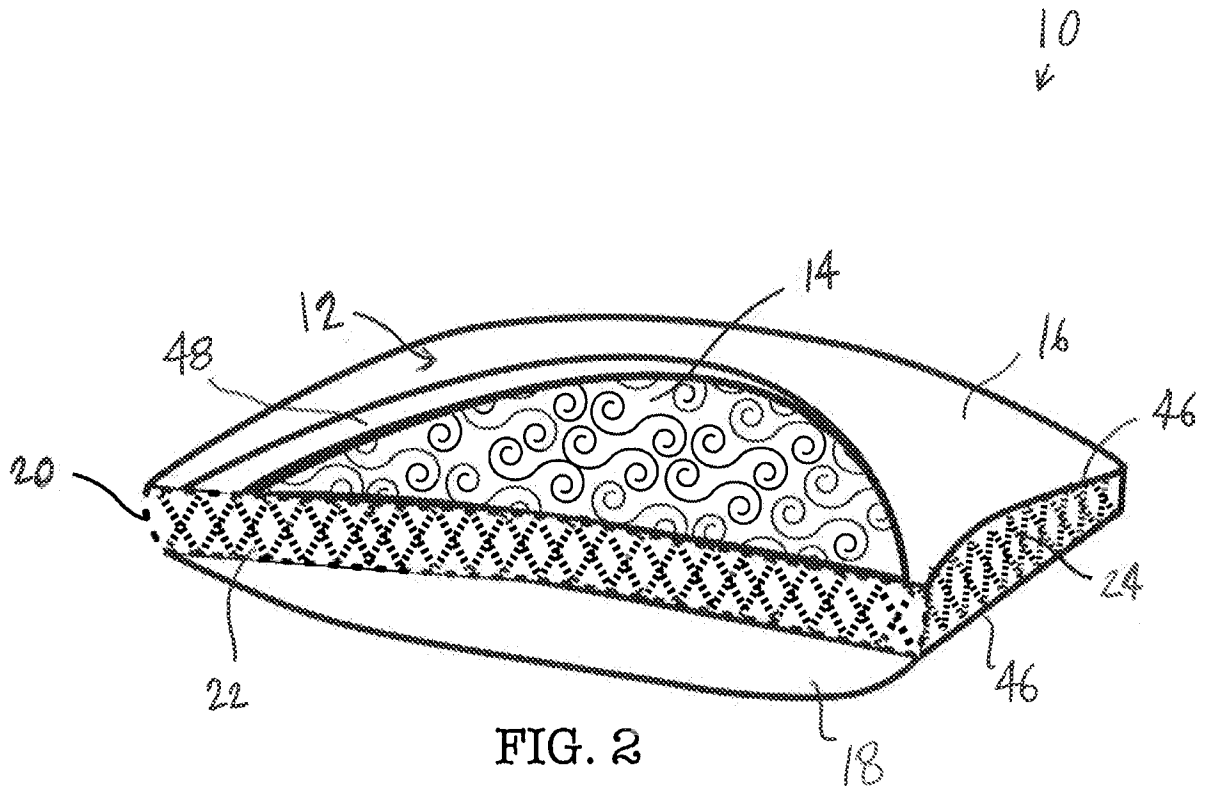


FIG. 2

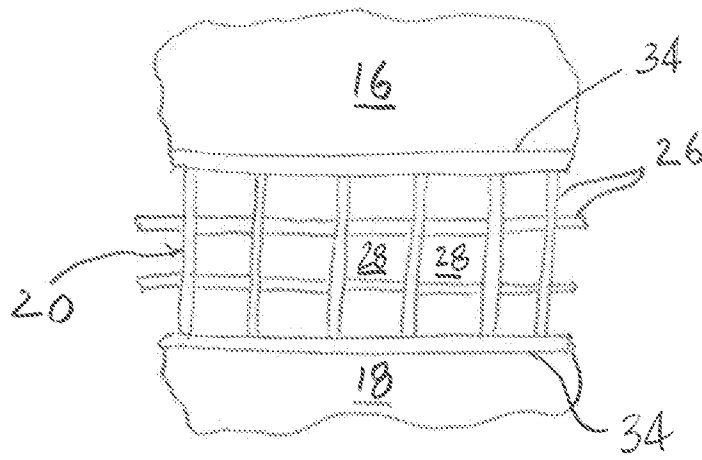


FIG. 3

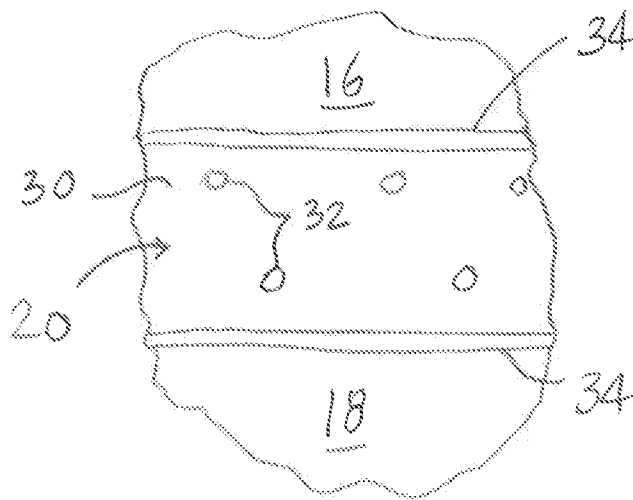


FIG. 4

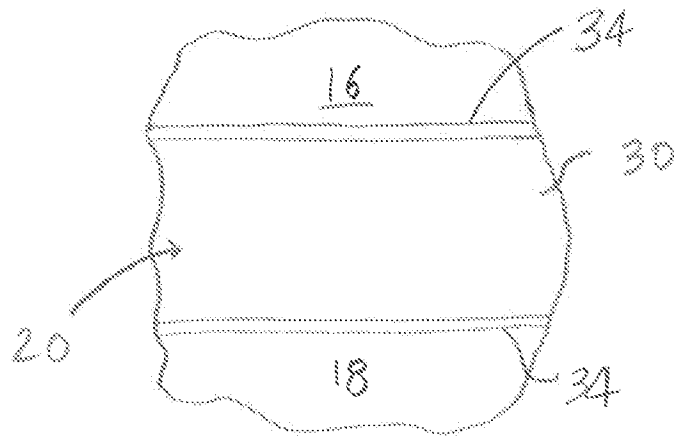


FIG. 5

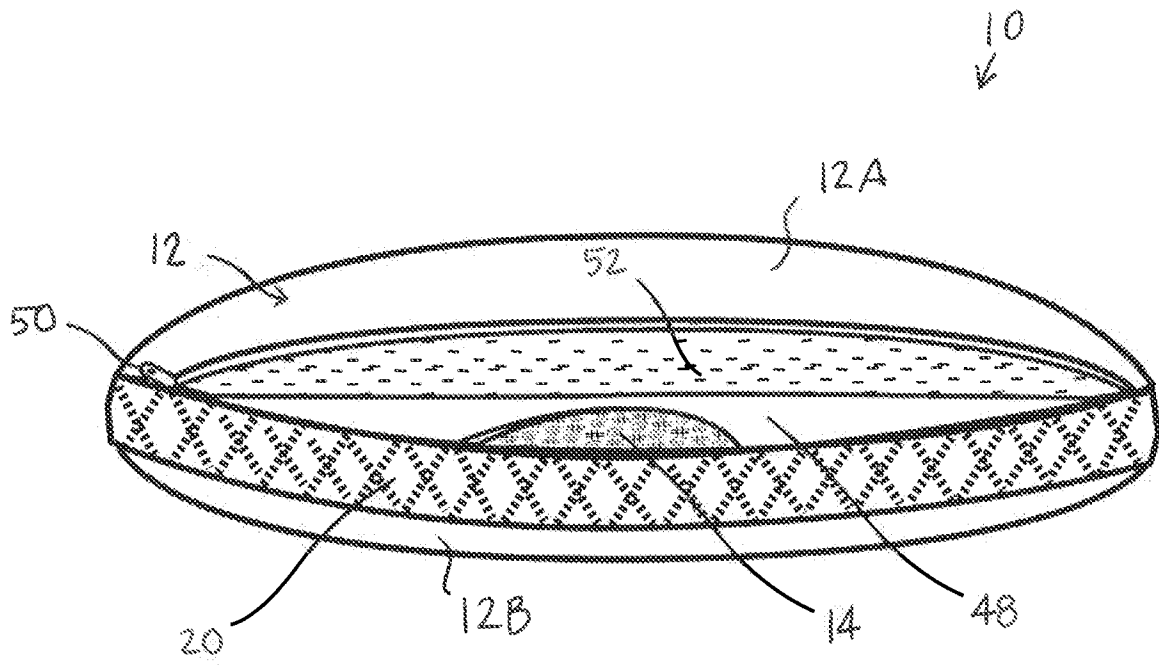


FIG. 6

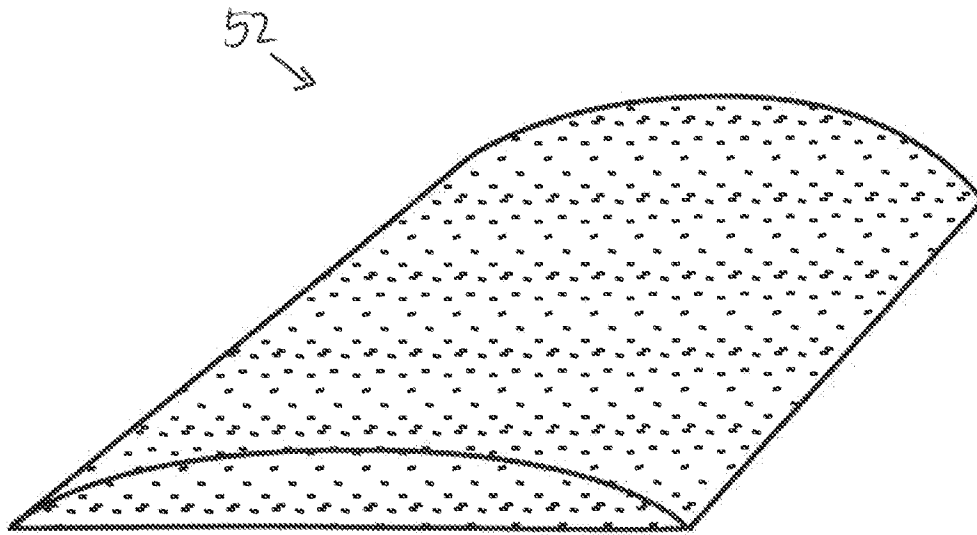


FIG. 7

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		
	First Named Inventor	Eugene Alletto	
	Art Unit	TBD	
	Examiner Name	TBD	
	Attorney Docket Number	1735-14 CON	

U.S.PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	1212515	A	1917-01-16	SHELDON LEAVITT;	
	2	1876591	A	1932-09-13		
	3	4665575	A	1987-05-19	RAUGHT DEAN A;	
	4	5642543	A	1997-07-01	HUNTLEY JAMES BENJAMIN;	
	5	6701555	B1	2004-03-09	ERMINI TERRY SAVITRI;	
	6	6760935	B1	2004-07-13	BURTON ROBERT D et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S.PATENT APPLICATION PUBLICATIONS						
Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		
	Filing Date		
	First Named Inventor	Eugene Alletto	
	Art Unit	TBD	
	Examiner Name	TBD	
	Attorney Docket Number	1735-14 CON	

1							
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If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁵
	1							<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T ⁵
	1		<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

EXAMINER SIGNATURE

Examiner Signature	Date Considered	
--------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		
Filing Date		
First Named Inventor	Eugene Alletto	
Art Unit	TBD	
Examiner Name	TBD	
Attorney Docket Number	1735-14 CON	

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
- The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Leo G. Lenna/	Date (YYYY-MM-DD)	2013-12-16
Name/Print	Leo G. Lenna	Registration Number	42796

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: *(check one)*

- | | |
|--|---|
| <input checked="" type="checkbox"/> Original | <input type="checkbox"/> National Stage PCT |
| <input type="checkbox"/> Supplemental | <input type="checkbox"/> Divisional |
| <input type="checkbox"/> Design | <input type="checkbox"/> Continuation |
| | <input type="checkbox"/> Continuation-in-Part (CIP) |

INVENTORSHIP IDENTIFICATION

NOTE: *If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

the specification of which: *(complete (a), (b) or (c))*

- (a) is attached hereto.
- (b) was filed on June 22, 2012 as
 Serial No. 13/531,122 or
 Express Mail No. _____, as Serial No. not yet known
and was amended on _____. *(if applicable)*
- (c) was described and claimed in PCT International Application No. PCT/
filed on _____ and as amended under PCT Article 19 on _____. *(if any)*

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

COUNTRY (orPCT)	APPLICATION NO.	DATE OF FILING (Day/Month/Year)	PRIORITY CLAIMED UNDER 35 USC §119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

(List prior U.S. provisional applications.)

PROVISIONAL APPLICATION NO.	FILING DATE (Day/Month/Year)
61/499,907	22/08/2011

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(List prior U.S. applications or PCT international applications designating the U.S. for benefit under 35 U.S.C. §120.)

U.S. APPLICATIONS		STATUS (Check One)		
U.S. SERIAL NO.	U.S. FILING DATE (Day/Month/Year)	Patented	Pending	Abandoned
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PCT APPLICATIONS DESIGNATING THE U.S.			STATUS (Check One)		
PCT APPLN. NO.	PCT FILING DATE (Day/Month/Year)	U.S. SERIAL NOS ASSIGNED (if any)	Patented	Pending	Abandoned
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS

PRIORITY APPLICATION NO.	PRIORITY COUNTRY	FILING DATE (Day/Month/Year)	ISSUE DATE (Day/Month/Year)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at Customer Number 23869 to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

PLEASE SEND CORRESPONDENCE TO:

PLEASE DIRECT TELEPHONE CALLS TO:

Address associated with Customer Number:
23888

Ludomir A. Budzyn, Esq.
HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, NY 11791

Ludomir A. Budzyn, Esq.
(973) 331-1700

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full Name of Sole or First Inventor: Eugene Ailetto, Jr.

Country of Citizenship: US

Residence Address: 180 High Farms Road, Glen Head, NY 11545

Post Office Address: 180 High Farms Road, Glen Head, NY 11545

Date: 12/7/12 Inventor's signature 

NOTE: All above spaces identifying inventors must be completed or deleted before any inventor executes this application

Electronic Patent Application Fee Transmittal

Application Number:				
Filing Date:				
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION			
First Named Inventor/Applicant Name:	Eugene Alletto			
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou			
Attorney Docket Number:	1735-14 CON			
Filed as Small Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Utility filing Fee (Electronic filing)	4011	1	70	70
Utility Search Fee	2111	1	300	300
Utility Examination Fee	2311	1	360	360
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				

IPR2017-00351

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				730

Electronic Acknowledgement Receipt

EFS ID:	17671938
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	16-DEC-2013
Filing Date:	
Time Stamp:	16:35:49
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$730
RAM confirmation Number	4498
Deposit Account	505960
Authorized User	LENNA, LEO G

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	1735-14-CON-APPDATA.pdf	78654 292000927183175e2bb2a94b476275a2ab409e19	no	5
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
2	Preliminary Amendment	1735-14-CON-PRELAMD.pdf	31361 4ea80b44c0aa2c21056cba4a5fc8dcb1e7b45c71	no	6
Warnings:					
Information:					
3		1735-14-CON-SPEC-CLMS- ABST.pdf	1331182 3b5b1fb3fe852d51daf6cea5e5532e4c4d558e1	yes	15
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	11	
	Claims		12	14	
	Abstract		15	15	
Warnings:					
Information:					
4	Drawings-only black and white line drawings	1735-14-CON-FIGS.pdf	293874 666c70eaa9dabb274e642f073988e396f4293761	no	4
Warnings:					
Information:					
5	Information Disclosure Statement (IDS) Form (SB08)	1735-14-CON-IDS.pdf	65299 1f995f211df8f6d7aa4158affd9dd78210ae824	no	4
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
6	Oath or Declaration filed	1735-14-CON-DECL-PRNT.pdf	421001 fb789994924d4bde485313a65563f0e2d6e88942	no	4
Warnings:					
Information:					

IPR2017-00351

7	Fee Worksheet (SB06)	fee-info.pdf	32622 af9a950cd92eff9bb898ef998cea25d10385725e	no	2
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Warnings:

Information:

Total Files Size (in bytes):	2253993
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Acknowledgement Receipt

EFS ID:	17671938
Application Number:	14107665
International Application Number:	
Confirmation Number:	1990
Title of Invention:	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION
First Named Inventor/Applicant Name:	Eugene Alletto
Customer Number:	109802
Filer:	Leo G. Lenna/Nicole Eliseo-Pinou
Filer Authorized By:	Leo G. Lenna
Attorney Docket Number:	1735-14 CON
Receipt Date:	16-DEC-2013
Filing Date:	
Time Stamp:	16:35:49
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$730
RAM confirmation Number	4498
Deposit Account	505960
Authorized User	LENNA, LEO G

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.21 (Miscellaneous fees and charges)

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Application Data Sheet	1735-14-CON-APPDATA.pdf	78654 292000927183175e2bb2a94b476275a2ab409e19	no	5
Warnings:					
Information:					
This is not an USPTO supplied ADS fillable form					
2	Preliminary Amendment	1735-14-CON-PRELAMD.pdf	31361 4ea80b44c0aa2c21056cba4a5fc8dcb1e7b45c71	no	6
Warnings:					
Information:					
3		1735-14-CON-SPEC-CLMS-ABST.pdf	1331182 3b5b1fb3fe852d51daf6cea5e5532e4c4d558e1	yes	15
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Specification		1	11	
	Claims		12	14	
	Abstract		15	15	
Warnings:					
Information:					
4	Drawings-only black and white line drawings	1735-14-CON-FIGS.pdf	293874 666c70eaa9dabb274e642f073988e396f4293761	no	4
Warnings:					
Information:					
5	Information Disclosure Statement (IDS) Form (SB08)	1735-14-CON-IDS.pdf	65299 1f995f211df8f6d7aa4158affd9dd78210ae824	no	4
Warnings:					
Information:					
This is not an USPTO supplied IDS fillable form					
6	Oath or Declaration filed	1735-14-CON-DECL-PRNT.pdf	421001 fb789994924d4bde485313a65563f0e2d6e88942	no	4
Warnings:					
Information:					

7	Fee Worksheet (SB06)	fee-info.pdf	32622 af9a950cd92eff9bb898ef998cea25d10385725e	no	2
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Warnings:

Information:

Total Files Size (in bytes):	2253993
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1735-14 CON
		Application Number	
Title of Invention	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76. This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

Secrecy Order 37 CFR 5.2

<input type="checkbox"/> Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)
--

Inventor Information:

Inventor 1					Remove	
Legal Name						
Prefix	Given Name	Middle Name	Family Name	Suffix		
	Eugene		Alletto			
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service						
City	Glen Head	State/Province	NY	Country of Residence	US	
Mailing Address of Inventor:						
Address 1	180 High Farms Road					
Address 2						
City	Glen Head	State/Province	NY			
Postal Code	11545	Country i	US			
All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.						
Add						

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below. For further information see 37 CFR 1.33(a).			
<input type="checkbox"/> An Address is being provided for the correspondence information of this application.			
Customer Number	109802		
Email Address		Add Email	Remove Email

Application Information:

Title of the Invention	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION		
Attorney Docket Number	1735-14 CON	Small Entity Status Claimed	<input type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	4	Suggested Figure for Publication (if any)	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1735-14 CON
	Application Number	
Title of Invention	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION	

Publication Information:

<input type="checkbox"/>	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/>	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.			
Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)
Customer Number	109802		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.			
Prior Application Status	Pending	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
	Continuation of	13531122	2012-06-22
Prior Application Status	Expired	Remove	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
13531122	non provisional of	61499907	2011-06-22
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the Add button.			

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).			
Remove			
Application Number	Country ¹	Filing Date (YYYY-MM-DD)	Priority Claimed
			<input type="radio"/> Yes <input type="radio"/> No
Additional Foreign Priority Data may be generated within this form by selecting the Add button.			

IPR2017-00351

Fredman EX1002 Page 184

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	1735-14 CON
	Application Number	
Title of Invention	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION	

Authorization to Permit Access:

<input type="checkbox"/> Authorization to Permit Access to the Instant Application by the Participating Offices
<p>If checked, the undersigned hereby grants the USPTO authority to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the World Intellectual Property Office (WIPO), and any other intellectual property offices in which a foreign application claiming priority to the instant patent application is filed access to the instant patent application. See 37 CFR 1.14(c) and (h). This box should not be checked if the applicant does not wish the EPO, JPO, KIPO, WIPO, or other intellectual property office in which a foreign application claiming priority to the instant patent application is filed to have access to the instant patent application.</p> <p>In accordance with 37 CFR 1.14(h)(3), access will be provided to a copy of the instant patent application with respect to: 1) the instant patent application-as-filed; 2) any foreign application to which the instant patent application claims priority under 35 U.S.C. 119(a)-(d) if a copy of the foreign application that satisfies the certified copy requirement of 37 CFR 1.55 has been filed in the instant patent application; and 3) any U.S. application-as-filed from which benefit is sought in the instant patent application.</p> <p>In accordance with 37 CFR 1.14(c), access may be provided to information concerning the date of filing this Authorization.</p>

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.	
Applicant 1	
If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.	
<input checked="" type="radio"/> Assignee	<input type="radio"/> Legal Representative under 35 U.S.C. 117
<input type="radio"/> Person to whom the inventor is obligated to assign.	<input type="radio"/> Person who shows sufficient proprietary interest
If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:	
Name of the Deceased or Legally Incapacitated Inventor : <input type="text"/>	
If the Assignee is an Organization check here. <input checked="" type="checkbox"/>	
Organization Name	Bedgear, LLC

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	1735-14 CON
		Application Number	
Title of Invention	PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION		

Mailing Address Information:			
Address 1	110 Bi-County Boulevard		
Address 2	Suite 101		
City	Farmingdale	State/Province	NY
Country	US	Postal Code	11735
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button.

Signature:

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications					
Signature	/Leo G. Lenna/			Date (YYYY-MM-DD)	2013-12-16
First Name	Leo G.	Last Name	Lenna	Registration Number	42796
Additional Signature may be generated within this form by selecting the Add button.					

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.