## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO.: 7,167,294 B2APPLICATION NO.: 10/817645DATED: January 23, 2007INVENTOR(S): Niall R. Lynam, John O. Lindahl and Hahns Y. Fuchs

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

<u>Column 1:</u> Line 13, "entirety" should be --entireties--.

<u>Column 6:</u> Line 46, "ajoint." should be --a joint.--.

<u>Column 8:</u> Line 34, "piano" should be --plano--.

<u>Column 9:</u> Line 61, "piano" should be --plano--.

<u>Column 10:</u> Line 56, "piano" should be --plano--.

<u>Column 11:</u> Line 22, "piano" should be --plano--.

<u>Column 13:</u> Line 45, "piano" should be --plano--.

Column 27: Claim 49, Line 2, insert --reflective-- after "said".

Signed and Sealed this

Page 1 of 1

Twenty-fourth Day of June, 2008

JON W. DUDAS Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION         PAGE	PTO/SB/44 (09-07) Approved for use through 08/31/2010. OMB 0651-0033 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 displays a valid OMB control number. (Also Form PTO-1050)
Parent No. : 7,167,294 B2 APPLICATION NO: 10/817,645 ISSUE DATE : January 23, 2007 INVENTOR(S) : Niall R. Lynam, John O. Lindahl, and Hahns Y. Fuchs It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below: Column 1: Line 13, "entirety" should beentireties Column 6: Line 46, "ajoint." should bea joint Column 9: Line 61, "piano" should beplano Column 10: Line 56, "piano" should beplano Column 11: Line 22, "piano" should beplano	UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION
APPLICATION NO:       10/817,645         ISSUE DATE       :         INVENTOR(S)       :         Niall R. Lynam, John O. Lindahl, and Hahns Y. Fuchs         It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:         Column 1:         Line 13, "entirety" should beentireties         Column 6:         Line 46, "ajoint." should bea joint         Column 9:         Line 61, "piano" should beplano         Column 10:         Line 56, "piano" should beplano         Column 11:         Line 22, "piano" should beplano         Column 11:         Line 22, "piano" should beplano	PATENT NO. : 7,167,294 B2
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<u>Column 27:</u> Claim 49, Line 2, insertreflective after "said".	<u>Column 27:</u> Claim 49, Line 2, insertreflective after "said".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

2851 Charlevoix Drive S.E., Suite 207 P.O. Box 888695 Grand Rapids, MI 49588-8695

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Electronic Acknowledgement Receipt				
EFS ID:	2917837			
Application Number:	10817645			
International Application Number:				
Confirmation Number:	2833			
Title of Invention:	EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY			
First Named Inventor/Applicant Name:	Niall R. Lynam			
Customer Number:	28101			
Filer:	Catherine S. Collins/Chana Withers			
Filer Authorized By:	Catherine S. Collins			
Attorney Docket Number:	DON01 P-1148			
Receipt Date:	27-FEB-2008			
Filing Date:	02-APR-2004			
Time Stamp:	14:49:07			
Application Type:	Utility under 35 USC 111(a)			

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2	Request for Certificate of Correction	CertificateOfCorrectionRequ	838525	no	2				
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Under the Paperwork Reduction Act o TRANSMITTA FORM (to be used for all correspondence after Total Number of Pages in This Submissi	1995. no persons nitial filing)	s are required to respond to a c Application Number Filing Date First Named Inventor Art Unit Examiner Name Attorney Docket Number	ollection of info 10/817,645 April 2, 200 Niall R. Lyı 2872 Ricky D. Si DON09 P-	pormation unless it 5 04 nam, et al. hafer 1148	displays a valid OMB control number.
Fee Transmittal Form         Fee Attached         Amendment/Reply         After Final         After Final         After Final         Extension of Time Request         Express Abandonment Request         Information Disclosure Statemed         Certified Copy of Priority         Document(s)         Reply to Missing Parts/         Incomplete Application         Reply to Missing Parts         under 37 CFR 1.52 or	ENCL	OSURES       (Check a)         Drawing(s)          Licensing-related Papers       Petition         Petition to Convert to a       Provisional Application         Power of Attorney, Revocati       Change of Correspondence         Cerminal Disclaimer       Request for Refund         CD, Number of CD(s)	ion Address	After A Appea of Appe Appea (Appea (Appea Status Status V Other below Request For	Nowance Communication to TC I Communication to Board leals and Interferences I Communication to TC I Notice, Brief, Reply Brief) etary Information Letter Enclosure(s) (please Identify): Certificate of Correction
Signature       Van Dyke, Gardner         Signature       Catherine S. Collins         Printed name       Catherine S. Collins         Date       February 27, 2008         I hereby certify that this correspondensufficient postage as first class mail in the date shown below:         Signature	CERTIFIC	CATE OF TRANSMIS mile transmitted to the USP dressed to: Commissioner f	Reg. No. SION/MAI	37 599 LING sited with the Ur P.O. Box 1450,	ited States Postal Service with Alexandria, VA 22313-1450 on

This collection of information is required by 37 CFR 1.5. 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 2 hours 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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#### UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/817,645	01/23/2007	7167294	DON01 P-1148	2833	

28101 7590 01/03/2007 VAN DYKE, GARDNER, LINN AND BURKHART, LLP 2851 CHARLEVOIX DRIVE, S.E. P.O. BOX 888695 GRAND RAPIDS, MI 49588-8695

## **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 Customer Service Center of the Office of Patent Publication at (571)-272-4200.

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

Niall R. Lynam, Holland, MI; John O. Lindahl, Fruitport, MI; Hahns Y. Fuchs, Dorftrozelten, GERMANY;

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APPLICATION NO.	FILING DATE			]	FIRST NA	MED INVEN	TOR	-	ATT	ORNEY DOCKET N	0.	CONFIRMATION NO.
10/817.645	04/02/2004				Nial	R. Lynam				DON01 P-1148		2833
TITLE OF INVENTION	I: EXTERIOR MIRROR	R PLANO	-AUXILIAF	YR	EFLECT	IVE ELEMI	ENT	ASSEMBLY				· · · · · · · · · · · · · · · · · · ·
APPLN. TYPE	SMALL ENTITY	ISS	UE FEE DUE		PUBLICA	TION FEE D	DUE	PREV. PAID I	SSUE FEE	TOTAL FEE(S)	DUE	DATE DUE
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3. ASSIGNEE NAME A	ND RESIDENCE DAT	A TO BE	PRINTED	DN T	HE PATE	ENT (print o	or typ	e)	•			
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Donnelly	Corporation				Hol	land,	Mic	higan				
Please check the appropriate	riate assignee category o	r categori	ies (will not l	oe pri	nted on th	ne patent) :		Individual 🗴	Corpora	ation or other privat	te grou	p entity Government
4a. The following fee(s)	are submitted:			4b	. Payment	t of Fee(s): ( ck is enclos	(Pleas	se first reapp	ly any pro	eviously paid issue	e fee sl	iown above)
Publication Fee (1	No small entity discount # of Copies	permitted	i) 		Paym The D overpa	ent by credi Director is he ayment, to I	it carc ereby Depos	I. Form PTO-2 authorized to ait Account Nu	2038 is at charge the umber 22	tached tached tached fec(s), ar 2-0190(enclo	ny defi ose an	ciency, or credit any extra copy of this form).
5. Change in Entity Sta	tus (from status indicate as SMALL ENTITY stat	d above) us. See 3	7 CFR 1.27.		🗆 b. Ap	plicant is no	o long	er claiming S	MALL EI	NTITY status. See 2	37 CFI	R 1.27(g)(2).
NOTE: The Issue Fee ar interest as shown by the	nd Publication Fee (if rec records of the United St	uired) wi ates Pater	ill not be acc	epted nark	from any Office.	one other th	han th	e applicant; a	registered	attorney or agent;	or the	assignee or other party in
Authorized Signature	let.	All	Q					Date	De	center B		2006
Typed or printed nam	c <u>Catherine</u>	<u>S. Co</u>	<u>llins</u>					Registrati	on No	37 599		
This collection of inform an application. Confider submitting the complete this form and/or suggest Box 1450, Alexandria, V Alexandria, Virginia 222 Under the Paperwork Re	nation is required by 37 ( titality is governed by 32 d application form to th ions for reducing this bu /irginia 22313-1450. D( 313-1450. eduction Act of 1995, no	CFR 1.31 5 U.S.C. e USPTC urden, sho O NOT S persons a	1. The inform 122 and 37 ( ). Time will build be sent to END FEES are required (	natio CFR 1 vary o the OR C OR C	n is requir 1.14. This depending Chief Ini COMPLET	red to obtain collection i g upon the i formation O FED FORM collection o	n or re is esti indivi officer IS TO of info	etain a benefit mated to take dual case. An r, U.S. Patent THIS ADDR ormation unles	by the pu 12 minut y comme and Trade ESS. SEI is it displa	blic which is to file es to complete, inc nts on the amount mark Office, U.S. ND TO: Commission ys a valid OMB co	e (and l luding of time Depar oner fo	by the USPTO to process) gathering, preparing, and c you require to complete tment of Commerce, P.O. r Patents, P.O. Box 1450, umber.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



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#### NOTICE OF ALLOWANCE AND FEE(S) DUE

28101 7590 10/10/2006 VAN DYKE, GARDNER, LINN AND BURKHART, LLP 2851 CHARLEVOIX DRIVE, S.E. P.O. BOX 888695 GRAND RAPIDS, MI 49588-8695

EXAMINER SHAFER, RICKY D				
2872				

DATE MAILED: 10/10/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.			
10/817,645	04/02/2004	Niall R. Lynam	DON01 P-1148	2833			
TT D OF DURDATION, EXTERIOR MIDDOR DI ANO ALIVILIARY, DEELECTIVE ELEMENT ASSEMBLY							

TITLE OF INVENTION: EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	01/10/2007

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. 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 <u>THREE MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS STATUTORY PERIOD CANNOT BE EXTENDED</u>. 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.

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I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:	If the SMALL ENTITY is shown as NO:
A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.	A. Pay TOTAL FEE(S) DUE shown above, or
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or	B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

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: <u>Mail</u> Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or <u>Fax</u> (571)-273-2885								
INSTRUCTIONS: This f appropriate. All further c indicated unless corrected maintenance fee notificati	form should be used f orrespondence includir l below or directed oth ons	for transmitting the ISS ing the Patent, advance of herwise in Block 1, by	UE FEE and PUBLIC orders and notification (a) specifying a new c	ATION FEE (if requ of maintenance fees v prespondence address	ired). Blocks 1 through 5 will be mailed to the curren ; and/or (b) indicating a sep	should be completed where t correspondence address as parate "FEE ADDRESS" for		
CURRENT CORRESPONDE	NCE ADDRESS (Note: Use BI	ock 1 for any change of address)	)	Note: A certificate of Fee(s) Transmittal. Th papers. Each additiona have its own certificate	mailing can only be used f is certificate cannot be used al paper, such as an assignme of mailing or transmission.	or domestic mailings of the for any other accompanying ent or formal drawing, must		
28101 VAN DYKE, G 2851 CHARLEV P.O. BOX 888692	ARDNER, LINN OIX DRIVE, S.E. 5	VAND BURKHA	.RT, LLP	Cer I hereby certify that th States Postal Service v addressed to the Mai transmitted to the USP	tificate of Mailing or Tran- is Fee(s) Transmittal is bein with sufficient postage for fir I Stop ISSUE FEE address TO (571) 273-2885, on the	smission g deposited with the United rst class mail in an envelope above, or being facsimile date indicated below.		
GRAND RAPIDS	S, MI 49588-8695					(Depositor's name)		
						(Signature)		
						(Date)		
APPLICATION NO.	FILING DATE		FIRST NAMED INVEN	TOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/817,645	04/02/2004		Niall R. Lynam		DON01 P-1148	2833		
TITLE OF INVENTION:	TITLE OF INVENTION: EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY							
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE D	UE PREV. PAID ISSU	E FEE TOTAL FEE(S) DUE	E DATE DUE		
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EXAMI	NER	ART UNIT	CLASS-SUBCLASS					
SHAFER, R	UCKY D	2872	359-874000					
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3. ASSIGNEE NAME AN PLEASE NOTE: Unle recordation as set forth (A) NAME OF ASSIG	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 appropria	te assignee category or	categories (will not be p	printed on the patent) :	Individual Co	orporation or other private gr	oup entity Government		
4a. The following fcc(s) are submitted:       4b. Payment of Fcc(s): (Please first reapply any previously paid issue fee shown above)            [Issue Fce         [Publication Fce (No small entity discount permitted)         [Advance Order - # of Copies         [Description Fce (No small entity discount permitted)         [Description Fce (No small entity dis								
5. Change in Entity Statu	s (from status indicated	d above)		·····	•			
a. Applicant claims NOTE: The Issue Fee and interest as shown by the re	SMALL ENTITY statu Publication Fee (if requestion of the United States)	us. See 37 CFR 1.27. uired) will not be accepted tes Patent and Trademar	b. Applicant is no ed from anyone other th k Office.	longer claiming SMA an the applicant; a regi	LL ENTITY status. See 37 C istered attorney or agent; or t	FR 1.27(g)(2). he assignce or other party in		
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/817,645	04/02/2004	Niall R. Lynam	DON01 P-1148	2833	
28101 75	90 10/10/2006		EXAM	INER	
VAN DYKE, GA	RDNER, LINN AND	BURKHART, LLP	SHAFER,	RICKY D	
2851 CHARLEVO	IX DRIVE, S.E.	,	ART UNIT PAPER NUM		
P.O. BOX 888695 GRAND RAPIDS,	MI 49588-8695		2872 DATE MAILED: 10/10/200	6	

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

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

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 Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)
	10/017 645	
Notice of Allowability	Examiner	Art Unit
	Biolog D. Shafar	2072
	Ricky D. Shaler	2012
The MAILING DATE of this communication apper All claims being allowable, PROSECUTION ON THE MERITS IS nerewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	ears on the cover sheet w. (OR REMAINS) CLOSED i or other appropriate comm IGHTS. This application is and MPEP 1308.	ith the correspondence address n this application. If not included unication will be mailed in due course. THIS subject to withdrawal from issue at the initiative
I. $\boxtimes$ This communication is responsive to <u>07/10/2006</u> .		
2. 🛛 The allowed claim(s) is/are <u>60-117</u> .		
3. 🔲 Acknowledgment is made of a claim for foreign priority ur	nder 35 U.S.C. § 119(a)-(d)	or (f).
a) 🗌 All b) 🗌 Some* c) 🗌 None of the:		
<ol> <li>Certified copies of the priority documents have</li> </ol>	e been received.	
2. 🔲 Certified copies of the priority documents have	been received in Applicati	on No
3. Copies of the certified copies of the priority do	cuments have been receive	ed 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" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to fil IENT of this application.	e a reply complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give	itted. Note the attached EX es reason(s) why the oath c	AMINER'S AMENDMENT or NOTICE OF or declaration is deficient.
5. 🔲 CORRECTED DRAWINGS ( as "replacement sheets") mus	st be submitted.	
(a) 🗍 including changes required by the Notice of Draftspers	on's Patent Drawing Revie	w ( PTO-948) attached
1) 🗌 hereto or 2) 🔲 to Paper No./Mail Date		
(b)	s Amendment / Comment c	or in the Office action of
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t	.84(c)) should be written on he header according to 37 C	the drawings in the front (not the back) of FR 1.121(d).
<ol> <li>DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT</li> </ol>	sit of BIOLOGICAL MAT FOR THE DEPOSIT OF BI	ERIAL must be submitted. Note the OLOGICAL MATERIAL.
Attachment(s)		nformal Patent Application
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B. Information Disclosure Statements (PTO/SB/08), Paper No /Mail Date	7. 🛛 Examiner's	s Amendment/Comment
Examiner's Comment Regarding Requirement for Deposit     of Biological Material	8. 🛛 Examiner's	s Statement of Reasons for Allowance
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		RULL SLAT RICKY D. SHAFTER PATENT EXAMINE ART UNIT 25 72

SMR USA Exhibit 1031 Page 012

### Application/Control Number: 10/817,645 Art Unit: 2872

 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.

2. The application has been amended as follows:
In claim 109, line 1, numeral "110" has been changed to read --108--.
In claim 110, line 1, numeral "108" has been changed to read --109--.

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest an automobile exterior side view mirror system that includes a first reflective element with unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element, which is positioned between the first and second reflective elements, and having its front surface generally coplanar with the front surface of first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly, as stated in applicant's remarks filed on July 10, 2006.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.

Application/Control Number: 10/817,645 Art Unit: 2872

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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.

RDS

October 01, 2006

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<b>SERIAL NUMBER</b> 10/817,645	FILING OR 371(c) DATE 04/02/2004 RULE	CLASS 359	GROU	JP AR1 2872	UNIT	A DC DO	TTORNEY OCKET NO. N01 P-1148
APPLICANTS Niall R. Lynam, Holland, MI; John O. Lindahl, Fruitport, MI; Hahns Y. Fuchs, Dorftrozelten, GERMANY; <i>Coj</i> ** CONTINUING DATA **********************************							
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Issue Classification	Application/Control No.	Applicant(s)/Patent under Reexamination	
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	Ricky D. Shafer	2872	

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		said second reflectiv	ve element disposed adjacent to

and separate from said first reflective element; said first reflective element including a rearward

field of view having a principal axis, said second reflective element having a rearward field of view having a principal axis, said principal axis of said second reflective element angled downwardly with respect to the principal axis of said first reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein <u>substantially</u> the <u>entire</u> portion of said second reflective element abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>whereby an image in the field of view of said</u> <u>second reflective element transitions to the field of view of said</u> first reflective element smoothly.

Applicants respectfully urge that none of Tobin, Holt, or Traynor discloses or

suggests the claimed combination. For example, with reference to Claim 60, none of Tobin, Holt,

or Traynor discloses or suggests an exterior side view mirror system that includes a first reflective

element with a unit magnification and a second reflective element with a curvature, with

substantially the entire portion of the second reflective element abutting a demarcation element,

which is positioned between the first and second reflective elements, and having its front surface

generally coplanar with the front surface of the first reflective element whereby an image in the

field of view of the second reflective element transitions to the field of view of the first reflective

element smoothly.

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	18



In contrast, Tobin discloses a mirror assembly that includes a flat reflective element and a portion of a spherical segment, preferably one half of a spherical segment, such that the peak of the convex section is flush with the front face 31 of the planar mirror 30. Therefore, as best seen in FIG. 2, the remaining portion of the convex section 32 is not coplanar with and in fact is recessed below the surface of the planar mirror 30. Nor does Holt or Traynor cure the deficiencies of Tobin. Therefore, even when combined, the references do not disclose or suggest the claimed combination.

With reference to Claim 76, Claim 76 further calls for the principal axis of the rearward field of view of the second reflective element to be directed generally outwardly and downwardly with respect to the principal axis of the first reflective element. Applicants respectfully urge that neither Tobin, Holt, nor Traynor discloses or suggests the claimed combination. In contrast, in each case, the second reflective element has a principal axis that is either aligned with or parallel to the principal axis of the second reflective element. Therefore,

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	19

none of the references disclose or suggest a principal axis of a second reflective element being directed generally outwardly and downwardly with respect to the principal axis of the first reflective element.

With respect to Claim 77, Claim 77 further calls for the principal axis of the rearward field of view of the second reflective element to form a downward angle with respect to the longitudinal axis of the automobile in a range of 0.75° to about 5° when the principal axis of the first reflective element is generally parallel to the longitudinal axis of the automobile. Again, Applicants respectfully urge that this is neither taught nor suggested by the references alone or in combination.

With reference to Claim 97, Applicants respectfully urge that none of Tobin, Holt, or Traynor discloses or suggests an exterior side view mirror system that includes first and second reflective elements, with the rearward field of view of the first and second reflective elements each having a principal axis, with the principal axis of the rearward field of view of the second reflective element being downward relative to the principal axis of the rearward field of view of the first reflective element in combination with substantially the entire portion of the second reflective element abutting a demarcation element, which is located between the first and second elements, such that its front surface is generally coplanar with the front surface of the first reflective element whereby an image in the rearward field of view of the second reflective element rearward field of view of the first reflective element smoothly. As best understood from each of the figures in the Tobin reference, the curved reflective element has a principal axis that is coplanar with the principal axis of the planar reflective element. Further, neither Holt nor Traynor remedies

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	20

the deficiencies of Tobin. Therefore, even when combined, the references do not teach or suggest the claimed combination.

With respect to Claims 92 and 95, reference is made to the remarks made in

reference to Claim 76.

With reference to Claims 102 and 104, Applicants refer the Examiner to the remarks made in reference to Claim 76.

Accordingly, Applicants respectfully submit that Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102, and 104-107 are patentably distinguishable over Tobin in view of Holt or Traynor or any other reference of record.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor et al. '046 and, further, in view of Enomoto '166 or Mizuta et al '302.

Claims 67, 68, and 84 depend from amended Claim 60 and, thus, incorporate the same limitations as amended Claim 60. Therefore, Applicants respectfully urge that Claims 67, 68, and 84 are patentable over Tobin in view of Holt or Traynor for at least the reasons set forth above in reference to Claim 60. Further, Applicants respectfully urge that neither Enomoto nor Mizuta remedies the deficiencies of Tobin, Holt, or Traynor. For example, neither Enomoto nor Mizuta discloses or suggests, for example, an exterior sideview mirror system that includes a first reflective element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element that is positioned between the first and second reflective elements and having its front surface generally

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	21

coplanar with the front surface of the first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly. Therefore, Applicants respectfully submit that Claims 67, 68, and 84 are patentably distinguishable over Tobin in view of Holt, Traynor, Enomoto, Mizuta, or any other reference of record.

With reference to Claim 103, Claim 103 depends from amended Claim 97 and, thus,

incorporates the same limitations as amended Claim 97. Furthermore, Applicants respectfully

submit that neither Enomoto nor Mizuta cure the deficiencies of Tobin, Holt, or Traynor for at least

the reasons set forth above in reference to Claims 67, 68, and 84. Therefore, Applicants

respectfully urge that Claim 103 are patentably distinguishable over Tobin in view of Holt, Traynor,

Enomoto, or Mizuta or any other reference of record.

Claim 108 has been amended to more clearly Applicants' invention, which now

calls for:

An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an automobile; said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature; an actuator operable to adjust the orientation of said reflective element assembly; <u>said first reflective element extending from an</u> <u>inboard side of said reflective element assembly to an outboard</u> side of said reflective element assembly;

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	22

said second reflective element disposed at an <u>outboard outer</u>, upper portion of said reflective element assembly <u>wherein at least a portion of said reflective element is disposed</u> <u>beneath said second reflective element at an outboard lower</u> <u>portion of said reflective element assembly</u> when said reflective clement assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein <u>substantially</u> the <u>entire</u> portion of said second reflective element abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>whereby an image in the field of view of said</u> <u>second reflective element transitions to the field of view of the first</u> reflective element <u>smoothly</u>.

Applicants respectfully urge that none of Tobin, Holt, Traynor, Enomoto, and

Mizuta discloses or suggests the claimed combination. For example, none of the references discloses or suggests an exterior rearview mirror assembly that includes a reflective element assembly with a first reflective element having a unit magnification and a second reflective element having a curvature, with the first reflective element extending from an inboard side of the reflective element assembly to an outboard side of the reflective element assembly in combination with the second reflective element disposed at an outboard upper portion of the reflective element assembly wherein at least a portion of the first reflective is disposed beneath the second reflective element at an outboard lower portion of the reflective element assembly and, further, in combination with substantially the entire portion of the second reflective element

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	23

abutting a demarcation element, which is positioned between the first and second reflective elements, and having its front surface generally coplanar with the front surface of the first reflective element whereby the image in the field of view of the second reflective element transitions to the field of view with the first reflective element smoothly. Therefore, Applicants respectfully urge that Claim 108 and its dependent claims, namely Claims 109-117, are patentably distinguishable over Tobin in view of Holt, Traynor, Enomoto, or Mizuta or any other reference of record.

The Examiner rejects Claims 63, 77-82, 89-91, 93, 94, and 99 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor et al. '046 and, further, in view of Marhauer '770.

Claims 63, 77-82, 89-91, 93 and 94 are dependent upon amended Claim 60. Therefore, Applicants respectfully urge that Claim 63, 77-82, 89-91, 93 and 94 are patentably distinguishable over Tobin in view of Holt or Traynor for at least the reasons set forth above in reference to Claim 60. Further, Applicants respectfully submit that Marhauer does not cure the deficiencies of any of Tobin, Holt, or Traynor. For example, Marhauer does not disclose or suggest an exterior sideview mirror system that includes a first reflective element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element that is positioned between the first and second reflective elements and having its front surface generally coplanar with the front surface of the first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly. Therefore, Applicants

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Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	24

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respectfully submit that Claims 63, 77-82, 89-91, 93, and 94 are patentably distinguishable over Tobin in view of Holt, Traynor, or Marhauer or any other reference of record.

With respect to Claim 99, Claim 99 depends from amended Claim 97 and, thus, incorporates the same limitations as amended Claim 97. Further, Applicants respectfully submit that Marhauer does not cure the deficiencies of Tobin, Holt, or Traynor for at least the reasons set forth above. Therefore, Applicants respectfully submit that Claim 99 is patentably distinguishable over Tobin, in view of Holt, Traynor, or Marhauer.

The Examiner rejects Claims 86-88 under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor et al. '046 and, further, in view of Bauer et al. '864 or Kanazawa '367.

Claim 86-88 are dependent upon amended Claim 60 and, thus, incorporate the same limitations as amended Claim 60. Further, Applicants respectfully submit that neither Bauer nor Kanazawa cures the deficiencies of Tobin, Holt, or Traynor. For example, neither Bauer nor Kanazawa discloses or suggests an exterior rearview mirror assembly with a first reflective element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element, which is positioned between the first and second reflective element, and having its front surface generally coplanar with the front surface of the first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly. Applicants, therefore, respectfully submit that Claims 86-88 are patentably distinguishable over

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:25

Tobin in view of Holt, Traynor, Baucr et al. or Kanazawa or in view of any other reference of

record.

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In light of the above amendments and remarks, Applicants respectfully request

reconsideration of the present application and a Notice of Allowance of all claims.

Should the Examiner have any questions or comments, the Examiner is invited to

contact the undersigned at (616) 975-5506.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

July 10, 2006

Date

CSC:lmsc

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@vglb.com PAGE 6/30 \* RCVD AT 7/10/2006 6.57.72 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/34 \* DVIS:2739300 \* CSID:6726 700 \* 2026 5/36 \* 202

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicants	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Scrial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

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#### RESPONSE

In response to the Office Action mailed March 10, 2006, having a three-month

period of response ending June 10, 2006, Applicants herewith submit a Petition and Fee for a

one-month Extension of Time and wish to amend their application as follows:

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SMR USA Exhibit 1031 Page 028

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Applicants:Niall R. Lynam et al.Scrial No.:10/817,645Page:2

#### IN THE TITLE:

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Please correct the title as shown in the attached Corrected Bibliographic Data Sheet. This correction reflects the title change submitted in the Preliminary Amendment filed on April 2, 2004.

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SMR USA Exhibit 1031 Page 029

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:3

#### IN THE CLAIMS:

Please amend Claims 60, 76, 77, 95, 97, 102, 104, 108, 109, 110, and 112 as

follows:

1-59. (canceled)

60. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element and with a demarcation element between said first and second reflective elements, said first and second reflective elements abutting opposing sides of said demarcation element;

said second reflective element disposed at an <u>outboard outer</u>, upper portion of said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element; and

wherein substantially the entire portion of said second reflective element that abuts abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element whereby an image in the field of view of said second reflective element transitions to the field of view of said first reflective element smoothly substantially along the entire length that said second reflective element abuts said demarcation element.

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:4

61. (previously presented) The exterior sideview mirror system of Ctairn 60, wherein said demarcation element is dark colored.

62. (previously presented) The exterior sideview mirror system of Claim 60, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

63. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

64. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

65. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

66. (previously presented) The exterior sidevicw mirror system of Claim 64, wherein said first reflective element is mounted at said frame by a backing plate.

67. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is adapted to mount to an actuator operable to adjust the orientation of said reflective element assembly.

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:5

68. (previously presented) The exterior sideview mirror system of Claim 67, wherein said actuator comprises an electrical actuator.

69. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element and said second reflective element are adjacently attached at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

70. (previously presented) The exterior sideview mirror system of Claim 69, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

71. (previously presented) The exterior sideview mirror system of Claim 69, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

72. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is attached at said frame by at least one of an adhesive attachment and a mechanical attachment.

73. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

74. (previously presented) The exterior sideview mirror system of Claim 73, wherein an opposed side of said frame forms a bezel around said first reflective element.

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:6

75. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element includes a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly.

76. (currently amended) The exterior sideview mirror system of Claim 75, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to the principal axis of the first reflective element a longitudinal axis of the automobile.

77. (currently amended) The exterior sideview mirror system of Claim 76, wherein said principal axis of the rearward field of said second reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about 0.75° to about 5° when the principal axis of the first reflective element is generally parallel to the longitudinal axis of the automobile.

78. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range from about 1.5° to about 3.5°.

79. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range of about 2° to about 3°.

80. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of said second reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about 0.75° to about 5°.

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	7

81. (previously presented) The exterior sideview mirror system of Claim 80, wherein said outward angle is in a range of about 1° to about 3°.

82. (previously presented) The exterior sideview mirror system of Claim 81, wherein said outward angle is in a range of about 1.25° to about 2.5°.

83. (withdrawn) The exterior sideview mirror system of Claim 81, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

84. (previously presented) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

85. (withdrawn) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

86. (previously presented) The exterior sideview mirror system of Claim 60, wherein at least one of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

87. (previously presented) The exterior sideview mirror system of Claim 86, wherein each of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

88. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element comprises an electrochromic reflective element.

89. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element has a first principal axis and said second reflective element has a second

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	8

principal axis when supported on said support element, said second principal axis being angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

90. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

91. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

92. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is angled downwardly from a first principal axis of said first reflective element when supported on said support element.

93. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

94. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

95. (currently amended) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile and when the principal axis of the first reflective element is generally parallel to the longitudinal axis of the vehicle.

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:9

96. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element includes a support surface for said second reflective element, said support surface angling a second principal axis of said second reflective element.

97. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis, said second reflective element having a rearward field of view having different from a principal axis, said principal axis of said second reflective element angled downwardly with respect to the principal axis of the rearward field of view of said first second reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein <u>substantially</u> the <u>entire</u> portion of said second reflective element abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>whereby an image in the field of view of said second reflective element</u>

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	10

transitions to the field of view of said first reflective clement smoothly substantially along the entire length that said second reflective element abuts said demarcation element.

98. (previously presented) The exterior sideview mirror system of Claim 97, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

99. (previously presented) The exterior sideview mirror system of Claim 97, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

100. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a support element, said first reflective element and said second reflective element supported at said support element.

101. (previously presented) The exterior sideview mirror system of Claim 100, wherein said support element including a support surface for said second reflective element, said support surface angling said principal axis of said second reflective element.

102. (currently amended) The exterior sideview mirror system of Claim 101, wherein said principal axis of said second reflective element is directed generally outwardly and downwardly with respect to the <u>principal axis of the first reflective element longitudinal axis of an automobile</u> when said mirror assembly is mounted to the automobile.

103. (previously presented) The exterior sideview mirror system of Claim 97, further comprising an actuator operable to adjust the orientation of said reflective element assembly.

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Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	11

104. (currently amended) The exterior sideview mirror system of Claim 97, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to <u>the principal axis of the first reflective element</u> <del>a</del> <del>longitudinal axis of the automobile</del>.

105. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of said second reflective element forms an outward angle with respect to a longitudinal axis of the automobile.

106. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a frame, said first and second reflective elements being mounted at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

107. (previously presented) The exterior sideview mirror system of Claim 106, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

108. (currently amended) An automobile exterior sideview mirror system comprising:
 an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly; said first reflective element extending from an inboard side of said reflective

element assembly to an outboard side of said reflective element assembly;

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SMR USA Exhibit 1031 Page 038

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	12

said second reflective element disposed at an <u>outboard</u> <del>outer</del>, upper portion of said reflective element assembly <u>wherein at least a portion of said first reflective element is disposed</u> <u>beneath said second reflective element at an outboard lower portion of said reflective element</u> <u>assembly</u> when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein <u>substantially</u> the <u>entire</u> portion of said second reflective element abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>whereby an image in the field of view of said second reflective element</u> <u>transitions to the field of view of the first reflective element smoothly</u> <del>substantially along the</del> <u>entire length that said second reflective element abuts said demarcation element</u>.

109. (currently amended) The exterior sideview mirror system of Claim <u>110</u> [[108]], wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis, said second principal axis being angled outwardly from said first principal axis.

110. (currently amended) The exterior sideview mirror system of Claim <u>108</u> [[109]], wherein said second principal axis is angled downwardly from said first principal axis of said first reflective element.

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Applicants	:	Niall R. Lynam ct al.
Serial No.	:	10/817,645
Page	:	13

111. (previously presented) The exterior sideview mirror system of Claim 110, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

112. (currently amended) The exterior sideview mirror system of Claim 110, further comprising a support element, said support element including a support surface for said second reflective element, said support surface <u>tilting said second reflective element to angle angling said second</u> principal axis of said second reflective element relative to said first principal axis.

113. (previously presented) The exterior sideview mirror system of Claim 112, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

114. (previously presented) The exterior sideview mirror system of Claim 113, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

115. (previously presented) The exterior sidevice mirror system of Claim 114, wherein said frame includes a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

116. (previously presented) The exterior sideview mirror system of Claim 115, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:14

117. (previously presented) The exterior sidevice mirror system of Claim 116, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

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SMR USA Exhibit 1031 Page 041

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Applicants:Niall R. Lynam et al.Scrial No.:10/817,645Page:15

### <u>REMARKS</u>

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

# STATUS OF THE CLAIMS:

Claims 60-117 are pending in the application. Claims 83 and 85 have been withdrawn from consideration. Claims 1-59 were previously canceled.

### TITLE:

Applicants submit herewith a Corrected Bibliographic Data Sheet showing the

corrected title, which reflects the change to the title submitted in the Preliminary Amendment

tiled April 2, 2004.

# CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

The Examiner rejects Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102, and 104-107

under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor

et al. \*046.

Applicants respectfully traverse. Notwithstanding, Applicants have amended

Claims 60 and 97 to more clearly define Applicants' invention, which now call for:

60. An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	16

said exterior sidevicw mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element and with a demarcation element between said first and second reflective elements, said first and second reflective elements abutting opposing sides of said demarcation element;

said second reflective element disposed at an <u>outboard</u>, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element; and

whercin <u>substantially</u> the <u>entire</u> portion of said second reflective element <u>that abuts</u> said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>whereby an image in the field of view of</u> <u>said second reflective element transitions to the field of view of</u> <u>said first reflective element smoothly</u>.

97. An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

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Page	:	17

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis, said second reflective element having a rearward field of view having a principal axis, said principal axis of said second reflective element angled downwardly with respect to the principal axis of said first reflective element when mounted in said exterior sideview mirror assembly; a demarcation element between said first reflective

clement and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein substantially the entire portion of said second reflective element abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element whereby an image in the field of view of said second reflective element transitions to the field of view of said first reflective element smoothly.

Applicants respectfully urge that none of Tobin, Holt, or Traynor discloses or

suggests the claimed combination. For example, with reference to Claim 60, none of Tobin, Holt,

or Traynor discloses or suggests an exterior side view mirror system that includes a first reflective

element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element,

which is positioned between the first and second reflective elements, and having its front surface

generally coplanar with the front surface of the first reflective element whereby an image in the

field of view of the second reflective element transitions to the field of view of the first reflective

element smoothly.

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	18



In contrast, Tobin discloses a mirror assembly that includes a flat reflective element and a portion of a spherical segment, preferably one half of a spherical segment, such that the peak of the convex section is flush with the front face 31 of the planar mirror 30. Therefore, as best seen in FIG. 2, the remaining portion of the convex section 32 is not coplanar with and in fact is recessed below the surface of the planar mirror 30. Nor does Holt or Traynor cure the deficiencies of Tobin. Therefore, even when combined, the references do not disclose or suggest the claimed combination.

With reference to Claim 76, Claim 76 further calls for the principal axis of the rearward field of view of the second reflective element to be directed generally outwardly and downwardly with respect to the principal axis of the first reflective element. Applicants respectfully urge that neither Tobin, Holt, nor Traynor discloses or suggests the claimed combination. In contrast, in each case, the second reflective element has a principal axis that is either aligned with or parallel to the principal axis of the second reflective element. Therefore,

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:19

none of the references disclose or suggest a principal axis of a second reflective element being directed generally outwardly and downwardly with respect to the principal axis of the first reflective

element.

With respect to Claim 77, Claim 77 further calls for the principal axis of the rearward field of view of the second reflective element to form a downward angle with respect to the longitudinal axis of the automobile in a range of 0.75° to about 5° when the principal axis of the first reflective element is generally parallel to the longitudinal axis of the automobile. Again, Applicants respectfully urge that this is neither taught nor suggested by the references alone or in combination.

With reference to Claim 97, Applicants respectfully urge that none of Tobin, Holt, or Traynor discloses or suggests an exterior side view mirror system that includes first and second reflective elements, with the rearward field of view of the first and second reflective elements each having a principal axis, with the principal axis of the rearward field of view of the second reflective element being downward relative to the principal axis of the rearward field of view of the first reflective element in combination with substantially the entire portion of the second reflective element abutting a demarcation element, which is located between the first and second elements, such that its front surface is generally coplanar with the front surface of the first reflective element whereby an image in the rearward field of view of the second reflective element transitions to the figures in the Tobin reference, the curved reflective element has a principal axis that is coplanar with the principal axis of the planar reflective element. Further, neither Holt nor Traynor remedies

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	20

the deficiencies of Tobin. Therefore, even when combined, the references do not teach or suggest the claimed combination.

With respect to Claims 92 and 95, reference is made to the remarks made in

reference to Claim 76.

With reference to Claims 102 and 104, Applicants refer the Examiner to the remarks made in reference to Claim 76.

Accordingly, Applicants respectfully submit that Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102, and 104-107 are patentably distinguishable over Tobin in view of Holt or Traynor or any other reference of record.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor et al. '046 and, further, in view of Enomoto '166 or Mizuta et al '302.

Claims 67, 68, and 84 depend from amended Claim 60 and, thus, incorporate the same limitations as amended Claim 60. Therefore, Applicants respectfully urge that Claims 67, 68, and 84 are patentable over Tobin in view of Holt or Traynor for at least the reasons set forth above in reference to Claim 60. Further, Applicants respectfully urge that neither Enomoto nor Mizuta remedies the deficiencies of Tobin, Holt, or Traynor. For example, neither Enomoto nor Mizuta discloses or suggests, for example, an exterior sideview mirror system that includes a first reflective element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element that is positioned between the first and second reflective elements and having its front surface generally

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Niall R. Lynam et al. 10/817,645 22

said second reflective element disposed at an outboard outer, upper portion of said reflective element assembly wherein at least a portion of said reflective element is disposed beneath said second reflective element at an outboard lower portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	21

coplanar with the front surface of the first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly. Therefore, Applicants respectfully submit that Claims 67, 68, and 84 are patentably distinguishable over Tobin in view of Holt, Traynor, Enomoto, Mizuta, or any other reference of record.

With reference to Claim 103, Claim 103 depends from amended Claim 97 and, thus,

incorporates the same limitations as amended Claim 97. Furthermore, Applicants respectfully

submit that neither Enomoto nor Mizuta cure the deficiencies of Tobin, Holt, or Traynor for at least

the reasons set forth above in reference to Claims 67, 68, and 84. Therefore, Applicants

respectfully urge that Claim 103 are patentably distinguishable over Tobin in view of Holt, Traynor,

Enomoto, or Mizuta or any other reference of record.

Claim 108 has been amended to more clearly Applicants' invention, which now

calls for:

An automobile exterior sideview mirror system

comprising: an exterior sideview mirror assembly adapted for attachment to a side of an automobile; said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature; an actuator operable to adjust the orientation of said reflective element assembly; <u>said first reflective element extending from an</u> <u>inboard side of said reflective element assembly</u>:

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	23

abutting a demarcation element, which is positioned between the first and second reflective elements, and having its front surface generally coplanar with the front surface of the first reflective element whereby the image in the field of view of the second reflective element transitions to the field of view with the first reflective element smoothly. Therefore, Applicants respectfully urge that Claim 108 and its dependent claims, namely Claims 109-117, are patentably distinguishable over Tobin in view of Holt, Traynor, Enomoto, or Mizuta or any other reference of record.

The Examiner rejects Claims 63, 77-82, 89-91, 93, 94, and 99 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor et al. '046 and, further, in view of Marhauer '770.

Claims 63, 77-82, 89-91, 93 and 94 are dependent upon amended Claim 60. Therefore, Applicants respectfully urge that Claim 63, 77-82, 89-91, 93 and 94 are patentably distinguishable over Tobin in view of Holt or Traynor for at least the reasons set forth above in reference to Claim 60. Further, Applicants respectfully submit that Marhauer does not cure the deficiencies of any of Tobin, Holt, or Traynor. For example, Marhaurer does not disclose or suggest an exterior sideview mirror system that includes a first reflective element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element that is positioned between the first and second reflective elements and having its front surface generally coplanar with the front surface of the first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly. Therefore, Applicants

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	24

respectfully submit that Claims 63, 77-82, 89-91, 93, and 94 are patentably distinguishable over Tobin in view of Holt, Traynor, or Marhauer or any other reference of record.

With respect to Claim 99, Claim 99 depends from amended Claim 97 and, thus, incorporates the same limitations as amended Claim 97. Further, Applicants respectfully submit that Marhauer does not cure the deficiencies of Tobin, Holt, or Traynor for at least the reasons set forth above. Therefore, Applicants respectfully submit that Claim 99 is patentably distinguishable over Tobin, in view of Holt, Traynor, or Marhauer.

The Examiner rejects Claims 86-88 under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 or Traynor et al. '046 and, further, in view of Bauer et al. '864 or Kanazawa '367.

Claim 86-88 are dependent upon amended Claim 60 and, thus, incorporate the same limitations as amended Claim 60. Further, Applicants respectfully submit that neither Bauer nor Kanazawa cures the deficiencies of Tobin, Holt, or Traynor. For example, neither Bauer nor Kanazawa discloses or suggests an exterior rearview mirror assembly with a first reflective element with a unit magnification and a second reflective element with a curvature, with substantially the entire portion of the second reflective element abutting a demarcation element, which is positioned between the first and second reflective element, and having its front surface generally coplanar with the front surface of the first reflective element whereby an image in the field of view of the second reflective element transitions to the field of view of the first reflective element smoothly.

Applicants, therefore, respectfully submit that Claims 86-88 are patentably distinguishable over

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:25

Tobin in view of Holt, Traynor, Bauer et al. or Kanazawa or in view of any other reference of

record.

In light of the above amendments and remarks, Applicants respectfully request

reconsideration of the present application and a Notice of Allowance of all claims.

Should the Examiner have any questions or comments, the Examiner is invited to

contact the undersigned at (616) 975-5506.

July 10, 2006

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@vglb.comi

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said second reflective element disposed at an outboard outer, upper portion of said reflective element assembly wherein at least a portion of said reflective element is disposed beneath said second reflective element at an outboard lower portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein <u>substantially</u> the <u>entire</u> portion of said second reflective element abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>whereby an image in the field of view of said</u> <u>second reflective element transitions to the field of view of the first</u> reflective element smoothly.

Applicants respectfully urge that none of Tobin, Holt, Traynor, Enomoto, and

Mizuta discloses or suggests the claimed combination. For example, none of the references discloses or suggests an exterior rearview mirror assembly that includes a reflective element assembly with a first reflective element having a unit magnification and a second reflective element having a curvature, with the first reflective element extending from an inboard side of the reflective element assembly to an outboard side of the reflective element assembly in combination with the second reflective element disposed at an outboard upper portion of the reflective element assembly wherein at least a portion of the first reflective is disposed beneath the second reflective element at an outboard lower portion of the reflective clement assembly and, further, in combination with substantially the entire portion of the second reflective element

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Applicant	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs	JOE 10 2000
Serial No.	:	10/817,645	
Filed	:	April 2, 2004	
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM	

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

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### CORRESPONDENCE INFORMATION

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APPLICATION INFORMATION

Title Line One:: AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYST Title Line Two:: EM Total Drawing Sheets:: 13 Formal Drawings?:: Yes Application Type:: Utility Docket Number:: DONO1 P-1148 Secrecy Order in Parent Appl.?:: No

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REPRESENTATIVE INFORMATION Representative Customer Number:: 28101 CONTINUITY INFORMATION This application is a:: CONTINUATION OF > Application One:: 09/745,172 Filing Date:: 12-20-2000 Patent Number:: 6,717,712 Which is a:: CONTINUATION IN PART OF >> Application Two:: 09/478,315 Filing Date:: 01-06-2000 Patent Number:: 6,522,451

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Examiner	:	Ricky D. Shafer	RECEIVED
Group	:	2872	CENTRAL FAX CENTER
Applicants	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs	E STOLINI CENTER
Scrial No.	:	10/817,645	1111 1 () 2006
Filed	:	April 2, 2004	JOL 10 2000
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM	

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

Dear Sir:

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Date of this Paper: July 10, 2006.

### PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. 1.136[a])

- 1. This is a petition for an extension of time to respond to the final Office Action mailed March 10, 2006, for a period of one month.
- 2. Applicant is:

a small entity

x other than small entity

3.	Exter (mon	nsion a <u>ths)</u>	Fee for other than small entity	Fee for small entity
	x	one month	\$120.00	\$60.00
		two months	\$450.00	\$225.00
		three months	\$1,020.00	\$510.00
4.	Апа	mendment:		

- x is filed herewith has been filed
- 5. Fee Payment:
  - Please charge the amount of \$120.00 and any additional fees required or credit any excess fee paid to Deposit Account No. 22-0190. A duplicate of this Petition is attached.

VAN DYKE, GARDNER, LINN & BURKHART, LLP

Catherine S. Collins Registration No. 37 599 2851 Charlevoix Drive, S.E. P.O. Box 888695 Grand Rapids, M1 49588-8695 (616) 975-5500

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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VAN DYKE,	GARDNER, LINN A	AND BURKHART, LLP	SHAFER,	RICKY D
P.O. BOX 8886	595		ART UNIT	PAPER NUMBER
GRAND RAPI	DS, MI 49588-8695		2872	
			DATE MAILED: 03/10/200	6

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

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	Application No.	Applicant(s)
	10/817.645	
Office Action Summary	Examiner	Art Unit
	Ricky D. Shafer	2872
The MAILING DATE of this communication	appears on the cover she	et with the correspondence address
Period for Reply	••	
<ul> <li>A SHORTENED STATUTORY PERIOD FOR REI WHICHEVER IS LONGER, FROM THE MAILING</li> <li>Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory peri- Failure to reply within the set or extended period for reply will, by sta Any reply received by the Office later than three months after the mi earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>	PLY IS SET TO EXPIRE DATE OF THIS COMM 1.136(a). In no event, however, n iod will apply and will expire SIX (6 tute, cause the application to becc ailing date of this communication, e	3 MONTH(S) OR THIRTY (30) DAYS, UNICATION. nay a reply be timely filed MONTHS from the mailing date of this communication. me ABANDONED (35 U.S.C. § 133). even if timely filed, may reduce any
Status		
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2a) This action is FINAL. $2b)$ T	Mance excent for formal	matters, prosecution as to the merits is
closed in accordance with the practice under	er Ex parte Quavle 1935	5 C D 11 453 O G 213
Disposition of Claims		
4)⊠ Claim(s) <u>60-117</u> is/are pending in the applic	ation.	
4a) Of the above claim(s) <u>83 and 85</u> is/are w	vithdrawn from considera	ation.
5) Claim(s) is/are allowed.		
6)⊠ Claim(s) <u>60-82,84 and 86-117</u> is/are rejecte	ed.	
7) Claim(s) is/are objected to.		
8) Claim(s) are subject to restriction and	d/or election requiremen	t.
Application Papers		
$\Omega$ The specification is objected to by the Exam	iner	
3) The specification is objected to by the Example $10$ The drawing(s) filed on $(s/are; a)$	accented or h) Objecte	d to by the Examiner
Applicant may not request that any objection to (	the drawing(s) he held in al	bevance See 37 CER 1 85(a)
Replacement drawing sheet(s) including the cor	rection is required if the dra	$p_{\text{wing}(s)}$ is objected to See 37 CFR 1 121(d)
11) The oath or declaration is objected to by the	Examiner Note the atta	ached Office Action or form PTO-152
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for fore	ign priority under 35 U.S	S.C. § 119 <u>(</u> a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:		
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### **DETAILED ACTION**

 A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/06/2006 has been entered.

2. The following is a quotation of 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 negatived by the manner in which the invention was made.

Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 are rejected under 35
 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view of Holt ('539) or Traynor et al ('046).

Tobin, Jr discloses an automobile exterior side view mirror system comprising an exterior side view mirror assembly (10) adapted for attachment to a side of an automobile; said exterior side view mirror assembly including a reflective element assembly (30,32); said reflective element assembly including a first reflective element (30) having unit magnification and a second reflective element (32) having a curvature; said first reflective element and said second reflective element supported at a support element (35), wherein said support includes a frame (20) and a backing plate (14); said second reflective element disposed at an outer, upper portion as well as the lower portion of said reflective element assembly when

said reflective element assembly is included in said exterior side view mirror assembly and when said exterior side view mirror assembly is attached to the side of an automobile; said second reflective element supported on said support element adjacent to and separate from said first reflective element; a demarcation element (40) of a dark (red) color adjacent said first reflective element and said second reflective element; and wherein the portion of said second reflective element adjacent said demarcation element has a front surface generally coplanar with the front surface of said first reflective element, wherein the second reflective element inherently includes a rearward field of view having a principal axis which is different from a principal axis of the rearward field of view of the first reflective element due to the convex characteristics of the second reflective element which generally extends the rearview field of view outwardly and downwardly with respect to a longitudinal axis of the automobile, note Fig. 4 along with the associated description thereof, except for the demarcation element being positioned between said first and second reflective elements in such a matter that said first and second reflective elements abuts opposing sides of said demarcation element.

Holt and Traynor et al each teach it is well known to employ a small gap between two adjacent mirrors and disposed within said gap a material which serves as a demarcation element in the same field of endeavor for the purpose of providing a clear dividing line and/or demarcation between said mirrors so as to provide a driver of a vehicle with two distinct and separate images, to avoid any possible confusion between the images.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mirror assembly of Tobin, Jr to include a gap or segment (demarcation element) between the first and second reflective elements, as taught by Holt or

Traynor et al, in order to provide a clear dividing line and/or demarcation between the first and second reflective elements in order to provide a driver of a vehicle with two separate and distinct images to avoid confusion between the images.

4. Claims 67, 68, 84, 103, 108-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view Holt ('539) or Traynor et al ('046) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 above, and further in view of Enomoto ('166) or Mizuta et al ('302).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for an electrical actuator to adjust the orientation of the reflective element assembly.

Enomoto and Mizuta et al each teach it well known to use electrically operated actuator(s) in the same field of endeavor for the purpose of adjusting the position and/or orientation of a reflective element.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflective element assembly of Tobin, Jr to include electrically operable actuator(s) as is well known and commonly used and employed in the mirror art, as taught by Oskam or Enomoto, in order to adjust the position and/or orientation of the reflective element assembly.

Moreover, it has been held that providing automatic means to replace manual activity, which accomplishes the same result, involves only routine skill in the art. Note <u>In Re Venner</u>, 120 USPQ 192.

As to the limitations of claim 84, it is well known to use breakaway exterior side view mirror assemblies in the same field of endeavor for the purpose of folding the position and/or orientation of a mirror.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the exterior side view mirror assembly of Tobin, Jr to include a break-away exterior side view mirror assembly, as is well known and commonly used and employed in the mirror art, in order to fold the position and/or orientation of the reflective element(s).

5. Claims 63, 77-82, 89-91, 93, 94 and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view Holt ('539) or Traynor et al ('046) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 above, and further in view of Marhauer ('770).

Tobin, Jr in view of Holt or Traynor et al discloses all of the subject matter claimed, note the above explanation, except for explicitly stating that the curved reflective element includes at least one radius of curvature in the range of about 4000 mm to about 100 mm.

Marhauer teaches it well known to select a curvature of a reflective element within the range recited by applicant in the same field of endeavor for the purpose of avoiding distortions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the curvature of the curved reflective element of Tobin, Jr to include a value, as taught by Marhauer, in order to avoid distortions.

Page 5

As to the limitations of claims 77-82, 89-91, 93 and 94, it is well known to use an a curved reflective element having downward and outward angles within the range recited by applicant in order to optimize and/or view a particular rearward field of view of interest.

Therefore, it would have been obvious and/or within the level of one of ordinary skill in the art at the time the invention was made to modify the curved reflective element of Tobin, Jr to include downward and outward angles within the range recited by applicant in order to optimize and/or view a particular rearward field of view of interest, based on user specifications.

Moreover, it would have been obvious to one of ordinary skill in the art at the time the invention was made to angle the curved reflective element of Tobin, Jr to the selected range(s) recited by applicant in order to view of particular rearward field of view of interest, since it has been held that where the general conditions of a claim are disclosed in the prior art or discovering an optimum or workable ranges involves only routine skill in the art. Note <u>In re</u> Aller, 105 USPQ 233 and <u>In re Boesch</u>, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Claims 86-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr
('952) in view Holt ('539) or Traynor et al ('046) as applied to claims 60-62, 64-66, 69-76, 92,
95-98, 100-102 and 104-107 above, and further in view of Bauer et al ('864) or Kanazawa
('367).

Tobin, Jr in view of Holt or Traynor et al discloses all of the subject matter claimed, note the above explanation, except for the reflective element(s) being a variable reflectance (electrochromic) element.

Bauer et al and Kanazawa each teach it well known to use electrochromic mirrors in exterior side view mirrors in the same field of endeavor for the purpose of providing variable reflectance and/or reducing glare

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflective element(s) of Tobin, Jr to include variable reflectance (electrochromic) element(s), as taught by Bauer et al or Kanazawa, in order to reduce glare.

 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.
 The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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).

RDS

RICKY D. SHAFEFI PATENT EXAMINER ART UNIT 259-2872

March 05, 2006

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U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

Notice of References Cited

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:16

assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element adjacent abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said</u> second reflective element abuts said demarcation element.

Applicants respectfully urge that neither of Tobin, Jr. nor Holt disclose or suggest

the claimed combination. With reference to Claims 60, for example, neither Tobin, Jr. nor Holt disclose or suggest and automobile exterior sideview mirror system that includes first and second reflective elements, which are supported at a support element so as to abut one another, with the first reflective element having a unit magnification and a second reflective element having a curvature, in combination with a demarcation element between the first and second reflective elements and wherein a portion of the second reflective element adjacent the demarcation element has its front surface generally coplanar with the front surface of the first reflective element abuts the first reflective element. Nor would it be obvious to modify Tobin, Jr. to meet the claimed combination.

Indeed, such as clearly indicated in Figure 2, which is reproduced below, Tobin Jr. teaches away from the claimed combination.

PAGE 1/3 \* RCVD AT 2/6/2006 3:47:15 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):01-18
Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:17



With respect to Claims 97 and 108, Applicants respectfully urge that neither Tobin, Jr. nor Holt disclose or suggest an exterior sidevice mirror system that includes first and second reflective elements, with the first reflective element having a unit magnification and a second reflective element having a curvature, in combination with a demarcation element between the first and second reflective elements with the first and second reflective clements abutting opposing sides of the demarcation element and wherein a portion of the second reflective element abutting the demarcation element has its front surface generally coplanar with the front surface of the first reflective element substantially long the entire length that the second reflective element abuts the demarcation element.

Accordingly, Applicants respectfully urge that Claims 60, 97, and 108 and their respective dependent claims, namely Claims 61-82, 84, 86-96, 98-107, and 109-117 are patentably distinguishable over Tobin, Jr. in view of Holt or any other reference of record. Furthermore, Applicants respectfully submit that none of Enomoto, Mizuta et al., Marhauer,

PAGE 2/3 \* RCVD AT 2/6/2006 3:47:15 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):01-18

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	18

Bauer et al., or Kanazawa cure the deficiencies of Tobin, Jr. or Holt. Accordingly, Applicants respectfully submit that all the claims are now in condition for allowance and solicit a Notice to that effect.

Should the Examiner have any questions or comments, the Examiner is invited to

contact the undersigned at (616) 975-5506.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

February 6, 20106

Date

CSC:lmsc

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@vglb.com

PAGE 3/3 \* RCVD AT 2/6/2006 3:47:15 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):01-18

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#### PATENT DON01 P-1148

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicants	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

#### AMENDMENT AFTER FINAL REJECTION (37 C.F.R. 1.116)

In response to the final Office Action mailed October 5, 2005, having a three-

month period of response ending January 5, 2006, Applicants wish to amend their application as follows:

PAGE 6/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:2

In the Claims:

Please amend Claims 60, 97, and 108 as follows:

1-59. (canceled)

60. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element <u>and with a demarcation element between said first and second reflective</u> <u>elements, said first and second reflective elements abutting opposing sides of said demarcation</u> element;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element <u>abutting said demarcation</u> element <del>abutting said first reflective element</del> has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said second</u> reflective element <u>abuts said demarcation element</u>.

PAGE 7/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	3

61. (previously presented) The exterior sideview mirror system of Claim 60, wherein said demarcation element is dark colored.

62. (previously presented) The exterior sideview mirror system of Claim 60, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

63. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

64. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

65. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

66. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element is mounted at said frame by a backing plate.

67. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is adapted to mount to an actuator operable to adjust the orientation of said reflective element assembly.

PAGE 8/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:4

68. (previously presented) The exterior sideview mirror system of Claim 67, wherein said actuator comprises an electrical actuator.

69. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element and said second reflective element are adjacently attached at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

70. (previously presented) The exterior sideview mirror system of Claim 69, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

71. (previously presented) The exterior sideview mirror system of Claim 69, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

72. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is attached at said frame by at least one of an adhesive attachment and a mechanical attachment.

73. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

74. (previously presented) The exterior sideview mirror system of Claim 73, wherein an opposed side of said frame forms a bezel around said first reflective element.

PAGE 9/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants	:	Niall R, Lynam et al.
Serial No.	:	10/817,645
Page	:	5

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75. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element includes a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly.

76. (previously presented) The exterior sideview mirror system of Claim 75, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

77. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of the rearward field of said second reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about 0.75° to about 5°.

78. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range from about 1.5° to about 3.5°.

79. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range of about 2° to about 3°.

80. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of said second reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about 0.75° to about 5°.

81. (previously presented) The exterior sideview mirror system of Claim 80, wherein said outward angle is in a range of about 1° to about 3°.

82. (previously presented) The exterior sideview mirror system of Claim 81, wherein said outward angle is in a range of about 1.25° to about 2.5°.

PAGE 10/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:6

83. (withdrawn) The exterior sideview mirror system of Claim 81, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

84. (previously presented) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

85. (withdrawn) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

86. (previously presented) The exterior sideview mirror system of Claim 60, wherein at least one of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

87. (previously presented) The exterior sideview mirror system of Claim 86, wherein each of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

88. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element comprises an electrochromic reflective element.

89. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis when supported on said support element, said second principal axis being angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

PAGE 11/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

P.12/23

Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	7

90. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

91. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

92. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is angled downwardly from a first principal axis of said first reflective element when supported on said support element.

93. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

94. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

95. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

96. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element includes a support surface for said second reflective element, said support surface angling a second principal axis of said second reflective element.

PAGE 12/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	8

97. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sidevice mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element adjacent abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said second reflective element abuts</u> said demarcation element.

98. (previously presented) The exterior sideview mirror system of Claim 97, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

PAGE 13/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	9

99. (previously presented) The exterior sideview mirror system of Claim 97, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

100. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a support element, said first reflective element and said second reflective element supported at said support element.

101. (previously presented) The exterior sideview mirror system of Claim 100, wherein said support element including a support surface for said second reflective element, said support surface angling said principal axis of said second reflective element.

102. (previously presented) The exterior sidevicw mirror system of Claim 101, wherein said principal axis of said second reflective element is directed generally outwardly and downwardly with respect to the longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

103. (previously presented) The exterior sideview mirror system of Claim 97, further comprising an actuator operable to adjust the orientation of said reflective element assembly.

104. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

105. (previously presented) The exterior sidevicw mirror system of Claim 97, wherein said principal axis of said second reflective element forms an outward angle with respect to a longitudinal axis of the automobile.

PAGE 14/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:10

106. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a frame, said first and second reflective elements being mounted at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

107. (previously presented) The exterior sideview mirror system of Claim 106, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

108. (currently amended) An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an

automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly; said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior

sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element adjacent abutting said demarcation element has its front surface generally coplanar with the front surface of said first

PAGE 15/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:11

reflective element substantially along the entire length that said second reflective element abuts said demarcation element.

109. (previously presented) The exterior sideview mirror system of Claim 108, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis being angled outwardly from said first principal axis.

110. (previously presented) The exterior sideview mirror system of Claim 109, wherein said second principal axis is angled downwardly from said first principal axis of said first reflective element.

111. (previously presented) The exterior sidevicw mirror system of Claim 110, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

112. (previously presented) The exterior sideview mirror system of Claim 110, further comprising a support element, said support element including a support surface for said second reflective element, said support surface angling said second principal axis of said second reflective element relative to said first principal axis.

113. (previously presented) The exterior sideview mirror system of Claim 112, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

114. (previously presented) The exterior sideview mirror system of Claim 113, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard

PAGE 16/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	12

position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

115. (previously presented) The exterior sideview mirror system of Claim 114, wherein said frame includes a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

116. (previously presented) The exterior sidevicw mirror system of Claim 115, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

117. (previously presented) The exterior sideview mirror system of Claim 116, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

PAGE 17/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Applicants:Niall R. Lynam et al.Scrial No.:10/817,645Page:13

#### <u>REMARKS</u>

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully requests reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered. Status of the Claims:

Claims 60-117 are pending in the application. Claims 83 and 85 have been withdrawn from consideration. Claims 1-59 were previously canceled.

#### Claim Rejections Under 35 U.S.C. § 103:

The Examiner rejects Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102, and 104-107 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of Enomoto '166 or Mizuta et al '302.

The Examiner rejects Claims 63, 77-82, 89-91, 93, 94, and 99 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of Marhauer '770.

The Examiner rejects Claims 86-88 under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr. '952 in view of Hold '539 and, further, in view of Bauer et al. '864 or Kanazawa '367.

PAGE 18/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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	Serial No.	: 10/817.645
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		Applicants respectfully traverse. Notwithstanding, Applicants have amended
•	Claims 60, 9'	7, and 108, which now call for:
		60. An automobile exterior sideview mirror system
		comprising:
1		an exterior sideview mirror assembly adapted for
		attachment to a side of an automobile;
;		said exterior sideview mirror assembly including a
:		reflective element assembly;
:		said reflective element assembly including a first
		reflective element having unit magnification and a second
i		reflective element having a curvature;
:		said first reflective element and said second
l.		reflective element supported at a support element and with a
		demarcation element between said first and second reflective
		elements, said first and second reflective elements abutting
		opposing sides of said demarcation element;
		said second reflective element disposed at an outer,
		upper portion of said reflective element assembly when said
;		reflective element assembly is included in said exterior sideview
		mirror assembly and when said exterior sideview mirror assembly
ł		is attached to the side of an automobile;
		said second reflective element supported on said
1		support element adjacent to and separate from said first reflective
		element:
1		a-demarcation-element between said first-reflective
ì		element and said second reflective element: and
		wherein the portion of said second reflective
		element abutting said demarcation element abutting said first
		reflective element has its front surface generally coplanar with the
		front surface of said first reflective element substantially along the
1		entire length that said second reflective element abuts demarcation
		element.
:		
		97. An automobile exterior sideview mirror system
		comprising:
:		an exterior sideview mirror assembly adapted for
•		attachment to a side of an automobile:
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PAGE 19/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Niall R. Lynam et al. Applicants 10/817,645 Scrial No. : Page • 15 said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature; said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile; said second reflective element disposed adjacent to and separate from said first reflective element; said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly; a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and wherein the portion of said second reflective element udjacent abutting said domarcation element has its front surface generally coplanar with the front surface of said first reflective element substantially along the entire length that said second reflective element abuts said demarcation element. An automobile exterior sideview mirror system 108.

comprising: an exterior sideview mirror assembly adapted for

attachment to a side of an automobile; said exterior sideview mirror assembly including a

reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror

PAGE 20/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

Niall R. Lynam et al.

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assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective clement and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element <u>adjacent abutting</u> said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said</u> second reflective element <u>abuts said demarcation element</u>.

Applicants respectfully urge that neither of Tobin, Jr. nor Holt disclose or suggest

the claimed combination. With reference to Claims 60, for example, neither Tobin, Jr. nor Holt disclose or suggest and automobile exterior sidevicw mirror system that includes first and second reflective elements, which are supported at a support element so as to abut one another, with the first reflective element having a unit magnification and a second reflective element having a curvature, in combination with a demarcation element between the first and second reflective elements and wherein a portion of the second reflective element adjacent the demarcation element has its front surface generally coplanar with the front surface of the first reflective element substantially along the entire length that the second reflective element abuts the first reflective element. Nor would it be obvious to modify Tobin, Jr. to meet the claimed combination.

Indeed, such as clearly indicated in Figure 2, which is reproduced below, Tobin Jr. teaches away from the claimed combination.

PAGE 21/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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 Applicants
 Niall R. Lynam et al.

 Serial No.
 10/817,645

 Page
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With respect to Claims 97 and 108, Applicants respectfully urge that neither Tobin, Jr. nor Holt disclose or suggest an exterior sideview mirror system that includes first and second reflective elements, with the first reflective element having a unit magnification and a second reflective element having a curvature, in combination with a demarcation element between the first and second reflective elements with the first and second reflective elements abutting opposing sides of the demarcation element and wherein a portion of the second reflective element abutting the demarcation element has its front surface generally coplanar with the first surface of the first reflective element substantially long the entire length that the second reflective element abuts the demarcation element.

Accordingly, Applicants respectfully urge that Claims 60, 97, and 108 and their respective dependent claims, namely Claims 61-82, 84, 86-96, 98-107, and 109-117 are patentably distinguishable over Tobin, Jr. in view of Holt or any other reference of record. Furthermore, Applicants respectfully submit that none of Enomoto, Mizuta et al., Marhauer,

PAGE 22/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-58

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Applicants:Niall R. Lynam et al.Scrial No.:10/817,645Page:18

Bauer et al., or Kanazawa cure the deficiencies of Tobin, Jr. or Holt. Accordingly, Applicants respectfully submit that all the claims are now in condition for allowance and solicit a Notice to

that effect.

Should the Examiner have any questions or comments, the Examiner is invited to

contact the undersigned at (616) 975-5506.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

February 6, 20106

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@vglb.com

Date

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/ Kequesi	Application Number	10/817,645	
for	Filing Date	April 2, 2004	
Continued Examination (RCE)	First Named Inventor	Niali R. Lyam	
I ransmittal Address to:	Art Lint	2872	
Mail Stop RCE Commissioner for Patents		Ricky D. Shat	er
P.O. Box 1450 Alexandria VA 22313-1450	Examiner Name	DON01 P-114	8
This is a Request for Continued Examination (RCE) Request for Continued Examination (RCE) practice under 37 1995, or to any design application. See Instruction Sheet for F	under 37 CFR 1.114 of the a CFR 1.114 does not apply to any u RCEs (not to be submitted to the U	bove-identifie tility or plant app SPTO) on page	d application. lication filed prior to June 2.
Submission required under 37 CFR 1.114 N amendments enclosed with the RCE will be entered in applicant does not wish to have any previously filed und amendment(s).     Previously submitted. If a final Office action i considered as a submission even if this box	lote: If the RCE is proper, any prev the order in which they were filed i entered amendment(s) entered, ap is outstanding, any amendments fil is not checked.	iously filed uner Inless applicant plicant must req ed after the final	tered amendments and instructs otherwise. If uest non-entry of such Office action may be
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<ul> <li>b.  Enclosed</li> <li>i.  Amendment/Reply</li> <li>ii.  Affidavit(s)/ Declaration(s)</li> </ul>	iii. 🗌 Informati iv. 🗌 Other	on Disclosure St	atement (IDS)
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#### PATENT DON01 P-1148

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicant	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

RESUBMISSION

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that the following papers are being facsimile transmitted to the Patent and

Trademark Office on the date shown below:

Petition and Fee for Extension of Time (in duplicate);

Request for Continued Examination (RCE) Transmittal (in duplicate); and

Amendment After Final Rejection (37 C.F.R. 1.116).

YOU SHOULD RECEIVE A TOTAL OF 2 PAGES INCLUDING THIS TRANSMITTAL.

<u>February 10</u>, 2006. Dated:

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:lmsc Enclosures

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#### PATENT DON01 P-1148

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicants	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450 RECEIVED CENTRAL FAX CENTER FEB 0 6 2006

Dear Sir:

### AMENDMENT AFTER FINAL REJECTION (37 C.F.R. 1.116)

In response to the final Office Action mailed October 5, 2005, having a three-

month period of response ending January 5, 2006, Applicants wish to amend their application as follows:

PAGE 6/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

FEB-06-2006 15:43 FROM: VGLB

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:2

# **BEST AVAILABLE COPY**

In the Claims:

Please amend Claims 60, 97, and 108 as follows:

1-59. (canceled)

60. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element <u>and with a demarcation element between said first and second reflective</u> <u>elements, said first and second reflective elements abutting opposing sides of said demarcation element;</u>

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element <u>abutting said demarcation</u> element <u>abutting said first reflective element</u> has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said second</u> <u>reflective element abuts said demarcation element</u>.

PAGE 7/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

P.8/23

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	3

61. (previously presented) The exterior sideview mirror system of Claim 60, wherein said demarcation element is dark colored.

62. (previously presented) The exterior sideview mirror system of Claim 60, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

63. (previously presented) The exterior sidevicw mirror system of Claim 60, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

64. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

65. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

66. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element is mounted at said frame by a backing plate.

67. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is adapted to mount to an actuator operable to adjust the orientation of said reflective element assembly.

PAGE 8/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	4

68. (previously presented) The exterior sideview mirror system of Claim 67, wherein said actuator comprises an electrical actuator.

69. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element and said second reflective element are adjacently attached at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

70. (previously presented) The exterior sideview mirror system of Claim 69, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

71. (previously presented) The exterior sideview mirror system of Claim 69, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

72. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is attached at said frame by at least one of an adhesive attachment and a mechanical attachment.

73. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

74. (previously presented) The exterior sideview mirror system of Claim 73, wherein an opposed side of said frame forms a bezel around said first reflective element.

PAGE 9/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	5

75. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element includes a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly.

76. (previously presented) The exterior sideview mirror system of Claim 75, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

77. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of the rearward field of said second reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about 0.75° to about 5°.

78. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range from about 1.5° to about 3.5°.

79. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range of about 2° to about 3°.

80. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of said second reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about 0.75° to about 5°.

81. (previously presented) The exterior sideview mirror system of Claim 80, wherein said outward angle is in a range of about 1° to about 3°.

82. (previously presented) The exterior sideview mirror system of Claim 81, wherein said outward angle is in a range of about  $1.25^{\circ}$  to about  $2.5^{\circ}$ .

PAGE 10/21 \* RCVD AT 2/6/2005 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	6

83. (withdrawn) The exterior sideview mirror system of Claim 81, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

84. (previously presented) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

85. (withdrawn) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

86. (previously presented) The exterior sideview mirror system of Claim 60, wherein at least one of said first reflective element comprises a variable reflectance reflective element.

87. (previously presented) The exterior sideview mirror system of Claim 86, wherein each of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

88. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element comprises an electrochromic reflective element.

89. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis when supported on said support element, said second principal axis being angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

PAGE 11/21 \* RCVD AT 2/6/2005 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	7

90. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

91. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

92. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is angled downwardly from a first principal axis of said first reflective element when supported on said support element.

93. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

94. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

95. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

96. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element includes a support surface for said second reflective element, said support surface angling a second principal axis of said second reflective element.

PAGE 12/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

P.13/23

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	8

97. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element adjacent abutting said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said second reflective element abuts</u> said demarcation element.

98. (previously presented) The exterior sideview mirror system of Claim 97, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

PAGE 13/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	9

99. (previously presented) The exterior sideview mirror system of Claim 97, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

100. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a support element, said first reflective element and said second reflective element supported at said support element.

101. (previously presented) The exterior sideview mirror system of Claim 100, wherein said support element including a support surface for said second reflective element, said support surface angling said principal axis of said second reflective element.

102. (previously presented) The exterior sideview mirror system of Claim 101, wherein said principal axis of said second reflective element is directed generally outwardly and downwardly with respect to the longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

103. (previously presented) The exterior sideview mirror system of Claim 97, further comprising an actuator operable to adjust the orientation of said reflective element assembly.

104. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

105. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of said second reflective element forms an outward angle with respect to a longitudinal axis of the automobile.

PAGE 14/21 \* RCVD AT 2/6/2005 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	10

106. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a frame, said first and second reflective elements being mounted at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

107. (previously presented) The exterior sideview mirror system of Claim 106, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

108. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly; said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

> an actuator operable to adjust the orientation of said reflective element assembly; said second reflective element disposed at an outer, upper portion of said

reflective element assembly is included in said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element adjacent abutting said demarcation element has its front surface generally coplanar with the front surface of said first

PAGE 15/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	11

reflective element substantially along the entire length that said second reflective element abuts said demarcation element.

109. (previously presented) The exterior sideview mirror system of Claim 108, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis, said second principal axis being angled outwardly from said first principal axis.

110. (previously presented) The exterior sideview mirror system of Claim 109, wherein said second principal axis is angled downwardly from said first principal axis of said first reflective element.

111. (previously presented) The exterior sideview mirror system of Claim 110, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

112. (previously presented) The exterior sideview mirror system of Claim 110, further comprising a support element, said support element including a support surface for said second reflective element, said support surface angling said second principal axis of said second reflective element relative to said first principal axis.

113. (previously presented) The exterior sideview mirror system of Claim 112, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

114. (previously presented) The exterior sideview mirror system of Claim 113, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard

PAGE 16/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	12

position with respect to said second reflective element when said exterior sidevice mirror assembly is mounted to an automobile.

115. (previously presented) The exterior sideview mirror system of Claim 114, wherein said frame includes a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

116. (previously presented) The exterior sideview mirror system of Claim 115, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

117. (previously presented) The exterior sideview mirror system of Claim 116, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

PAGE 17/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12
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#### **REMARKS**

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully requests reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered. Status of the Claims:

Claims 60-117 arc pending in the application. Claims 83 and 85 have been withdrawn from consideration. Claims 1-59 were previously canceled.

Claim Rejections Under 35 U.S.C. § 103:

The Examiner rejects Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102, and 104-107 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of Enomoto '166 or Mizuta et al '302.

The Examiner rejects Claims 63, 77-82, 89-91, 93, 94, and 99 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of Marhauer '770.

The Examiner rejects Claims 86-88 under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr. '952 in view of Hold '539 and, further, in view of Bauer et al. '864 or Kanazawa '367.

PAGE 18/21 \* RCVD AT 2/6/2006 3:39:00 PH [Eastern Standard Time] \* SVR: USPTO-EFXRF-6/29 \* DNIS: 2738300 \* CSID: 6169755505 \* DURATION (mm-ss): 05-12

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Serial No. Page	Niall R. Lynam et al. 10/817,645 14 BEST AVAILABLE COP
	Applicants respectfully traverse. Notwithstanding, Applicants have amended
Claims 60, 9	7, and 108, which now call for:
	60. An automobile exterior sideview mirror system
	comprising:
	an exterior sideview mirror assembly adapted for
	attachment to a side of an automobile;
	said exterior sidevicw mirror assembly including a
	reflective element assembly;
	said reflective element assembly including a first
	reflective element having unit magnification and a second
	reflective element having a curvature;
	said first relicctive element and said second
	reflective element supported at a support cicment and with a
	demarcation element between said first and second reflective
	cicments, said first and second reflective elements abutting
	opposing sides of said demarcation element;
	uppur portion of anid reflective element asposed at an outer,
	apper portion of said reflective element assembly when said
	mirror assembly and when said exterior sideview mirror assembly
	is attached to the side of an antomobile:
	is anached to the side of an automobile,
	Support element adjacent to and senarate from said first reflective
	element.
	element,
	element and said second reflective element- and
	wherein the portion of said second reflective
	element abutting said demarcation element abutting said first
	reflective element has its front surface generally coplanar with the
	front surface of said first reflective element substantially along the
	cntirc length that said second reflective element abuts demarcation
	element.
	97 An automobile exterior sidewiew mirror system
	comprising.
	winprising.
	AB CALCHOF SIDEVIEW INTERFECTION ADDICO 107

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#### : Niall R. Lynam et al. : 10/817,645 : 15

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said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element, said first and second reflective elements abutting opposing sides of said demarcation element; and

wherein the portion of said second reflective element <u>adjacent abutting</u> said demarcation element has its front surface generally coplanar with the front surface of said first reflective element <u>substantially along the entire length that said</u> second reflective element abuts said demarcation element.

108. An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror

PAGE 20/21 \* RCVD AT 2/6/2006 3:39:00 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-12

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Niall R. Lynam et al.

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assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and

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#### <u>Via Facsimile No. (571) 273-8300</u>

### PATENT DON01 P-1148

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED Examiner Ricky D. Shafer : CENTRAL FAX CENTER Group : 2872 FEB 0 6 2006 Applicant Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs : Serial No. : 10/817,645 ÷-Filed April 2, 2004 For ٠ AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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Dear Sir:

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that the following papers are being facsimile transmitted to the Patent and

Trademark Office on the date shown below:

Petition and Fee for Extension of Time (in duplicate);

Request for Continued Examination (RCE) Transmittal (in duplicate); and

Amendment After Final Rejection (37 C.F.R. 1.116).

YOU SHOULD RECEIVE A TOTAL OF 2 PAGES INCLUDING THIS TRANSMITTAL.

Dated: <u>Johnan, 10</u>, 2006.

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:Imsc Enclosures

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PATENT **DON01 P-1148** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ricky D. Shafer

2872

Examiner Group Applicants Serial No. Filed For

Dear Sir:

Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs 10/817,645 April 2, 2004 AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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TO: USPTO

Date of this Paper: February 6, 2006.

#### PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R, 1.136[a])

- 1. This is a polition for an extension of time to respond to the final Office Action mailed October 5, 2005, for a period of one month.
- 2. Applicant is:

-a small entity

х other than small entity

3.	Exter <u>(mon</u>	usion ( <u>hs)</u>	Fee for other than small entity	Fee for small <u>cnlity</u>
	x	one month	\$120.00	\$60.00
		two months	\$450.00	\$225.00
		three months	\$1,020.00	\$510.00
4.	An a	mendment:		
	x	is filed herewith		has been filed

- 5. Fee Payment:
  - х Please charge the amount of \$120.00 and any additional fees required or credit any excess fee paid to Deposit Account No. 22-0190. A duplicate of this Petition is attached.

VAN DYKE, GARDNER, LINN & BURKHART, LLP

Catherine S. Collins Registration No. 37 599 2851 Charlevoix Drive, S.E. P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

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#### PATENT **DON01 P-1148**

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner Group Applicants Serial No. Filed For

Dear Sir:

Ricky D. Shafer Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs 10/817,645 April 2, 2004 **AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM** 

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Date of this Paper: February 6, 2006.

TO:USPTO

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VAN DYKE, GARDNER, LINN & BURKHART, LLP

has been filed

Catherine S. Collins Registration No. 37 599 2851 Charlevoix Drive, S.E. P.O. Box 888695 Grand Rapids, M1 49588-8695 (616) 975-5500

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P.O. Box 1450	Examiner Name	NICKY D. SIN	
Alexandria, VA 22313-1450	Attorney Docket Number	er DON01 P-11	48
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Submission required under 37 CFR 1.114) Nor amendments enclosed with the RCE will be entered in the applicant does not wish to have any previously filed unen amendment(s).     a. Previously submitted. If a final Office action is a considered as a submission even if this box is     i. Consider the arguments in the Appear Bill. Other	te: If the RCE is proper, any pro- e order in which they were filed tered amendment(s) entered, a outstanding, any amendments not checked. rief or Reply Brief previously file iii. Informa iv. Other application is requested under ion shall not exceed 3 months; For other shall not exceed 3 months; For a by 37 CFR 1.114 when the F he following fees, any underpay I have enclosed a du	eviously filed unea I unless applicant applicant must rec filed after the fina ed on ad on ad on etion Disclosure Si  37 CFR 1.103(c) s under 37 CFR 1.17  RCE is filed, yment of fees, or of plicate copy of thi	Intered amendments and instructs otherwise. If juest non-entry of such I Office action may be tatement (IDS) for a (i) required) credit any overpayments, to s sheet.
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Mail Stop RCE Commissioner for Patents		Examiner Name	Ricky D. Sh	naler '
P.O. Box 1450 Alexandria, VA 22313-1450	Ē	Attorney Docket Nun	ber DON01 P-1	148
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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicants	÷	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

#### AMENDMENT AFTER FINAL REJECTION (37 C.F.R. 1.116)

In response to the final Office Action mailed October 5, 2005, having a three-

month period of response ending January 5, 2006, Applicants wish to amend their application as follows:

PAGE 6/23 \* RCVD AT 2/6/2006 3:59:13 PM [Eastern Standard Time] \* SVR:USPTO EFXRF 6/39 \* DNIS:2738300 \* CSID:6169755505 \* DURATION (mm-ss):05-68

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PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,645	04/02/2004	Niall R. Lynam	DON01 P-1148	2833
28101	10/05/2005		EXAM	INER
VAN DYKE, 2851 CHARL	, GARDNER, LINN AN EVOIX DRIVE S E	D BURKHART, LLP	SHAFER,	RICKY D
P.O. BOX 888	695		ART UNIT	PAPER NUMBER
	IDS MI 49588-8695		2872	

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

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	Application No.	Applicant(s)
	10/817.645	
Office Action Summary	Examiner	Art Unit
	Ricky D. Shafer	2872
The MAILING DATE of this communication app	pears on the cover sheet with the	e correspondence address
Period for Reply		
<ul> <li>A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If NO period for reply is specified above, the maximum statutory period</li> <li>Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>	Y IS SET TO EXPIRE <u>3</u> MONT ATE OF THIS COMMUNICATIO 36(a). In no event, however, may a reply be will apply and will expire SIX (6) MONTHS fro e, cause the application to become ABANDOI g date of this communication, even if timely fi	H(S) OR THIRTY (30) DAYS, ON. timely filed om the mailing date of this communication. NED (35 U.S.C. § 133). Iled, may reduce any
Status		
1) Responsive to communication(s) filed on <u>19 Ju</u>	uly 2005.	
2a)⊠ This action is <b>FINAL</b> . 2b)□ This	action is non-final.	
3) Since this application is in condition for allowa	nce except for formal matters, p	prosecution as to the merits is
closed in accordance with the practice under b	Ex parte Quayle, 1935 C.D. 11,	453 O.G. 213.
Disposition of Claims		
4)⊠ Claim(s) <u>60-117</u> is/are pending in the applicati	on.	
4a) Of the above claim(s) <u>83 and 85</u> is/are with	drawn from consideration.	
5) Claim(s) is/are allowed.		
6) Claim(s) <u>60-82,84 and 86-117</u> is/are rejected.	,	
7) Claim(s) is/are objected to.		
8) Claim(s) are subject to restriction and/c	or election requirement.	
Application Papers		
9) The specification is objected to by the Examine	er.	
10) The drawing(s) filed on is/are: a) acc	epted or b) Objected to by the	e Examiner.
Applicant may not request that any objection to the	drawing(s) be held in abeyance. S	See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correc	tion is required if the drawing(s) is	objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Ex	caminer. Note the attached Official	ce Action or form PTO-152.
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119	(a)-(d) or (f).
a) All b) Some c) None or:	a have been received	
2 Certified copies of the priority document	is have been received in Applic	ation No.
3 Copies of the certified copies of the prior	rity documents have been rece	ived in this National Stage
annication from the International Burea	u (PCT Rule 17 2(a))	ived in this National Stage
* See the attached detailed Office action for a list	of the certified copies not recei	ved.
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Attachment(s)		
2) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) [_] Interview Summa Paper No(s)/Mail	ary (F10-413) Date
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informa	al Patent Application (PTO-152)
Paper No(s)/Mail Date	6) [_] Other:	
U.S. Patent and Trademark Uffice PTOL-326 (Rev. 7-05) Office A	ction Summary	Part of Paper No./Mail Date 20051003

#### **DETAILED ACTION**

1. Applicant's arguments filed 07/19/2005 have been fully considered but they are not persuasive.

Applicant argues that the prior art to Tobin, Jr. does not disclose a reflective element assembly having a second reflective element being disposed at an outer, upper portion of the reflective element display.

The examiner is of the opinion that the second reflective element (32) of Tobin, Jr.

clearly has an outer, upper portion, as well as an outer, lower portion.

In addition, the examiner is of the opinion that the second reflective element has it's

front, (center/peak) portion "generally" coplanar with the front surface of the first reflective

element. See column 3, lines 42-48.

Moreover, the examiner is of the opinion that there is a demarcation element, represented

by element 40, between the first and second reflective elements.

2. The following is a quotation of 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 negatived by the manner in which the invention was made.

3. Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 are rejected under 35

U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view of Holt ('539).

Tobin, Jr discloses an automobile exterior side view mirror system comprising

an exterior side view mirror assembly (10) adapted for attachment to a side of an automobile;

said exterior side view mirror assembly including a reflective element assembly (30,32); said reflective element assembly including a first reflective element (30) having unit magnification and a second reflective element (32) having a curvature; said first reflective element and said second reflective element supported at a support element (35), wherein said support includes a frame (20) and a backing plate (14); said second reflective element disposed at an outer, upper portion as well as the lower portion of said reflective element assembly when said reflective element assembly is included in said exterior side view mirror assembly and when said exterior side view mirror assembly is attached to the side of an automobile; said second reflective element supported on said support element adjacent to and separate from said first reflective element; a demarcation element (40) of a dark (red) color adjacent said first reflective element and said second reflective element; and wherein the portion of said second reflective element adjacent said demarcation element has a front surface generally coplanar with the front surface of said first reflective element, wherein the second reflective element inherently includes a rearward field of view having a principal axis which is different from a principal axis of the rearward field of view of the first reflective element due to the convex characteristics of the second reflective element which generally extends the rearview field of view outwardly and downwardly with respect to a longitudinal axis of the automobile, note Fig. 4 along with the associated description thereof, except for the demarcation element positioned between first and second reflective elements.

Holt ('539) teaches it well known to use a segment of a perimeter (bezel) portion to serve as a demarcation element in the same field of endeavor for the purpose of providing a clear

dividing line and/or demarcation between first and second reflective elements so as to provide a driver of a vehicle with a two separate views.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the perimeter (bezel) portion of Tobin, Jr to include an segment (demarcation element) between the first and second reflective elements, as taught by Holt, in order to provide a clear dividing line and/or demarcation between the first and second reflective elements so as to provide a driver of a vehicle with a two separate views as well as increasing the over structural strength of the exterior side view mirror assembly.

4. Claims 67, 68, 84, 103, 108-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view Holt ('539) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 above, and further in view of Enomoto ('166) or Mizuta et al ('302).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for an electrical actuator to adjust the orientation of the reflective element assembly.

Enomoto ('166) and Mizuta et al ('302) each teach it well known to use electrically operated actuator(s) in the same field of endeavor for the purpose of adjusting the position and/or orientation of a reflective element.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflective element assembly of Tobin, Jr to include electrically operable actuator(s) as is well known and commonly used and employed in the mirror art, as

taught by Oskam or Enomoto, in order to adjust the position and/or orientation of the reflective element assembly.

Moreover, it has been held that providing automatic means to replace manual activity, which accomplishes the same result, involves only routine skill in the art. Note <u>In Re Venner</u>, 120 USPQ 192.

As to the limitations of claim 84, it is well known to use breakaway exterior side view mirror assemblies in the same field of endeavor for the purpose of folding the position and/or orientation of a mirror. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the exterior side view mirror assembly of Tobin, Jr to include a break-away exterior side view mirror assembly, as is well known and commonly used and employed in the mirror art, in order to fold the position and/or orientation of the reflective element(s).

 Claims 63, 77-82, 89-91, 93, 94 and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view Holt ('539) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 above, and further in view of Marhauer ('770).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for explicitly stating that the curved reflective element includes at least one radius of curvature in the range of about 4000 mm to about 100 mm.

Marhauer ('770) teaches it well known to select a curvature of a reflective element within the range recited by applicant in the same field of endeavor for the purpose of avoiding distortions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the curvature of the curved reflective element of Tobin, Jr to include a value, as taught by Marhauer, in order to avoid distortions.

As to the limitations of claims 77-82, 89-91, 93 and 94, it is well known to use an a curved reflective element having downward and outward angles within the range recited by applicant in order to optimize and/or view a particular rearward field of view of interest.

Therefore, it would have been obvious and/or within the level of one of ordinary skill in the art at the time the invention was made to modify the curved reflective element of Tobin, Jr to include downward and outward angles within the range recited by applicant in order to optimize and/or view a particular rearward field of view of interest, based on user specifications.

Moreover, it would have been obvious to one of ordinary skill in the art at the time the invention was made to angle the curved reflective element of Tobin, Jr to the selected range(s) recited by applicant in order to view of particular rearward field of view of interest, since it has been held that where the general conditions of a claim are disclosed in the prior art or discovering an optimum or workable ranges involves only routine skill in the art. Note <u>In re</u> Aller, 105 USPQ 233 and In re Boesch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Claims 86-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr
('952) in view Holt ('539) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104107 above, and further in view of Bauer et al ('864) or Kanazawa ('367).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for the reflective element(s) being a variable reflectance (electrochromic) element.

Bauer et al ('864) and Kanazawa ('367) each teach it well known to use electrochromic mirrors in exterior side view mirrors in the same field of endeavor for the purpose of providing variable reflectance and/or reducing glare

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflective element(s) of Tobin, Jr to include variable reflectance (electrochromic) element(s), as taught by Bauer et al or Kanazawa, in order to reduce glare.

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. 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).

RDS

October 02, 2005

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#### Via Facsimile No. (703) 872-9306

#### PATENT DON01 P-1148

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicant	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

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Dated: \_\_\_\_\_uly\_19\_\_\_ , 2005 ر

CSC:lmsc

Enclosures

Catherine S. Collins Van Dykc, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

JUL 2 0 2005

PAGE 1/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

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Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

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Page 133

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#### PATENT DON01 P-1148

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
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Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

#### SUBSTITUTE RESPONSE

In response to the Notice mailed June 29, 2005, having a one-month period of

response ending July 29, 2005, Applicants submit herewith a Substitute Response for the

Response filed on April 11, 2005, which corrects the deficiencies noted in the Office

Communication mailed June 29, 2005.

In response to the Office Action mailed January 12, 2005, having a threemonth period of response ending April 12, 2005, Applicants wish to amend their application as follows:

PAGE 3/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:2

In the Claims:

Please amend Claims 60, 97, and 108 as follows:

1-59. (canceled)

60. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective clement assembly including a first reflective clement having unit magnification and a second reflective clement having a curvature;

said first reflective element and said second reflective element supported at a support element;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its [[a]] front surface generally coplanar with the front surface of said first reflective element.

61. (previously presented) The exterior sideview mirror system of Claim 60, wherein said demarcation element is dark colored.

PAGE 4/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	3

62. (previously presented) The exterior sideview mirror system of Claim 60, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

63. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

64. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element comprises a frame, said first and second reflective clements being mounted at said frame.

65. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

66. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element is mounted at said frame by a backing plate.

67. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is adapted to mount to an actuator operable to adjust the orientation of said reflective element assembly.

68. (previously presented) The exterior sideview mirror system of Claim 67, wherein said actuator comprises an electrical actuator.

69. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element and said second reflective element are adjacently attached at said

PAGE 5/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants:Niall R. Lynam et al.Scrial No.:10/817,645Page:4

frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

70. (previously presented) The exterior sideview mirror system of Claim 69, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

71. (previously presented) The exterior sideview mirror system of Claim 69, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

72. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is attached at said frame by at least one of an adhesive attachment and a mechanical attachment.

73. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

74. (previously presented) The exterior sideview mirror system of Claim 73, wherein an opposed side of said frame forms a bezel around said first reflective element.

75. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element includes a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly.

PAGE 6/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

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Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	5

76. (previously presented) The exterior sideview mirror system of Claim 75, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

77. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of the rearward field of said second reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about  $0.75^\circ$  to about  $5^\circ$ .

78. (previously presented) The exterior sidevice mirror system of Claim 77, wherein said downward angle is in a range from about  $1.5^\circ$  to about  $3.5^\circ$ .

79. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range of about 2° to about 3°.

80. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of said second reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about  $0.75^\circ$  to about 5°.

81. (previously presented) The exterior sideview mirror system of Claim 80, wherein said outward angle is in a range of about 1° to about 3°.

82. (previously presented) The exterior sideview mirror system of Claim 81, wherein said outward angle is in a range of about 1.25° to about 2.5°.

83. (withdrawn) The exterior sideview mirror system of Claim 81, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

PAGE 7/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:6

84. (previously presented) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

85. (withdrawn) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

86. (previously presented) The exterior sideview mirror system of Claim 60, wherein at least one of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

87. (previously presented) The exterior sideview mirror system of Claim 86, wherein each of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

88. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element comprises an electrochromic reflective element.

89. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis when supported on said support element, said second principal axis being angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

90. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

PAGE 8/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants : Niall R. Lynam et al. Scrial No. : 10/817,645 Page : 7

91. (previously presented) The exterior sidevicw mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

92. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is angled downwardly from a first principal axis of said first reflective element when supported on said support element.

93. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

94. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

95. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

96. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element includes a support surface for said second reflective element, said support surface angling a second principal axis of said second reflective element.

97. (currently amended) An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an

automobile;

said exterior sideview mirror assembly including a reflective clement assembly;

PAGE 9/21 \* RCVD AT 7/19/2005 2:37:05 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:8

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its [[a]] front surface generally coplanar with the front surface of said first reflective element.

98. (previously presented) The exterior sideview mirror system of Claim 97, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

99. (previously presented) The exterior sideview mirror system of Claim 97, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

100. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a support element, said first reflective element and said second reflective element supported at said support element.

PAGE 10/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	9

101. (previously presented) The exterior sideview mirror system of Claim 100, wherein said support element including a support surface for said second reflective element, said support surface angling said principal axis of said second reflective element.

102. (previously presented) The exterior sideview mirror system of Claim 101, wherein said principal axis of said second reflective element is directed generally outwardly and downwardly with respect to the longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

103. (previously presented) The exterior sideview mirror system of Claim 97, further comprising an actuator operable to adjust the orientation of said reflective element assembly.

104. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

105. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of said second reflective element forms an outward angle with respect to a longitudinal axis of the automobile.

106. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a frame, said first and second reflective elements being mounted at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

107. (previously presented) The exterior sideview mirror system of Claim 106, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

PAGE 11/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	10

108. (currently amended) An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an automobile:

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its [[a]] front surface generally coplanar with the front surface of said first reflective element.

109. (previously presented) The exterior sideview mirror system of Claim 108, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis, said second principal axis being angled outwardly from said first principal axis.

110. (previously presented) The exterior sideview mirror system of Claim 109, wherein said second principal axis is angled downwardly from said first principal axis of said first reflective element.

PAGE 12/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:11

111. (previously presented) The exterior sideview mirror system of Claim 110, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

112. (previously presented) The exterior sideview mirror system of Claim 110, further comprising a support element, said support element including a support surface for said second reflective element, said support surface angling said second principal axis of said second reflective element relative to said first principal axis.

1.13. (previously presented) The exterior sideview mirror system of Claim 112, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

114. (previously presented) The exterior sideview mirror system of Claim 113, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

115. (previously presented) The exterior sideview mirror system of Claim 114, wherein said frame includes a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

116. (previously presented) The exterior sideview mirror system of Claim 115, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

PAGE 13/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52
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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:12

117. (previously presented) The exterior sideview mirror system of Claim 116, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

PAGE 14/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:13

#### REMARKS

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully requests reconsideration of the present application. No new matter has been entered.

#### **Double Patenting Rejection:**

The Examiner rejects Claims 60, 61, 64, 66-68, 72, 73, 75, 76, 84, 92, 95, 96, 97, 100-105, and 108-113 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 3 of U.S. Pat. No. 6,522,451. In response, Applicants respectfully submit herewith a Terminal Disclaimer, which is now believed to overcome the double patenting rejection. Accordingly, Applicants respectfully request that the double patenting rejection of Claims 60, 61, 64, 66-68, 72, 73, 75, 76, 84, 92, 95, 96, 97, 100-105, and 108-113 be reconsidered and withdrawn.

#### Status of the Claims:

Claims 60-117 are pending in the application. Claims 83 and 85 have been withdrawn from consideration as being drawn to a non-elected species. Claims 1-59 were previously canceled without prejudice. Claims 60, 97, and 108 have been amended as set forth above. All claims stand rejected.

## Claim Rejections:

The Examiner rejects Claims 60-62, 64-66,69-76, 92, 95-98, and 100-102 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539.

PAGE 15/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	14

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C.

§103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of Mizuta et al '302.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C.

§103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of

Marhauer '770.

Applicants respectfully traverse the rejections under 35 U.S.C. §103(a) for the

reasons set forth below.

Applicants have amended Claims 60, 97, and 108 to clarify the claimed

invention. Claim 60 ha been amended as follows:

An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support clement adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and wherein the portion of said second reflective

element adjacent said demarcation element has its front surface generally coplanar with the front surface of said first reflective element.

PAGE 16/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:15

Claims 97 and 108 have been similarly amended. Applicants respectfully urge that Tobin does not disclose or suggest the claimed combination, and that none of Holt '539, Mizuta et al. '302, and Marhauer '770 cures the deficiencies of Tobin. For example, Tobin does not disclose or suggest an exterior sideview system that includes a reflective element assembly with a first reflective element having unit magnification and a second reflective element having a curvature, with the first reflective element and the second reflective element supported at a support element, and with the second reflective element disposed at an outer, upper portion of the reflective element assembly and supported on the support element adjacent to and separate from the first reflective element with a demarcation element between the first reflective element and the second reflective element between



second reflective element adjacent the demarcation element has <u>its</u> front surface generally coplanar with the front surface of the first reflective element. In contrast, Tobin teaches that the "convex section 32 is coextensive with and abuts a side edge of the planar mirror section" (Col. 3, lines37-42). As clearly shown in FIG. 2 of the Tobin patent, which is reproduced below, the portion of the convex section 32 adjacent the planar mirror section does not have its front surface generally coplanar with the front surface of the planar mirror section. As

PAGE 17/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

6169755505

Applicants	:	Niall R. Lynam et al.
Serial No.	:	10/817,645
Page	:	16

such, Applicant respectfully urges that Tobin teaches away from the combination as clarified in the current amendment.

Accordingly, Applicants respectfully urge it would not be obvious to modify Tobin to meet the claimed combination. Further, even when combined the references do not teach or suggest all the limitations of the claimed combination. Applicants, therefore, respectfully submit that none of Tobin, Holt '539, Mizuta et al '302, and Marhauer '770 alone or in combination or in combination with any other references discloses, teaches, suggests or renders obvious any of the claims of the present invention. Reconsideration and withdrawal of the rejections of the claims is respectfully requested.

Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at (616) 975-5506.

PAGE 18/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dykc, Gardner, Linn & Burkhart, LLP

2005 19 July Date

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@velb.com

CSC:lmsc

P.19/21

#### <u>PATENT</u> DON01 P-1148

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicant	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Scrial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

#### TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION [37 CFR 1.321]

The undersigned disclaimant, Niall R. Lynam, is the Senior Vice President and Chief Technical Officer of the Assignee and represents that he is empowered to act on behalf of the Assignee identified below.

The Assignee of record, Donnelly Corporation, 414 East Fortieth Street, Holland, Michigan 49423 is the Assignee and owner of the entire right, title and interest in and to the above-identified application and invention. This application is a continuation of U.S. Pat. Application Ser. No. 09/745,172, filed Dec. 20, 2000, now U.S. Pat. No. 6,717,712, which his a continuation-in-part of application Serial No. 09/478,315, which was filed on January 16, 2000, and is now Pat. No. 6,522,451. The Assignment to Petitioner was recorded on February 21, 2002, at Reel 012577, Frame 0113. A copy of the Assignment is attached.

The Disclaimant states that the evidentiary document, namely the Assignment, bas been reviewed, and Disclaimant hereby certifies that, to the best of his knowledge and belief, title is in the Assignce seeking to take the below action.

The Assignce, Donnelly Corporation, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term, as presently shortened by any

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PAGE 19/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

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TO:USPTO

terminal disclaimer, of U.S. Pat. No. 6,522,451, which issued on February 18, 2003, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal fitle to said patent shall be the same as the legal title to U.S. Patent No. 6,522,451, this agreement to run with any patent on the above-identified application and to be binding upon the grantor, its successors or assignces:

Assignee does not disclaim the terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,522,451 in the event that it later: 1) expires for failure to pay a maintenance fee; 2) is held unenforceable or found invalid by a court of competent jurisdiction; 3) is statutorily disclaimed in whole or is found terminally disclaimed under 37 CFR 1.321(a); 4) has all claims canceled by a re-examination certificate; 5) is reissued; or 6) is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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 the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, as set under Section 1001, fittle 18, of the United States Code, and that such willful false statements may jcopardize the validity of the application or any patent issuing thereon.

#### DONNELLY CORPORATION

Date: Niall R. Lynam

Senior Vice President and Chief Technical Officer

PAGE 20/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):04-52

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#### ASSIGNMENT

WHEREAS, Niall R. Lynam, John O. Lindahl and Hahns Yoachim Fuchs, residing at 248 Foxdown, Holland, Michigan 49424; Forty South 7th Street, Fruitport, Michigan 49415; and Gartenstrasse 1A, Dorffrozelten, Germany 97904, respectively (hereinafter referred to as Assignors), have invented certain new and useful improvements in EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY for which an application for United States Letters Patent was executed on December 20, 2000, Serial No. 09/745,172.

WHEREAS, Donnelly Corporation, a corporation of the State of Michigan, having a place of business at 414 East Fortieth Street, Holland, Michigan 49423 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable considerations, Assignor hereby sells, assigns and transfers unto said Assignee the full and exclusive right, title and interest to the said invention in the United States and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and in any and all foreign countries and in and to any and all divisions, reissues, continuations, continuation-in-part, and extensions thereof including the full right to claim for any such applications the benefits of the International Convention.

Assignors hereby authorize and request the Patent Office Officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said Assignce as the owner of the entire right, title and interest in and to the same, for the sole use and behoof of said Assignee, its successors and assigns.

FURTHER, Assignors agree to communicate to said Assignee or its representatives any facts known to Assignors respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuation-in-part, substitution, renewal, and reissue applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said Assignee, make all rightful oaths and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce proper protection for said invention in the United States 27d in any and all foreign countries.

IN TESTIMONY WHEREOF, we have hereunto set our hands on the date appearing next to our signature.

Witness:

Inventors John O. J

Date:

\* TOTAL PAGE.07 \*\*

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PAGE 21/21 \* RCVD AT 7/19/2005 2:37:06 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/0 \* DNIS:8729308 \* CSID:6169755505 \* DURATION (mm-ss):04-52

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Application Number	Application/Control 1 10/817,645	No. Applicant(s)/Patent under Reexamination LYNARM ET AL.			
Document Code - DISQ	Inte	ernal Document – DO NOT MAII	Document – DO NOT MAIL		

TERMINAL DISCLAIMER		
Date Filed : 07/19/05	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by					
Tredelle Jackson 2800					
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U.S. Patent and Trademark Office

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	ed States Patent a	ND TRADEMARK OFFICE	UNITED STATES DEPAR United States Patent and Address: COMMISSIONER F P.O. Box 1450 Alexandria, Virginia 22: www.uspto.gov	TMENT OF COMMERCE Trademark Office OR PATENTS 513-1450		
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/817,645	04/02/2004	Niall R. Lynarm	DON01 P-1148	2833		
28101 75	90 06/29/2005		EXAM	INER		
VAN DYKE, GARDNER, LINN AND BURKHART, LLP			SHAFER, RICKY D			
2851 CHARLE	VOIX DRIVE, S.E.		ART UNIT	PAPER NUMBER		
GRAND RAPII	DS, MI 49588-8695		2872			
			DATE MAILED: 06/29/200	5		

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



UNITED STATES DEPARTMENT O	)F (	COMMERCE
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U.S. Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

20050627

PAPER

DATE MAILED:

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

#### See Attachment.

PTO-90C (Rev.04-03)

**Commissioner for Patents** 

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# Application/Control Number: 10/817,645 Art Unit: 2872

1. The reply filed on 04/11/2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant failed to reply to every ground of rejection in the prior Office action. Applicant failed to address and/or properly respond to the obviousness-type double patenting rejection (i.e. claims 60, 61, 64, 66-68, 72, 73, 75, 76, 84, 92, 95, 96, 97, 100-105 and 108-113), set forth as item 9, on pages 7 and 8 of the last Office action mailed on January 12, 2005. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.
The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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).

RDS

June 27, 2005

SMR USA Exhibit 1031 Page 157 APR-11-2005 16:01 FROM:

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TO:USPTO

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#### Via Facsimile No. (703) 872-9306

#### PATENT DON01 P-1148

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicants	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

#### RESPONSE

In response to the Office Action mailed January 12, 2005, having a three-

month period of response ending April 12, 2005, Applicants wish to amend their application

as follows:

PAGE 2/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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#### Via Facsimile No. (703) 872-9306

PATENT DON01 P-1148

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner	:	Ricky D. Shafer
Group	:	2872
Applicant	:	Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs
Serial No.	:	10/817,645
Filed	:	April 2, 2004
For	:	AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

#### CERTIFICATE OF FACSIMILE TRANSMISSION

#### I certify that the following papers are being facsimile transmitted to the Patent

and Trademark Office on the date shown below:

Response

# YOU SHOULD RECEIVE A TOTAL OF $\underline{(?)}$ pages

#### INCLUDING THIS TRANSMITTAL.

Dated: April 11 , 2005.

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:lmsc Enclosures

PAGE 1/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:2

In the Claims:

Please amend Claims 60, 97, and 108 as follows:

1-59. (canceled)

60. (currently amended) An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an

automobile;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its [[a]] front surface generally coplanar with the front surface of said first reflective element.

61. (previously presented) The exterior sideview mirror system of Claim 60, wherein said demarcation element is dark colored.

PAGE 3/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:3

62. (previously presented) The exterior sideview mirror system of Claim 60, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

63. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

64. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

65. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

66. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element is mounted at said frame by a backing plate.

67. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is adapted to mount to an actuator operable to adjust the orientation of said reflective element assembly.

68. (previously presented) The exterior sideview mirror system of Claim 67, wherein said actuator comprises an electrical actuator.

69. (previously presented) The exterior sideview mirror system of Claim 64, wherein said first reflective element and said second reflective element arc adjacently attached at said

PAGE 4/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:4

frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

70. (previously presented) The exterior sideview mirror system of Claim 69, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said lirst reflective element and said second reflective element.

71. (previously presented) The exterior sideview mirror system of Claim 69, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

72. (previously presented) The exterior sideview mirror system of Claim 64, wherein said second reflective element is attached at said frame by at least one of an adhesive attachment and a mechanical attachment.

73. (previously presented) The exterior sideview mirror system of Claim 66, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

74. (previously presented) The exterior sideview mirror system of Claim 73, wherein an opposed side of said frame forms a bezel around said first reflective element.

75. (previously presented) The exterior sideview mirror system of Claim 60, wherein said tirst reflective element includes a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly.

PAGE 5/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:5

76. (previously presented) The exterior sideview mirror system of Claim 75, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

77. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of the rearward field of said second reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about  $0.75^{\circ}$  to about  $5^{\circ}$ .

78. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range from about 1.5° to about 3.5°.

79. (previously presented) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range of about 2° to about 3°.

80. (previously presented) The exterior sideview mirror system of Claim 76, wherein said principal axis of said second reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about 0.75° to about 5°.

81. (previously presented) The exterior sideview mirror system of Claim 80, wherein said outward angle is in a range of about 1° to about 3°.

82. (previously presented) The exterior sideview mirror system of Claim 81, wherein said outward angle is in a range of about 1.25° to about 2.5°.

83. (withdrawn) The exterior sideview mirror system of Claim 81, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

PAGE 6/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:6

84. (previously presented) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

85. (withdrawn) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

86. (previously presented) The exterior sideview mirror system of Claim 60, wherein at least one of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

87. (previously presented) The exterior sideview mirror system of Claim 86, wherein each of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

88. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element comprises an electrochromic reflective element.

89. (previously presented) The exterior sideview mirror system of Claim 60, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis when supported on said support element, said second principal axis being angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

90. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

PAGE 7/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:7

91. (previously presented) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

92. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is angled downwardly from a first principal axis of said first reflective element when supported on said support element.

93. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

94. (previously presented) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

95. (previously presented) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

96. (previously presented) The exterior sideview mirror system of Claim 60, wherein said support element includes a support surface for said second reflective element, said support surface angling a second principal axis of said second reflective element.

97. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly;

PAGE 8/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:8

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its [[a]] front surface generally coplanar with the front surface of said first reflective element.

98. (previously presented) The exterior sideview mirror system of Claim 97, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

99. (previously presented) The exterior sideview mirror system of Claim 97, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

100. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a support element, said first reflective element and said second reflective element supported at said support element.

PAGE 9/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:9

101. (previously presented) The exterior sidevice mirror system of Claim 100, wherein said support element including a support surface for said second reflective element, said support surface angling said principal axis of said second reflective element.

102. (previously presented) The exterior sideview mirror system of Claim 101, wherein said principal axis of said second reflective element is directed generally outwardly and downwardly with respect to the longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

103. (previously presented) The exterior sideview mirror system of Claim 97, further comprising an actuator operable to adjust the orientation of said reflective element assembly.

104. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

105. (previously presented) The exterior sideview mirror system of Claim 97, wherein said principal axis of said second reflective element forms an outward angle with respect to a longitudinal axis of the automobile.

106. (previously presented) The exterior sideview mirror system of Claim 97, further comprising a frame, said first and second reflective elements being mounted at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

107. (previously presented) The exterior sideview mirror system of Claim 106, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

PAGE 10/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

P.10/17

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:10

108. (currently amended) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an

automobile;

said exterior sideview mirror assembly including a reflective element

assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its [[a]] front surface generally coplanar with the front surface of said first reflective element.

109. (previously presented) The exterior sideview mirror system of Claim 108, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis, said second principal axis being angled outwardly from said first principal axis.

110. (previously presented) The exterior sideview mirror system of Claim 109, wherein said second principal axis is angled downwardly from said first principal axis of said first reflective element.

PAGE 11/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:11

111. (previously presented) The exterior sideview mirror system of Claim 110, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

112. (previously presented) The exterior sideview mirror system of Claim 110, further comprising a support element, said support element including a support surface for said second reflective element, said support surface angling said second principal axis of said second reflective element relative to said first principal axis.

113. (previously presented) The exterior sideview mirror system of Claim 112, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

114. (previously presented) The exterior sideview mirror system of Claim 113, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

115. (previously presented) The exterior sideview mirror system of Claim 114, wherein said frame includes a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

116. (previously presented) The exterior sideview mirror system of Claim 115, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

PAGE 12/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:12

117. (previously presented) The exterior sideview mirror system of Claim 116, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

PAGE 13/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:13

#### <u>REMARKS</u>

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully requests reconsideration of the present application. No new matter has been entered.

Status of the Claims:

Claims 60-117 arc pending in the application. Claims 83 and 85 have been withdrawn from consideration as being drawn to a non-elected species. Claims 1-59 were previously canceled without prejudice. Claims 60, 97, and 108 have been amended as set forth above. All claims stand rejected.

Claim Rejections:

The Examiner rejects Claims 60-62, 64-66,69-76, 92, 95-98, and 100-102 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C.

\$103(a) as being unpatentable over Tobin, Jr. \*952 in view of Holt \*539 and, further, in view of Mizuta et al \*302.

The Examiner rejects Claims 67, 68, 84, 103, and 108-117 under 35 U.S.C. §103(a) as being unpatentable over Tobin, Jr. '952 in view of Holt '539 and, further, in view of Mathauer '770.

Applicants respectfully traverse the rejections under 35 U.S.C. §103(a) for the reasons set forth below.

PAGE 14/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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ApplicantsNiall R. Lynam et al.Serial No.10/817,645Page14

Applicants have amended Claims 60, 97, and 108 to clarify the claimed

invention. Claim 60 habeen amended as follows:

An automobile exterior sideview mirror system

comprising: an exterior sideview mirror assembly adapted for attachment to a side of an automobilc;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has its front surface generally coplanar with the front surface of said first reflective element.

Claims 97 and 108 have been similarly amended. Applicants respectfully urge

that Tobin does not disclose or suggest the claimed combination, and that none of Holt '539, Mizuta et al. '302, and Marhauer '770 cures the deficiencies of Tobin. For example, Tobin does not disclose or suggest an exterior sideview system that includes a reflective element assembly with a first reflective element having unit magnification and a second reflective element having a curvature, with the first reflective element and the second reflective element supported at a support element, and with the second reflective element disposed at an outer, upper portion of the reflective element assembly and supported on the support element

PAGE 15/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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Applicants	:	Niall R. Lynam et al.
Scrial No.	:	10/817,645
Page	:	15

adjacent to and separate from the first reflective element with a demarcation element between the first reflective element and the second reflective element and wherein the portion of the second reflective element adjacent the demarcation element has <u>its</u> front surface generally coplanar with the front surface of the first reflective element. In contrast, Tobin teaches that the "convex section 32 is coextensive with and abuts a side edge of the planar mirror section" (Col. 3, lines37-42). As clearly shown in FIG. 2 of the Tobin patent, which is reproduced below, the portion of the convex section 32 adjacent the planar mirror section does not have its front surface generally coplanar with the front surface of the planar mirror section. As such, Applicant respectfully urges that Tobin teaches away from the combination as clarified in the current amendment.



Accordingly, Applicants respectfully urge it would not be obvious to modify Tobin to meet the claimed combination. Further, even when combined the references do not teach or suggest all the limitations of the claimed combination. Applicants, therefore, respectfully submit that none of Tobin, Holt '539, Mizuta et al '302, and Marhauer '770 alone or in combination or in combination with any other references discloses, teaches, suggests or

PAGE 16/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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Applicants Niall R. Lynam et al. : Serial No. 10/817,645 : Page 16

renders obvious any of the claims of the present invention. Reconsideration and withdrawal of

the rejections of the claims is respectfully requested.

Should the Examiner have any questions or comments, the Examiner is invited

to contact the undersigned at (616) 975-5506.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

April 11, 2005

Date

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@vglb.com

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PAGE 17/17 \* RCVD AT 4/11/2005 3:59:02 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:6169755505 \* DURATION (mm-ss):03-48

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

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			Application No.		Applicant(s)
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<b>Office Action Sum</b>		ary	Examiner		Art Unit
			Ricky D. Shafer		2872
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A ST THE - Exter after - If the - If NO - Failu Any r earm	MAILING DATE OF THIS COI nsions of time may be available under the p SIX (6) MONTHS from the mailing date of period for reply specified above is less that period for reply is specified above, the mare to reply within the set or extended period reply received by the Office later than three and patent term adjustment. See 37 CFR 1.	KIOD FOR REFLY VIMUNICATION. provisions of 37 CFR 1.136 this communication. In thirty (30) days, a reply v iximum statutory period will d for reply will, by statute, c e months after the mailing o .704(b).	(a). In no event, however within the statutory mini apply and will expire S rause the application to late of this communicat	IRE <u>3</u> WONTH( rer, may a reply be tim num of thirty (30) days IX (6) MONTHS from i become ABANDONED ion, even if timely filed,	ely filed will be considered timely. the mailing date of this communication. 0 (35 U.S.C. § 133). may reduce any
Status					
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2a)	This action is FINAL.	2b) This a	action is non-fina	I	
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	closed in accordance with the	e practice under Ex	r parte Quayle, 1	935 C.D. 11, 45	3 O.G. 213.
Dispositi	ion of Claims				
4)⊠	Claim(s) 60-117 is/are pendir	ng in the application	n.		
•/23	4a) Of the above claim(s) 83 a	and 85 is/are withd	rawn from consi	deration.	
5)	Claim(s) is/are allowed	d.			
6)⊠	Claim(s) 60-82,84 and 86-11	7 is/are rejected.			
7)	Claim(s) is/are objecte	ed to.			
8)	Claim(s) are subject to	o restriction and/or	election requirer	nent.	
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### **DETAILED ACTION**

1. Applicant's election of species "B" in the reply filed on 10/22/2004 is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the

restriction requirement, the election has been treated as an election without traverse (MPEP

§ 818.03(a)).

Claims 83 and 85 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim.
Election was made without traverse in the reply filed on 10/22/2004.

3. The following is a quotation of 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 negatived by the manner in which the invention was made.

4. Claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 are rejected under 35

U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view of Holt ('539).

Tobin, Jr discloses an automobile exterior side view mirror system comprising an exterior side view mirror assembly (10) adapted for attachment to a side of an automobile; said exterior side view mirror assembly including a reflective element assembly (30,32); said reflective element assembly including a first reflective element (30) having unit magnification and a second reflective element (32) having a curvature; said first reflective element and said second reflective element supported at a support element (35), wherein said support includes a frame (20) and a backing plate (14); said second reflective element disposed

# Application/Control Number: 10/817,645 Art Unit: 2872

at an outer, upper portion as well as the lower portion of said reflective element assembly when said reflective element assembly is included in said exterior side view mirror assembly and when said exterior side view mirror assembly is attached to the side of an automobile; said second reflective element supported on said support element adjacent to and separate from said first reflective element; a demarcation element (40) of a dark (red) color adjacent said first reflective element and said second reflective element; and wherein the portion of said second reflective element adjacent said demarcation element has a front surface generally coplanar with the front surface of said first reflective element, wherein the second reflective element inherently includes a rearward field of view having a principal axis which is different from a principal axis of the second reflective element which generally extends the rearview field of view outwardly and downwardly with respect to a longitudinal axis of the automobile, note Fig. 4 along with the associated description thereof, except for the demarcation element positioned between first and second reflective elements.

Holt ('539) teaches it well known to use a segment of a perimeter (bezel) portion to serve as a demarcation element in the same field of endeavor for the purpose of providing a clear dividing line and/or demarcation between first and second reflective elements so as to provide a driver of a vehicle with a two separate views.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the perimeter (bezel) portion of Tobin, Jr to include an segment (demarcation element) between the first and second reflective elements, as taught by Holt, in order to provide a clear dividing line and/or demarcation between the first and second reflective
elements so as to provide a driver of a vehicle with a two separate views as well as increasing the over structural strength of the exterior side view mirror assembly.

Claims 67, 68, 84, 103, 108-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view Holt ('539) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 above, and further in view of Enomoto ('166) or Mizuta et al ('302).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for an electrical actuator to adjust the orientation of the reflective element assembly.

Enomoto ('166) and Mizuta et al ('302) each teach it well known to use electrically operated actuator(s) in the same field of endeavor for the purpose of adjusting the position and/or orientation of a reflective element.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflective element assembly of Tobin, Jr to include electrically operable actuator(s) as is well known and commonly used and employed in the mirror art, as taught by Oskam or Enomoto, in order to adjust the position and/or orientation of the reflective element assembly.

Moreover, it has been held that providing automatic means to replace manual activity, which accomplishes the same result, involves only routine skill in the art. Note <u>In Re Venner</u>, 120 USPQ 192.

As to the limitations of claim 84, it is well known to use breakaway exterior side view mirror assemblies in the same field of endeavor for the purpose of folding the position and/or

orientation of a mirror. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the exterior side view mirror assembly of Tobin, Jr to include a break-away exterior side view mirror assembly, as is well known and commonly used and employed in the mirror art, in order to fold the position and/or orientation of the reflective element(s).

Claims 63, 77-82, 89-91, 93, 94 and 99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr ('952) in view Holt ('539) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104-107 above, and further in view of Marhauer ('770).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for explicitly stating that the curved reflective element includes at least one radius of curvature in the range of about 4000 mm to about 100 mm.

Marhauer ('770) teaches it well known to select a curvature of a reflective element within the range recited by applicant in the same field of endeavor for the purpose of avoiding distortions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the curvature of the curved reflective element of Tobin, Jr to include a value, as taught by Marhauer, in order to avoid distortions.

As to the limitations of claims 77-82, 89-91, 93 and 94, it is well known to use an a curved reflective element having downward and outward angles within the range recited by applicant in order to optimize and/or view a particular rearward field of view of interest.

Therefore, it would have been obvious and/or within the level of one of ordinary skill in the art at the time the invention was made to modify the curved reflective element of Tobin, Jr to

include downward and outward angles within the range recited by applicant in order to optimize and/or view a particular rearward field of view of interest, based on user specifications.

Moreover, it would have been obvious to one of ordinary skill in the art at the time the invention was made to angle the curved reflective element of Tobin, Jr to the selected range(s) recited by applicant in order to view of particular rearward field of view of interest, since it has been held that where the general conditions of a claim are disclosed in the prior art or discovering an optimum or workable ranges involves only routine skill in the art. Note In re Aller, 105 USPQ 233 and In re Boesch., 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Claims 86-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tobin, Jr
('952) in view Holt ('539) as applied to claims 60-62, 64-66, 69-76, 92, 95-98, 100-102 and 104107 above, and further in view of Bauer et al ('864) or Kanazawa ('367).

Tobin, Jr in view of Holt discloses all of the subject matter claimed, note the above explanation, except for the reflective element(s) being a variable reflectance (electrochromic) element.

Bauer et al ('864) and Kanazawa ('367) each teach it well known to use electrochromic mirrors in exterior side view mirrors in the same field of endeavor for the purpose of providing variable reflectance and/or reducing glare

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the reflective element(s) of Tobin, Jr to include variable reflectance (electrochromic) element(s), as taught by Bauer et al or Kanazawa, in order to reduce glare.

8. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969). A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

9. Claims 60, 61, 64, 66-68, 72, 73, 75, 76, 84, 92, 95, 96, 97, 100-105 and 108-113 rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 3 of U.S. Patent No. 6,522,451.

U.S. Patent 6,522,451 to Lynam discloses all of the subject matter claimed, note claim 3, except for explicitly stating that the portion of the second reflective element adjacent the demarcation element has a front surface generally coplanar with the front surface of the first reflective element.

It well known to arrange the front surfaces of first and second reflective elements to be substantially coplanar in the same field of endeavor for the purpose of reducing distortions.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the front surfaces of the first and second reflective elements to be substantially coplanar, as is well known the mirror art, in order to reduce distortions.

As to the limitations of claim 68, it well known to use electrically-operated actuator(s) in the same field of endeavor for the purpose of adjusting the position and/or orientation of a reflective element.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the actuator of U.S. Patent 6,522,451 to Lynam to include electrically operable actuator(s) as is well known and commonly used and employed in the mirror art in order to adjust the position and/or orientation of the reflective element assembly.

Moreover, it has been held that providing automatic means to replace manual activity, which accomplishes the same result, involves only routine skill in the art. Note In Re Venner, 120 USPQ 192.

As to the limitations of claim 84, it is well known to use breakaway exterior side view mirror assemblies in the same field of endeavor for the purpose of folding the position and/or orientation of a mirror. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the exterior side view mirror assembly of U.S. Patent 6,522,451 to Lynam to include a break-away exterior side view mirror assembly, as is well known and commonly used and employed in the mirror art, in order to fold the position and/or orientation of the reflective element(s).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. 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).

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January 10, 2005

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SMR USA Exhibit 1031 Page 186

Notice of References Cited	Application/Control No. 10/817,645	Applicant(s)/ Reexamination LYNAM ET A	Applicant(s)/Patent Under Reexamination LYNAM ET AL.				
Notice of References Cited	Examiner	Art Unit					
	Ricky D. Shafer	2872	Page 1 of 1				
U.S. PATENT DOCUMENTS							

#### Document Number Country Code-Number-Kind Code Date \* Classification Name MM-YYYY US-2,890,539 06-1959 Holt Α -----US-4,306,770 12-1981 Marhauer, Friedrich 359/864 в US-4,555,166 11-1985 359/874 Enomoto, Masao С 318/567 US-4,727,302 02-1988 Mizuta et al. D Ε US-5,005,962 04-1991 Edelman, Karl W. 359/864 F US-6,717,712 04-2004 Lynam et al. 359/265 US-G . USн US-Т US-J USк US-L US-М

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\*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.

U.S. Patent and Trademark Office PTO-892 (Rev. 01-2001)

#### Notice of References Cited

Part of Paper No. 20050110

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO. SERIAL NO.				
(Rev. 2-32) PATENT AND TRADEMARK OFFICE	DON01 P-1148				
INFORMATION DISCLOSURE	APPLICANT(S) Niall R. Lynam, John O. Linda				
STATEMENT BY APPLICANT	Hahns Yoachim Fuchs				
(Use several sheets if necessary)	FILING DATE	GROUP			

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EXAMINER INITIAL		DOCUMENT NUMBER			ER		DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPRO- PRIATE		
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE	ATTY. DOCKET NO. SERIAL NO.					
(Rev. 2-32) PATENT AND TRADEMARK OFFICE	DON01 P-1148					
INFORMATION DISCLOSURE	APPLICANT(S) Niall R. Lyn	am, John O. Lindahl and				
STATEMENT BY APPLICANT	Hahns Yo	achim Fuchs				
(Use several sheets if necessary)	FILING DATE	GROUP				

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#### U.S. PATENT DOCUMENTS

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Part of Paper No. 20050110



Application No.	Applicant(s)
10/817,645	LYNAM ET AL.
Examiner	Art Unit
Ricky D. Shafer	2872

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Part of Paper No. 20050110

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#### Via Facsimile No. (703) 872-9318

#### PATENT DON01 P-1148

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ricky D. Shafer Examiner : 2872 Group : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs Applicant : 10/817,645 Serial No. : April 2, 2004 Filed : EXTERIOR MIRROR PLANO-AUXILIARY ; For REFLECTIVE ELEMENT ASSEMBLY

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

Dear Sir:

### CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that the following papers are being facsimile transmitted to the Patent

and Trademark Office on the date shown below:

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Dated: October 22, 2004.

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:lmsc Enclosures

PAGE 1/3\* RCVD AT 10/22/2004 4:29:26 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/6 \* DNIS:8729318 \* CSID:6169755505 \* DURATION (mm-ss):01-00

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#### PATENT DON01 P-1148

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:Ricky D. ShaferGroup:2872Applicant:Niall R. Lynam, John O. Lindahl, and Hahns Yoachim FuchsSerial No.:10/817,645Filed:April 2, 2004For:EXTERIOR MIRROR PLANO-AUXILIARY<br/>REFLECTIVE ELEMENT ASSEMBLY

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

Dear Sir:

#### ELECTION

In response to the Restriction Requirement mailed September 23, 2004, having

a one-month period of response ending October 23, 2004, Applicants wish to enter the

following election:

Applicants provisionally elect the break-away exterior sideview mirror

assembly species.

PAGE 2/3 \* RCVD AT 10/22/2004 4:29:26 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/6 \* DNIS:8729318 \* CSID:6169755505 \* DURATION (mm-ss):01-00

OCT-22-2004 16:31 FROM:

6169755505

Applicants:Niall R. Lynam et al.Serial No.:10/817,645Page:2

#### <u>remarks</u>

The Examiner requires election between three species, namely a fixedly attached exterior side view mirror assembly; a break-away exterior side view mirror assembly; and a power-folded exterior side view mirror assembly. As noted above, Applicants provisionally elect the break-away exterior side view mirror assembly for prosecution on the merits. The claims readable on the elected species include Claims 60-82 and 84 and 86-117. Furthermore, Applicants respectfully note that at least Claims 60-82 and 86-117 are generic to all the species. An early and favorable action on the merits is respectfully solicited.

Applicants respectfully advise the Examiner that an Information Disclosure Statement was submitted with the application when originally filed on April 2, 2004.

Should the Examiner have any questions or comments, the Examiner is invited to contact the undersigned at (616) 975-5506.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

Catherine S. Collins Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500 collins@vglb.com

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Date

October 22, 2004

PAGE 3/3\* RCVD AT 10/22/2004 4:29:26 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/6 \* DNIS:8729318 \* CSID:6169755505 \* DURATION (mm-ss):01-00

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,645	04/02/2004	Niall R. Lynarm	DON01 P-1148	2833
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VAN DYKE, GARDNER, LINN AND BURKHART, LLP			SHAFER,	RICKY D
P O BOX 888	101X DKIVE, S.E.		ART UNIT	PAPER NUMBER
GRAND RAPI	DS, MI 49588-8695		2872	
			DATE MAILED: 09/23/200	4

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

	Application No.	Applicant(s)
	10/817,645	LYNARM ET AL.
Office Action Summary	Examiner	Art Unit
	Ricky D. Shafer	2872
The MAILING DATE of this communication a Period for Reply	ppears on the cover sheet w	vith the correspondence address
A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a r - If NO period for reply is specified above, the maximum statutory peri - Failure to reply within the set or extended period for reply will, by stat Any reply received by the Office later than three months after the ma every date them adjustment See 37 CEP 1704/h	PLY IS SET TO EXPIRE <u>1</u> N. 1.136(a). In no event, however, may a eply within the statutory minimum of thi od will apply and will expire SIX (6) MO lute, cause the application to become A iling date of this communication, even i	NONTH(S) FROM reply be timely filed rty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133). timely filed, may reduce any
Status		
<ol> <li>1) Responsive to communication(s) filed on <u>02</u></li> <li>2a) This action is <b>FINAL</b>.</li> <li>2b) T</li> <li>3) Since this application is in condition for allow closed in accordance with the practice under</li> </ol>	<u>April 2004</u> . his action is non-final. vance except for formal mat r Ex parte Quayle, 1935 C.I	ters, prosecution as to the merits is D. 11, 453 O.G. 213.
Disposition of Claims		
<ul> <li>4) Claim(s) <u>60-117</u> is/are pending in the applic 4a) Of the above claim(s) is/are withd</li> <li>5) Claim(s) is/are allowed.</li> <li>6) Claim(s) is/are rejected.</li> <li>7) Claim(s) is/are objected to.</li> <li>8) Claim(s) <u>60-117</u> are subject to restriction an</li> </ul>	ation. rawn from consideration. d/or election requirement.	
Application Papers		
<ul> <li>9) The specification is objected to by the Examination 10) The drawing(s) filed on is/are: a) a Applicant may not request that any objection to the Replacement drawing sheet(s) including the corr</li> <li>11) The oath or declaration is objected to by the</li> </ul>	ner. ccepted or b) dbjected to ne drawing(s) be held in abeya ection is required if the drawing Examiner. Note the attache	by the Examiner. nce. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR 1.121(d). d Office Action or form PTO-152.
Priority under 35 U.S.C. § 119		
<ul> <li>12) Acknowledgment is made of a claim for forei</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority docume</li> <li>2. Certified copies of the priority docume</li> <li>3. Copies of the certified copies of the priority docume</li> <li>* See the attached detailed Office action for a lage</li> </ul>	gn priority under 35 U.S.C. ents have been received. ents have been received in <i>A</i> riority documents have been eau (PCT Rule 17.2(a)). ist of the certified copies no	§ 119(a)-(d) or (f). Application No n received in this National Stage t received.
Attachment(s) 1)  Notice of References Cited (PTO-892) 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/C Paper No(s)/Mail Date S. Patent and Trademark Office	4) Interview Paper No 08) 5) Notice of 6) Other:	Summary (PTO-413) (s)/Mail Date Informal Patent Application (PTO-152) 

SMR USA Exhibit 1031 Page 196 1. This application contains claims directed to the following patentably distinct species of the claimed invention:

A). The mirror assembly being a fixedly attached exterior side view mirror assembly;

B). The mirror assembly being a break-away exterior side view mirror assembly; and

C). The mirror assembly being a power-folded exterior side view mirror assembly.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, several claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP§ 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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).

RDS

September 20, 2004

Ruf D. Elof @ 2872



U.S. Patent and Trademark Office

Part of Paper No. 20040920



SMR USA Exhibit 1031 Page 200





#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs

For

EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

Mail Stop Patent Application Commissioner for Patents P.P. Box 1450 Alexandria VA 22313-1450

:

Dear Sir:

### REQUEST FOR FILING CONTINUATION APPLICATION UNDER 37 CFR 1.53(b)

This is a request for filing a continuation application under 37 CFR 1.53 of U.S. Pat. application Ser. No. 09/745,172, filed on Dec. 20, 2000, by Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs, entitled EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY, now U.S. Pat. No. 6,717,712, which is a continuation-in-part of U.S. Pat. application Ser. No. 09/478,315, filed January 6, 2000, now U.S. Pat. No. 6,522,451.

# 1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a copy of what is shown in my records to be the above-identified prior application, including the Declaration as originally filed (37 CFR 1.53). No amendments referred to in any Declaration filed to complete the prior application introduced new matter in that application.

The copy of the papers of the prior application as filed which is attached includes 31 pages of specification, 9 pages of claims (59 claims), 1 page of Abstract, 13 sheets of drawings, and signed Declaration and Power of Attorney.

### 2. <u>Amendments</u>

1

a

A Preliminary Amendment is enclosed including new Claims 60-117, which have been numbered consecutively beginning with the number next succeeding the last claim in the parent application.

#### 3. Patent Application Bibliographic Data Form

A copy of the Patent Application Bibliographic Data Form is enclosed.

### 4. <u>Filing Fee and Calculation</u>

Basic Fee		\$770.00
А	Additional Fees	
	Each independent claim in excess of three, times \$86.	\$.00
	Number of claims in excess of twenty, times \$18.00	\$684.00
	Filing multiple dependent claims per application \$280.00	\$.00
Т	otal Filing Fee	\$ <u>1,454.00</u>

A check in the amount of \$1,454.00 for the filing fee is enclosed herewith.

The Commissioner is hereby authorized to charge any fees which may be

required, or credit any overpayment to Deposit Account No. 22-0190.

The Commissioner is hereby authorized to charge the following fees during

the pendency of this application, or credit any overpayment, to Deposit Account No. 22-0190.

A duplicate copy of this sheet is enclosed.

- a) Any filing fees under 37 CFR 1.16 for presentation of extra claims for which full payment has not been tendered.
- b) Any patent application processing fees under 37 CFR 1.17 for which full payment has not been tendered.

#### 5. Drawings

Thirteen (13) sheets of drawings are enclosed and are copies of those filed in the parent application.

#### 6. <u>Disclosure Statement</u>

Applicants respectfully request that information cited in the prior parent application, Serial No. 09/745,172 be considered in the present application. A disclosure statement is enclosed along with copies of forms PTO-1449 listing all of the information from the prior parent application.

#### 7. Inventorship Statement

With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC 120, the inventors in this application are the same, namely, Niall R. Lynam, John O. Lindahl, and Hahns yoachim Fuchs.

#### 8. Assignment

The prior application is assigned to Donnelly Corporation, a corporation of the State of Michigan, located and doing business at 414 East Fortieth Street, Holland, Michigan 49423. That Assignment was recorded in the United States Patent and Trademark Office on February 12, 2002, at Reel 012577, Frame 0113.

#### 9. Power of Attorney

The original Power of Attorney in the parent application Serial No. 09/745,172 is to Van Dyke, Gardner, Linn & Burkhart, LLP and the individual attorneys and agents at said address, consisting of Daniel Van Dyke, Reg. No. 25 046; Donald S. Gardner, Reg. No. 25 975; Terence J. Linn, Reg. No. 30 283; Frederick S. Burkhart, Reg. No. 29 288; Catherine S. Collins, Reg. No. 37 599; Matthew L. Goska, Reg. No. 42 594; Anthony A. Bisulca, Reg. No. 40 913; and Timothy A. Flory, Reg. No. 42 540. Please address all future correspondence to:

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP 2851 Charlevoix Drive, S.E. P.O. Box 888695 Grand Rapids, MI 49588-8695 Ph: (616) 975-5500 Fax: (616) 975-5505

10. Verification

3

I hereby declare further 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 are 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 issuing thereon.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

April 2, 2004

Date

Catherine S. Collins Registration No. 37 599 2851 Charlevoix Drive, S.E. P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:lmsc

11-1

#### PATENT DON01 P-1148 Express Mail No. EL994418005US

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs

For : EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

Dear Sir:

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#### CERTIFICATE OF EXPRESS MAIL

I certify that the attached return postcard, Request for Filing Continuation

Application Under 37 CFR 1.53(b) (in duplicate); Patent Application Bibliographic Data

Form; a copy of the parent application as originally filed consisting of 31 pages of

Specification, 9 pages of Claims (59 claims), 1 page of Abstract, Declaration and Power of

Attorney, and 13 sheets of formal drawings (in duplicate); Preliminary Amendment;

Information Disclosure Sheet; Forms PTO-1449; and a check in the amount of \$1,454.00 for

the filing fee are being deposited with the United States Postal Service as Express Mail in an

envelope having Express Mail Label Number EL994418005US addressed to:

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

on <u>April 2</u>, 2004.

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:Imsc Enclosures





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I hereby declare further 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 are 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 issuing thereon.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhart, LLP

April 2, 2004

Date

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CSC:lmsc

11-1

#### PATENT DON01 P-1148 Express Mail No. EL994418005US

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs

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on <u>April 2</u>, 2004.

Catherine S. Collins Van Dyke, Gardner, Linn & Burkhart, LLP P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:Imsc Enclosures

#### EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

This is a continuation-in-part of U.S. Pat. application Ser. No. 09/478,315, filed Jan. 6, 2000, entitled "EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY", which is incorporated by reference herein in its entirety.

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# TECHNICAL FIELD AND BACKGROUND OF THE INVENTION

The present invention relates to exterior sideview mirror assemblies suitable for use on an automobile, and more specifically, to plano-auxiliary reflective element assemblies for use in automobile exterior sideview mirror assemblies.

- Automobiles are typically equipped with an interior rearview mirror assembly (adapted for providing a rearward field of view immediately rearward of the vehicle, typically principally in the road lane the vehicle is traveling in) and at least one exterior sideview mirror assembly attached to the side of the vehicle (typically adjacent a front side window portion). The exterior side view mirror assembly typically comprises a reflective element adapted to provide a rearward field of view of the side lane adjacent the vehicle so as to allow
- 15 the driver see whether a side approaching vehicle is present when the driver is contemplating a lane change. Conventionally, automobiles are equipped with a driver-side exterior mirror assembly and, very often, with a passenger-side exterior sideview mirror assembly mounted to the side of the automobile body opposite to that of the driver-side assembly. While the combination of an interior rearview mirror with a driver-side exterior mirror (and especially
- 20 in a three-mirror system comprising an interior rearview mirror with a driver-side exterior mirror and a passenger-side exterior mirror) works well in many driving situations, rear vision blind spots present a potential safety hazard while driving. A rear vision blind spot is an area adjacent the side of an automobile where a view of another vehicle (overtaking on that side) is not captured in the rearward field of view of the exterior mirror reflector on that side. This
- 25 presents a potential safety hazard as the driver, upon checking the view in the exterior sideview mirror and seeing no overtaking vehicle therein, may deem it safe to initiate a lane change, unaware that there is a vehicle immediately adjacent in a blind-spot of the exterior mirror reflector.

Various attempts have been made conventionally to minimize and/or eliminate exterior mirror blind-spots on vehicles. One approach is to make the exterior mirror reflector larger, and particularly wider with respect to the vehicle body. By increasing the width of the exterior mirror reflector, it has a wider field of view rearwards, and hence the reflector blind-

- 5 spot is reduced. While use of a wide exterior mirror reflector is an option for trucks, buses and commercial vehicles, increasing the width of the reflector used in an exterior sideview mirror assembly mounted on automobiles (such as sedans, station wagons, sports cars, convertibles, minivans, sports utility vehicles, pick-up trucks and similar passenger carrying automobiles) is often not an option. In such domestic automobiles, increasing the width of the
- 10 exterior mirror reflector increases the size of the exterior sideview mirror assembly with a concomitant increase in aerodynamic drag, increase in fuel consumption, increased difficulty in parking in tight parking spaces, and increased reflector vibration. Use of a non-flat, curved exterior mirror reflector is commonly used to increase rearward field of view without increasing reflector size.

15 While working well to increase field of view, use of a curved reflector (such as a convex, spherically-curved reflector) has disadvantages. The field of view rearward increases as the degree of curvature of the bent substrate increases (i.e., the field of view rearward increases as the radius of curvature of the bent substrate decreases). However, such wide-angle mirrors have non-unit magnification and distance perception rearward is distorted.

- For this reason, convex (spherically-bent) exterior mirror reflectors are required in some countries (such as the United States) to carry a safety warning "OBJECTS IN MIRROR ARE CLOSER THAN THEY APPEAR". Distance perception is particularly important for a driver-side exterior mirror. Indeed, Federal Vehicle Safety Standard No: 111 in the United States (the entire disclosure of which is hereby incorporated by reference herein) requires that
- 25 the driver-side exterior mirror reflector exhibit unit magnification, and places restrictions on the radius of curvature allowed for any bent passenger-side mirror as well as requiring a safety warning be placed thereon. As an improvement over spherically bent/convex mirror reflectors, aspherical or multiradius mirror reflectors (such as are disclosed in U.S. Pat. Nos. 4,449,786 and 5,724,187, the entire disclosures of which are hereby incorporated by reference
- 30 herein) have been developed. Such mirrors are widely used in Europe and Asia for both driver-side exterior mirror reflectors and for passenger-side exterior mirror reflectors. The aspherical or multiradius mirror reflectors typically have a less curved (larger radius of

curvature) reflective region that is inboard or closest to the driver when mounted on a vehicle and, usually separated by a demarcation line or the like, have a more curved (smaller radius of curvature) region that is outboard or farthest from the driver when mounted on a vehicle. However, such aspherical or multiradius reflectors do not have unit magnification and so cannot be used when unit magnification is mandated (such as by FMVSS 111, referenced

above).

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assembly.

To supplement a flat driver-side exterior mirror reflector, an auxiliary and separate bent reflector is sometimes incorporated into the driver-side exterior sideview mirror assembly. However, this is often not suitable for passenger automobiles because of the extra space required in the sideview mirror assembly to accommodate an auxiliary reflector element. Also, in most passenger automobiles, the position of the side view mirror reflector is adjustable by the driver (such as by a hand-adjust, or by a manually adjustable cable such as a Bowden cable or by an electrically operable actuator, as known in the art) in order to provide to that driver his or her desired rearward field of view, which ill-suits use of a

15 separate, auxiliary reflector. Likewise, addition of stick-on blind-spot mirror reflectors (such as are commonly sold in automotive parts stores and the like) onto an automobile exterior sideview mirror reflector has disadvantages, including obscuring field of view of the automobile mirror reflector and adding to mirror element vibration.

There is thus a need to provide an automobile exterior sideview reflective element, and particularly a driver-side automobile exterior sideview reflective element, that overcomes the disadvantages above and that provides the driver of the automobile with a distortion-free field of view with unit magnification that is supplemented with a wide-angle view of a side lane blind spot, and there is a need that this be provided in a unitary reflective element assembly module suitable to mount onto, and be adjusted by, the mirror reflector

25 adjustment mechanism (such as an electrically operated, motorized actuator) provided in the exterior sideview mirror assembly.

#### SUMMARY OF THE INVENTION

According to the present invention, an automobile exterior sideview mirror system includes an exterior sideview mirror assembly having a reflective element assembly. The reflective element assembly includes a first reflective element and a second reflective element, which together provide an increased field of view for the exterior side mirror

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In one form of the invention, an automobile exterior side mirror system includes an exterior side mirror assembly, which is adapted for attachment to a side of an automobile. The exterior sideview mirror assembly includes a reflective element assembly having a plano reflective element, which forms a first reflective element, and a multiradiused

reflective element which forms a second reflective element. The reflective element assembly is mounted to an actuator, which moves the reflective element assembly to position the rearward field of view of the reflective element assembly. The reflective element assembly further includes a frame element assembly to which the first and second reflective elements are mounted and which orients the second reflective element such that it has a viewing range
which spans outwardly and downwardly with respect to the first reflective element to thereby

provide an increased field of view for the exterior sideview mirror assembly.

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In one aspect, the first reflective element and the second reflective element are adjacently attached to the frame element assembly at a joint. The reflective element assembly further includes a demarcation element disposed at its joint to form a demarcation between the first and second reflective elements that is visible to the driver. In a further aspect, the frame element assembly includes a bezel portion which extends around the first reflective

element, with the demarcation element comprising a segment of the first bezel portion. In another aspect, the second reflective element comprises a bent glass

substrate with radii of curvature in the range of about 4000 mm to about 100 mm.

In yet another aspect, the frame element assembly includes a frame, with the first and second reflective elements being mounted in the frame. The multiradiused reflective element is mounted to the frame at an outboard position, with the plano reflective element being positioned adjacent the multiradiused reflective element and at an inboard position with respect to the multiradiused reflective element when the exterior side mirror assembly is

25 mounted to an automobile. In a further aspect, the plano reflective element is mounted to the frame by a backing plate, which is preferably adapted to mount to the actuator.

In other aspects, the first reflective element includes a rearward field of view having a principal axis, which is different from and angled to a principal axis of the rearward field of view of the second reflective element when the reflective element assembly is

30 mounted in the exterior sideview mirror assembly. The principal axis of the rearward field of view of the second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile when the exterior side mirror system is mounted to an automobile. For example, the principal axis of the rearward field of view of the second reflective element may form a downward angle with respect to the principal axis of the rearward field of view of the first reflective element in the range from about .75° to about 5°, or in a range of about 1.5° to about 3.5°, in a range of about 2° to about 3°.

In other aspects, the principal axis of the second reflective element forms an outward angle with respect to the principal axis of the rearward field of view of the first reflective element in a range of about 0.75° to about 5°, or in a range of about 1° to about 3°, or in a range of about 1.25° to about 2.5°.

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According to another form of the invention, an automobile exterior side mirror system includes an exterior side mirror assembly, which is adapted for attachment to a side of an automobile. The exterior side mirror assembly includes a mirror casing, a reflective element assembly, and an actuator. The reflective element assembly includes a frame element assembly, a first reflective element having a unit magnification, and a second reflective element having a multiradiused curvature. The frame element assembly mounts the first

reflective element and the second reflective element in the mirror casing and is adapted to mount to the actuator, which adjusts the orientation of the reflective element assembly. The first reflective element has a first rearward field of view with a first principal axis, and the second reflective element has a second rearward field of view with a second principal axis, with the second principal axis being angled outwardly and downwardly with respect to the first principal axis.

In one aspect, the second principal axis is angled outwardly from the first principal axis at an angle in a range of about  $0.75^{\circ}$  to about  $5^{\circ}$ , or in a range of approximately  $1^{\circ}$  to about  $3^{\circ}$ , or at an angle in a range of about  $1.25^{\circ}$  to about  $2.5^{\circ}$ .

In another aspect, the second principal axis is angled downwardly from the first principal axis at an angle in a range of approximately 0.75° to about 5°, or in a range of about 1.5° to about 3.5°, or at an angle in a range of about 2° to about 3°.

In another aspect, the frame includes a support surface for the second reflective element, with the support surface angling the second principal axis of the second reflective element.

In yet another form of the invention, an automobile exterior sideview mirror system includes an exterior sideview mirror assembly, which is adapted for attachment to a side of an automobile. The mirror assembly includes an actuator and a reflective element assembly. The reflective element assembly includes a frame element assembly, a first reflective element, and a second reflective element. The frame element assembly is adapted to mount to the actuator and includes a frame and a support surface for the second reflective element. The actuator adjusts the position of the reflective element assembly to thereby

5 adjust the viewing angle of the sideview mirror system. The support surface angles the second reflective element downwardly and forwardly of the first reflective element when the mirror assembly is mounted to an automobile whereby the second reflective element provides a viewing range which spans outwardly and downwardly with respect to the automobile to thereby provide an increased field of view for the exterior sideview mirror assembly.

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In one aspect, the support surface is provided by a plate element, for example a solid plate element or a foraminous plate element. In other aspects, the support surface is provided by a frame.

In further aspects, the frame includes a first bezel portion and a second bezel portion, with the first bezel portion extending around the first reflective element, and the

15 second bezel portion extending around the second reflective element. In one form, the second bezel portion is angled forwardly with respect to the first bezel portion when said exterior sideview mirror assembly is mounted to a side of an automobile.

In another aspect, the second reflective element is located outboard of the first reflective element.

These and other advantages, features, and modifications will become more apparent when reviewed in conjunction with the drawings and the detailed description which follows.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a perspective view of an automobile equipped with exterior sideview mirror assemblies according to this present invention;

FIG. 2 is a top plan partial fragmentary view of the driver's side exterior rearview mirror assembly of FIG. 1;

FIG. 3 is an enlarged sectional view of a plano-multiradius reflective element assembly of the mirror assembly in FIG. 2;

FIG. 4 is an enlarged sectional view of a demarcation element of the planomultiradius reflective element assembly of FIG. 3;
FIG. 5A-5H illustrate views of various locations for a plano reflective element and an auxiliary reflective element according to this present invention;

FIG. 6 is a sectional view of a second embodiment of a plano reflective element assembly according to the present invention including a demarcation element formed as a dividing wall in a backing plate element;

FIG. 6A is a cross-section taken along line XX of FIG.6;

FIG. 6B is a cross-sectional view taken along line YY of FIG.6;

FIG. 7 is a schematic of a third embodiment of a plano-auxiliary reflective element assembly according to this present invention;

FIG. 8 is a front elevation view of another embodiment of a plano reflective element assembly according to the present invention;

FIG. 9 is an exploded perspective view of the plano reflective element assembly of FIG. 8;

FIG. 10 is an end view of the plano reflective element assembly of FIG. 8 as viewed from line X-X of FIG. 8;

FIG. 11 is a top view of the plano reflective element assembly of FIG. 8 as viewed from line XI-XI of FIG. 8;

FIG. 12 is a schematic representation of the plano reflective element assembly of FIG. 8 illustrating the orientation of the reflective element;

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FIG. 13 is another schematic representation of the orientation of the reflective elements of the plano reflective element in FIG. 8;

FIG. 14 is a diagram illustrating the range of viewing of the reflective elements of the plano reflective element assembly of FIG. 8; and

FIG. 15 is a perspective view of another embodiment of an exterior rearview mirror system of the present invention.

## DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

As illustrated in FIG. 1, passenger automobile 10 (which may be a sedan, a station-wagon, a sports car, a convertible, a minivan, a sports utility vehicle, a pick-up truck or a similar passenger carrying non-commercial, personal transportation automobile) includes

30 an interior rearview mirror assembly 18 positioned within interior vehicle cabin 25. Interior vehicle cabin 25 further includes a steering wheel 16, a driver seat 20 positioned at

steering wheel 16, a front passenger seat 21 adjacent to driver seat 20 in the front portion of cabin 25, and a rear passenger seat 23 in the rear portion of cabin 25. Automobile 10 further includes a driver-side exterior sideview mirror assembly 12 and a passenger-side exterior sideview mirror assembly 12 and a passenger-side exterior sideview mirror assembly 14, each adapted for attachment to opposing sides of automobile

- 5 body 11, most preferably adjacent to the seating position of the driver seated in driver seat 20 for driver-side assembly 12 and adjacent to the front passenger seat 21 for passenger-side assembly 14. Exterior sideview mirrors, mounted as shown in FIG. 1 close to the driver seating location, are commonly referred to as door-mounted exterior sideview mirror assemblies. Driver-side exterior sideview mirror assembly 12 includes, as illustrated in FIG.
- 2, a plano-multiradius exterior sideview reflective element assembly 30. Plano-multiradius reflective element assembly 30 is mounted to a reflective element positioning actuator 36. The orientation of plano-multiradius reflective element assembly 30, and hence its rearward field of view, is adjustable by actuator 36 in response to control 37. Control 37 can comprise a handset control that allows the driver manually move the orientation of plano-multiradius
- 15 reflective element assembly 30 within exterior mirror housing 40 (such as by a lever control or by a cable control) and hence reposition the rearward field of view of plano-multiradius reflective element assembly 30. Alternately, when actuator 36 comprises an electrically actuated actuator that is electrically operable incorporating at least one motor, control 37 can comprise a switch (which, preferably, is operable under control of the driver seated in cabin
- 20 25) or control 37 can comprise a memory controller, as known in the automotive mirror art, that controls actuator 36 to move the position of plano-multiradius reflective element assembly 30 to a pre-set orientation that suits the rearward field of view preference of an individual driver. Actuator 36 is mounted to bracket 38 which attaches to vehicle body side 11. Plano-multiradius reflective element assembly 30 is positionable by actuator 36 within
   26 outprize mirror housing 40
- exterior mirror housing 40.

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Plano-multiradius reflective element assembly 30, as shown in FIG. 3, comprises a plano element 50 and a separate multiradius element 55. Preferably, plano element 50 is adjacent to multiradius element at a joint. At their joint, plano element 50 and separate multiradius element 55 can touch leaving substantially no gap or space therebetween,

30 or plano element 50 and separate multiradius element 55 can be spaced apart at their joint by a space or gap, as in FIG. 3. Plano element 50 and multiradius element 55 are both mounted to surface 59 of, and are both supported by, a single backing plate element 60. Plano element 50 and multiradius element 55 are demarcated apart by demarcation element 65. Surface 61 of backing plate element 60 is preferably adapted to attach, such as by attachment member 64, to actuator 36 when plano-multiradius reflective element assembly 30 is mounted in driver-side exterior sideview mirror assembly 12 (and/or in passenger-side exterior side view mirror

- 5 assembly 14) such that plano element 50 and multiradius element 55 are adjusted and positioned in tandem and simultaneously when the driver (or alternatively, when a mirror memory system, as is conventional in the rearview mirror arts) activates actuator 36 to reposition the rearward field of view of plano-multiradius reflective element assembly 30. Thus, since elements 50, 55 are part of plano-multiradius reflective element assembly 30,
- 10 movement of plano-multiradius reflective element assembly 30 by actuator 36 simultaneously and similarly moves plano element 50 and multiradius element 55.

Plano element 50 preferably comprises a flat reflector-coated glass substrate having unit magnification, and comprises a reflective surface through which the angular height and width of the image of an object is equal to the angular height and width of the

- object when viewed at the same distance (except for flaws that do not exceed normal manufacturing tolerances). Plano element 50 may comprise a conventional fixed reflectance mirror reflector or it may comprise a variable reflectance mirror reflector whose reflectivity is electrically adjustable. For example, plano element 50 may comprise a flat glass substrate coated with a metallic reflector coating such as a chromium coating, a titanium coating, a
- 20 rhodium coating, a metal alloy coating, a nickel-alloy coating, a silver coating, an aluminum coating (or any alloy or combination of these metal reflectors). The metal reflector coating of plano element 50 may be a first surface coating (such as on surface 66) or a second surface coating (such as on surface 67), as such terms are known in the mirror art. The reflector coating on plano element 50 may also comprise a dielectric coating, or a multilayer of
- 25 dielectric coatings, or a combination of a metal layer and a dielectric layer to form automotive mirror reflectors as known in the automotive mirror art. If a variable reflectance reflector element, plano element 50 preferably comprises an electro-optic reflector element and, most preferably, an electrochromic reflector element.

When mounted into exterior side view mirror assembly 12 and/or 14, planomultiradius reflective element assembly 30 is preferably orientated so that at least a portion of (more preferably a substantial portion of) the reflector surface of plano element 50 is positioned closer to the vehicle body (and hence to the driver) than any portion of the reflector surface of multiradius element 55. Thus, and referring to FIG. 3, side A of plano element 50 of plano-multiradius reflective element assembly 30 is positioned closer to the driver than side D of multiradius element 55 when plano-multiradius reflective element assembly 30 is mounted on an automobile. Also, when mounted into exterior side view mirror assembly 12 and/or 14, surfaces 66, 68 of plano-multiradius reflective element

assembly 30 face rearwardly in terms of the direction of vehicle travel.

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Multiradius element 55 of plano-multiradius reflective element assembly 30 preferably comprises a curved/bent mirrored glass substrate. The degree of curvature preferably increases (and hence the local radius of curvature decreases) across the surface of

multiradius element 55 with the least curvature (largest radius of curvature) occurring at the side of multiradius element 55 (side C in FIG. 3) positioned adjacent its joint to plano element 50 when both are mounted on backing plate element 60. Thus, and referring to FIG.
3, the local radius of curvature at side C of multiradius element 55, when mounted on backing plate element 60, is larger than at side D. Also, the local radius of curvature preferably

- 15 progressively decreases across multiradius element 55 from side C to side D. Preferably, the local radius of curvature at side C of multiradius element 55 is at least about 1000 mm; more preferably is at least about 2000 mm and most preferably is at least about 3000 mm whereas the local radius of curvature at side D of multiradius element 55 is, preferably, less than about 750 mm, more preferably less than about 350 mm; most preferably less than about 150 mm.
- 20 Preferably, multiradius element 55 comprises a bent glass substrate with radii of curvature in the range of from about 4000 mm to about 50 mm. The multiradius prescription for the multiradius element to be used in a particular exterior mirror assembly can vary according to the specific field of view needs on a specific automobile model.
- The total field of view rearwardly of the automobile of the plano-auxiliary reflective element assembly (which is a combination of the field of view of the plano reflective element and of the auxiliary reflective element) preferably generally subtends an angle of at least about 20° (and more preferably, generally subtends an angle of at least about 25° and most preferably, generally subtends an angle of at least about 25° and most preferably, generally subtends an angle of at least about 25° and most preferably, generally subtends an angle of at least about 30° with the plano-auxiliary reflective element assembly.
- 30 with the plano-auxiliary reflective element assembly.

Multiradius element 55 may comprise a conventional fixed reflectance mirror reflector or it may comprise a variable reflectance mirror reflector whose reflectivity is

electrically adjustable. For example, multiradius element 55 may comprise a flat glass substrate coated with a metallic reflector coating such as a chromium coating, a titanium coating, a rhodium coating, a metal alloy coating, a nickel-alloy coating, a silver coating, an aluminum coating (or any alloy or combination of these metal reflectors). The metal reflector

5 coating of multiradius element 55 may be a first surface coating (such as on surface 68) or a second surface coating (such as on surface 69), as such terms are known in the mirror art. The reflector coating on multiradius element 55 may also comprise a dielectric coating, or a multilayer of dielectric coatings, or a combination of a metal layer and a dielectric layer to form automotive mirror reflectors as known in the automotive mirror art. If a variable

10 reflectance reflector element, multiradius element 55 preferably comprises an electro-optic reflector element and, most preferably, an electrochromic reflector element.

Also, it is preferable that the thickness of plano element 50 and multiradius element 55 be substantially the same in dimension so that their respective outer surfaces, 66 and 68, are substantially coplanar so that a driver can readily view images in either or both

- 15 elements. The thickness dimension of elements 50, 55 is determined by the thickness of the substrate (or in the case of laminate-type electrochromic reflective elements, the thickness of the two substrates between which the electrochromic medium is disposed). For example, plano element 50 and/or multiradius element 55 can comprise a reflector coated glass substrate or panel of thickness preferably equal to or less than about 2.3 mm, more preferably
- 20 equal to or less than about 1.6 mm, most preferably equal to or less than about 1.1 mm. Use of a thinner substrate is beneficial in terms of improving the overall stability/vibration performance of the image seen in plano-multiradius reflective element assembly 30 when mounted to an automobile.
- The reflector area of plano element 50 is preferably larger than that of multiradius element 55. Preferably, the width dimension of plano element 50 is larger than the width dimension of multiradius element 55 (both width dimensions measured at their respective widest dimension and with the width of the respective element being gauged with the respective element oriented as it would be orientated when mounted on the automobile). Thus, and referring to FIG. 3, the distance from side A to side B of plano element 50 is larger
- 30 than the distance from side C to side D of multiradius element 55. Thus, the ratio of the width of plano element 50 to the width of multiradius element 55 is preferably greater than 1; more preferably greater than 1.5; most preferably greater than 2.5 in order to provide a large,

-11-

unit magnification plano element 50 as the principal rear viewing portion of planomultiradius reflective element assembly 30 and providing multiradius element 55 as a smaller, auxiliary, separate, wide-angle viewing portion of plano-multiradius reflective element assembly 30. For plano-multiradius reflective element assemblies to be mounted to the exterior sideview assemblies of passenger automobiles used non-commercially and for non-towing purpose, the width of plano element 50 (at its widest dimension) is preferably in the range of from about 50 mm to about 225 mm; more preferably in the range of from about 75 mm to about 175 mm; most preferably in the range of from about 100 mm to about 150 mm.

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Backing plate element 60 is preferably a rigid polymeric substrate capable of supporting plano element 50 and multiradius element 55. Backing plate element 60 comprises a flat portion (generally between E and F as shown in FIG. 3) that corresponds to and is aligned with plano element 50. Backing plate element 60 also comprises a curved portion (generally between G and H as shown in FIG. 3) that corresponds to and is aligned

- 15 with multiradius element 55. Preferably, curved portion G-H of multiradius element 55 is fabricated with a multiradius prescription that is substantially the same as the multiradius prescription of multiradius element 55. Backing plate element 60 is formed as a single element to which elements 50 and 55 are separately attached. Preferably, backing plate element 60 is formed by injection molding of a thermoplastic or a thermosetting polymer
- 20 resin. Materials suitable to use for backing plate element 60 include unfilled or filled polymeric materials such as glass and/or mineral filled nylon or glass and/or mineral filled polypropylene, ABS, polyurethane and similar polymeric materials. For example, backing plate element 60 can be formed of ABS in an injection molding operation. Plano element 50 can be cut from a stock lite of flat chromium mirror-coated 1.6 mm thick glass. Multiradius
- element 55 can be cut from a stock lite of multiradiusly-bent chromium mirror-coated 1.6 mm thick glass. Plano element 50 and multiradius element 55 can then be attached (such as by an adhesive attachment such as an adhesive pad or by mechanical attachment such by clips, fasteners or the like) to the already molded backing plate element 60. Alternatively, plano element 50 and multiradius element 55 can each by individually loaded into an injection
- 30 molding tool. Once loaded, a polymeric resin (or the monomers to form a polymeric resin) can be injected into the mold in order to integrally form backing plate element 60 with elements 50, 55 integrally molded thereto. Integral molding of the backing plate element to

plano element 50 and multiradius element 55 (along with any other elements such as the demarcation element 65) in a single integral molding operation, is a preferred fabrication process for plano-multiradius reflective element assembly 30.

Plano-multiradius reflective element assembly 30 further preferably includes demarcation element 65 that functions to delineate and demarcate the plano region of the assembly from the wide-angle, multiradius region and also preferably functions to prevent ingress of debris, dirt, water and similar contaminants (such as road splash, car wash spray, rain, snow, ice, leaves, bugs and similar items that plano-multiradius reflective element assembly 30 would be subject to when mounted and used on an automobile) into any gap

- between plano element 50 and multiradius element 55 when both are attached to backing plate element 60. Optionally, at least a portion of demarcation element 65 can be disposed in any gap between plano element 50 and multiradius element 55 at their joint on backing plate element 60. Preferably, demarcation element 65 is formed of a polymeric material that is dark colored (such as black or dark blue or dark brown or dark grey or a similar dark color)
- 15 such as a dark colored polypropylene resin or a dark colored nylon resin or a dark colored polyurethane resin or a dark colored polyvinyl chloride resin or a dark colored silicone material. Most preferably demarcation element 65 is formed of an at least partially elastomeric material (such as silicone, or EPDM, or plasticized PVC or the like) in order to provide a degree of vibration dampening for elements 50, 55. As shown in FIG. 4,
- 20 demarcation element 65 optionally includes a crown portion 70 that includes wing portions 73, 73'and a stem portion 71. Stem portion 71 preferably has a cross-sectional width CCC of less than about 4 mm, more preferably less than about 3 mm and, most preferably less than about 2 mm. Crown portion 70 preferably is dimensioned to not protrude substantially beyond surfaces 66, 68 of elements 50, 55 when demarcation element 65 is installed between
- elements 50 and 55. Also, wings 73, 73' are preferably dimensioned to protrude (most preferably slightly) onto surfaces 66, 68 of elements 50, 55 when demarcation element 65 is installed between elements 50 and 55 in order to provide a weather barrier seal and/or to at least partially accommodate any dimensional tolerances of elements 50, 55 that could lead to variation in the inter-element gap between sides C and B. While the demarcation element
- 30 shown in FIG. 4 is one embodiment, other constructions are possible including a demarcation element that has minimal or no crown portion. Likewise, a demarcation element can have little or no stem portion, especially when the joint between plano element 50 and multiradius

-13-

element 55 includes no gap to receive a stem. Also, where a gap at the plano to multiradius joint exists, any stem of the demarcation element can at least partially be disposed in such gap so as to at least partially fill the gap (or it can optionally substantially fill the gap). Optionally, demarcation element 65 is fabricated by injection molding of a polymeric resin.

- 5 After plano element 50 and multiradius element 55 have been attached to backing plate element 60, a separately formed demarcation element 65 can then be inserted (and secured such as by an adhesive or by a mechanical attachment such as by a fastener) into a space between elements 50 and 55. Note that, optionally, side B of plano element 50 and side C of multiradius element 55 can touch (leaving substantially no gap or space therebetween). In
- such a situation, demarcation element 65 can comprise a dark colored strip such as of a tape or of a plastic film that covers the joint between elements 50 and 55. Alternatively, demarcation element 65 can comprise a preferably dark-colored paint, lacquer, caulk or similar material that can be applied to, and that can preferably fill into, the joint between elements 50 and 55. The width of the portion of demarcation element 65 that is visible to the
- driver is preferably less than about 4 mm, more preferably less than about 3 mm and most preferably less than about 2 mm, but is equal to or greater than about 0.5 mm, more preferably is equal to or greater than about 0.75 mm, most preferably is equal to or greater than about 1 mm in order to provide adequate demarcation of the plano region from the multiradius radius region without unduly obscuring the rearward field of view of the
- 20 respective elements. Optionally, demarcation element 65 can be formed as part of backing plate element 60 such as by forming demarcation element 65 as a wall structure of the backing plate element that partitions backing plate element 60 into two regions: A first region adapted to receive plano reflective element 50 and a separate and adjacent second region adapted to receive multiradius reflective element 55.

25 Thus, and referring to FIG. 6, a second embodiment of plano-multiradius reflective element assembly 130 may include a backing plate element 160 which comprises a plate molded from a polymer resin (such as a polyolefin such as polypropylene or such as ABS or nylon) with a demarcation element 165 that is molded as a wall structure that partitions backing plate element 165 into a first region (from CC to BB) adapted to receive and accommodate plano reflective element 150 and into a second region (from RB to AA)

and accommodate plano reflective element 150 and into a second region (from BB to AA)
 adapted to receive and accommodate wide-angle optic multiradius reflective element 155.
 Note that section AA to BB of backing plate element 160 is angled to section BB to CC.

-14-

Such angling of the auxiliary reflective element relative to the plano element can be advantageous in allowing the auxiliary reflective element view a portion of the road adjacent the automobile that is in a blind spot of the plano reflective element. In this regard, it is preferable that the multiradius element be angled away from the plane of the plano element, as shown in FIG. 6 by the angling of section AA to BB to section BB to CC.

Preferably, demarcation element 65 is formed in an integral molding operation, along with formation of backing plate element 60, and attachment of elements 50, 55 thereto. For example, plano element 50 and multiradius element 55 can each by individually loaded into an injection molding tool. Once loaded, a polymeric resin (or the monomers to form a

polymeric resin) can be injected into the mold in order to integrally form backing plate element 60 with elements 50, 55 integrally molded thereto and, in the same molding operation and in the same tool, also form by molding the demarcation element. Integral molding of the backing plate element to plano element 50 and multiradius element 55 along with creation in the single molding operation of demarcation element 65 (along with any

other elements such as attachment member 64) in a single integral molding operation, is a preferred fabrication process for plano-multiradius reflective element assembly 30. By loading all the sub components of plano-multiradius reflective element assembly 30 into a molding tool, and then injecting polymeric resin to form the backing plate, demarcation member and any attachment member, a substantially complete or fully complete plano-

- 20 multiradius reflective element assembly can be unloaded from the tool at the completion of the integral molding operation (as known in the molding art), thus enabling economy in manufacturing and accommodation of any dimensional tolerances in the sub components. Where integral molding is so used, it is preferable to use a reactive molding operation such as reactive injection molding of a urethane as such reactive injection molding operations occur
- at relatively modest temperatures.

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accident.

Plano element 50 and/or multiradius element 55 can comprise a heater element, as known in the automotive mirror art, that is operable to deice/demist surfaces 66, 68. Such heater elements are conventional and can comprise a positive temperature coefficient heater pad, a resistive heater element and/or a conductive coating. Plano element 50 and/or multiradius element 55 can also optionally comprise a scatterproofing member, as known in the automotive mirror art, such as an adhesive tape, to enhance safety in an

-15-

Also, plano element 50 and/or multiradius element 55 can comprise a variable reflectance electro-optic element such as an electrochromic mirror reflector. Thus, both element 50 and element 55 can comprise an electrochromic mirror element or either of element 50 and element 55 can comprise an electrochromic mirror element and the other can

- 5 comprise a fixed reflectance non-variable reflectance mirror element such as a metal reflector coated glass panel such as a chromium coated glass substrate. Also, if both plano element 50 and multiradius element 55 comprise an electro-optic element such as an electrochromic mirror element capable of electrically dimmable reflectivity, both elements 50, 55 can dim together and in tandem under control of a common dimming control signal (typically
- provided by an electro-optic automatic dimming interior mirror assembly mounted in the cabin of the automobile and equipped with photosensors to detect incident glare and ambient light). Alternately, if both plano element 50 and multiradius element 55 comprise an electro-optic element such as an electrochromic mirror element capable of electrically dimmable reflectivity, element 50 can dim independently of element 55 (such as is disclosed in U.S. Pat.
- No. 5,550,677, the entire disclosure of which is hereby incorporated by reference herein). If either or both of elements 50, 55 comprise an electrochromic element, preferably, the electrochromic reflective element comprises a front substrate and a rear substrate with an electrochromic medium disposed between, such as a solid polymer matrix electrochromic medium such as is disclosed in U.S. Pat. application Ser. No. 09/350,930, filed July 12, 1999,
- 20 entitled "ELECTROCHROMIC POLYMERIC SOLID FILMS, MANUFACTURING ELECTROCHROMIC DEVICES USING SUCH FILMS, AND PROCESSES FOR MAKING SUCH SOLID FILMS AND DEVICES" to Desaraju V. Varaprasad et al., or such as is disclosed in U.S. Pat. Nos. 5,668,663; 5,724,187; 5,910,854; and 5,239,405, the entire disclosures of which are hereby incorporated by reference herein. Most preferably, in such
- 25 laminate-type electrochromic mirror reflective elements, the front substrate comprises a glass plate of thickness less than about 1.6 mm, most preferably about 1.1 mm thickness or lower, and the rear substrate comprises a glass plate of thickness equal to or greater than about 1.6 mm, more preferably greater than about 1.8 mm thickness, most preferably equal to or greater than about 2.0 mm thickness. The rearmost surface of the rear substrate (the fourth
- 30 surface as known in the mirror art) is reflector coated with a high reflecting metal film such as of aluminum or silver, or an alloy of aluminum or silver. Most preferably, the front-most surface of the rear substrate (the third surface as known in the mirror art) is reflector coated

-16-

with a high reflecting metal film such as of aluminum or silver, or an alloy of aluminum or silver.

Backing plate element 65 of plano-multiradius reflective element assembly 30 is optionally equipped on its rearmost surface with attachment member 64 to facilitate attachment to the reflector-positioning actuator of the exterior sideview mirror assembly that 5 plano-multiradius reflective element assembly 30 is mounted to. Attachment of planomultiradius reflective element assembly 30 to the actuator can be by mechanical attachment such as by a tab, clip or fastener, or may be by adhesive attachment such as by a silicone adhesive, a urethane adhesive or a similar adhesive material such as a tape coated on both 10 surfaces with a pressure sensitive adhesive to form a "double-sticky" tape. The exterior

sideview mirror assembly, on whose mirror reflector-positioning actuator the planomultiradius reflective element assembly is mounted, can be a fixedly attached exterior sideview mirror assembly, a break-away exterior sideview mirror assembly and a powerfold exterior sideview mirror assembly, as known in the automotive mirror art.

15 FIGS. 5A-5H shows various arrangements of multiradius reflective element 55 relative to its adjacent plano reflective element 50 (with demarcation element 65 disposed at their joint). In FIGS. 5A, 5B, 5C, 5E and 5F, plano element 50 is mounted wholly inboard of multiradius element 55. Thus, in FIGS. 5A, 5B, 5C, 5E and 5F, plano element 50 would be disposed closer to the vehicle body (and hence to the driver) than multiradius element 55 when plano-multiradius reflective element assembly 30 was mounted in an exterior sideview 20 mirror attached to a side of an automobile. Therefore, in FIGS. 5A, 5B, 5C, 5E and 5F, plano element 50 would be mounted inboard relative to the side of the automobile and multiradius element 55 would be mounted outboard relative to the side of the automobile. In general, the location of the multiradius reflective element in the outboard, upper portion of

- the plano-multiradius reflective element assembly, as in FIGS. 5B and 5E, is preferred as this 25 allows the plano portion provide a desired rearward field of view along the side of the vehicle. The configuration as shown in FIG. 5G (where the multiradius reflective element is along the inboard side of the assembly) is also desirable as this allows the driver view the side of the vehicle (something many drivers desire in order to have a frame of reference for their rearward field of view) while facilitating having a wide field of view for the plano portion.
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Unlike trucks, busses and commercial vehicles the size of an exterior sideview mirror assembly suitable for use on an automobile (and especially when the automobile is not

-17-

towing a trailer or the like) is restricted. Automobiles generally are non-commercial vehicles intended for personal transportation. Automobiles typically carry 5 passengers or less, although minivans and large sports utility vehicles (which are classified herein as automobiles) can have seat accommodation for up to 10 passengers (although accommodation

- 5 for 7 passengers or less is more common). The tandem mounting of a plano element of unit magnification and a separate auxiliary element onto a common, single backing plate element, and the mounting of this backing plate element onto an actuator of an exterior sideview mirror assembly so that a driver can simultaneously and similarly move the auxiliary element and the plano element so as to position their respective rearward fields of view, and to
- 10 achieve this within the relatively restricted space available in a standard automobile-sized exterior sideview mirror assembly is an important element of this present invention. By utilizing a plano element of unit magnification in the plano-multiradius reflective element assembly, and by sizing the reflector area of the plano element larger than the reflector area of the multiradius element and, preferably, by sizing the reflector area of the plano element at a
- 15 sufficiently large size that the rearward field of view provided by the plano element alone meets and satisfies the minimum field of view requirement mandated by an automaker specification and/or a government regulation, the need to provide a safety warning indicia such as "OBJECTS IN MIRROR ARE CLOSER THAN THEY APPEAR" in the plano element and/or in the multiradius element can be obviated. Preferably, the plano element
- 20 comprises a reflector surface area of a size sufficient, when mounted as part of a planomultiradius reflective element assembly in a driver-side exterior sideview mirror assembly on an automobile, to provide the driver of the automobile a view of a level road surface extending to the horizon from a line, perpendicular to a longitudinal plane tangent to the driver's side of the automobile at the widest point, extending 8 feet out from the tangent plane
- 25 35 feet behind the driver's eyes (at a nominal location appropriate for any 95th percentile male driver or at the driver's eye reference points established in Federal Motor Vehicle Standard No. 104), with the driver seated in the driver's seat and with the driver's seat in the rearmost position. Also, preferably, the aspect ratio of the plano-multiradius reflective element assembly (defined as the ratio of its largest vertical dimension to its largest horizontal
- 30 dimension, measured with the plano-multiradius reflective element assembly oriented as it would be oriented when mounted in an exterior sideview mirror assembly on an automobile, and with "horizontal" being generally parallel with the road surface the automobile travels on

-18-

and "vertical" being generally perpendicular to the road surface the automobile travels on) is preferably less than 1, more preferably less than 0.8, most preferably less than 0.6. Further, it is preferable that the multiradius element be disposed outboard (relative to the side of the vehicle and with the plano-multiradius reflective element assembly oriented as it would be

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5 when mounted in an exterior sideview mirror assembly on an automobile) on the planomultiradius reflective element assembly so that the multiradius element is positioned to provide an auxiliary, wide-angle view of a "blind-spot" region in an adjacent sidelane while the more inboard-disposed plano element with unit magnification provides the principal sideview image to the driver.

Also, it is preferable that the principal axis of the rearward field of view of the multiradius element be different from and angled to the principal axis of the rearward field of view of the plano element when both are attached to the backing plate element of the plano-multiradius reflective element assembly and when the plano-multiradius reflective element assembly is mounted and operated in an exterior sideview mirror assembly on an automobile.

- 15 Preferably, the principal axis of the rearward field of view of the plano element is directed generally parallel to the road that the automobile equipped with the plano-multiradius reflective element assembly is travelling on (i.e. generally parallel to the longitudinal axis of the automobile) so as to provide the driver with a long-distance view of approaching vehicles in the side lane that the plano element views). However, preferably the principal axis of the
- 20 rearward field of view of the multiradius element of, for example, a door-mounted driver-side (or passenger-side) exterior sideview mirror assembly in which the plano-multiradius reflective element assembly is mounted is directed generally downwardly towards the road surface adjacent to the driver seating location and/or several feet (such as about 1 foot to about 24 feet; more preferably, about 1 foot to about 12 feet; most preferably about 1 foot to
- about 8 feet in distance) to its rear (in order to capture a field of view of a rear approaching vehicle that is approaching to overtake, or is about to overtake, or is overtaking the automobile equipped with the plano-multiradius reflective element assembly). Thus, preferably, the principal axis of the rearward field of view of the multiradius element is angled and directed generally downwardly with respect to the longitudinal axis of the
- 30 automobile and thus is at an angle to the principal axis of the rearward field of view of the plano element. For example, multiradius element 155 when attached to surface 173 of backing plate 160 (see FIG. 6B) would have its principal axis of rearward view as indicated

-19-

by 180 as in FIG. 6B, and as such would be canted towards the road surface when mounted in an exterior sideview mirror assembly attached to the side of an automobile. By contrast, plano element 150 when attached to surface 174 of backing plate 160 (see FIG. 6A) would have a principal axis as indicated by 185 as in FIG. 6A and, as such, would be generally

- 5 parallel to the road surface when mounted in an exterior sideview mirror assembly attached to the side of an automobile. Having the multiradius element canted somewhat downwards towards the road surface assists visual detection by the driver of overtaking vehicles in the traditional "blind-spot" in the adjacent side lane. The angle that the multiradius element is angled on the backing plate element of the plano-multiradius reflective element assembly
- relative to the plane of the plano reflective element will vary from automobile model to model, but generally is preferred to be in the about 1° to about 10° range; about 2° to about 8° range more preferred; and about 3° to about 6° range most preferred. In order to conveniently achieve an angling of the multiradius portion with respect to the plano portion (and preferably a downward angling), the portion of the backing plate element that the multiradius reflective
- element is attached to can be angled relative to the adjacent portion of the backing plate element that the plano reflective portion is attached to. Thus, and referring to FIG. 6, plano-multiradius reflective element assembly 130 includes a molded polymeric backing plate element 160 comprising a generally flat portion 162 (between BB and CC in FIG. 6) and an adjacent curved portion 161 (between AA and BB). As indicated by 190 and 195, portion AA
- to BB of backing plate element 160 is generally angled to portion BB to CC of backing plate 160. Preferably, the portion of backing plate element 160 to which the auxiliary reflective element attaches is angled towards the front (compared to the angling of plano reflective element) of an automobile equipped with the plano-auxiliary reflective element assembly of the present invention. FIG. 6 is a view of plano-multiradius reflective element assembly 130
- as it would appear from above the vehicle as it would be orientated in use (with portion 162 closer to the driver than portion 161). The wall section, section XX in FIG. 6, taken through section 162 of backing plate element 160 is of substantially constant dimension (as illustrated in FIG. 6A) whereas the wall section, section YY in FIG. 6B, taken through section 161 of backing plate element 160 is of varying dimension and is angled. Plano reflective element
- 30 150 and multiradius reflective element 155 (for example, plano element 150 can comprise an electrochromic mirror element and multiradius element 155 can comprise a chrome coated glass reflector) are attached to portions 162 and 161, respectively. By being supported on the

-20-

angled face 173 (see FIG. 6B) of portion 161, the principal viewing axis of multiradius reflector element 155 is angled downwards towards the road surface, as compared to the more horizontal-viewing principal viewing axis of plano element 150, when plano-multiradius reflective element 130 is mounted in an exterior sideview mirror assembly on an automobile.

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- 5 Demarcation element 165 is preferably molded in the same molding tool as is used to mold backing plate element 160, and so demarcation element 165 is formed as an integral part of backing plate element 160, forming a wall thereof that partitions the surface of backing plate element 160 into a region for receiving the plano reflective element 150 and a region for receiving the auxiliary reflective element 155. Also, end-caps 170 and 171 are optionally
- provided. Plano reflective element 150 can attach into the cavity formed between demarcation element 165 and end-cap 171; multiradius reflective element 155 can attach into the cavity formed between demarcation element 165 and end-cap 170. Note that the portion of the backing plate element where the wide-angle optic multiradius element attaches can have a thicker wall thickness than that of the portion of the backing plate element where the
- unit magnification optic element attaches in order to allow for the angling of the multiradius element downwardly relative to the angle of the plano element, as illustrated in FIGS. 6A-B. As illustrated in FIGS. 6A-B, the angle downwards to the longitudinal axis of the vehicle of the multiradius element can generally be set by an angling of a surface of the backing plate element in order to ensure that the principal axis of the rearward field of view of the plano
- 20 element is directed generally parallel to the longitudinal axis of an automobile equipped with the plano-multiradius reflective element assembly and that the principal axis of the rearward field of view of the multiradius element is directed generally at an angle downwards to the longitudinal axis of the automobile.
- Note that the provision of the plano-multiradius reflective element assembly of this invention as a unitary module has manufacturing advantages, particularly for exterior sideview mirror assembly manufacturers who can procure a plano-multiradius reflective element assembly module from a mirror reflector supplier and then mount the planomultiradius reflective element assembly module onto an actuator.
- Referring to FIG. 7, a third embodiment 230 of a plano-multiradius reflective element assembly is illustrated. Plano-multiradius reflective element assembly 230 includes a plano reflective element 250 and a separate multiradius reflective element assembly 255, both individually attached to a backing plate element, and with demarcation element 265 disposed

at their joint. Plano-multiradius reflective element assembly 230 is about 8.5 inches wide and about 4.25 inches tall (aspect ratio of 0.5), at their largest dimension. Shown as the shaded triangle 240 in plano reflective element 250 is the image of a triangular target object set about 35 feet rearward and of width about 8 feet and of height of about 4.1 feet as would be seen

- were plano-multiradius reflective element assembly 230 mounted in a driver-side exterior 5 sideview mirror assembly in an automobile such as a sports utility vehicle. In general, it is desirable that the plano reflective element be dimensioned and configured so as to have its rearward field of view capture an image (that is visible, by reflection in the plano reflective element, to a driver seated in the driver's seat in an automobile to which is attached an
- exterior sideview mirror assembly equipped with the plano-auxiliary reflective element 10 assembly according to this present invention) of a triangular shaped target located about 35 feet rearward of the driver seating location, extending about 8 feet out from the plane defined by the side of the automobile and reaching a height of between about 4 feet and about 5 feet from the road surface at that location 35 feet rearward of the automobile. The total field of
- view rearwardly of the vehicle of plano-multiradius reflective element assembly 230 (which 15 is a combination of the field of view of plano reflective element 250 and of the auxiliary multiradius reflective element 255) preferably generally subtends an angle of at least about 30° (and more preferably, generally subtends an angle of at least about 35° and most preferably, generally subtends an angle of at least about 40°) with respect to the side of an automobile to which is attached an exterior sideview mirror assembly equipped with plano-
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multiradius reflective element assembly 230.

Referring to FIG. 8, another embodiment 310 of the plano-auxiliary reflective element assembly of the present invention is illustrated. Plano-auxiliary reflective element assembly 310 includes a first reflective element 312 and a second or auxiliary, separate

reflective element 314 which are together supported in a frame element assembly 316. As 25 will be more fully described below, frame element assembly 316 is adapted such that when reflective elements 312 and 314 are placed, or otherwise positioned, in frame element assembly 316, the angular orientation of each reflective element is pre-established such that during assembly, the assembler need simply place the reflective elements in frame element 30 assembly 316.

In the illustrated embodiment, frame element assembly 316 includes a frame 318 with a forward facing open portion 318a (FIG. 9) (and thus when frame element

assembly 316 is mounted in a vehicle-mounted exterior sideview mirror assembly, the forward facing open portion (318a) is facing to the front of the vehicle) through which a reflective element subassembly 317a, which includes reflective element 312, is positioned in frame element assembly 316 and a rearward facing open portion 318b (FIG. 8) (which faces

5 the rear of the vehicle when frame element assembly 316 is mounted in a vehicle mounted exterior sideview mirror assembly) in which a second reflective element subassembly 317b, which includes reflective element 314, is positioned in frame element assembly 316. Frame 318 preferably comprises a molded member formed from a plastic material, such as a reinforced nylon.

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In preferred form, first reflective element 312 comprises a plano reflective element 350, such as a flat reflector coated glass substrate, with a reflective surface through which the angular height and width of an image of an object is equal to the angular height and width of the object when viewed to the same distance (except for flaws that do not exceed normal manufacturing tolerances) so as to have a unit magnification. Similar to the previous

- embodiment, plano reflective element 350 may comprise a conventional fixed reflectance reflective element or may comprise a variable reflectance reflective element who's reflectivity is electrically adjustable, as is known in the art. For example, plano reflective element 350 may comprise a flat glass substrate coated with metallic reflector coating, such as a chromium coating, titanium coating, rhodium coating, metal alloy coating, nickel alloy coating, silver
  coating, aluminum coating, or any alloy or composition of these metal reflectors. For further
- details of plano reflective element 350, reference is made to the previous embodiments.

In the illustrated embodiment, reflective element 312 comprises an electrochromic reflective element and includes a first substrate 312a and a second substrate 312b with an electrochromic medium 312c disposed between first and second substrates

- 25 312a, 312b. Such suitable electrochromic media include, for example, a solid polymer matrix electrochromic medium as noted in reference to the previous embodiments. Electrical connectors 320a and 320b are coupled to the electrochromic medium 312c to provide a potential across the electrochromic medium which induces the electrochromic medium to darken, as is known in the art. In the illustrated embodiment, reflective element subassembly
- 30 317a also includes an optional heater pad 322, which is disposed behind reflective element 312, and a vibration reducing element, such as a foam pad 326, positioned behind heater pad 322, which absorbs vibration of reflective element 312.

-23-

Referring again to FIG. 9, frame 318 is adapted to receive and support reflective element subassembly 317a, which is mounted to frame 318 by a backing plate 324, such as a plastic backing plate. In the illustrated embodiment, backing plate 324 mounts to the inner perimeter portion of frame 318 using conventional techniques, such as by adhesive

- 5 bonding, heatstaking, snap-fit coupling, welding, or the like, to form part of frame element assembly 316. Alternatively, backing plate 324 may mount onto foam pad 326, for example, by an adhesive attachment, such as double sided sticky tape. In which case, reflective element 312 may be mounted to an inner surface of frame 318, such as by an adhesive attachment, including for example a silicone adhesive, with heater pad 322 mounted to
- 10 reflective element 312, such as by an adhesive attachment, and foam pad 326 mounted to heater pad 322, such as by an adhesive attachment including, for example, double-sided sticky tape.

Frame element assembly 316 mounts reflective element assembly 310 in the mirror casing and preferably on an actuator, such as an electric actuator, which permits

adjustment to the orientation of reflective element assembly 310 about one or more axis.
Examples of suitable actuators are described in U.S. Pat. Nos. 5,900,999; 5,986,364;
6,132,052; 6,037,689; and 6,094,027 and copending applications Ser. No. 09/277,632, filed Mar. 26, 1999, and Ser. No. 09/408,867, filed Sept. 29, 1999, which are incorporated herein by reference in their entireties. Optionally and preferably, backing plate 324 is adapted to
engage or be engaged by the actuator for repositioning of plano-auxiliary reflective element assembly 310 about one or more axes. In this manner, the orientation of both reflective element 312 and reflective element 314 are simultaneously adjusted by the actuator. As best seen in FIG. 9, forward facing side 324a of backing plate 324 includes mounting structures 324b which are engaged by the actuator to thereby mount reflective element assembly 310 in the mirror casing.

Referring again to FIG. 8, frame 318 is a unitary frame and includes a first bezel portion 330 which extends around reflective element 312 and a second bezel portion 332 which extends around reflective element 314 to provide styling utility as well as functional utility. In this manner, a portion of forward facing side of frame 318 forms a support surface for reflective element 312, while a portion of rearward facing side of frame

30 support surface for reflective element 312, while a portion of rearward facing side of frame 318 forms first bezel portion 330. Similarly, another portion of the rearward facing side of frame provides support for reflective element 314 and also provides bezel portion 332. In

-24-

addition, a portion of frame 318 forms a demarcation element at the juncture of reflective elements 312 and 314. In the illustrated embodiment, the demarcation element is formed by a section or portion of bezel portion 330, which will be described in greater detail in reference to bezel portion 330. Thus, frame element assembly 316 provides a support function, a

5 positioning function, including an angling function, while also serving to provide styling utility and a demarcation function.

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Second reflective element 314 comprises a radiused reflective element and, more preferably, a multiradiused reflective element 355 having a multiradiused curvature. For example, the radii of curvature of reflective element 314 may range from about 4000 mm to about 100 mm and, preferably, range from about 3000 mm to about 150 mm, and, most preferably, range from about 2000 mm to about 200 mm. In addition, reflective element 314 may comprise a fixed reflectance reflective element or may comprise a variable reflectance reflective element who's reflectivity is electrically adjustable. Preferably, reflective elements 312 and 314 include glass substrates, with at least the outer surface of each reflective element

- comprising glass. However, metalized plastic reflectors may also be used which is especially suitable for reflective element 314. In which case, the reflective element (314) would be especially suitable for molding in or along with frame 318, with the preformed metalized substrate forming reflective element 314 being placed into the mold forming frame 318. For further details of other suitable reflective elements, reference is made to the previous
  embodiments. In addition to reflective element 314, reflective element subassembly 317b includes a vibration reducing element, such as a foam pad 314a, which is positioned behind
  - reflective element 314. Similar to reflective element 312, foam pad 314a is attached to reflective element 314 by an adhesive attachment, such as a double-sided sticky tape and, similarly, is attached to frame 318 as will be more fully described below.

As noted above, frame 318 includes a first bezel portion 330 and a second bezel portion 332. In addition, frame 318 includes an auxiliary support element 320 that provides a mounting surface or support surface for reflective element subassembly 317b. As best seen in FIGS. 9 and 10, support element 320 includes a recessed support surface 328 which is angled to provide an angled support surface for reflective element subassembly

30 317b. Thus, when reflective subassembly 317b is positioned on and mounted on support surface 328, such as by an adhesive attachment between foam pad 314a and support surface 328, the orientation of reflective element 314 is established by the angle of the support

-25-

surface. Optionally, support element 320 includes gussets 321a and 321b which project forwardly from the forward facing side of frame 318 to thereby reinforce support surface 328.

Referring to FIG. 8, first bezel portion 330 includes an upper portion 330a,
two side portions 330b and 330c, and a lower portion 330d. Side portion 330b forms an acute
angle with respect to the lower portion 330d and an obtuse angle with respect to upper portion 330a and together with upper portion 330a, side portion 330c, and lower portion 330d form a perimeter around reflective element 312 to thereby form a styling feature. Second bezel portion 332 extends outwardly from upper portion 330a and downwardly to lower portion 330d of first perimeter portion 330 and together with side portion 330b forms a perimeter
around second reflective element 314. Support element 320 extends behind and between side portion 330b and second bezel portion 332 so that reflective element 314 is recessed behind side portion 330b and bezel portion 332.

As best seen in FIG. 10, upper portion 330a, side portions 330b and 330a, and lower portion 330d are substantially coplanar and together define an outer surface below which reflective element 312 is recessed when reflective element 312 is mounted in frame 15 318. In contrast, perimeter portion 332 is angled forwardly with respect to the plane in which upper portion 330a, side portions 330b and 330c, and lower portion 330d lie. It should be understood that the terms "forwardly", "rearwardly" and "downwardly", are used in reference to when the mirror system is mounted in an automobile. Therefore, "forwardly" is a direction heading toward the front of the automobile, "rearwardly" is a direction heading to the rear of 20 the automobile, "outwardly" is a direction away from the side of the vehicle on which the mirror assembly is mounted, and "downwardly" is a direction heading toward the surface on which the vehicle is positioned (such as a ground or road surface). Similarly as noted above, reflective element 314 is recessed below an outer surface of perimeter portion 332 and also 25 below the outer surface of side portion 330b when mounted in frame 318.

As would be understood from FIGS. 9-11, support surface 328 is also angled forwardly with respect to back plate 324 and/or reflective element 312 when frame element assembly 316 is mounted in an automobile mounted exterior sideview mirror system. In addition, support surface 328 is also angled or tilted downwardly with respect to reflective

30 element 312 and/or backing plate 324 such that when reflective element 314 is supported on support surface 328, reflective element 314 provides an increased field of view extending

-26-

laterally or outwardly from the longitudinal axis of the automobile and also downwardly of the longitudinal axis of the automobile.

Referring to FIGS. 13 and 14, support surface 328 is configured such that reflective element 314 is tilted forwardly at an angle α with respect to the X-axis of reflective element 312. In one form, angle α is in a range of about 0.75° to about 5°. In another form, angle α is in a range of about 1° to about 3°. In yet another form, angle α is in a range of about 1.25° to about 2.5°. Reflective element 314 is also tilted downwardly with respect to the Y-axis of reflective element 312 at an angle β. In one form, angle β is in a range of about 0.75° to about 3.5°. In yet another form, angle β is in a range of about 0.75° to about 3.5°. In yet

- reflective element 314, reflective element 314 provides a field of view with a principal axis that sweeps outwardly and downwardly with respect to the principal axis of the field of view of reflective element 312.
- In the illustrated embodiment, support surface 328 is provided by a plate 15 member 321. Plate member 321 may comprise a solid plate member or a foraminous plate member. In the illustrated embodiment, plate member 321 is integrally formed with perimeter portions 330 and 332 during the molding process of frame 318. As previously noted, frame 318 includes a rearwardly facing opening 318b through which reflective element 314 is inserted for placement on support surface 328. For example, reflective element 314
- may be positioned in frame 318 on support surface 328 during the molding process of frame 318, such as by insert molding, or may be inserted into frame 318 before the plastic material forming frame 318 is fully cured and is still pliable. In which case, reflective element subassembly 317b is mounted to auxiliary support 320 by an adhesive attachment or a mechanical attachment. Alternatively, support surface 328 may be formed by peripheral
  flange or a frame. In this manner, reflective element subassembly 317b may be placed in

Referring to FIG. 14, when reflective element assembly 310 is mounted in a vehicle reflective element 312 has a field of view 360 which forms an angle A with respect to the longitudinal center line of the vehicle in a range of about 8° to about 20°. In another

form, angle A is in a range of about 10° to about 18°. In yet another form, angle A is in a range of about 12° to about 16°. Similarly, reflective element 314 has a field of view 362

frame 318 from its forward facing side.

which forms an angle C in range of about 15° to about 50°. In another form, angle C is in a range of about 15° to about 35°. In yet another form, angle C is in a range of about 15° to about 25°. Consequently, the overall field of view of reflective elements 312 and 314 extends over an angle B, which ranges from about 8° to about 50° in one form, about 10° to about 35°

5 in another form, and about 12° to about 25° in yet another form. Furthermore, field of views 360 and 362 overlap over a range having angle D in a range of about 20° to about 2°, or in a range of about 15° to about 5°. In another form, angle D is in a range of about 10° to about 8°.

From the foregoing, it can be appreciated that reflective elements 312 and 314 10 provide a wider field of view than a wholly planar rearview mirror element that fully accommodates an equivalent frame having similar dimensions. In addition, because reflective elements 312 and 314 have overlapping field of views, an image in the field of view of reflective element 314 will transition or move between the reflective elements and appear in both reflective elements during the transition to thereby enable the driver of the automobile

- 15 to view or be conscious of the object continuously. In the illustrated embodiment, reflective element 314 is positioned in an outboard position relative to reflective element 312; therefore, when a vehicle or object that is approaching the automobile from the rear and to some extent from the side, the image of the approaching object will first appear in reflective element 312, then appear in both reflective elements 314 and 312, and then move to reflective element 314
- so that the driver will be initially aware of the approaching object when its image first appears in reflective element 312 and continue to be aware of the object as it moves closer to the automobile, thus increasing the range of viewing of the driver. Since the image transitions smoothly from reflective element 312 to reflective element 314, the driver's awareness of the object is continuous and, further, the driver is not distracted from sudden transitions that often
- 25 occur with conventional spotter mirrors. Typically, when an object "falls" or "drops" out, a driver's consciousness of the object reduces significantly, if not ceases, which is one of the causes of many automobile blind spot accidents. Hence, when combined with the field of view of an interior rearview mirror system, the present invention reduces, if not eliminates, an automobile's blind spot. For further discussion of blind spots in vehicle rearview mirror
- 30 systems, reference is made to copending U.S. provisional application entitled VEHICULAR REARVIEW MIRROR SYSTEM, filed November 20, 2000 by Robert E. Schnell, David K. Willmore, and Richard J. Weber (Attorney Docket DON01 P-840), which is herein

-28-

incorporated by reference in its entirety. Thus, the plano-auxiliary reflective element assembly provides a seamless rearvision function whereby the image of a side approaching/side overtaking other vehicle is substantially seamlessly maintained as the image of the overtaking or approaching vehicle transitions from being principally and substantially viewed by the

5 driver of the vehicle (the vehicle mounted with the mirror system of the present invention) in the plano reflective element to be seen in the auxiliary reflective element.

Referring to FIG. 15, the numeral 410 generally designates yet another embodiment of an automobile exterior sideview mirror system of the present invention. Exterior sideview mirror system 410 includes a housing 412, a first reflective element 414, and a second or auxiliary, separate reflective element 416, which together provide an increase field of view over conventional planar reflectors mounted in a frame of equivalent dimensions

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Housing 412 includes a mirror casing 417 and a sail 418, which mounts casing 412 to a side of an automobile. Though illustrated as a fixed mounting arrangement, it should be understood that mirror system 410, like the previous embodiments, may comprise a break-away mirror system or a powerfold mirror system.

to the combined lateral dimensions of reflective element 414 and 416.

In the illustrated embodiment, reflective element 414 comprises a plano reflective element having a unit magnification, similar to the plano reflective elements described in reference to the previous embodiments. Reflective element 416 preferably comprises a wide-angle reflector, such as a convex or aspheric reflector, and may include a multiradiused curvature. For further description of suitable reflectors, reference is made to the previous embodiment.

In the illustrated embodiment, reflective element 416 is mounted in an outboard position relative to reflective element 414 and is fixedly mounted to bezel 420 of mirror casing 417. In addition, reflective element 416 is preferably angled downwardly and forwardly relative to first reflective element 414 when mirror system 410 is mounted to an automobile to thereby increase the field of view of mirror system 410. Optionally and preferably, reflective element 416 is detachably mounted to bezel 420, such as by mechanical fasteners, including clips, so that reflective element 416 can be removed, such as for replacement.

Reflective element 414 preferably comprises an independently positionable reflective element and is mounted by a backing member, such as a backing plate, to an

-29-

actuator, which provides multi-axis positioning of reflective element 414. In this manner, reflective element 414 and reflective element 416 are separately and independently mounted in housing 412. In addition, reflective element 414 optionally extends behind reflective element 416 in order to maintain the overlap of the field of views of reflective elements 414

and 416 even when reflective element 414 is moved by the actuator. Similar to the previous embodiment, when an object moves toward the automobile, in which mirror system 410 is mounted, from the rear of the automobile or laterally with respect to the automobile, the image of the object will appear initially in reflective element 414. As the object moves closer to the automobile, the image of the object will move from reflective element 414 to reflective element 416 such that when the image transitions between reflective element 414 and

reflective element 416, the image will appear in both reflective elements.

Also, although it is preferable to utilize a multiradius or compound curvature reflective element, such as an aspherical element or a compound curvature element, for the second or auxiliary mirror element adjacent the plano or first reflective element (as this

- enables least discontinuity in image at the joint between the adjacent elements of the assembly), a spherical reflective element (that has substantially only one radius of curvature and, as such, is a section from a sphere) can optionally be used adjacent the plano reflective element instead of, or in addition to, the multiradius reflective element. Also, a plano auxiliary mirror such as a flat mirrored substrate can be used, less preferably, as a substitute
- 20 for a multiradius reflective element in those embodiments where the auxiliary reflective element is angled relative to the plane of the principal, plano reflective element so as to view a blind spot region of the principal plano element. Also, the plano-multiradius reflective element assembly can optionally be fixedly attached to an exterior sideview mirror assembly housing that is not movable, or, alternately, the exterior sideview mirror assembly housing to
- <sup>25</sup> which the plano-multiradius reflective element assembly is fixedly attached can itself be actuated to move, such as by motor action, so that by moving the exterior sideview mirror assembly housing, the field of rearward view of the plano-multiradius reflective element assembly fixedly attached thereto can correspondingly move and be repositioned to suit the field of view need of a particular driver seated in the automobile cabin.

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The above description is considered that of the preferred embodiments only. Modification of the invention will occur to those skilled in the art and to those who make or use the invention. Therefore, it is understood that the embodiments shown in the drawings

-30-

and described above are merely for illustrative purposes and are not intended to limit the scope of the invention, which is defined in the following claims as interpreted according to the principles of patent law, including the doctrine of equivalents.

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We claim:

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1. An exterior sideview mirror system suitable for use in an automobile, said exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element assembly having a rearward field of view when attached to said side of the automobile;

wherein said reflective element assembly comprises a plano reflective element having unit magnification and a separate multiradius reflective element having a multiradius curvature; and

said reflective element assembly further including a frame element assembly, said plano reflective element and said multiradius reflective element of said plano-multiradius reflective element assembly being mounted to said frame element assembly, said frame element assembly mounting to an actuator and movable by said actuator in order to position said rearward field of view, and said frame element assembly being adapted to orient said

15 multiradius reflective element such that said multiradius reflective element has a viewing range which fans outwardly and downwardly with respect to a viewing range of said plano reflective element to thereby provide an increased field of view for said exterior sideview mirror assembly.

2. The exterior sideview mirror system of Claim 1, wherein said plano reflective element and said multiradius reflective element are adjacently attached to said frame element assembly at a joint, and wherein said reflective element assembly includes a demarcation element, said demarcation element disposed at said joint to form a demarcation between said plano reflective element and said multiradius reflective element, said demarcation element having a portion visible to a driver of the automobile.

3. The exterior sideview mirror system of Claim 2, wherein said demarcation element is dark colored.

-32-

SMR USA Exhibit 1031 Page 242 4. The exterior sideview mirror system of Claim 3, wherein said frame element assembly includes a first bezel portion extending around said plano reflective element, said demarcation element comprising a segment of said first bezel portion.

5. The exterior sideview mirror system of Claim 4, wherein said multiradiused reflective element comprises a bent glass substrate with radii of curvature in the range of about 4000 mm to about 100 mm.

6. The exterior sideview mirror system of Claim 1, wherein said frame element assembly includes a frame, said first and second reflective elements being mounted in said frame.

7. The exterior sideview mirror system of Claim 6, wherein said multiradiused reflective element is mounted to said frame at an outboard position, and said plano reflective element is positioned adjacent said multiradiused reflective element and at an inboard position with respect to said multiradiused reflective element when said exterior sideview mirror assembly is mounted to an automobile.

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8. The exterior sideview mirror system of Claim 7, wherein said plano reflective element is mounted to said frame by a backing plate.

9. The exterior sideview mirror system of Claim 8, wherein said backing plate is adapted to mount to said actuator.

10. The exterior sideview mirror system of Claim 9, wherein said actuator comprises an electrical actuator.

11. The exterior sideview mirror system of Claim 6, wherein said plano reflective element and said multiradiused reflective element are adjacently attached to said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said plano reflective element, and said second perimeter portion extending around said multiradiused reflective element.

-33-

12. The exterior sideview mirror system of Claim 11, wherein a side portion of said first perimeter portion of said frame provides a demarcation between said plano reflective element and said multiradiused reflective element.

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13. The exterior sideview mirror system of Claim 11, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

14. The exterior sideview mirror system of Claim 6, wherein said multiradiused reflective element is attached to said frame by at least one of an adhesive attachment and a mechanical attachment.

15. The exterior sideview mirror system of Claim 6, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

16. The exterior sideview mirror system of Claim 15, wherein an opposed side of said frame forms a bezel around said plano reflective element.

17. The exterior sideview mirror system of Claim 1, wherein said plano reflective element includes a rearward field of view having a principal axis different from and angled to a principal axis of the rearward field of view of said multiradiused reflective element when mounted in said exterior sideview mirror assembly.

18. The exterior sideview mirror system of Claim 17, wherein said principal axis of the rearward field of view of said multiradiused reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

19. The exterior sideview mirror system of Claim 18, wherein said principal axis of the rearward field of said multiradiused reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about .75° to about 5°.

20. The exterior sideview mirror system of Claim 19, wherein said downward angle is in a range from about 1.5° to about 3.5°.

21. The exterior sideview mirror system of Claim 20, wherein said downward angle is in a range of about 2° to about 3°.

22. The exterior sideview mirror system of Claim 18, wherein said principal axis of said multiradiused reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about 0.75° to about 5°.

23. The exterior sideview mirror system of Claim 22, wherein said outward angle is in a range of about 1° to about 3°.

24. The exterior sideview mirror system of Claim 23, wherein said outward angle is in a range of about 1.25° to about 2.5°.

25. The exterior sideview mirror system of Claim 1, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

26. The exterior sideview mirror system of Claim 1, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

27. The exterior sideview mirror system of Claim 1, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

28. The exterior sideview mirror system of Claim 1, wherein at least one of said plano reflective element and said multiradiused reflective element comprises a variable reflectance reflective element.

-35-

29. The exterior sideview mirror system of Claim 28, wherein each of said plano reflective element and said multiradiused reflective element comprises a variable reflectance reflective element.

30. The exterior sideview mirror system of Claim 1, wherein said plano reflective element comprises an electrochromic reflective element.

An automobile exterior sideview mirror system comprising:
 an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a mirror casing, a reflective element assembly, and an actuator; and

said reflective element assembly including a frame element assembly, a first reflective element having unit magnification, and a second reflective element having a multiradiused curvature, said frame element assembly mounting said first reflective element and said second reflective element in said mirror casing and being adapted to mount to said

actuator, said actuator adjusting the orientation of said reflective element assembly, said first reflective element having a first rearward field of view with a first principal axis, said second reflective element having a second rearward field of view with a second principal axis, and said frame element assembly angling said second principal axis outwardly and downwardly with respect to said first principal axis.

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32. The exterior sideview mirror system of Claim 31, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

33. The exterior sideview mirror system of Claim 32, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

-36-

34. The exterior sideview mirror system of Claim 33, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

35. The exterior sideview mirror system of Claim 31, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

36. The exterior sideview mirror system of Claim 35, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 1.5° to about 3.5°.

37. The exterior sideview mirror system of Claim 36, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

38. The exterior sideview mirror system of Claim 31, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

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39. The exterior sideview mirror system of Claim 31, wherein said frame element assembly includes a support surface for said second reflective element, said support surface angling said second principal axis of said second reflective element.

40. The exterior sideview mirror system of Claim 31, wherein said second reflective element is outboard of said first reflective element.

41. The exterior sideview mirror system of Claim 31, wherein frame element assembly includes a first open portion and a second open portion, said first open portion receiving said first reflective element, and said second open portion receiving said second reflective element. ١

42. The exterior sideview mirror system of Claim 41, wherein said second open portion comprises a rearwardly facing open portion when said mirror assembly is mounted to the automobile.

43. The exterior sideview mirror system of Claim 42, wherein said first open portion comprises a forwardly facing open portion when said mirror assembly is mounted to the automobile.

44. The exterior sideview mirror system of Claim 31, wherein at least one of said reflective elements comprises a variable reflectance reflective element.

45. The exterior sideview mirror system of Claim 31, wherein at least one of said first reflective element and said second reflective element comprises an electro-optic reflective element.

46. An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an automobile; and

said exterior sideview mirror assembly including an actuator and a reflective
element assembly, said reflective element assembly having a frame element assembly, a first reflective element, and a second reflective element, said first reflective element comprising a plano reflective element, said second reflective element comprising a multiradiused reflective element having a multiradiused curvature, said frame element assembly being adapted to mount to said actuator and including a frame and a support surface for said second reflective

- element, said actuator adjusting an orientation of said reflective element assembly, said support surface orienting said second reflective element downwardly and forwardly of said first reflective element when said mirror assembly is mounted to an automobile whereby said second reflective element provides a viewing range which spans outwardly and downwardly with respect to the automobile to thereby provide an increased field of view for said exterior
- 15 sideview mirror assembly.

47. The exterior sideview mirror system of Claim 46, wherein said frame forms a bezel portion around said first reflective element.

48. The exterior sideview mirror system of Claim 47, wherein said frame forms a bezel portion around said second reflective element.

49. The exterior sideview mirror system of Claim 46, wherein a portion of said frame forms a demarcation between said first and second reflective elements.

50. The exterior sideview mirror system of Claim 46, wherein said support surface comprises a plate element.

51. The exterior sideview mirror system of Claim 50, wherein said plate element comprises a solid plate element.

52. The exterior sideview mirror system of Claim 50, wherein said plate element comprises a foraminous plate element.

53. The exterior sideview mirror system of Claim 46, wherein said support surface comprises a frame.

54. The exterior sideview mirror system of Claim 46, wherein said frame includes a first bezel portion and a second bezel portion, said first bezel portion extending around said first reflective element, and said second bezel portion extending around said second reflective element.

55. The exterior sideview mirror system of Claim 54, wherein said second bezel portion is angled forwardly with respect to said first bezel portion when said exterior sideview mirror assembly is mounted to a side of an automobile.

56. The exterior sideview mirror system of Claim 46, wherein said first reflective has a substantially unit magnification.

57. The exterior sideview mirror system of Claim 46, wherein said frame includes a forward facing open portion and a rearward facing open portion when said mirror assembly is mounted to an automobile, said first forward facing open portion receiving said first reflective element, and said rearward facing open portion receiving said second reflective element.

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58. The exterior sideview mirror system of Claim 57, wherein a rearward facing side of said forward facing open portion defining a bezel around said first reflective element.

59. The exterior sideview mirror system of Claim 58, wherein said frame includes a bezel around said second reflective element at said rearward facing open portion.

SMR USA Exhibit 1031 Page 250

## PATENT DON01 P-842 Express Mail No. EL562239219US

## EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY ABSTRACT

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This invention provides a reflective element assembly suitable for use in an exterior sideview mirror assembly mounted to the side body of an automobile. The reflective element assembly includes a first reflective element and a second reflective element. The

- 5 element assembly includes a first reflective element and a second reflective element. The second reflective element is angled downwardly and forwardly with respect to the first reflective element when the mirror assembly is mounted to a side of an automobile to provide an increased field of view. In one form, both reflective elements are commonly supported on a bezel, which is mounted to the mirror assembly casing. In another form, the reflective
- 10 elements are separately mounted, with the second reflective element fixedly mounted to the casing and the first reflective element movably supported in the mirror casing, for example, on an actuator.



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Figure 1


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Figure 2

SMR USA Exhibit 1031 Page 253

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Figure 3

SMR USA Exhibit 1031 Page 254



**i** 7

Figure 4



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Figure 6



Figure 6A

SMR USA Exhibit 1031 Page 258 .



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Figure 7







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SMR USA Exhibit 1031 Page 262



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SMR USA Exhibit 1031 Page 264

# (DON01 P-842

### AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

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 EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY, the specification of which was filed on December 20, 2000, Serial No. 09/745, 172.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office (the Office), all information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations (C.F.R.), Section 1.56.

#### CLAIM OF PRIORITY

I hereby claim foreign benefits under Title 35, United States Code (U.S.C.), Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed. OD

Application Ser. No. <u>None</u>, filed in (country)

I hereby claim the benefit under 35 U.S.C. > 120, of any United States application(s) listed below and, insofar as the above-identified specification, including claims, discloses and claims subject matter in addition to that disclosed in the prior copending application(s), listed below, I acknowledge the duty to disclose to the Office, all information which is known by me to be material to patentability as defined in 37 C.F.R. > 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Serial No. 09/478,315 filed on January 6, 2000, and now (status) pending

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

U.S. Scrisl No. <u>Nonc</u>, filed on

#### POWER OF ATTORNEY

I hereby appoint the patent law firm of Van Dyke, Gardner, Linn & Burkhart, LLP, 2851 Charlevoix Drive, S.E., Suite 207, Grand Rapids, Michigan 49546, telephone number 616/975-5500, facsimile number 616/975-5505, and the individual patent attorneys and patent agents at such patent law firm, namely, Daniel Van Dyke, Reg. No. 25 046; Donald S. Gardner, Reg. No. 25 975; Terence J. Linn, Reg. No. 30 283; Frederick S. Burkhart, Reg. No. 29 288; Catherine S. Collins, Reg. No. 37 599; Matthew L. Goska, Reg. No. 42 594; Anthony A. Bisulca, Reg. No. 40 913; and Timothy A. Flory, Reg. No. 42 540, my attorney(s) or agent(s) with full power of substitution and revocation, to prosecute this application and to transact all business in and to receive all correspondence from the Patent and Trademark Office connected therewith.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further, these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. > 1001, and that such willful false statements may jcopardize the validity of this application or any patent issued thereon.

First joint inventor:

12/10/01

Niall R. Lynam Citizenship: USA Residence: 248 Foxdown Holland, Michigan 49424 Post Office Address: Same as above.

Third joint inventor:

01/07/02

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Second joint inventor.

マーローじ John O. Lindah

Citizenship: USA Residence: Forty South 7th Street Fruitport, Michigan 49415 Post Office Address: Same as above.

# BEST AVAILABLE COPY

## PATENT DON01 P-1148 Express Mail No. EL994418005US

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs

For

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EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

Mail Stop Patent Application Commissioner for Patents P.P. Box 1450 Alexandria VA 22313-1450

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Dear Sir:

## PRELIMINARY AMENDMENT

Prior to examination in the above-entitled patent application Applicants with

to amend their application as follows:

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# IN THE TITLE:

On page 1, please replace the title on line 1 with the following new title:

# EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

# AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM

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**IN THE ABSTRACT**:

On page 41, please replace the Title and Abstract starting on line one with the following new Title and Abstract:

# AUTOMOBILE EXTERIOR SIDEVIEW MIRROR SYSTEM ABSTRACT

An automobile exterior sideview mirror system includes an exterior sideview mirror assembly, which includes a reflective element assembly. The reflective element assembly includes a first reflective element having a unit magnification and a second reflective element having a curvature. The first reflective element and the second reflective element are supported at a support element. The mirror system preferably further includes an actuator, which is operable to adjust the orientation of the reflective element assembly. The second reflective element is disposed adjacent to and separate from the first reflective element when it is included in the exterior sideview mirror assembly. Further, a demarcation element is provided between the first reflective element and the second reflective element. A portion of the second reflective element adjacent the demarcation element has a front surface that is generally coplanar with the front surface of the first reflective element.

EXTERIOR MIRROR PLANO AUXILIARY REFLECTIVE ELEMENT ASSEMBLY ABSTRACT

This invention provides a reflective element assembly suitable for use in an exterior sideview mirror assembly mounted to the side body of an automobile. The reflective element assembly includes a first reflective element and a second reflective element. The second reflective element is angled downwardly and forwardly with respect to the first reflective element when the mirror assembly is mounted to a side of an automobile to provide an increased field of view. In one form, both reflective elements are commonly supported on a bezel, which is mounted to the mirror assembly casing. In another form, the reflective elements are separately mounted, with the second reflective element fixedly mounted to the casing and the first reflective element movably supported in the mirror casing, for example, on an actuator.

## IN THE SPECIFICATION:

On page 1, please replace the paragraph starting on line 2 with the following new paragraph:

This is a <u>continuation application of U.S. Pat. application Ser. No. 09/745,172,</u> <u>filed Dec. 20, 2000, entitled EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE</u> <u>ELEMENT ASSEMBLY, now U.S. Pat. No. 6,717,712, which is a</u> continuation-in-part of U.S. Pat. application Ser. No. 09/478,315, filed Jan. 6, 2000, entitled "EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY", <u>now U.S. Patent No.</u> <u>6,522,451, which [[is]] are incorporated by reference herein in <del>its entirety their entireties</del>.</u>

On page 16, please replace the paragraph starting on line 1 with the following new paragraph:

Also, plano element 50 and/or multiradius element 55 can comprise a variable reflectance electro-optic element such as an electrochromic mirror reflector. Thus, both element 50 and element 55 can comprise an electrochromic mirror element or either of element 50 and element 55 can comprise an electrochromic mirror element and the other can comprise a fixed reflectance non-variable reflectance mirror element such as a metal reflector coated glass panel such as a chromium coated glass substrate. Also, if both plano element 50 and multiradius element 55 comprise an electro-optic element such as an electrochromic mirror element capable of electrically dimmable reflectivity, both elements 50, 55 can dim together and in tandem under control of a common dimming control signal (typically provided by an electro-optic automatic dimming interior mirror assembly mounted in the cabin of the automobile and equipped with photosensors to detect incident glare and ambient light). Alternately, if both plano element 50 and multiradius element 55 comprise an electrooptic element such as an electrochromic mirror element capable of electrically dimmable reflectivity, element 50 can dim independently of element 55 (such as is disclosed in U.S. Pat. No. 5,550,677, the entire disclosure of which is hereby incorporated by reference herein). If either or both of elements 50, 55 comprise an electrochromic element, preferably, the electrochromic reflective element comprises a front substrate and a rear substrate with an

Applicants	:	Niall R. Lynam et al.
Page	:	5

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electrochromic medium disposed between, such as a solid polymer matrix electrochromic medium such as is disclosed in U.S. Pat. application Ser. No. 09/350,930, filed July 12, 1999, entitled "ELECTROCHROMIC POLYMERIC SOLID FILMS, MANUFACTURING ELECTROCHROMIC DEVICES USING SUCH FILMS, AND PROCESSES FOR MAKING SUCH SOLID FILMS AND DEVICES" to Desaraju V. Varaprasad et al., now U.S. Pat. No. 6,154,306, or such as is disclosed in U.S. Pat. Nos. 5,668,663; 5,724,187; 5,910,854; and 5,239,405, the entire disclosures of which are hereby incorporated by reference herein. Most preferably, in such laminate-type electrochromic mirror reflective elements, the front substrate comprises a glass plate of thickness less than about 1.6 mm, most preferably about 1.1 mm thickness or lower, and the rear substrate comprises a glass plate of thickness equal to or greater than about 1.6mm, more preferably greater than about 1.8 mm thickness, most preferably equal to or greater than about 2.0 mm thickness. The rearmost surface of the rear substrate (the fourth surface as known in the mirror art) is reflector coated with a high reflecting metal film such as of aluminum or silver, or an alloy of aluminum or silver. Most preferably, the front-most surface of the rear substrate (the third surface as known in the mirror art) is reflector coated with a high reflecting metal film such as of aluminum or silver, or an alloy of aluminum or silver.

On page 24, please replace the paragraph starting on line 13 with the following new paragraph:

Frame element assembly 316 mounts reflective element assembly 310 in the mirror casing and preferably on an actuator, such as an electric actuator, which permits adjustment to the orientation of reflective element assembly 310 about one or more axis. Examples of suitable actuators are described in U.S. Pat. Nos. 5,900,999; 5,986,364; 6,132,052; 6,037,689; and 6,094,027 and copending applications Ser. No. 09/277,632, filed Mar. 26, 1999, now U.S. Pat. No. 6,229,226, and Ser. No. 09/408,867, filed Sept. 29, 1999, now U.S. Pat. No. 6,243,218, which are incorporated herein by reference in their entireties. Optionally and preferably, backing plate 324 is adapted to engage or be engaged by the actuator for repositioning of plano-auxiliary reflective element assembly 310 about one or more axes. In this manner, the orientation of both reflective element 312 and reflective

element 314 are simultaneously adjusted by the actuator. As best seen in FIG. 9, forward facing side 324a of backing plate 324 includes mounting structures 324b which are engaged by the actuator to thereby mount reflective element assembly 310 in the mirror casing.

On page 28, please replace the paragraph starting on line 9 with the following new paragraph:

From the foregoing, it can be appreciated that reflective elements 312 and 314 provide a wider field of view than a wholly planar rearview mirror element that fully accommodates an equivalent frame having similar dimensions. In addition, because reflective elements 312 and 314 have overlapping field of views, an image in the field of view of reflective element 314 will transition or move between the reflective elements and appear in both reflective elements during the transition to thereby enable the driver of the automobile to view or be conscious of the object continuously. In the illustrated embodiment, reflective element 314 is positioned in an outboard position relative to reflective element 312; therefore, when a vehicle or object that is approaching the automobile from the rear and to some extent from the side, the image of the approaching object will first appear in reflective element 312, then appear in both reflective elements 314 and 312, and then move to reflective element 314 so that the driver will be initially aware of the approaching object when its image first appears in reflective element 312 and continue to be aware of the object as it moves closer to the automobile, thus increasing the range of viewing of the driver. Since the image transitions smoothly from reflective element 312 to reflective element 314, the driver's awareness of the object is continuous and, further, the driver is not distracted from sudden transitions that often occur with conventional spotter mirrors. Typically, when an object "falls" or "drops" out, a driver's consciousness of the object reduces significantly, if not ceases, which is one of the causes of many automobile blind spot accidents. Hence, when combined with the field of view of an interior rearview mirror system, the present invention reduces, if not eliminates, an automobile's blind spot. For further discussion of blind spots in vehicle rearview mirror systems, reference is made to copending U.S. provisional application entitled VEHICULAR REARVIEW MIRROR SYSTEM, Ser. No. 60/252,149, filed November 20, 2000 by Robert E. Schnell, David K. Willmore, and Richard J. Weber (Attorney Docket DON01 P-840),

Applicants	:	Niall R. Lynam et al.
Page	:	7

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which is herein incorporated by reference in its entirety. Thus, the plano-auxiliary reflective element assembly provides a seamless rearvision function whereby the image of a side approaching/side overtaking other vehicle is substantially seamlessly maintained as the image of the overtaking or approaching vehicle transitions from being principally and substantially viewed by the driver of the vehicle (the vehicle mounted with the mirror system of the present invention) in the plano reflective element to be seen in the auxiliary reflective element.

IN THE CLAIMS:

Please cancel Claims 1-59. Please add the following new Claims:

1-59. (cancelled)

60. (new) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an

automobile;

said exterior sideview mirror assembly including a reflective element

assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said first reflective element and said second reflective element supported at a support element;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element supported on said support element adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has a front surface generally coplanar with the front surface of said first reflective element.

61. (new) The exterior sideview mirror system of Claim 60, wherein said demarcation element is dark colored.

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62. (new) The exterior sideview mirror system of Claim 60, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

63. (new) The exterior sideview mirror system of Claim 60, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

64. (new) The exterior sideview mirror system of Claim 60, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

65. (new) The exterior sideview mirror system of Claim 64, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

66. (new) The exterior sideview mirror system of Claim 64, wherein said first reflective element is mounted at said frame by a backing plate.

67. (new) The exterior sideview mirror system of Claim 66, wherein said backing plate is adapted to mount to an actuator operable to adjust the orientation of said reflective element assembly.

68. (new) The exterior sideview mirror system of Claim 67, wherein said actuator comprises an electrical actuator.

69. (new) The exterior sideview mirror system of Claim 64, wherein said first reflective element and said second reflective element are adjacently attached at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion

Applicants	:	Niall R. Lynam et al.
Page	:	10

extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

70. (new) The exterior sideview mirror system of Claim 69, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

71. (new) The exterior sideview mirror system of Claim 69, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

72. (new) The exterior sideview mirror system of Claim 64, wherein said second reflective element is attached at said frame by at least one of an adhesive attachment and a mechanical attachment.

73. (new) The exterior sideview mirror system of Claim 66, wherein said backing plate is attached to one side of said first reflective element and said frame by one of an adhesive attachment, a welded attachment, and a mechanical attachment.

74. (new) The exterior sideview mirror system of Claim 73, wherein an opposed side of said frame forms a bezel around said first reflective element.

75. (new) The exterior sideview mirror system of Claim 60, wherein said first reflective element includes a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly.

76. (new) The exterior sideview mirror system of Claim 75, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

77. (new) The exterior sideview mirror system of Claim 76, wherein said principal axis of the rearward field of said second reflective element forms a downward angle with respect to the longitudinal axis of the automobile in the range from about 0.75° to about 5°.

78. (new) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range from about 1.5° to about 3.5°.

79. (new) The exterior sideview mirror system of Claim 77, wherein said downward angle is in a range of about 2° to about 3°.

80. (new) The exterior sideview mirror system of Claim 76, wherein said principal axis of said second reflective element forms an outward angle with respect to the longitudinal axis of the automobile in a range of about 0.75° to about 5°.

81. (new) The exterior sideview mirror system of Claim 80, wherein said outward angle is in a range of about 1° to about 3°.

82. (new) The exterior sideview mirror system of Claim 81, wherein said outward angle is in a range of about 1.25° to about 2.5°.

83. (new) The exterior sideview mirror system of Claim 81, wherein said exterior sideview mirror assembly comprises a fixedly attached exterior sideview mirror assembly.

84. (new) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a break-away exterior sideview mirror assembly.

85. (new) The exterior sideview mirror system of Claim 60, wherein said exterior sideview mirror assembly comprises a powerfold exterior sideview mirror assembly.

86. (new) The exterior sideview mirror system of Claim 60, wherein at least one of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

87. (new) The exterior sideview mirror system of Claim 86, wherein each of said first reflective element and said second reflective element comprises a variable reflectance reflective element.

88. (new) The exterior sideview mirror system of Claim 60, wherein said first reflective element comprises an electrochromic reflective element.

89. (new) The exterior sideview mirror system of Claim 60, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis when supported on said support element, said second principal axis being angled outwardly from said first principal axis at an angle in a range of about 0.75° to about 5°.

90. (new) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1° to about 3°.

91. (new) The exterior sideview mirror system of Claim 89, wherein said second principal axis is angled outwardly from said first principal axis at an angle in a range of about 1.25° to about 2.5°.

92. (new) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is angled downwardly from a first principal axis of said first reflective element when supported on said support element.

93. (new) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of approximately 0.75° to about 5°.

94. (new) The exterior sideview mirror system of Claim 92, wherein said second principal axis is angled downwardly from said first principal axis at an angle in a range of about 2° to about 3°.

95. (new) The exterior sideview mirror system of Claim 60, wherein said second reflective element has a second principal axis that is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

96. (new) The exterior sideview mirror system of Claim 60, wherein said support element includes a support surface for said second reflective element, said support surface angling a second principal axis of said second reflective element.

97. (new) An automobile exterior sideview mirror system comprising: an exterior sideview mirror assembly adapted for attachment to a side of an

automobile;

said exterior sideview mirror assembly including a reflective element assembly;

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

said first reflective element including a rearward field of view having a principal axis different from a principal axis of the rearward field of view of said second reflective element when mounted in said exterior sideview mirror assembly;

Applicants	:	Niall R. Lynam et al.
Page	:	14

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has a front surface generally coplanar with the front surface of said first reflective element.

98. (new) The exterior sideview mirror system of Claim 97, wherein said reflective element assembly includes a first bezel portion extending around said first reflective element, said demarcation element comprising a segment of said first bezel portion.

99. (new) The exterior sideview mirror system of Claim 97, wherein said second reflective element comprises a curved reflective element comprising a bent substrate with at least one radius of curvature in the range of about 4000 mm to about 100 mm.

100. (new) The exterior sideview mirror system of Claim 97, further comprising a support element, said first reflective element and said second reflective element supported at said support element.

101. (new) The exterior sideview mirror system of Claim 100, wherein said support element including a support surface for said second reflective element, said support surface angling said principal axis of said second reflective element.

102. (new) The exterior sideview mirror system of Claim 101, wherein said principal axis of said second reflective element is directed generally outwardly and downwardly with respect to the longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

103. (new) The exterior sideview mirror system of Claim 97, further comprising an actuator operable to adjust the orientation of said reflective element assembly.

assembly;

104. (new) The exterior sideview mirror system of Claim 97, wherein said principal axis of the rearward field of view of said second reflective element is directed generally outwardly and downwardly with respect to a longitudinal axis of the automobile.

105. (new) The exterior sideview mirror system of Claim 97, wherein said principal axis of said second reflective element forms an outward angle with respect to a longitudinal axis of the automobile.

106. (new) The exterior sideview mirror system of Claim 97, further comprising a frame, said first and second reflective elements being mounted at said frame, said frame including a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

107. (new) The exterior sideview mirror system of Claim 106, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

108. (new) An automobile exterior sideview mirror system comprising:

an exterior sideview mirror assembly adapted for attachment to a side of an automobile;

said exterior sideview mirror assembly including a reflective element

said reflective element assembly including a first reflective element having unit magnification and a second reflective element having a curvature;

an actuator operable to adjust the orientation of said reflective element assembly;

said second reflective element disposed at an outer, upper portion of said reflective element assembly when said reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of an automobile;

said second reflective element disposed adjacent to and separate from said first reflective element;

a demarcation element between said first reflective element and said second reflective element; and

wherein the portion of said second reflective element adjacent said demarcation element has a front surface generally coplanar with the front surface of said first reflective element.

109. (new) The exterior sideview mirror system of Claim 108, wherein said first reflective element has a first principal axis and said second reflective element has a second principal axis, said second principal axis being angled outwardly from said first principal axis.

110. (new) The exterior sideview mirror system of Claim 109, wherein said second principal axis is angled downwardly from said first principal axis of said first reflective element.

111. (new) The exterior sideview mirror system of Claim 110, wherein said second principal axis is directed generally outwardly and downwardly with respect to a longitudinal axis of an automobile when said mirror assembly is mounted to the automobile.

112. (new) The exterior sideview mirror system of Claim 110, further comprising a support element, said support element including a support surface for said second reflective element, said support surface angling said second principal axis of said second reflective element relative to said first principal axis.

113. (new) The exterior sideview mirror system of Claim 112, wherein said support element comprises a frame, said first and second reflective elements being mounted at said frame.

114. (new) The exterior sideview mirror system of Claim 113, wherein said second reflective element is mounted at said frame at an outboard position, and said first reflective

element is positioned adjacent said second reflective element and at an inboard position with respect to said second reflective element when said exterior sideview mirror assembly is mounted to an automobile.

115. (new) The exterior sideview mirror system of Claim 114, wherein said frame includes a first perimeter portion and a second perimeter portion, said first perimeter portion extending around said first reflective element, and said second perimeter portion extending around said second reflective element.

116. (new) The exterior sideview mirror system of Claim 115, wherein a side portion of said first perimeter portion of said frame provides said demarcation element between said first reflective element and said second reflective element.

117. (new) The exterior sideview mirror system of Claim 116, wherein said second perimeter portion is angled downwardly and forwardly with respect to said first perimeter portion when said mirror assembly is mounted to an automobile.

# **REMARKS**

Prior to examination, Applicants respectfully request that the amendments set forth above to the specification and claims be entered in the application. No new matter has been added by any of these amendments or claims. The amendments and claims are fully supported by the disclosure as originally filed and/or by the disclosures of the priority documents. Entry of these amendments and examination of the application based on the above amendments, including new Claims 60-117, is respectfully requested.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

April 2, 2004 Date

Catherine S. Collins Registration No. 37 599

Registration No. 37 599 P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

CSC:lmsc

### INVENTOR INFORMATION

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### CORRESPONDENCE INFORMATION

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APPLICATION INFORMATION

Title Line One:: EXTERIOR MIRROR PLANO-AUXILIARY REFLECTI Title Line Two:: VE ELEMENT ASSEMBLY Total Drawing Sheets:: 13 Formal Drawings?:: Yes Application Type:: Utility Docket Number:: DONO1 P-1148 Secrecy Order in Parent Appl.?:: No REPRESENTATIVE INFORMATION

Representative Customer Number:: 28101

CONTINUITY INFORMATION

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This application is a:: CONTINUATION OF > Application One:: 09/745,172 Filing Date:: 12-20-2000 Patent Number:: 6,717,712

Which is a::CONTINUATION IN PART OF
>> Application Two:: 09/478,315
Filing Date:: 01-06-2000
Patent Number:: 6,522,451

Source:: PrintEFS Version 1.0.1

### PATENT DON01 P-1148 Express Mail No. EL994418005US

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Niall R. Lynam, John O. Lindahl, and Hahns Yoachim Fuchs

For

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### EXTERIOR MIRROR PLANO-AUXILIARY REFLECTIVE ELEMENT ASSEMBLY

Mail Stop Patent Application Commissioner for Patents P.P. Box 1450 Alexandria VA 22313-1450

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Dear Sir:

### **INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 CFR § 1.51, 1.56, 1.97 and 1.98, Applicants submit herewith patents, publications or other information listed on attached Forms PTO-1449 for consideration by the Examiner in connection with examination of the present application. Copies of the documents listed on Form PTO-1449 are not submitted herewith because they were previously cited by or submitted to the Office in a prior application, which is properly identified as parent application Serial No. 09/745,172, filed December 20, 2000, now U.S. Pat. No. 6,717,712, which is a continuation-in-part of U.S. Pat. No. 6,522,451. A copy of each information item is of record in the prior related application.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

Under 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

NIALL R. LYNAM ET AL.

By: Van Dyke, Gardner, Linn & Burkhart, LLP

April 2,2004 Date

Catherine S. Collins Registration No. 37 599 2851 Charlevoix Drive, S.E. P.O. Box 888695 Grand Rapids, MI 49588-8695 (616) 975-5500

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# FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE ATTY. DOCKET NO. DON01 P-1148 SERIAL NO. INFORMATION DISCLOSURE STATEMENT BY APPLICANT APPLICANT(S) Niall R. Lynam, John O. Lindahl and Hahns Yoachim Fuchs APPLICANT(S) Niall R. Lynam, John O. Lindahl and Hahns Yoachim Fuchs (Use several sheets if necessary) FILING DATE GROUP

### **U.S. PATENT DOCUMENTS**

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### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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DATE CONSIDERED

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#### FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE ATTY. DOCKET NO. SERIAL NO. (Rev. 2-32) PATENT AND TRADEMARK OFFICE DON01 P-1148 APPLICANT(S) Niall R. Lynam, John O. Lindahl and Hahns Yoachim Fuchs INFORMATION DISCLOSURE STATEMENT BY APPLICANT FILING DATE GROUP (Use several sheets if necessary)

## **U.S. PATENT DOCUMENTS**

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# U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

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SMR USA Exhibit 1031 Page 293