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# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
L9289.02149B

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**COMMUNICATION TERMINAL APPARATUS, BASE STATION APPARATUS, AND RADIO COMMUNICATION METHOD**

and invented by:

**Kenichi MIYOSHI  
Osamu KATO  
Junichi AIZAWA**

J1033 U.S. PTO  
10/32/1623  
12/18/02

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 10/089,605

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 68 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (if applicable)
  - c.  Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (if filed)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure

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### Application Elements (Continued)

3.  Drawing(s) (when necessary as prescribed by 35 USC 113)
  - a.  Formal                      Number of Sheets                      17
  - b.  Informal                      Number of Sheets                      \_\_\_\_\_
4.  Oath or Declaration
  - a.  Newly executed (original or copy)                       Unexecuted
  - b.  Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
  - c.  With Power of Attorney                       Without Power of Attorney
  - d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5.  Incorporation By Reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7.  Application Data Sheet (See 37 CFR 1.76)
8.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
  - a.  Computer Readable Form (CRF)
  - b.  Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

### Accompanying Application Parts

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(B) Statement (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement/PTO-1449                       Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Certificate of Mailing
  - First Class                       Express Mail (Specify Label No.): \_\_\_\_\_

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**UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)**

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**Accompanying Application Parts (Continued)**

17.  Additional Enclosures *(please identify below):*

Confirmation Claim for Priority

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

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**UTILITY PATENT APPLICATION TRANSMITTAL  
(Large Entity)**

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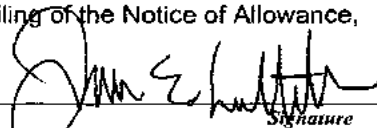
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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>BASIC FEE</b>					\$740.00
<b>OTHER FEE (specify purpose)</b>					\$0.00
<b>TOTAL FILING FEE</b>					\$740.00

- A check in the amount of **\$740.00** to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit Deposit Account No. **19-4375** as described below. A duplicate copy of this sheet is enclosed.
  - Charge the amount of \_\_\_\_\_ as filing fee.
  - Credit any overpayment.
  - Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
  - Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

**James E. Ledbetter, Esq.**  
 Registration No. 28,732  
**STEVENS, DAVIS, MILLER & MOSHER, LLP**  
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 Washington, DC 20036  
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 Fax: 202-408-5200

Dated: December 18, 2002



**24257**

PATENT TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventors: Kenichi MIYOSHI, et al.

Appln. No.: New Continuation Application of  
10/089,605 filed April 1, 2002

Filed: December 18, 2002

For: COMMUNICATION TERMINAL APPARATUS, BASE STATION  
APPARATUS, AND RADIO COMMUNICATION METHOD

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Please amend the above-captioned application as follows:

IN THE SPECIFICATION

Please insert the following paragraph at page 1, between lines  
4 and 5:

--This is a continuation of application number 10/089,605  
filed April 1, 2002.--

IN THE CLAIMS

Please amend claims 1-20 to read as follows (Exhibit I  
contains a marked up version):

1. (Amended) A communication terminal apparatus used in a  
communication system in which communication resources are allocated

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