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Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
90/014,624 & 90/014,827 12/04/2020 10484511 HOLA-005-US11-EPR 1012

131926 7590 06/21/2022
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EXAMINER

SORRELL, ERON J

ART UNIT PAPER NUMBER

3992

MAIL DATE DELIVERY MODE

06/21/2022

PAPER

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

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



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***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/014,624 & 90/014,827

PATENT UNDER REEXAMINATION 10484511 .

ART UNIT 3992 .

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).



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Office Action in Ex Parte Reexamination	Control No. 90/014,624 & 90/014,827	Patent Under Reexamination 10484511	
	Examiner ERON J SORRELL	Art Unit 3992	AIA (FITF) Status No

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

- a. Responsive to the communication(s) filed on 29 March 2022.
 A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.
- b. This action is made FINAL.
- c. A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire 2 month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c)**. If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 3. Interview Summary, PTO-474.
2. Information Disclosure Statement, PTO/SB/08. 4. _____.

Part II SUMMARY OF ACTION

- 1a. Claims 1-30 are subject to reexamination.
- 1b. Claims _____ are not subject to reexamination.
2. Claims 31-66 have been canceled in the present reexamination proceeding.
3. Claims 6-8,10,13,15-16,18-19 and 23 are patentable and/or confirmed.
4. Claims 1-5,9,11-12,14,17,20-22 and 24-30 are rejected.
5. Claims _____ are objected to.
6. The drawings, filed on _____ are acceptable.
7. The proposed drawing correction, filed on _____ has been (7a) approved (7b) disapproved.
8. Acknowledgment is made of the priority claim under 35 U.S.C. 119(a)-(d) or (f).
a) All b) Some* c) None of the certified copies have
1 been received.
2 not been received.
3 been filed in Application No. _____.
4 been filed in reexamination Control No. _____.
5 been received by the International Bureau in PCT application No. _____.
- * See the attached detailed Office action for a list of the certified copies not received.
9. Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. Other: _____

cc: Requester (if third party requester)

DETAILED ACTION

Brief Summary of the Proceeding

A Third Party filed a Request for *Ex Parte* Reexamination of claims 1-5, 9, 11, 12, 14, 17, 20-22, and 25-30 of U.S. Patent No. 10,484,511 to Shribman et al. ("the '511 Patent"), said Request being granted the filing date of December 4, 2020 and assigned control number 90/014,624.

The Request raised at least one substantial new question of patentability and an Order Granting Request for *Ex Parte* Reexamination was mailed on January 21, 2021 in which it was determined that claims 1-30 would be subject to reexamination.

A non-final Office action was mailed on May 24, 2021 in which claims 1-5, 9, 11, 12, 14, 17, 20-22, and 25-30 were rejected under 35 USC § 102(b) and/or 35 USC § 103(a).

The Patent Owner filed a response to the May 24, 2021 Office action on July 22, 2021. The response included arguments toward the outstanding rejections and new claims 31-66.

Another Third Party filed a Request for *Ex Parte* Reexamination of claims 1-5, 9, 14, 17, 20-22, 25, and 27-30 of the '511 Patent, said Request being granted a filing date of August 11, 2020 and assigned control number 90/014,827.

The second Request also raised at least one substantial new question of patentability and an Order Granting Request for *Ex Parte* Reexamination was mailed on September, 2021.

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