EXHIBIT A



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/942,282	03/30/2018	Clay Perreault	4278-001.PCT.US.CON11	2064
	7590 07/17/201 TH & WESTERN, LL	EXAMINER		
P.O. Box 1219 SANDY, UT 84			ACOLATSE, KODZOVI	
			ART UNIT	PAPER NUMBER
			2478	
			NOTIFICATION DATE	DELIVERY MODE
			07/17/2018	ELECTRONIC

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

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

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@tnw.com rich@tnw.com annette.fields@tnw.com



Case 6:20-cv-00272-ADA Docun	nent 103-2 Filed 11/15/23 Application No. 15/942,282	Page 3 of 41 Applicant(s) PERREAULT ET AL.	
Office Action Summary	Examiner KODZOVI ACOLATSE	Art Unit 2478	AIA (First Inventor to File) Status No
The MAILING DATE of this communication appl Period for Reply	ears on the cover sheet with the	corresponde	nce address
A SHORTENED STATUTORY PERIOD FOR REPLY THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - 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 mailing earned patent term adjustment. See 37 CFR 1.704(b).	ill apply and will expire SIX (6) MONTHS fror cause the application to become ABANDON	imely filed n the mailing date ED (35 U.S.C. § 1	of this communication. 33).
Status			
1) Responsive to communication(s) filed on 4/2/18	8.		
A declaration(s)/affidavit(s) under 37 CFR 1.13			
	action is non-final.		
 3) An election was made by the applicant in responsible. ; the restriction requirement and election 4) Since this application is in condition for allowan closed in accordance with the practice under Exercise. 	have been incorporated into the ce except for formal matters, place	s action. rosecution as	s to the merits is
Disposition of Claims*	•		
5) Claim(s) 1-30 is/are pending in the application. 5a) Of the above claim(s) is/are withdraw 6) Claim(s) is/are allowed. 7) Claim(s) 1-5,7-13,19-21,23-27,29 and 30 is/are 8) Claim(s) 6,14-18,22 and 28 is/are objected to. 9) Claim(s) are subject to restriction and/or * If any claims have been determined allowable, you may be elignaticipating intellectual property office for the corresponding ap	e rejected. Telection requirement. gible to benefit from the Patent Propplication. For more information, ple	ease see	Ihway program at a
Application Papers			
10) The specification is objected to by the Examiner 11) The drawing(s) filed on 3/30/18 is/are: a) acc Applicant may not request that any objection to the c Replacement drawing sheet(s) including the correction	cepted or b) objected to by thdrawing(s) be held in abeyance. Se	ee 37 CFR 1.8	
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a	a)-(d) or (f).	
Certified copies: a) All b) Some** c) None of the: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority documents application from the International Bureau ** See the attached detailed Office action for a list of the certifie	s have been received in Applica rity documents have been recei (PCT Rule 17.2(a)).		
Attachment(s)			
Notice of References Cited (PTO-892) Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/S	3) Interview Summar Paper No(s)/Mail I		



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DETAILED ACTION

- 1. The present application is being examined under the pre-AIA first to invent provisions.
- 2. This is responsive to Application 15/942,282 filed 3/30/18 in which claims 1-30 are presented for examination.

Allowable Subject Matter

3. Claims 6, 14-18, 22 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Double Patenting

4. 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. A nonstatutory double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *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*,



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686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); *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) or 1.321(d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting provided the reference application or patent either is shown to be commonly owned with the examined application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement. See MPEP § 717.02 for applications subject to examination under the first inventor to file provisions of the AIA as explained in MPEP § 2159. See MPEP §§ 706.02(l)(1) - 706.02(l)(3) for applications not subject to examination under the first inventor to file provisions of the AIA. A terminal disclaimer must be signed in compliance with 37 CFR 1.321(b).

The USPTO Internet website contains terminal disclaimer forms which may be used. Please visit www.uspto.gov/patent/patents-forms. The filing date of the application in which the form is filed determines what form (e.g., PTO/SB/25, PTO/SB/26, PTO/AIA/25, or PTO/AIA/26) should be used. A web-based eTerminal Disclaimer may be filled out completely online using web-screens. An eTerminal Disclaimer that meets all requirements is auto-processed and approved immediately upon submission. For more information about eTerminal Disclaimers, refer to www.uspto.gov/patents/process/file/efs/guidance/eTD-info-I.jsp.



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