

# Exhibit 4



13281 U.S. PTO

PATENT  
Customer Number 22,852  
Attorney Docket No. 09140-0016-01000

17302 U.S. PTO  
10/954182



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

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

Prior Application Art Unit: 2823      Prior Application Examiner: Michelle ESTRADA

SIR: This is a request for filing a

Continuation  Continuation-in-Part  Divisional Application under 37 C.F.R. § 1.53(b)  
of pending prior Application No. 10/101,863 filed March 16, 2002 of ZHANG et al. for BIASED  
PULSE DC REACTIVE SPUTTERING OF OXIDE FILMS

1.  Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 10/101,863 as originally filed on March 16, 2002, which is incorporated herein by reference.
2.  Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3.  Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4.  A Preliminary Amendment is enclosed.
5.  The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment filed herewith.



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Basic Application Filing Fee					\$790	\$ 790.00
	Number of Claims		Basic	Extra Claims		
Total Claims	45	-	20	25	x \$18	\$ 450
Independent Claims	2	-	3	0	x \$86	0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$290	0
Subtotal						\$ 1240
Reduction by 1/2 if small entity						-
<b>TOTAL APPLICATION FILING FEE</b>						<b>\$ 1240</b>

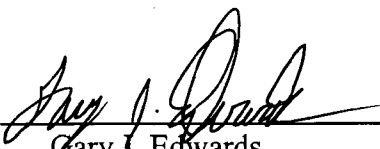
6.  A check in the amount of \$1280 to cover the filing fee of \$1240 and Assignment recordation fee of \$40 is enclosed.
7.  The Commissioner is hereby authorized to charge any additional fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8.  New acceptable drawings are enclosed.
9.  The prior application is assigned of record to: Symmorphix, Inc.
10.  Priority of Application No. [Text], filed on [Text] in [Country] is claimed under 35 U.S.C. § 119. A certified copy  
 is enclosed or  is on file in the prior application.
11.  Small entity status is appropriate and applies to this application.
12.  The power of attorney in the prior application is to FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Customer No. 22,852
13.  The power appears in the original declaration of the prior application.
14.  Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
15.  Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., **Customer Number 22,852.**

16.  Also enclosed is Information Disclosure Statement under 37 CFR 1.97(b) together with Form PTO 1449.

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 10/101,863, filed March 16, 2002, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 30, 2004

By:   
Gary J. Edwards  
Reg. No. 41,008



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