

REMARKS

This Second Substitute Amendment is submitted in place of the Substitute Supplemental Amendment of September 23, 2014. This Substitute Supplemental Amendment follows the formal instruction from the re-issue specialist and the examiner that all claims not present in the original patent are to be presented as underlined new claims irrespective of whether they had been presented in previous amendments during this reissue prosecution. These new claims are to be consecutively numbered and are to include only the text proposed. Bracketing and underlining of terms relative to the terms of similar claims presented in prior amendments are not to be made.

Applicant understands that amendments to original claims present in issued U.S. Patent No. 7,670,495 are to be made relative to the language presented in those issued claims irrespective of intervening amendments. Because of the claim cancellations, the only original claim remaining is claim 1. NO amendments have been made to the original language of issued claim 1 of the '495 patent.

Applicant resubmits his supplemental Declaration of October 13th in regard to claimed subject matter not covered by his original re-issue Declaration or his first supplemental Declaration. Applicant has reviewed and agrees with the language of the claims presented herein as this claim language is the same as the claim language of the Substitute Supplemental Amendment of September 23rd. While the Declaration of October 13th refers to the "substitute supplemental amendment submitted herewith", this amendment had already been submitted to the PTO on September 23rd. Applicant reviewed this Sept. 23rd amendment attendant to his signing of the October 13th Declaration. Because the proposed texts of the claims of the September 23rd amendment and this current amendment are the same, submission of this second substitute supplemental amendment simultaneously with the re-submission of the October 13th Declaration perfects the Declaration statement regarding the "substitute supplemental amendment filed herewith."

In regard to the text of claim 13 and new claims 24-27, Applicant states the following.

Applicant has adopted certain language of main claim 13 to further characterize the recited range of flow rate, amperage and voltage. The limitations relating to maximums of flow rate, amperage, and voltage have been clarified using the words "no greater than." A device

used in the method need not be capable of operating at the maximum but rather may be operated at a value less than or equal to the recited values. The phrase “the water flowing into the inlet” has been adopted to indicate that the water flowing into the inlet meets the conductivity recitation.

New claims 24, 25, 26 and 27 are added as claims dependent from independent claim 13. Claims 26 and 27 further distinguish the invention from arrangements in which electrodes are positioned at or near the center of the housing. Such center positioning can hinder a central water flow passage.

No new matter is added by claims 24-27. Claim 24 is supported by the specification at 3:13-14. Claim 25 recites the “surface tension” phrase relative to the text of claim 13 and is supported by the specification at 4:27-41. Support for claims 26 and 27 can be found in FIG. 7A and at column 9:5-18. FIG. 7A, for example, shows the electrode positioning as recited by these claims.

Applicant and Assignee submit that this reissue application is now in condition for allowance. A favorable action upon reconsideration is respectfully requested.

CONCLUSION

Applicant respectfully submits that the pending claims as presented are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant’s representative at (612) 373-6939 to facilitate prosecution of this application.

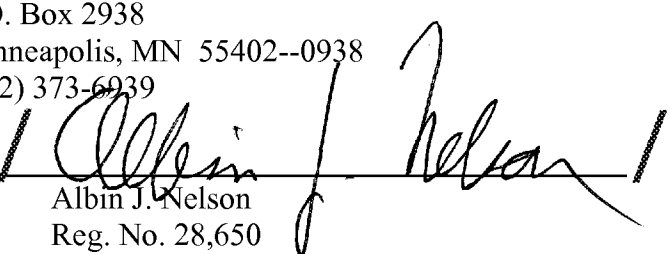
If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402--0938
(612) 373-6939

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By


Albin J. Nelson
Reg. No. 28,650