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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/013,840	10/24/2016	D516663	220574-14000	8211
41173	7590	11/15/2019	EXAMINER	
PETER JAMES TORMEY 101 Gregory Lane Suite 46 Pleasant Hill, CA 94523			LY, DARLINGTON	
			ART UNIT	PAPER NUMBER
			2914	
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			11/15/2019	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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(THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS)

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1111 Third Avenue, Suite 3000 Seattle,  
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***EX PARTE* REEXAMINATION COMMUNICATION TRANSMITTAL FORM**

REEXAMINATION CONTROL NO. 90/013,840 .

PATENT UNDER REEXAMINATION D516663 .

ART UNIT 2914 .

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)).

<b>Notice of Intent to Issue Ex Parte Reexamination Certificate</b>	<b>Control No.</b> 90/013,840	<b>Patent Under Reexamination</b> D516663	
	<b>Examiner</b> DARLINGTON LY	<b>Art Unit</b> 2914	<b>AIA Status</b> No

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

1.  Prosecution on the merits is (or remains) closed in this *ex parte* reexamination proceeding. This proceeding is subject to reopening at the initiative of the Office or upon petition. *Cf.* 37 CFR 1.313(a). A Certificate will be issued in view of
  - (a)  Patent owner's communication(s) filed: \_\_\_\_\_.
  - (b)  Patent owner's failure to file an appropriate timely response to the Office action mailed: \_\_\_\_\_.
  - (c)  Patent owner's failure to timely file an Appeal Brief (37 CFR 41.31).
  - (d)  The decision on appeal by the  Board of Patent Appeals and Interferences  Court dated \_\_\_\_\_
  - (e)  Other: See Attachment.
2. The Reexamination Certificate will indicate the following:
  - (a) Change in the Specification:  Yes  No
  - (b) Change in the Drawing(s):  Yes  No
  - (c) Status of the Claim(s):
    - (1) Patent claim(s) confirmed: 1.
    - (2) Patent claim(s) amended (including dependent on amended claim(s)): \_\_\_\_\_
    - (3) Patent claim(s) canceled: \_\_\_\_\_.
    - (4) Newly presented claim(s) patentable: \_\_\_\_\_.
    - (5) Newly presented canceled claims: \_\_\_\_\_.
    - (6) Patent claim(s)  previously  currently disclaimed: \_\_\_\_\_
    - (7) Patent claim(s) not subject to reexamination: \_\_\_\_\_.
3.  A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on \_\_\_\_\_.
4.  Note the attached statement of reasons for patentability and/or confirmation. Any comments considered necessary by patent owner regarding reasons for patentability and/or confirmation must be submitted promptly to avoid processing delays. Such submission(s) should be labeled: "Comments On Statement of Reasons for Patentability and/or Confirmation."
5.  Note attached NOTICE OF REFERENCES CITED (PTO-892).
6.  Note attached LIST OF REFERENCES CITED (PTO/SB/08 or PTO/SB/08 substitute).
7.  The drawing correction request filed on \_\_\_\_\_ is:  approved  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
    - been received.
    - not been received.
    - been filed in Application No. \_\_\_\_\_.
    - been filed in reexamination Control No. \_\_\_\_\_.
    - been received by the International Bureau in PCT Application No. \_\_\_\_\_.

\* Certified copies not received: \_\_\_\_\_.
9.  Note attached Examiner's Amendment.
10.  Note attached Interview Summary (PTO-474).
11.  Other: \_\_\_\_\_.

**All correspondence** relating to this reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

/DARLINGTON LY/  
Primary Examiner, Art Unit 2914

cc: Requester (if third party requester)

## Notice of Intent To Issue a Reexamination Certificate

### Remarks

1  
2 The present application is being examined under the pre-AIA first to invent  
3 provisions.

4 A substantial new question (hereinafter "SNQ") of patentability affecting the  
5 sole claim of United States Patent no. D516,663 (hereinafter "the '663 patent") was  
6 raised by the request for *ex parte* reexamination.<sup>1</sup> Specifically, the following  
7 teachings were such that a reasonable Examiner would have consider them to be  
8 important in deciding to allow the claim considered. These teachings were neither  
9 previously considered nor in a final holding of invalidity by the Federal Courts.  
10 Consequently, the following references presented by the requestor raised questions  
11 of patentability:

12 A. Sections IV-A (2) & (4) of Request: Dick Pool, *Hotspot*  
13 *Flasher Salmon Techniques* (Appendix R) and Apex Springs,  
14 *Gary Cooper's Fishing Diaries*

15 B. Sections IV-A (5)-(7) of Request: U.S. Patent No.  
16 6,493,984 (Appendix H), *Dreamweaver Spin Doctor, Bechhold &*  
17 *son Flasher & Lure Co. "Hootchie Mama"* to Bechhold

18 C. Section IV-A (8) of Request: U.S. Patent No. 6,457,275 to  
19 Spurgeon (Appendix I)

20 D. Section IV-A (9) of Request: U.S. Patent No. 3,568,351 to  
21 Parrin (Appendix C)

22 E. Section IV-A (10) of Request: U.S. Patent No. 3,656,253 to  
23 Gaunt (Appendix D)

24 F. Section IV-A (11) of Request: U.S. Patent No. 2,679,260 to  
25 Farr (Appendix E)

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<sup>1</sup> See Determination Ordering Reexamination mailed 19 January 2017.

26 G. Section IV-A(1) of Request: U.S. Patent No. 4,122,624 to  
27 Smith (Appendix F)

28 H. Section IV-A(13) of Request: U.S. Patent No. 3,056,228 to  
29 Stackhouse (Appendix G)

30 It was not necessary that a "prima facie" case of unpatentability exist as to  
31 the claimed design in order for "a substantial new question of patentability" to be  
32 present as to the claim. Thus, the "substantial new questions of patentability" as to  
33 the patent claim was present even though the Examiner has determined to NOT  
34 reject the claim as either fully anticipated by, or obvious in view of, the prior art  
35 patents or printed publications to which were submitted by the requestor. The  
36 requestor submitted references raised these new questions of patentability because  
37 their teachings were not previously considered nor addressed in the prior  
38 examination of the patent. Many of the individual references would have been  
39 appropriate as either a primary or secondary reference in an obviousness analysis.  
40 However, the combination of these appropriate references or those cited in the  
41 Examiner's search would not have recreated the claimed design in the '663 patent.

42 **Allowable Subject Matter**

43 Patentability of the sole claim has been confirmed.

44 **Statement of Reasons for Patentability and Confirmation**

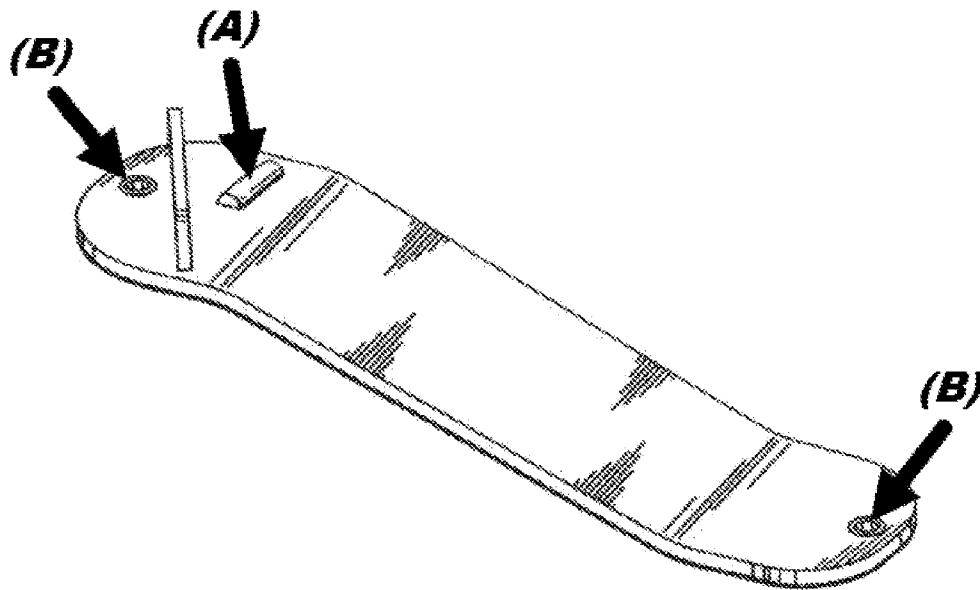
45 The following is an examiner's statement of reasons for patentability and  
46 confirmation of the sole claim (patent D516,663) is found patentable in this  
47 reexamination proceeding:

48 At the outset, it is noted that in order to establish  
49 a *prima facie* case of obviousness "there must be a  
50 reference, a something in existence, the design  
51 characteristics of which are basically the same as the

52 claimed design in order to support a holding of  
53 obviousness."<sup>2</sup>

54 Moreover, a reference under *In re Rosen* cannot be  
55 "created", in other words, "...appearance of design must  
56 be viewed as a whole, as shown by drawing, and  
57 compared with something in existence - not with  
58 something that might be brought into existence..."<sup>3</sup>

59 Upon reexamining the claimed design against the references submitted by  
60 the requestor and against an additional search conducted by the Examiner, it has  
61 been concluded that the patented design is patentably distinct over the prior art.  
62 In particular, no appropriate art references can be found to prove that the  
63 placement, orientation, and proportion of the electric voltage generator (A) in  
64 combination with double ring eyelets (B) are obvious expedients for that of an  
65 ordinary skilled designer before the filing of the '663 Patent. The specific reasons  
66 for patentability and confirmation of the claimed design over the cited references  
67 are as follows:



**Claimed Design**

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<sup>2</sup> *In re Rosen*, 213 USPQ 347 (CCPA 1982)

<sup>3</sup> *In re Jennings*, 86 USPQ 68 (CCPA 1950)

68 **A. Section IV-A (1) of Request: U.S. Patent Application Publication No.**  
69 **2005/0252069 to same inventor, now abandoned (Appendix B).**

70 Why the reference DID NOT raise a substantial question of patentability:

71 No substantial questions of patentability could be raised based on U.S.  
72 Patent Application Publication No. 2005/0252069. Section 102(e) states:

73 A person shall be entitled to a patent unless ---  
74 (e) the invention was described in – (1) an  
75 application for patent, published under section  
76 122(b), by another filed in the United States before  
77 the invention by the applicant for patent or (2) a  
78 patent granted on an application for patent by another  
79 filed in the United States before the invention by the  
80 applicant for patent, except that an international  
81 application filed under the treaty defined in section  
82 351(a) shall have the effects for the purposes of  
83 this subsection of an application filed in the United  
84 States only if the international application  
85 designated the United States and was published under  
86 Article 21(2) of such treaty in the English language;

87 Said application was filed by the *same applicant* and *not by another* less than  
88 a year prior to the filing of the '663 Patent application. Therefore '687  
89 application is not eligible as prior art.

90 **B. Sections IV-A (2) & (4) of Request: Dick Pool, Hotspot Flasher**  
91 **Salmon Techniques (Appendix R) and Apex Springs, Gary Cooper's**  
92 **Fishing Diaries**

93 Why the reference raises a substantial question of patentability:

94 The cited NPL references, *Hotspot Flasher Salmon Techniques* and  
95 *Gary Cooper's Fishing Diaries*, showing a fishing lure entitled the *Hotspot*  
96 *Flasher*, do not disclose a fishing lure design having an overall appearance

97 that is substantially the same as that of the '663 Patent according to the test  
98 for anticipation. While the *Hotspot Flasher* has generally the same tapered-  
99 rectangular form with opposing bent ends, it does not feature the vertical fin  
100 and cylindrical capsule. Therefore, said reference would not be appropriate  
101 in an anticipation analysis.

102 However, the *Hotspot Flasher* does manifest an overall appearance  
103 that is basically the same as that of the '663 Patent according to the test for  
104 obviousness. In particular, the contiguous upper, middle, and lower planar  
105 sections, overall tapered and rectangular shape, centrally located eyelets at  
106 each end, and opposing directional bends at each end are mutually inclusive  
107 features of both designs. Therefore, the *Hotspot Flasher* could serve as a  
108 primary reference in an obviousness analysis.

109 *Why patentability is confirmed despite a substantial question of patentability*  
110 *being raised:*

111 While the *Hotspot Flasher* could serve as a primary reference in an  
112 obviousness analysis, no appropriate references can be found to teach the  
113 unique placement, orientation, and proportion of the electric voltage  
114 generator (A) in combination with that of the double ring eyelets (B).  
115 Consequently, the patentability of the '663 Patent over the *Hotspot Flasher* is  
116 confirmed because said voltage generator and double ring eyelets are not  
117 fully shown as obvious features.

118 **C. Section IV-A (3) of Request: Bruce Colegrave & Jack Gaunt,**  
119 **Bucktails and Hoochies: From two B.C. experts, advice to ensure**  
120 **better salmon catches: choosing proper colors, depth, speed, leader**  
121 **length – and much, much more, updated edition (Appendix T).**

122 *Why the reference DID NOT raise a substantial question of patentability:*

123 No substantial questions of patentability could be raised based on  
124 above reference to Colegrave et al. Said reference does not show a fishing  
125 lure with adequate detail and information to properly make a determination



126 that its appearance is either substantially the same or basically the same as  
127 the patented design in the '663 Patent. Furthermore, the reference is so  
128 unrelated to the patented design in the '663 Patent that the appearances of  
129 its features would not suggest its application to a primary reference in an  
130 obviousness analysis.

131 **D. Sections IV-A (5)-(7) of Request: U.S. Patent No. 6,493,984**  
132 **(Appendix H), *Dreamweaver Spin Doctor, Bechhold & son Flasher &***  
133 ***Lure Co. "Hootchie Mama" to Bechhold.***

134 *Why the reference raises a substantial question of patentability:*

135 The cited U.S. Patent No. 6,493,984 (hereinafter '984 Patent) to  
136 Bechhold and corresponding cited NPL references of the *Dreamweaver Spin*  
137 *Doctor* and "Hootchie Mama" to Bechhold do not show a design having an  
138 overall appearance that is substantially the same as that of the '663 Patent  
139 according to the test for anticipation. However, the '984 Patent and the NPL  
140 references do show individual and discrete features of the design that are  
141 similar to those of the '663 Patent. Specifically, the '984 Patent and the  
142 aforementioned references show a diagonally set vertical and shallow fin  
143 positioned on a tapered, rectangular-shaped platform. Such features also  
144 appear in the '663 Patent. The '984 Patent and aforementioned references  
145 are so related to the '663 Patent that each could serve as a secondary  
146 reference to suggest application of their aforementioned features to a  
147 primary reference.

148 *Why patentability is confirmed despite a substantial question of patentability*  
149 *being raised:*

150 While the '984 Patent appropriately teaches an agitator fin similar to  
151 that of the patented claimed design, there is no corresponding reference to  
152 teach the unique placement, orientation, and proportion of the electric  
153 voltage generator (A) and the double ring eyelets (B) as identified in the  
154 above illustration of the claimed design. Consequently, the combination of

155 the '984 Patent with any of the appropriate Rosen references would not  
156 result in a design that is substantially the same as the '663 Patent.  
157 Therefore, patentability of the '663 Patent is confirmed over the teachings of  
158 the '984 Patent.

159 **E. Section IV-A (8) of Request: U.S. Patent No. 6,457,275 to Spurgeon**  
160 **(Appendix I).**

161 Why the reference raises a substantial question of patentability:

162 The cited U.S. Patent No. 6,457,275 (hereinafter '275 Patent) to  
163 Spurgeon does not show a design having an overall appearance that is  
164 substantially the same as that of the '663 Patent according to the test for  
165 anticipation. However, the '275 Patent does shows an electric voltage  
166 generator whose exterior structure is similar to that of the '663 Patent. In  
167 particular, its outer cylindrical shape and application to a planar surface is  
168 also common to the '663 Patent. Since the '275 Patent is so related to the  
169 '663 Patent, it could serve as a secondary reference to suggest application of  
170 its aforementioned features to a primary reference.

171 Why patentability is confirmed despite a substantial question of patentability  
172 being raised:

173 While the '275 Patent shows a fishing lure with a similarly shaped  
174 electronic voltage generator, the placement of this generator occupies the  
175 bottom side of the fishing lure and is oriented parallel to fishing lure's  
176 longitudinal edge. For this reason, '275 Patent cannot be relied upon as a  
177 sole secondary reference as it does not show a similarly located and oriented  
178 generator. Considering the appearance of the generator's effect upon the  
179 overall appearance of the fishing lure and further considering the appearance  
180 of double ring eyelets, the claimed design in the D516,663 patent cannot be  
181 recreated using the '275 Patent as a secondary reference in combination with  
182 any of the other appropriate cited Rosen references. Therefore, patentability  
183 of the '663 Patent is confirmed over the teachings of the '275 Patent.

184 **F. Section IV-A (9) of Request: U.S. Patent No. 3,568,351 to Parrin**  
185 **(Appendix C).**

186 Why the reference raises a substantial question of patentability:

187 The cited U.S. Patent No. 3,568,351 (hereinafter '351 Patent) to Parrin  
188 does not disclose a fishing lure design having an overall appearance that is  
189 substantially the same as that of the '663 Patent according to the test for  
190 anticipation. While the '351 patent has generally the same rectangular form  
191 with opposing bent ends, it does not feature the tapered edges, vertical fin,  
192 and cylindrical capsule.

193 However, the '351 Patent does show a fishing lure whose overall  
194 appearance is basically the same as that of the '663 Patent according to the  
195 test for obviousness. In particular, the contiguous upper, middle, and lower  
196 planar sections, overall rectangular shape, centrally located eyelets at each  
197 end, and opposing directional bends at each end are mutually inclusive  
198 features of both designs. Therefore, the fishing lure from the '351 Patent  
199 could serve as a primary reference in an obviousness analysis.

200 Why patentability is confirmed despite a substantial question of patentability  
201 being raised:

202 While the '351 Patent could serve as a primary reference in an  
203 obviousness analysis, no appropriate references can be found to teach the  
204 unique placement, orientation, and proportion of the electric voltage  
205 generator (A) in combination with that of the double ring eyelets (B).  
206 Consequently, the patentability of the '663 Patent is confirmed over the '351  
207 Patent in view of any of the cited references because said voltage generator  
208 and double ring eyelets are not fully shown as obvious features.

209 **G. Section IV-A (10) of Request: U.S. Patent No. 3,656,253 to Gaunt**  
210 **(Appendix D).**

211 Why the reference raises a substantial question of patentability:

212           The cited U.S. Patent No. 3,656,253 (hereinafter '253 Patent) to Gaunt  
213 does not disclose a fishing lure design having an overall appearance that is  
214 substantially the same as that of the '663 Patent according to the test for  
215 anticipation. While the '253 patent has generally the same tapered-  
216 rectangular form with opposing bent ends, it does not feature the vertical fin  
217 and cylindrical capsule.

218           However, the '253 Patent does show a fishing lure whose overall  
219 appearance is basically the same as that of the '663 Patent according to the  
220 test for obviousness. In particular, the contiguous upper, middle, and lower  
221 planar sections, overall tapered and rectangular shape, centrally located  
222 eyelets at each end, and opposing directional bends at each end are mutually  
223 inclusive features of both designs. Therefore, the fishing lure from the '253  
224 Patent could serve as a primary reference in an obviousness analysis.

225           *Why patentability is confirmed despite a substantial question of patentability*  
226           *being raised:*

227           While the '253 Patent could serve as a primary reference in an  
228 obviousness analysis, no appropriate references can be found to teach the  
229 unique placement, orientation, and proportion of the electric voltage  
230 generator (A) in combination with that of the double ring eyelets (B).  
231 Consequently, the patentability of the '663 Patent is confirmed over the '253  
232 Patent in view of any of the cited references because said voltage generator  
233 and double ring eyelets are not fully shown as obvious features.

234           **H. Section IV-A (11) of Request: U.S. Patent No. 2,679,260 to Farr**  
235           **(Appendix E):**

236           *Why the reference raises a substantial question of patentability:*

237           The cited U.S. Patent No. 2,679,260 (hereinafter '260 Patent) to Farr  
238 does not disclose a fishing lure design having an overall appearance that is  
239 substantially the same as that of the '663 Patent according to the test for  
240 anticipation. While the '260 patent has generally the same rectangular form

241 with opposing bent ends, it does not feature the tapered edges, vertical fin,  
242 and cylindrical capsule.

243 However, the '260 Patent does show a fishing lure whose overall  
244 appearance is basically the same as that of the '663 Patent according to the  
245 test for obviousness. In particular, the contiguous upper, middle, and lower  
246 planar sections, overall rectangular shape, centrally located eyelets at each  
247 end, and opposing directional bends at each end are mutually inclusive  
248 features of both designs. Therefore, the fishing lure from the '260 Patent  
249 could serve as a primary reference in an obviousness analysis.

250 Why patentability is confirmed despite a substantial question of patentability  
251 being raised:

252 While the '260 Patent could serve as a primary reference in an  
253 obviousness analysis, no appropriate references can be found to teach the  
254 unique placement, orientation, and proportion of the electric voltage  
255 generator (A) in combination with that of the double ring eyelets (B).  
256 Consequently, the patentability of the '663 Patent is confirmed over the '260  
257 Patent in view of any of the cited references because said voltage generator  
258 and double ring eyelets are not fully shown as obvious features.

259 **I. Section IV-A (12) of Request: U.S. Patent No. 4,122,624 to Smith**  
260 **(Appendix F):**

261 Why the reference raises a substantial question of patentability:

262 The cited U.S. Patent No. 4,122,624 (hereinafter '624 Patent) to Smith  
263 does not disclose a fishing lure design having an overall appearance that is  
264 substantially the same as that of the '663 Patent according to the test for  
265 anticipation. While the '624 patent has generally the same rectangular form  
266 with opposing bent ends, it does not feature the tapered edges, vertical fin,  
267 and cylindrical capsule.

268                    However, the '624 Patent does show a fishing lure whose overall  
269                    appearance is basically the same as that of the '663 Patent according to the  
270                    test for obviousness. In particular, the contiguous upper, middle, and lower  
271                    planar sections, overall rectangular shape, centrally located eyelets at each  
272                    end, and opposing directional bends at each end are mutually inclusive  
273                    features of both designs. Therefore, the fishing lure from the '624 Patent  
274                    could serve as a primary reference in an obviousness analysis.

275                    Why patentability is confirmed despite a substantial question of patentability  
276                    being raised:

277                    While the '624 Patent could serve as a primary reference in an  
278                    obviousness analysis, no appropriate references can be found to teach the  
279                    unique placement, orientation, and proportion of the electric voltage  
280                    generator (A) in combination with that of the double ring eyelets (B).  
281                    Consequently, the patentability of the '663 Patent is confirmed over the '624  
282                    Patent in view of any of the cited references because said voltage generator  
283                    and double ring eyelets are not fully shown as obvious features.

284                    **J. Section IV-A (13) of Request: U.S. Patent No. 3,056,228 to**  
285                    **Stackhouse (Appendix G).**

286                    Why the reference raises a substantial question of patentability:

287                    The cited U.S. Patent No. 3,056,228 (hereinafter '228 Patent) to  
288                    Stackhouse does not disclose a fishing lure design having an overall  
289                    appearance that is substantially the same as that of the '663 Patent  
290                    according to the test for anticipation. While the '228 patent has generally  
291                    the same tapered-rectangular form with opposing bent ends, it does not  
292                    feature the vertical fin and cylindrical capsule.

293                    However, the '228 Patent does show a fishing lure whose overall  
294                    appearance is basically the same as that of the '663 Patent according to the  
295                    test for obviousness. In particular, the contiguous upper, middle, and lower  
296                    planar sections, overall tapered and rectangular shape, centrally located

297 eyelets at each end, and opposing directional bends at each end are mutually  
298 inclusive features of both designs. Therefore, the fishing lure from the '228  
299 Patent could serve as a primary reference in an obviousness analysis.

300 Why patentability is confirmed despite a substantial question of patentability  
301 being raised:

302 While the '228 Patent could serve as a primary reference in an  
303 obviousness analysis, no appropriate references can be found to teach the  
304 unique placement, orientation, and proportion of the electric voltage  
305 generator (A) in combination with that of the double ring eyelets (B).  
306 Consequently, the patentability of the '663 Patent is confirmed over the '228  
307 Patent in view of any of the cited references because said voltage generator  
308 and double ring eyelets are not fully shown as obvious features.

309 **K. Section IV-A (14) of Request: U.S. Patent No. 4,201,006 to**  
310 **Wetherald (Appendix J).**

311 Why the reference DID NOT raise a substantial question of patentability:

312 No substantial questions of patentability could be raised based on  
313 above U.S. Patent No. 4,201,006. The '006 Patent does not show a fishing  
314 lure with either substantially the same or basically the same appearance as  
315 the patented design in the '663 Patent. Furthermore, the reference is so  
316 unrelated to the patented design in the '663 Patent that the appearances of  
317 its features would not suggest its application to a primary reference in an  
318 obviousness analysis.

319 Any comments considered necessary by PATENT OWNER regarding the above  
320 statement must be submitted promptly to avoid processing delays. Such  
321 submission by the patent owner should be labeled: "Comments on Statement of  
322 Reasons for Patentability and/or Confirmation" and will be placed in the  
323 reexamination file.

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**Contact Information**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darlington Ly whose telephone number is 571-272-2617. The examiner can normally be reached on Monday-Friday from 9AM-5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Barbara Fox can be reached on 571-272-4456. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application and reexamination proceedings may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. If you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (in the USA or CANADA) or 571-272-1000.

/DARLINGTON LY/

Primary Examiner, Art Unit 2914

Conferees:

/Philip S Hyder/

Primary Examiner, Art Unit 2917

/IAN SIMMONS/

Supervisory Patent Examiner, Art Unit 2912