

AO 120 (Rev. 08/10)

TO: <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court \_\_\_\_\_ for the District of Delaware \_\_\_\_\_ on the following  
 Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

DOCKET NO. <b>14-1398</b>	DATE FILED <b>11/12/2014</b>	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF <b>SHEEX, INC.</b>		DEFENDANT <b>COCONA INC.,</b>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 <b>US8,402,580 B2</b>	<b>3/26/2013</b>	<b>Sheex, Inc.</b>
2 <b>US8,566,982 B2</b>	<b>10/29/2013</b>	<b>Sheex, Inc.</b>
3		
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5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT  <i>Notice of Dismissal</i>
--

CLERK <i>John A. Cerino</i>	(BY) DEPUTY CLERK	DATE <i>3-9-2015</i>
--------------------------------	-------------------	-------------------------

Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> P.O. Box 1450 Alexandria, VA 22313-1450	<b>REPORT ON THE                  FILING OR DETERMINATION OF AN                  ACTION REGARDING A PATENT OR                  TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court \_\_\_\_\_ for the District of Delaware \_\_\_\_\_ on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.);

DOCKET NO.	DATE FILED 11/7/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF SHEEX, INC.		DEFENDANT BEDGEAR, LLC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US8,402,580 B2	3/26/2013	Sheex, Inc.
2 US8,566,982 B2	10/29/2013	Sheex, Inc.
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK	(BY) DEPUTY CLERK	DATE
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court \_\_\_\_\_ for the District of Delaware \_\_\_\_\_ on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED 11/12/2014	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF SHEEX, INC.		DEFENDANT E&E CO. LTD., D/B/A JLA HOME
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 US8,402,580 B2	3/26/2013	Sheex, Inc.
2 US8,566,982 B2	10/29/2013	Sheex, Inc.
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
--------------------

CLERK	(BY) DEPUTY CLERK	DATE

Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO: <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Delaware on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.):

DOCKET NO. <b>14-253-SLR</b>	DATE FILED <b>2/21/2014</b>	U.S. DISTRICT COURT for the District of Delaware
PLAINTIFF <b>SAPPHIRE DOLPHIN LLC</b>		DEFENDANT <b>HARMAN INTERNATIONAL INDUSTRIES, INC.</b>
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,094,676	7/25/2000	SAPPHIRE DOLPHIN LLC
2 6,219,710	4/17/2001	SAPPHIRE DOLPHIN LLC
3		
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT <i>Stipulated motion of Dismissal so ordered by Judge Robinson on 11/13/14.</i>
---

CLERK <i>John A. Cerino</i>	(BY) DEPUTY CLERK <i>L. Scarpato</i>	DATE <i>11/13/14</i>
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy



AO 120 (Rev. 08/10)

TO: <b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark Office</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE</b> <b>FILING OR DETERMINATION OF AN</b> <b>ACTION REGARDING A PATENT OR</b> <b>TRADEMARK</b>
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Western District of Michigan on the following

Trademarks or  Patents. (  the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 1:14-cv-1164	DATE FILED 11/11/2014	U.S. DISTRICT COURT Western District of Michigan
PLAINTIFF EZAKI GLICO KABUSHIKI KAISHA		DEFENDANT LOTTE U.S.A., INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 1,527,208	2/28/1989	EZAKI GLICO KABUSHIKI KAISHA
2 1,986,404	7/9/1996	EZAKI GLICO KABUSHIKI KAISHA
3 2,615,119	9/3/2002	EZAKI GLICO KABUSHIKI KAISHA
4 3,428,859	5/13/2008	EZAKI GLICO KABUSHIKI KAISHA
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK Tracey Cordes, Clerk of Court	(BY) DEPUTY CLERK /s/ bd	DATE 11/13/2014
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Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy

DOCKET NO.

DECISION/JUDGMENT CONTINUED



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/271,884	03/26/2013	8402580	29712-0002002	4645

26161 7590 03/06/2013  
FISH & RICHARDSON P.C. (BO)  
P.O. BOX 1022  
MINNEAPOLIS, MN 55440-1022

**ISSUE NOTIFICATION**

The projected patent number and issue date are specified above.

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Data Management (ODM) at (571)-272-4200.

APPLICANT(s) (Please see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

Susan Walvius, Chapin, SC;  
Michelle Marciniak, Irmo, SC;

The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The USA offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to encourage and facilitate business investment. To learn more about why the USA is the best country in the world to develop technology, manufacture products, and grow your business, visit [SelectUSA.gov](http://SelectUSA.gov).

Substitute Form PTO-1449 (Modified)  <b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 29712-0002002	Application No. Unknown
	Applicant Susan Walvius et al.		
	Filing Date Unknown	Group Art Unit Unknown	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	1	6,381,779	05/07/02	Thompson			
	2	5,817,391	10/06/98	Rock et al.			
	3	<del>6,765,241</del>	06/16/98	Macdonald			

Change(s) applied to document,

5,765,241

**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	4	EP 2 344 691	07/20/11	EPO				
	5	JP 11309183	11/09/99	Japan				
	6	WO2010/037082	04/01/10	WIPO				

/K.D.D./  
2/25/2013

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	7	Voluntary Amendment from corresponding Australian patent application no. 2009296195, filed April 12, 2011 (11 pages).
	8	International Preliminary Report on Patentability issued by the Korean Intellectual Property Office for related PCT Patent Application No. PCT/US2009/058716 dated April 7, 2011 (6 pages).
	9	International Search Report and Written Opinion issued by the Korean Intellectual Property Office for related PCT Patent Application No. PCT/US2009/058716 dated April 29, 2010

Examiner Signature /Nicholas Polito/	Date Considered 12/21/2011
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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/271,884	10/12/2011	Susan Walvius	29712-0002002	4645
26161	7590	02/21/2013	EXAMINER	
FISH & RICHARDSON P.C. (BO)			POLITO, NICHOLAS F	
P.O. BOX 1022			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55440-1022			3673	
			NOTIFICATION DATE	DELIVERY MODE
			02/21/2013	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):

PATDOCTC@fr.com



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

<b>APPLICATION NO./ CONTROL NO.</b>	<b>FILING DATE</b>	<b>FIRST NAMED INVENTOR / PATENT IN REEXAMINATION</b>	<b>ATTORNEY DOCKET NO.</b>
13/271,884	12 October, 2011	WALVIUS ET AL.	29712-0002002

FISH & RICHARDSON P.C. (BO) P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022	<b>EXAMINER</b>	
	Nicholas Polito	
	<b>ART UNIT</b>	<b>PAPER</b>
	3673	20130213

DATE MAILED:

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

**Commissioner for Patents**

The IDS filed 1/25/2013 was inadvertently missed in the mailing of the Notice of Allowance on 2/5/2013. Therefore, the IDS filed 1/25/2013 has now been considered and is attached hereto.

/ROBERT G. SANTOS/  
Primary Examiner, Art Unit 3673

Substitute Disclosure Form  <b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.		
	Filing Date October 12, 2011	Group Art Unit 3673	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	1	Chinese Office Action with English translation for Chinese Application no. 200980147643.6 issued November 23, 2012 (21 pages).

Examiner Signature /Nicholas Polito/	Date Considered 02/13/2013
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	





**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)  
 26161 7590 02/05/2013

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

FISH & RICHARDSON P.C.  
 P.O. BOX 1022  
 MINNEAPOLIS, MN 55440-1022

**FILING VIA EFS**

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/271,884	10/12/2011	Susan Walvius	29712-0002002	4645

TITLE OF INVENTION: FABRIC SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1770	\$0		\$1770	05/05/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
POLITO, NICHOLAS F.	3673	005-49500

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 Fish & Richardson P.C.  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE  
 SHEEX, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)  
 Chapin, South Carolina

Please check the appropriate assignee category or categories (will not be printed on the patent) :  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

- Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 06-1050

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Frank L. Gerratana/

Date February 13, 2013

Typed or printed name Frank L. Gerratana

Registration No. 62,653

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Susan Walvius et al.	Art Unit :	3673
Serial No. :	13/271,884	Examiner :	Nicholas F. Polito
Filed :	October 12, 2011	Confirmation No.:	4645
		Notice of Allowance Date:	February 5, 2013
Title :	FABRIC SYSTEM		

**MAIL STOP ISSUE FEE**

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

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

The applicant's representative Frank Gerratana (Reg. No. 62,653) attended a telephone interview initiated by the examiner on January 17, 2013. In accordance with MPEP Section 713.04, the substance of the interview is included herein. The interview included a discussion of a proposal by the examiner to cancel previously withdrawn claims, as well as a request by the examiner for a terminal disclaimer to be filed in this case.

It is recognized that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, it is not conceded that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. The Examiner's reasons for allowance indicate that particular claim elements are not disclosed or suggested by the prior art of record, yet the claims may be patentable for other reasons as well, including the inventive combination of all of the recited claim elements. It is not conceded that the specific limitations identified by the Examiner are necessary to distinguish the art of record or to satisfy the requirements of 35 U.S.C. § 112. Moreover, the Examiner does not assert, and it would not be conceded, that the Examiner's reasons have any bearing on the patentability of claims in any other applications directed to the disclosed subject matter.

In addition, each dependent claim stands on its own and may be allowable on its own merits. In particular, each dependent claim may be allowable on the basis of a combination of some of the features recited in the dependent claim and its base claim(s), which combination of features may not include all of the limitations identified in the Examiner's reasons for allowance.

Applicant : Susan Walvius et al.  
Serial No. : 13/271,884  
Filed : October 12, 2011  
Page : 2 of 2

Attorney's Docket No.: 29712-0002002

Please apply any necessary charges or credits to Deposit Account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: February 13, 2013\_\_\_\_\_

/Frank L. Gerratana/\_\_\_\_\_  
Frank L. Gerratana  
Reg. No. 62,653

Customer Number 26161  
Fish & Richardson P.C.  
Telephone: (617) 542-5070  
Facsimile: (877) 769-7945

22982202.doc

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13271884
<b>Filing Date:</b>	12-Oct-2011
<b>Title of Invention:</b>	FABRIC SYSTEM
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Filer:</b>	Frank L. Gerratana/jennifer franco
<b>Attorney Docket Number:</b>	29712-0002002

Filed as Large Entity

### Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
Utility Appl issue fee	1501	1	1770	1770

**Extension-of-Time:** 000016



Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>1770</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14951879
<b>Application Number:</b>	13271884
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4645
<b>Title of Invention:</b>	FABRIC SYSTEM
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Customer Number:</b>	26161
<b>Filer:</b>	Frank L. Gerratana/Lisa Peterson
<b>Filer Authorized By:</b>	Frank L. Gerratana
<b>Attorney Docket Number:</b>	29712-0002002
<b>Receipt Date:</b>	13-FEB-2013
<b>Filing Date:</b>	12-OCT-2011
<b>Time Stamp:</b>	17:04:00
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$1770
RAM confirmation Number	4361
Deposit Account	061050
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
		000018			

1	Issue Fee Payment (PTO-85B)	Resp_trans.pdf	142744 5c87628d2acce5e277451645d226d41cee716ade	no	2
<b>Warnings:</b>					
<b>Information:</b>					
2	Post Allowance Communication - Incoming	comments.pdf	55003 74b2b3295bda6fa93fa5f68740c3c302f015d73	no	2
<b>Warnings:</b>					
<b>Information:</b>					
3	Fee Worksheet (SB06)	fee-info.pdf	30049 7c798da4e938363d668d16b7fcc0d38298edb86	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>				227796	

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.



NOTICE OF ALLOWANCE AND FEE(S) DUE

26161 7590 02/05/2013
FISH & RICHARDSON P.C. (BO)
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER
POLITO, NICHOLAS F
ART UNIT PAPER NUMBER

3673
DATE MAILED: 02/05/2013

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/271,884 10/12/2011 Susan Walvius 29712-0002002 4645

TITLE OF INVENTION: FABRIC SYSTEM

Table with 7 columns: APPLN. TYPE, SMALL ENTITY, ISSUE FEE DUE, PUBLICATION FEE DUE, PREV. PAID ISSUE FEE, TOTAL FEE(S) DUE, DATE DUE
nonprovisional NO \$1770 \$0 \$0 \$1770 05/06/2013

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

26161 7590 02/05/2013  
**FISH & RICHARDSON P.C. (BO)**  
 P.O. BOX 1022  
 MINNEAPOLIS, MN 55440-1022

**Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/271,884	10/12/2011	Susan Walvius	29712-0002002	4645

TITLE OF INVENTION: FABRIC SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1770	\$0	\$0	\$1770	05/06/2013

EXAMINER	ART UNIT	CLASS-SUBCLASS
POLITO, NICHOLAS F	3673	005-495000

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b></p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____</p> <p>3 _____</p>
---	---

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY AND STATE OR COUNTRY) \_\_\_\_\_

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

<p>4a. The following fee(s) are submitted:</p> <p><input type="checkbox"/> Issue Fee</p> <p><input type="checkbox"/> Publication Fee (No small entity discount permitted)</p> <p><input type="checkbox"/> Advance Order - # of Copies _____</p>	<p>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</p> <p><input type="checkbox"/> A check is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).</p>
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5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Table with 5 columns: APPLICATION NO., FILING DATE, FIRST NAMED INVENTOR, ATTORNEY DOCKET NO., CONFIRMATION NO.
13/271,884 10/12/2011 Susan Walvius 29712-0002002 4645

26161 7590 02/05/2013
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P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

EXAMINER

POLITO, NICHOLAS F

ART UNIT PAPER NUMBER

3673

DATE MAILED: 02/05/2013

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



<b>Applicant-Initiated Interview Summary</b>	<b>Application No.</b> 13/271,884	<b>Applicant(s)</b> WALVIUS ET AL.	
	<b>Examiner</b> Nicholas Polito	<b>Art Unit</b> 3673	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Nicholas Polito. (3)\_\_\_\_\_.
- (2) Frank Gerratana. (4)\_\_\_\_\_.

Date of Interview: 17 January 2013.

Type:  Telephonic  Video Conference  
 Personal [copy given to:  applicant  applicant's representative]

Exhibit shown or demonstration conducted:  Yes  No.  
If Yes, brief description: \_\_\_\_\_.

Issues Discussed 101 112 102 103 Others  
(For each of the checked box(es) above, please describe below the issue and detailed description of the discussion)

Claim(s) discussed: 14-43.

Identification of prior art discussed: N/A.

**Substance of Interview**

(For each issue discussed, provide a detailed description and indicate if agreement was reached. Some topics may include: identification or clarification of a reference or a portion thereof, claim interpretation, proposed amendments, arguments of any applied references etc...)

Examiner called Applicants' representative to discuss the potential allowability of the current application. The limitations of claims 25-43 appear to overcome the prior art; however, a Terminal Disclaimer needs to be filed to overcome double patenting issues with applications 12/569,659 and 13/272,977. Withdrawn claims 14-24 will be cancelled via an Examiner's Amendment upon filing of the Terminal Disclaimer to place the application in condition for allowance.

**Applicant recordation instructions:** The formal written reply to the last Office action must include the substance of the interview. (See MPEP section 713.04). If a reply to the last Office action has already been filed, applicant is given a non-extendable period of the longer of one month or thirty days from this interview date, or the mailing date of this interview summary form, whichever is later, to file a statement of the substance of the interview

**Examiner recordation instructions:** Examiners must summarize the substance of any interview of record. A complete and proper recordation of the substance of an interview should include the items listed in MPEP 713.04 for complete and proper recordation including the identification of the general thrust of each argument or issue discussed, a general indication of any other pertinent matters discussed regarding patentability and the general results or outcome of the interview, to include an indication as to whether or not agreement was reached on the issues raised.

Attachment

/ROBERT G. SANTOS/  
Primary Examiner, Art Unit 3673

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.



<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	13/271,884	WALVIUS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nicholas Polito	3673	

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

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the interview held on 1/17/2013.
2.  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3.  The allowed claim(s) is/are 25-43. As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) or send an inquiry to [PPHfeedback@uspto.gov](mailto:PPHfeedback@uspto.gov).
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has **THREE MONTHS FROM THE "MAILING DATE"** of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                  |
| 2. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____ | 6. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| 3. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material        | 7. <input type="checkbox"/> Other ____.  |
| 4. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>1/17/2013</u> .     |  |

/ROBERT G. SANTOS/  
Primary Examiner, Art Unit 3673

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank Gerratana on 1/24/2013.

The application has been amended as follows:

Claims 14-24 are **CANCELLED**.

2. The following is an examiner's statement of reasons for allowance: Murphy et al. and Taniguchi et al., taken either alone or in combination, do not teach "a finished fabric at least 90 inches wide comprising....[a] performance fabric having an elasticity such that the performance fabric has a tendency to sag by an amount that is greater than a threshold amount of sag determined by a finishing process, such that the sag would interfere with the finishing process if the performance fabric were circularly knit at greater than a 72.5 inch circumference". The prior art is silent as to the width limitations of elastic performance fabrics and therefore does not teach joining two fabric portions together, one portion comprising the elastic performance fabric, in order to make a finished fabric at least 90 inches wide.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 3673

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Polito whose telephone number is (571)270-5923. The examiner can normally be reached on Monday-Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application 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>. Should 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 USA OR CANADA) or 571-272-1000.

/Nicholas Polito/  
Examiner, Art Unit 3673

/ROBERT G. SANTOS/  
Primary Examiner, Art Unit 3673

1/25/2013

Substitute Form PTO-1449 (Modified)  <b>Information Disclosure Statement                  by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.			
	Filing Date October 12, 2011		Group Art Unit 3673	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	1	European Communication mailed May 9, 2012 from European application no. 09817024.4 (4 pages).
	2	Transaction history from PAIR of U.S. application no. 12/569,659 as of May 23, 2012.
	3	Transaction history from PAIR of U.S. application no. 13/272,977 as of May 23, 2012.

Examiner Signature /Nicholas Polito/	Date Considered 01/25/2013
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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)  <b>Information Disclosure Statement                  by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.			
	Filing Date October 12, 2011		Group Art Unit 3673	

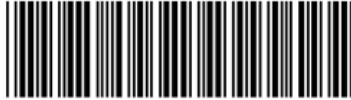
U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	1	2005/0132754	06-2005	Taniguchi et al.			

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	2	Transaction history from PAIR of U.S. application no. 13/271,884 as of May 31, 2012.
	3	Transaction history from PAIR of U.S. application no. 13/272,977 as of May 31, 2012.

Examiner Signature /Nicholas Polito/	Date Considered 01/25/2013
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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Index of Claims</b> 	<b>Application/Control No.</b> 13271884	<b>Applicant(s)/Patent Under Reexamination</b> WALVIUS ET AL.
	<b>Examiner</b> NICHOLAS POLITO	<b>Art Unit</b> 3673

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

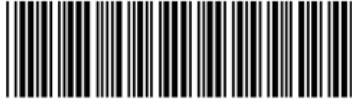
N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	11/09/2011	12/21/2011	05/22/2012	01/25/2013				
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	20	÷	N	N	-				
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	22	÷	N	N	-				
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2	26	÷	✓	✓	=				
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7	31	÷	✓	✓	=				
8	32	÷	✓	✓	=				
9	33	÷	✓	✓	=				
10	34	÷	✓	✓	=				
11	35	÷	✓	✓	=				
12	36	÷	✓	✓	=				



<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b>  13271884	<b>Applicant(s)/Patent Under Reexamination</b>  WALVIUS ET AL.
	<b>Examiner</b>  NICHOLAS POLITO	<b>Art Unit</b>  3673

✓	<b>Rejected</b>
=	<b>Allowed</b>

-	<b>Cancelled</b>
÷	<b>Restricted</b>

N	<b>Non-Elected</b>
I	<b>Interference</b>

A	<b>Appeal</b>
O	<b>Objected</b>

Claims renumbered in the same order as presented by applicant
  CPA
  T.D.
  R.1.47

CLAIM		DATE							
Final	Original	11/09/2011	12/21/2011	05/22/2012	01/25/2013				
13	37	÷	✓	✓	=				
14	38	÷	✓	✓	=				
15	39	÷	✓	✓	=				
16	40	÷	✓	✓	=				
17	41	÷	✓	✓	=				
18	42	÷	✓	✓	=				
19	43	÷	○	○	=				

Substitute Disclosure Form  <b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.		
	Filing Date October 12, 2011	Group Art Unit 3673	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
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**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	1	CN2841696	11/29/2006	China			X	
	2	JP8-256891	10/8/1996	Japan			X	
	3	CN102551442A	7/11/2012	China			Abst.	

**Other Documents (include Author, Title, Date, and Place of Publication)**


Examiner Initial	Desig. ID	Document
	4	Canadian office action issued May 30, 2012 in Canadian application no. 2,738,658 (11 pages).
	5	Office Action from Australian Patent Application No. 2012202375 mailed November 20, 2012 (5 pages).
	6	Response to Office Action issued May 30, 2012 in Canadian Application No. 2,738,658 filed August 30, 2012 (21 pages).
	7	Voluntary Amendment filed in Chinese Application No. 2011-10443469.9 on November 29, 2012 (1 page).
	8	Response to Communication dated May 9, 2012 in European Application no. 09817024.4 filed on September 7, 2012 (9 pages).
	9	European Communication mailed November 22, 2012 from European application no. 09817024.4 (24 pages).
	10	Transaction history from PAIR of U.S. application no. 13/271,884 as of January 24, 2013.
	11	Transaction history from PAIR of U.S. application no. 13/272,977 as of January 24, 2013.
	12	Pending claims for 13/271,884 as of January 24, 2013.
	13	Pending claims for 13/272,977 as of January 24, 2013.

Examiner Signature /Nicholas Polito/	Date Considered 01/25/2013
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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Disclosure Form

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /N.P./

<b>Search Notes</b>  	<b>Application/Control No.</b>  13271884	<b>Applicant(s)/Patent Under Reexamination</b>  WALVIUS ET AL.
	<b>Examiner</b>  NICHOLAS POLITO	<b>Art Unit</b>  3673

CPC- SEARCHED		
Symbol	Date	Examiner

CPC COMBINATION SETS - SEARCHED		
Symbol	Date	Examiner

US CLASSIFICATION SEARCHED			
Class	Subclass	Date	Examiner
5	482 - 484, 486, 499 - 502	12/21/2011	NP
	Above Search Updated	5/22/2012	NP
	Above Search Updated	1/25/2013	NP

SEARCH NOTES		
Search Notes	Date	Examiner
EAST Search History Attached	12/21/2011	NP
EAST Search History Attached	5/22/2012	NP
Consultation with Robert Santos	1/25/2013	NP
EAST Search History Attached	1/25/2013	NP

INTERFERENCE SEARCH			
US Class/ CPC Symbol	US Subclass / CPC Group	Date	Examiner
5	482, 495, 497	1/25/2013	NP

/NICHOLAS POLITO/ Examiner.Art Unit 3673	
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Substitute Form PTO-1449 (Modified)  <b>Information Disclosure Statement                  by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.			
	Filing Date October 12, 2011		Group Art Unit 3673	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	1	Response to European Communication mailed March 12, 2012 from European application no. 09817024.4, filed April 25, 2012 (12 pages).

Examiner Signature /Nicholas Polito/	Date Considered 01/25/2013
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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

## EAST Search History

## EAST Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	1	12/569659 or 13/271884 or 13/272977	US-PGPUB; USPAT; USOCR	OR	OFF	2011/12/19 16:46
S2	23	"5"/.clas. and ((circle or circular) adj knit)	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/19 16:49
S3	118	((circle or circular) adj knit) and stitch and (heat adj set)	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/19 16:52
S4	18	((circle or circular) adj knit) same stitch same (heat adj set)	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/19 16:52
S5	3	"5"/.clas. and (((circle or circular) adj knit) and stitch and (heat adj set))	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/19 16:57
S6	27828	bedding or (bed near sheet) or (mattress near cover\$3)	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/20 14:21
S7	1867	((circle or circular) adj knit)	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/20 14:21
S8	109	S6 and S7	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/20 14:21
S9	24359	(heat-set\$4) or (heat adj set\$4)	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/20 14:23
S10	11	S6 and S7 and S9	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/20 14:24
S11	23	flatlock near stitch\$3	US-PGPUB; USPAT; USOCR	OR	ON	2011/12/20 14:27
S12	0	(12/162516).APP.	USPAT; USOCR	OR	OFF	2011/12/20 15:29
S13	0	("2009/0044338").URPN.	USPAT	OR	OFF	2011/12/20 15:29

000036



S14	0	(10/710179).APP.	USPAT; USOCR	OR	OFF	2011/12/20 15:32
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S18	12	5/482-502.ccls. and ((circle or circular or round) near knit\$3)	US- PGPUB; USPAT; USOCR	OR	OFF	2011/12/20 15:46
S19	8356	((circle or circular or round) adj knit\$4)	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/20 15:59
S20	8586	((circle or circular or round) near knit\$4)	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/20 15:59
S21	165	S6 and S20	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/20 15:59
S22	9978	((circle or circular or round or jersey or fleece or terry or double) adj knit\$4)	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/20 16:12
S23	28	5/482-502.ccls. and ((circle or circular or round or jersey or fleece or terry or double) adj knit\$4)	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/20 16:12
S24	281	5/482-502.ccls. and knit\$4	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/20 16:22
S25	3	((("5765241") or ("5817391") or ("6381779"))).PN.	US- PGPUB; USPAT; USOCR	OR	OFF	2011/12/20 18:07
S26	2028	5/482-484,486,499-502.ccls.	US- PGPUB; USPAT; USOCR	OR	OFF	2011/12/20 18:09
S27	1	((susan near walvius) or (michelle near marciniak)).in.	US- PGPUB; USPAT; USOCR	OR	OFF	2011/12/20 18:27
S28	55	5/482-502.ccls. and spandex	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/21 17:24
S29	47	spandex with antimicrobial	US- PGPUB;	OR	ON	2011/12/21 17:34

000037

			USPAT; USOCR			
S30	0	spandex with circumference with gauge	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/21 17:38
S31	4	spandex same circumference same gauge	US- PGPUB; USPAT; USOCR	OR	ON	2011/12/21 17:38
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S39	384230	gauge	US- PGPUB; USPAT; USOCR	OR	ON	2012/05/21 16:28
S40	574970	bed or mattress	US- PGPUB; USPAT; USOCR	OR	ON	2012/05/21 16:29

000038



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S48	39	(fabric adj system).ti.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/01/17 13:05
S49	103	polito.xa.	US-PGPUB; USPAT; USOCR	OR	OFF	2013/01/17 13:06
S50	52	5/482-484,486,499-502.ccls. and @pd> "20120501"	US-PGPUB; USPAT; USOCR	OR	OFF	2013/01/17 13:20

## EAST Search History (Interference)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
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1/ 25/ 2013 4:25:32 PM

C:\Users\npolit0\Documents\EAST\Workspaces\13271884.wsp



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

BIB DATA SHEET

CONFIRMATION NO. 4645

<b>SERIAL NUMBER</b> 13/271,884	<b>FILING or 371(c) DATE</b> 10/12/2011 <b>RULE</b>	<b>CLASS</b> 005	<b>GROUP ART UNIT</b> 3673	<b>ATTORNEY DOCKET NO.</b> 29712-0002002	
<b>APPLICANTS</b> Susan Walvius, Chapin, SC; Michelle Marciniak, Irmo, SC; <b>** CONTINUING DATA *****</b> This application is a CON of 12/569,659 09/29/2009 which claims benefit of 61/101,049 09/29/2008 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **</b> 10/25/2011					
Foreign Priority claimed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 35 USC 119(a-d) conditions met <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Verified and /NICHOLAS F POLITO/ Acknowledged Examiner's Signature	<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> SC	<b>SHEETS DRAWINGS</b> 4	<b>TOTAL CLAIMS</b> 30	<b>INDEPENDENT CLAIMS</b> 4
<b>ADDRESS</b> FISH & RICHARDSON P.C. (BO) P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022 UNITED STATES					
<b>TITLE</b> Fabric System					
<b>FILING FEE RECEIVED</b> 2400	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit		








<b>Issue Classification</b> 	<b>Application/Control No.</b> 13271884	<b>Applicant(s)/Patent Under Reexamination</b> WALVIUS ET AL.
	<b>Examiner</b> NICHOLAS POLITO	<b>Art Unit</b> 3673

<input checked="" type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input checked="" type="checkbox"/> CPA		<input checked="" type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47									
Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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2	26	18	42												
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11	35														
12	36														
13	37														
14	38														
15	39														
16	40														

/NICHOLAS POLITO/ Examiner.Art Unit 3673  (Assistant Examiner)	01/25/2013  (Date)	<b>Total Claims Allowed:</b>  19	
/ROBERT G SANTOS/ Primary Examiner.Art Unit 3673  (Primary Examiner)	01/25/2013  (Date)	O.G. Print Claim(s)  25	O.G. Print Figure  1

<b>Application Number</b> 	<b>Application/Control No.</b> 13/271,884	<b>Applicant(s)/Patent under Reexamination</b> WALVIUS ET AL.

<b>Document Code - DISQ</b>	<b>Internal Document – DO NOT MAIL</b>
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<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
Date Filed : 24 JAN 2013	<b>This patent is subject to a Terminal Disclaimer</b>	

<b>Approved/Disapproved by:</b>
---------------------------------

JAB
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Substitute Disclosure Form  <b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.		
	Filing Date October 12, 2011	Group Art Unit 3673	

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	1	Chinese Office Action with English translation for Chinese Application no. 200980147643.6 issued November 23, 2012 (21 pages).

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14795426
<b>Application Number:</b>	13271884
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4645
<b>Title of Invention:</b>	Fabric System
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Customer Number:</b>	26161
<b>Filer:</b>	Frank L. Gerratana/Jennifer Franco
<b>Filer Authorized By:</b>	Frank L. Gerratana
<b>Attorney Docket Number:</b>	29712-0002002
<b>Receipt Date:</b>	25-JAN-2013
<b>Filing Date:</b>	12-OCT-2011
<b>Time Stamp:</b>	15:37:00
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Transmittal Letter	2002_IDS.pdf	48083 <small>cf41e48117cfbd5c8bde35a6f5e8f1de410d ac02</small>	no	1

### Warnings:

### Information:

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2	Information Disclosure Statement (IDS) Form (SB08)	2002_1449.pdf	65266	no	1
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3	Non Patent Literature	2CN1_OA_11_23_12.pdf	1629906	no	21
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susan Walvius et al.  
Serial No. : 13/271,884  
Filed : October 12, 2011  
Title : FABRIC SYSTEM

Art Unit : 3673  
Examiner : Nicholas F. Polito  
Conf. No. : 4645

**MAIL STOP AMENDMENT**

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

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Please consider the reference listed on the enclosed PTO-1449 form. The non-patent literature is enclosed.

This statement is being filed after a request for continued examination and before the mailing of a first Office Action. Please apply any necessary charges or credits to Deposit Account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: January 25, 2013 \_\_\_\_\_

/Frank L. Gerratana/ \_\_\_\_\_  
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Applicant : Susan Walvius et al.  
Serial No. : 13/271,884  
Filed : October 12, 2011  
Page : 2 of 2

Attorney's Docket No.: 29712-0002002

failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term. The full statutory term of any patent includes any term adjustment as defined in 35 U.S.C. § 154 and § 173. Assignee herein does not disclaim or otherwise affect any part of the patents to issue from U.S. application serial nos. 12/569,659 and 13/272,977.

This disclaimer runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

The fees in the amount of \$160 are being paid concurrently herewith under 37 C.F.R. § 1.20(d). In addition, please apply any other necessary charges or credits to Deposit Account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: January 24, 2013\_\_\_\_\_

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[19] The State Intellectual Property Office of the People's Republic of China

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*D04B 1/22 (2006.01)*  
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[12] Patent Specifications for a New Utility Model  
Patent Number ZL 200520014944.0

[45] Date of authorized publication: November 29, 2006

[11] Authorized publication number CN 2841696Y

<p>[22] Date of application: September 16, 2005 [21] Application number: 200520014944.0 [73] Patentee: Lin Bo Address: Li Sen (Ningbo) Company Limited, 6<sup>th</sup> fl., Gu Lou Building, Number 75 Zhong Shan Xi Lu, Ningbo City, Zhejiang Province, postal code 315010 [72] Designer: Lin Bo</p>	<p>[74] Patent agency: Tian Cheng Intellectual Property Agency Company Limited of Ningbo City Agent: Huang Xiaofan  1 page of claims, 2 pages of specifications and 1 page of attached figure</p>
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[54] Name of new utility model

A bedding with a knitted fabric

[57] Excerpt

The present utility model discloses a bedding with a knitted fabric, comprising a weft knitted textile substrate and is characterized in that: on the edges of the aforementioned textile substrate, there are overseams comprising two needles and four threads or three needles and five threads. On the textile substrate, there may be reinforcement ribs comprising cutting needles. There may also be sock sockets on the textile substrate. A dustproof layer is placed on the textile substrate. The aforementioned dustproof layer comprises a water solution, which comprises a fluoride, organic silicone compounds, surfactants, adhesives and a nano ceramic and which is then applied on the textile substrate. The present new utility model has the following advantages: it is quite comfortable and soft; stiff, smooth, flexible and resistant to wrinkles; has good moisture absorption; is easy to treat for functions, such as dustproofing treatment, etc.; and is easy to clean.



1. A bedding with a knitted fabric, comprising a weft knitted textile substrates (1), which is characterized in that on the edges of the aforementioned textile substrate (1), there are overseams (2) comprising two needles and four threads or three needles and five threads.
2. The aforementioned bedding with a knitted fabric according to claim 1, which is characterized in that on the aforementioned textile substrate (1), there are reinforcement ribs (3) comprising cutting needles.
3. The aforementioned bedding with a knitted fabric according to claim 1, which is characterized in that there are sock sockets (4) on the aforementioned textile substrate (1).
4. The aforementioned bedding with a knitted fabric according to claim 1, which is characterized in that dustproof layer (5) is placed on the aforementioned textile substrate (1). The aforementioned dustproof layer (5) comprises a water solution, which comprises a fluoride, organic silicone compounds, surfactants, adhesives and a nano ceramic and which is then applied on the textile substrate (1).

## A Bedding with a Knitted Fabric

### Technical Field

The present new utility model relates to beddings, including bed covers, bed sheets, pillow covers and pillow cases, etc. More specifically, it is a bedding with a knitted fabric.

### Background Technology

Existing beddings all use the woven fabrics made by warp machines. Though woven fabrics are resistant to washing and it is not easy for them to become deformed, they lack comfort and softness. With an improvement in the people's standards of living, people have a higher demand for the comfort and softness of beddings. The common knitted fabrics have the comfort and softness required, but certain technical measurements are required to be taken to achieve the use of the common knitted fabrics on beddings.

### Contents of the Invention

The purpose of the present utility model is to overcome the deficiencies in the existing technology by providing an improved bedding, so that beddings are more comfortable and softer.

The technical solution used by the present utility model in resolving the aforementioned technical issue is: A bedding with a knitted fabric, comprising a weft knitted textile substrate. It is characterized in that on the edges of the aforementioned textile substrate, there are overseams comprising two needles and four threads or three needles and five threads.

To optimize the aforementioned technical solution, the measures adopted by the present new utility model also include:

On the textile substrate, there are reinforcement ribs comprising cutting needles. There are sock sockets on the textile substrate.

A dustproof layer is placed on the textile substrate. The aforementioned dustproof layer comprises a water solution, which comprises a fluoride, organic silicone compounds, surfactants, adhesives and a nano ceramic and which is then applied on the textile substrate.

Since the present new utility model has adopted the aforementioned technical measures, compared with the existing technology, it has the following advantages:

1. It is quite comfortable and soft;
2. It is stiff, smooth, flexible and resistant to wrinkles;
3. It has good moisture absorption;
4. It is easy to treat for functions, such as dustproofing treatment, etc.; and
5. It is easy to clean.

Specifications on the Drawing

Figure 1 is a structural diagram of the embodiment of the present new utility model.

Specific Embodiment

Following is a detailed for the description of the present new utility model in combination with the figure.

Refer to the figure. The present new utility model comprises a weft knitted textile substrate 1. On the edges of textile substrate 1, there are overseams 2 comprising two needles and four threads or three needles and five threads. To make the bedding stronger and more appealing, reinforcement ribs 3 comprising cutting needles can be formed on textile substrate 1. Based on the need, sock sockets 4 can also be placed on textile substrate 1. Weft knitting machines generally can only knit materials with a smaller breadth, whereas beddings are rather wide. To overcome the limits of conventional production equipment, a plurality of sewing equipment tables can be pieced together for operations. The sewing process is easy. Functional treatment can also be performed on the bedding in the present new utility model. A dustproof layer 5 is placed on textile substrate 1. The aforementioned dustproof layer 5 can comprise a water solution, which comprises a fluoride, organic silicone compounds, surfactants, adhesives and a nano ceramic and which is then applied on the textile substrate 1. The present utility model can be made into beddings such as bed covers, bed sheets, quilt covers and pillow cases, etc.

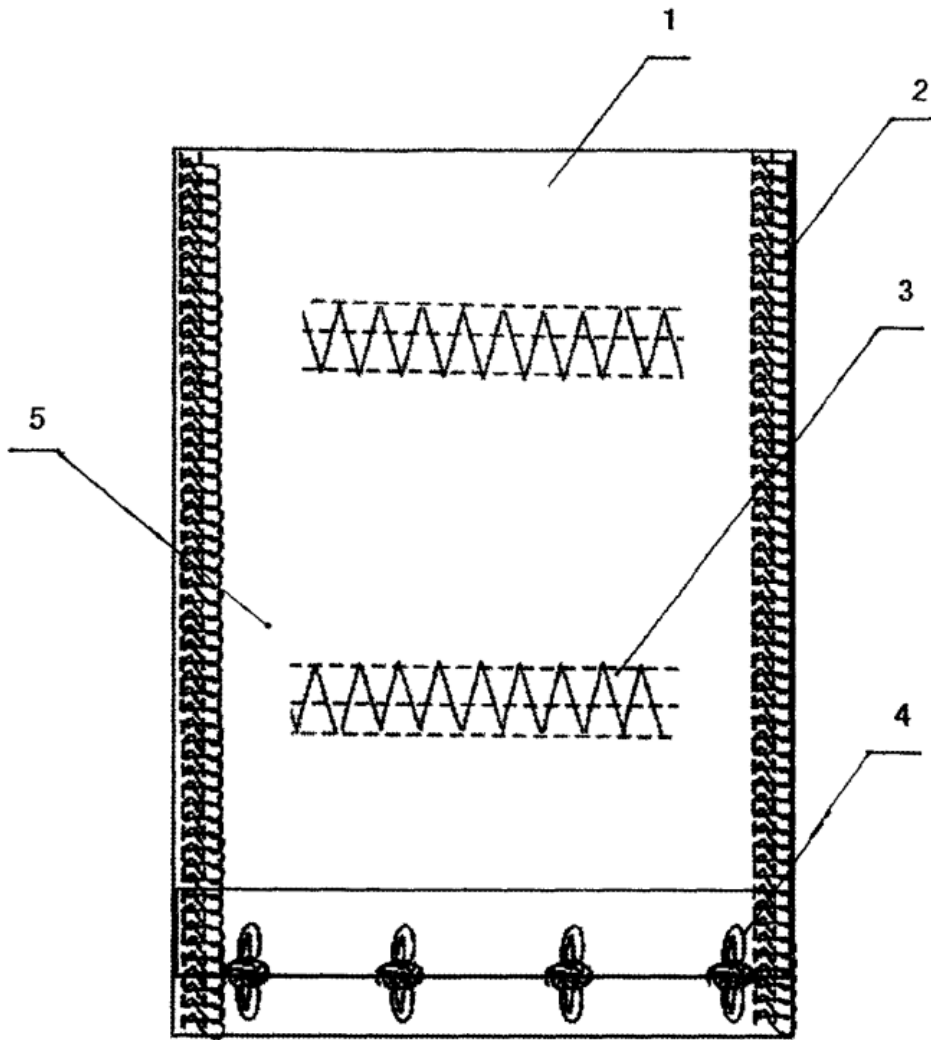


Figure 1



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## [12] 实用新型专利说明书

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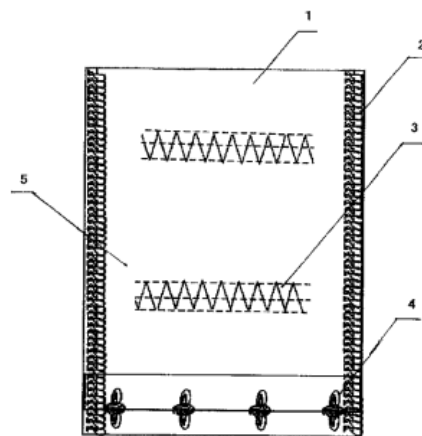
权利要求书 1 页 说明书 2 页 附图 1 页

### [54] 实用新型名称

一种针织面料的床上用品

### [57] 摘要

本实用新型公开了一种针织面料的床上用品，包括纬编的织物基体，其特征是：在所述的织物基体的边缘有由两针四线或三针五线组成的包缝边。在织物基体上可以有由三角针组成的加固筋。在织物基体上还可以有套节。在织物基体上设置一防尘层，所述的防尘层由氟化物、有机硅化合物、表面活性剂、胶粘剂、纳米陶瓷的水溶液涂复在织物基体上构成。本实用新型具有如下优点：具有很好的舒适性和柔软性；挺括，有弹性，不易皱；收湿性强；功能性处理方便，如进行防尘处理等；便于清洗。



1、一种针织面料的床上用品，包括纬编的织物基体(1)，其特征是：在所述的织物基体(1)的边缘有由两针四线或三针五线组成的包缝边(2)。

2、根据权利要求 1 所述的针织面料的床上用品，其特征是：在所述的织物基体(1)上有由三角针组成的加固筋(3)。

3、根据权利要求 1 所述的针织面料的床上用品，其特征是：在所述的织物基体(1)上有套节(4)。

4、根据权利要求 1 所述的针织面料的床上用品，其特征是：在所述的织物基体(1)上设置一防尘层(5)，所述的防尘层(5)由氟化物、有机硅化合物、表面活性剂、胶粘剂、纳米陶瓷的水溶液涂复在织物基体(1)上构成。

## 一种针织面料的床上用品

### 技术领域

本实用新型涉及一种床上用品，包括床罩、床单、被套、枕套等，更具体地说是一种针织面料的床上用品。

### 背景技术

现有的床上用品均采用经纬机织造的梭织面料，虽然梭织布耐洗及不易变形，但缺乏舒适性和柔软性。随着人民生活水平的提高，人们对床上用品的舒适性和柔软性有了更高的要求。一般的针织面料具有床上用品所需要的舒适性和柔软性，但是将一般的针织面料用于床上用品需要采取一定的技术措施才能实现。

### 发明内容

本实用新型的目的在于克服已有技术的不足，提供一种改进的床上用品，使得床上用品具有更好的舒适性和柔软性。

本实用新型解决上述技术问题所采用的技术方案为：一种针织面料的床上用品，包括纬编的织物基体，其特征是：在所述的织物基体的边缘有由两针四线或三针五线组成的包缝边。

为优化上述技术方案，本实用新型所采取的措施还包括：

在所述的织物基体上有由三角针组成的加固筋。

在所述的织物基体上有套节。

在所述的织物基体上设置一防尘层，所述的防尘层由氟化物、有机硅化合物、表面活性剂、胶粘剂、纳米陶瓷的水溶液涂复在织物基体上构成。

由于本实用新型采取了上述的技术措施，它与现有技术相比具有如下优点：

- 1、具有很好的舒适性和柔软性；
- 2、挺括，有弹性，不易皱；
- 3、收湿性强；
- 4、功能性处理方便，如进行防尘处理等；
- 5、便于清洗。

## **附图说明**

图1是本实用新型实施例的结构示意图。

## **具体实施方式**

以下结合附图对本实用新型作进一步详细描述。

参照附图，本实用新型包括纬编的织物基体1，织物基体1的边缘有由两针四线或三针五线组成的包缝边2。为了使床上用品更加牢固，更加美观，可以在织物基体1上用三角针构成加固筋3。根据需要还可以在织物基体1上设置套节4。纬编机一般只能编制较小幅面的材料，而床上用品的幅面都较大，为了克服传统生产设备的局限性，可采用多张缝制设备桌拼在一起操作，缝制过程简便。还可以对本实用新型床上用品进行功能性处理，在织物基体1上设置一防尘层5，所述的防尘层5可用由氟化物、有机硅化合物、表面活性剂、胶粘剂、纳米陶瓷的水溶液涂复在织物基体1上构成。本实用新型可以制作成床罩、床单、被套、枕套等床上用品。



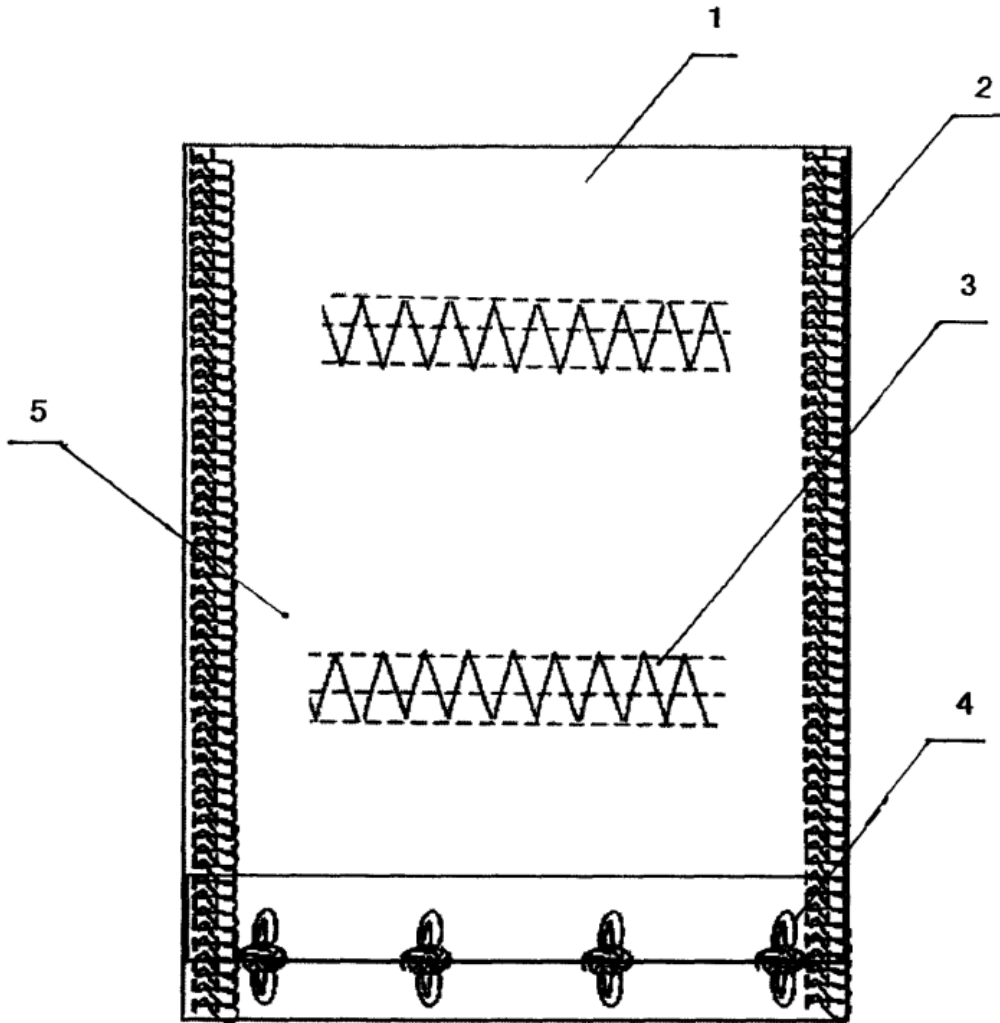


图 1

(19) Japanese Patent Office (JP)

**(12) Official Gazette for Kokai Patent Applications (A)**

(11) Japanese Patent No.

**Patent No.: Hei8(1996)-256891**

(43) Publication Date: October 8, 1996

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A 4 7 C	27/12	A 4 7 C	27/12	G

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(54) [Title of the Invention] Functional bedding

(57) [Abstract]

[Purpose] The present invention is to provide bedding that is capable of replacing a part thereof so as to recover functionality in an arbitrary manner, or to allocate another functionality thereto.

[Constitution] Functional bedding comprising a multiple number of separate pieces that can be mutually freely attached or detached, wherein functionality is allocated to at least one of the separate pieces.

1
2
3
4
5

[Claim]

[Claim 1] Functional bedding comprising a multiple number of separate pieces that can be mutually freely attached or detached, wherein functionality is allocated to at least one of the separate pieces.

[Detailed Explanation of the Invention]

[0001]

[Industrial Field of Application] The present invention relates to bedding that is obtained by the arbitrary allocation of functionality to at least a portion thereof.

[0002]

[Background Technologies] Traditionally, the allocation of functionality to bedding has been conducted by means of physical techniques that utilize unique characteristics possessed by the fibers themselves, such as insulating fiber materials, absorbent fiber materials, and the like. In some special cases, materials that have been processed by chemical treatments have been also utilized.

[0003]

[Problem that the Invention is to Solve] However, in every case, the allocation of functionality to bedding has been conducted to the entire portion of the bedding cover or the bedding pad. Thus, when functionality has been allocated through chemical treatments, functions have been diminished by repeated washing. In an attempt to retain the initial functions, it has been necessary to replace the entire portion of the cover or the pad even when they have not at all been damaged, which has been problematic. Alternatively, if it has been necessary to allocate some other functions, it has been necessary to replace the entire portion of the cover or the pad even when the functions have been allocated through physical techniques. The present invention is designed to solve such traditional problems, and to provide bedding that is capable of replacing a part thereof so as to recover functionality in an arbitrary manner, or to allocate another functionality thereto.

[0004]

[Means for Solving the Problem] The present invention solves the problem stated above, by means of functional bedding that comprises a multiple number of separate pieces that can be mutually freely attached or detached, wherein functionality is allocated to at least one of the separate pieces.

[0005] The number of separate pieces that constitute the bedding of the present invention is not particularly limited; however, it is desirably in the range from 5 to 15. If it is smaller than 5, this is economically advantageous, but the separate pieces might not be positioned at a location that requires the functionality. Conversely, if it exceeds 15, the separate pieces may be positioned at a location requiring the functionality, but the cost involved in forming the bedding is increased; moreover, because the bedding is divided into many small pieces, the resulting bedding becomes rough, which makes it difficult to obtain comfortable sleep.

[0006] Moreover, "bedding" in the present invention collectively refer to items utilized for sleeping, such as comforters, mattresses, blankets, sofas, cushions, sleeping bags, blankets utilized in vehicles, and the like. "Functionality" in the present invention refers to various types of functions that are required for bedding, such as hygroscopicity, deodorization, antibacterial, fragrance, freshness, insulation, and the like. These functions are usually allocated to the cover or the pad of the bedding.

[0007] Figure 1 is a plan view showing an example of the functional bedding of the present invention, which has been embodied as a mattress comprising five separate pieces. Separate piece 1 is positioned at the head, and separate piece 5 is positioned at the feet. In this case, in order to render the separate pieces to be mutually freely attachable and detachable, desired connecting members, such as snaps, hooks, buttons, planar tapes, ribbons, and the like, may be provided on the sides of separate pieces 1 to 5.

[0008] Hygroscopicity can be allocated through the following methods: a hydrophilic compound such as polyethylene glycol and the like can be blended, a hydrophilic layer can be formed on the fiber surface, the cross-sectional surface can be rendered to take a polygonal shape, or multiple fine pores can be formed on the fiber surface. The separate pieces to which hygroscopicity has been allocated are desirably positioned at locations in contact with the back, arms, hands, etc. (separate pieces 2 and 3 shown in Figure 1). During the summer, by increasing the locations at which the separate pieces to which hygroscopicity has been allocated are positioned, the resulting bedding can be utilized as a comfortable bedding.

[0009] To achieve deodorization, fibers to which deodorization has been allocated through a well-known method, such as the method utilizing the neutralization reaction of acid group of zeolite, are utilized for the cover or the pad of the separate pieces, and the resulting separate pieces are positioned at locations

requiring deodorization as needed.

[0010] To achieve antibacterial effects, fibers to which a well-known antibacterial agent, such as quarternary ammonium salt and the like, has been allocated, are utilized to form the fibers with antibacterial effects, and the resulting separate pieces are positioned at locations requiring deodorization as needed.

[0011] To achieve fragrance, a fragrance with sedation effects or hypnotic effects is sealed in a microcapsule and the like, and the resulting capsule is caused to adhere [to the separate pieces] through the use of an appropriate binder so that [the resulting separate pieces] are rendered to be wash-resistant up to several times of washing. The allocation of fragrance may be achieved by utilizing the fragrant fibers to form the cover or the pad, or alternatively by allocating fragrance after the cover and the pad have been formed. The separate piece to which fragrance has been allocated is desirably positioned at the head (separate piece 1 shown in Figure 1).

[0012] To achieve freshness, a textile having a hemp-like texture or fabric having a rough surface may be utilized as the cover of the separate pieces. Similar to hygroscopicity, if such separate pieces to which freshness has been allocated are utilized for the majority of the bedding during the summer, the resulting bedding is rendered to be more comfortable.

[0013] Insulation may be achieved in the following manner: a fleece material may be utilized as the cover of the separate pieces, extremely fine fibers or hollow fibers may be utilized to retain air layers, or a textile with less thermal conductivity may be utilized. Moreover, fibers into which ceramic fine powder has been mixed therein may be utilized for the pad. The separate pieces to which insulation has been allocated may be positioned at locations requiring insulation as needed; in particular, during the winter, such separate pieces may be positioned at many locations such as at the locations of the hands, lower back, back, and feet, to obtain comfortable sleep (separate pieces 2 to 5 shown in Figure 1).

[0014] Figure 1 shows an example that consists of 5 separate pieces arranged in a vertical direction in consideration of the possible utilization of various functional materials and economic factors. However, depending on the type of the functional material, the bedding could consist of 6 pieces arranged in a horizontal direction. In addition, the separate pieces do not have to have the same size, and the size thereof may be changed as needed. Moreover, not only may multiple separate pieces with the same function be positioned at multiple locations, but multiple separate pieces with multiple different functions may also be positioned at multiple appropriate locations. For example, fragrance may be allocated to separate piece 1 to be positioned at the head, and antibacterial effects may be allocated to separate piece 5 to be positioned at the feet.



For the functional separate pieces, lighter separate pieces may be utilized; for example, a blanket may be utilized as the functionality piece for a mattress/comforter.

[0015]

[Effects of the Invention] The functional bedding of the present invention is constituted with multiple separate pieces that are mutually freely attachable and detachable. Therefore, it becomes possible to partially replace the separate pieces to which the functionality has been allocated, to recover the functionality in an arbitrary manner, or to allocate some other functionality to the bedding.

[Brief Explanation of the Drawings]

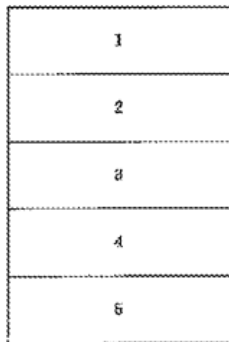
[Figure 1] Figure 1 is a plan view showing one example of the functional bedding of the present invention.

[Explanation of the Reference Numerals]

1: Separate piece to be positioned at the head

5: Separate piece to be positioned at the feet

[Figure 1]



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(54)【発明の名称】 機能性寝具

(57)【要約】

【目的】 その一部を部分的に取り替えて、任意に機能性を回復したり別の機能性を付与したりすることのできる寝具を提供する。

【構成】 相互に着脱自在の複数の分割片で構成され、少なくとも一つの分割片に機能性が付与されている機能性寝具。

1
2
3
4
5

## 【特許請求の範囲】

【請求項1】 相互に着脱自在の複数の分割片で構成され、少なくとも一つの分割片に機能性が付与されていることを特徴とする機能性寝具。

## 【発明の詳細な説明】

### 【0001】

【産業上の利用分野】本発明は、少なくともその一部に任意に機能性を付与し得る寝具に関するものである。

### 【0002】

【従来の技術】従来から、寝具への機能性の付与は、その殆どが保温性繊維や吸水性繊維等、繊維自体が持つ固有の特性を利用する物理的な手法によっていたが、特殊なケースとして化学的な処理を施したものを使用している場合もあった。

### 【0003】

【発明が解決しようとする課題】しかしながら、何れの場合も、寝具への機能性の付与は、カバーあるいは中綿の全体に施されており、特に化学的な処理による機能性付与は繰り返し洗濯等によって機能が低下し、初期の機能を維持しようとするれば、カバーや中綿の損傷が殆どないにもかかわらずそれらの全体を取り替えなければならないという問題があった。また別の機能を付与したい場合は、物理的な手法で機能を付与したものであってもカバーや中綿全体を取り替えねばならなかった。本発明は、かかる従来の問題点を解消し、その一部を部分的に取り替えて、任意に機能性を回復したり別の機能性を付与したりすることのできる寝具を提供するものである。

### 【0004】

【課題を解決するための手段】本発明は、相互に着脱自在の複数の分割片で構成され、少なくとも一つの分割片に機能性が付与されていることを特徴とする機能性寝具によって、上記課題を解決するものである。

【0005】本発明の寝具を構成する分割片の数は特に限定されないが、5～15であることが望ましい。5未満では経済的ではあるが、人体において、機能性を必要とする部位に分割片を配置できない場合がある。反対に15を越えると、必要とする部位に分割片を配置できるが、寝具形成上コスト高になり、また細分化されることにより凹凸部分が多く発生し、快適な睡眠も得られにくくなる。

【0006】尚、本発明でいう寝具とは、掛け布団、敷布団、毛布、ソファ、クッション、寝袋、車両用シート等就寝時に使用するものの総称である。また本発明でいう機能性とは、吸水性、消臭性、抗菌性、芳香性、清涼感、保温性等、寝具に要求される各種の機能性であり、これらの機能性は通常寝具のカバーまたは中綿部分に付与されている。

【0007】図1は、敷き布団を5分割した分割片で構成した本発明の機能性寝具の一例を示す平面図であり、

分割片1が頭部、分割片5が足部に該当する。この場合各分割片を相互に着脱自在とするには、各分割片1～5の側面にスナップ、ホック、ボタン、面状テープ、リボン等所望の連結具を設ければよい。

【0008】吸水性の付与は、ポリエチレングリコールなどの親水性化合物をブレンドしたり、繊維表面に親水性層を形成させたり、繊維断面を多角形にしたり、繊維表面に多数の微細孔を形成させたりする方法で行う。吸水性を付与した分割片は背中、腕、手等が接する部位（図1の分割片2、3）に配置することが望ましい。夏期においては吸水性付与の分割片の配置箇所を増加させることにより快適な寝具として用いることが可能である。

【0009】消臭性に関しては、ゼオライトの酸性基による中和反応を使用する等既知の方法で消臭性を付与した繊維を分割片のカバーまたは中綿に用い、必要とする部位に適宜配置する。

【0010】抗菌性も第4級アンモニウム塩等といった既知の抗菌剤を付与して抗菌性能をもつ繊維を使用し、必要部位に適宜配置する。

【0011】芳香性は、鎮静効果や催眠作用等の効用のある香りをマイクロカプセル等に封じ込め適当なバインダーで付着させ洗濯にも数回程耐えられるような形態で付与する。芳香性の付与は、予め繊維に付与したものをを用いてカバーや中綿としてもよく、カバーや中綿を形成後付与しても差し支えない。芳香性を付与した分割片は頭部（図1の分割片1）への配置が望ましい。

【0012】清涼感は、例えば麻様の形態をもつ織物や凹凸感のある表面をもつ布地を分割片のカバーに用いることで付与できる。吸水性と同様に夏期には寝具の大部分に配置するとより快適な寝具となる。

【0013】保温性は分割片のカバーに起毛織編物を用いたり、極細繊維や中空糸を使用して空気層を保持し、熱伝導を抑えた織編物を活用するなどして付与する。また、中綿にセラミックスの微粉末を練り込んだ繊維を用いてもよい。保温性付与の分割片は適宜必要とされる部位に配置し、特に冬期には手、腰、背中、足をはじめ多くの部位（図1の分割片2～5）に配置することで安眠が得られる。

【0014】図1においては各種の機能性材料への対応及び経済的な要素を加味して寝具の縦方向に5分割とした例を示しているが、使用する機能材の種類によって寝具の横方向とし分割数も6以上とすることも可能である。また分割片は必ずしもそれぞれ均等である必要はなく、適宜分割片の大きさを替えることも可能である。また、同一の機能性分割片を複数箇所に配置するだけでなく、異なる機能性を有する複数の分割片をそれぞれ適当な部位に配置してもよい。例えば芳香性を頭部の分割片1に付与し、抗菌性を足元の下端部の分割片5に付与する等である。また機能性分割片としては、他の分割片と

比較して軽量なもの、例えば布団に毛布を機能性分割片として用いてもよい。

**【0015】**

**【発明の効果】**本発明の機能性寝具は、相互に着脱自在の複数の分割片で構成されているので、機能性を付与した分割片を部分的に取り替えて、任意に機能性を回復したり別の機能性を付与したりすることが可能である。

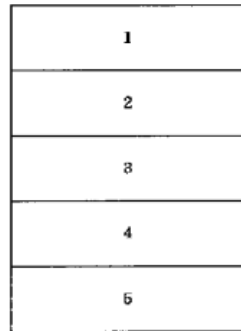
**【図面の簡単な説明】**

**【図1】**本発明の機能性寝具の一例を示す平面図である。

**【符号の説明】**

- 1 頭部に位置する分割片
- 5 足部に位置する分割片

**【図1】**



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Thursday, January 24 2013

THOMSON INNOVATION

**Patent/Publication: CN102551442A****Bibliography****DWPI Title**

Making method of finished fabric for use in manufacturing beddings for residential settings or in marine, boating and recreational vehicle environments involves joining discrete performance fabric portions to form the finished fabric

**English Title**

Fabric system

**Assignee/Applicant**Standardized: **SHEEX LLC**

Original: SHEEX LLC, US

**DWPI Assignee/Applicant**

SHEEX INC (SHEE-N); SHEEX LLC (SHEE-N)

**Inventor**

MARCINIAK MICHELLE MARIE, US WALVIUS SUSAN KATHERINE, US

**DWPI Inventor**

MARCINIAK M; MARCINIAK M M; WALVIUS S; WALVIUS S K

**Publication Date (Kind Code)**

2012-07-11 (A)

**DWPI Accession / Update**

2010-D87957 / 201259

**Application Number / Date**

CN201110443469A / 2009-09-29

**Priority Number / Date / Country**

US2008101049P / 2008-09-29 / US

**Abstract****DWPI Abstract**

(WO2010037082A2)

**Novelty**

The making method involves forming at least two discrete performance fabric portions and joining at least two discrete performance fabric portions to form the finished fabric. The formation of at least two discrete

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performance fabric portions comprises knitting at least two discrete performance fabric portions.

### **Detailed Description**

An INDEPENDENT CLAIM is included for a method of making bed sheet at least 90 inches wide from performance fabric.

### **Use**

Making method of finished fabric (claimed) at least 90 inches wide for use in manufacturing beddings for residential settings or in marine, boating and recreational vehicle environments.

### **Advantage**

Provides the bedding system that utilizes the beneficial properties of performance fabrics, the design of which acknowledges and addresses limitations in the manufacture of the fabrics. Obtains a high gauge circular knit fabric for use in bedding which has superior performance properties while allowing for manufacture by machinery presently available and in use. Provides the performance fabric with advanced breathability which enables heat and moisture transfer through evaporative cooling, thus, keeping the user is cooler, drier and more comfortable than with cotton. Provides the bedding which holds a distinct advantage over cotton in enabling, accommodating and maintaining optimum thermal conditions for sleep, which in turn can lead to faster sleep initiation and deeper, more restorative sleep. Provides sheets that offer enhanced drape and comfort compared to traditional cotton bedding, and are as fine as silk, yet provide the benefits of high elasticity and recovery along with superior breathability, body-heat transport, and moisture management as compared to traditional cotton bedding.

### **Drawing Description**

The drawing shows an illustration of a non-rectangular shaped sheet.

14 - Stitching.

16 - Main portion.

18 - Interior edge.

20 - Edge of sewn-on portion.

### **Abstract**

The bedding material, comprising a first fabric and second fabric portions, wherein the first fabric portion for performance fabric and has the first side and a second side, wherein the second fabric portion attached to the first fabric portion of the first side surface. In addition, also can be attached to the third fabric part is on a second side of the first part of the surface fabric. The first fabric portion is attached to the second fabric part by flat lock stitch. The first fabric portion may include a first region and a second region, containing different function properties of a second region in which the first region, and the first area is provided with wicking radiating or reducing moisture.

### **Classes/Indexing**

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Current IPC	Invention	Version	Additional	Version
Full	A47G 9/02	20060101	-	-
Main Group	-	-	-	-
Subclass	-	-	-	-

Original IPC	Invention	Version	Additional	Version
Advanced/Full	A47G 9/02	20060101	-	-
Core/Main Group	-	-	-	-
Subclass	-	-	-	-

**ECLA**

D04B 1/18 A47G 9/02B1

**DWPI Class**

F03 F04

**DWPI Manual Codes**



Expand DWPI Manual Codes

**Legal Status**

**INPADOC Legal Status**

Gazette Date	Code	Description
2012-09-12	C10	REQUEST OF EXAMINATION AS TO SUBSTANCE
2012-07-11	C06 +	PUBLICATION

Get Family Legal Status

**Family**

**Family**

INPADOC Family (14)

Publication Number	Publication Date	Inventor	Assignee/Applicant	Title
CN102551442A_	2012-07-11	MARCINIAK MICHELLE MARIE	SHEEX LLC	Fabric system
AU2009296195A1	2010-04-01	WALVIUS SUSAN KATHERINE	SHEEX LLC	Fabric system
CA2738658A1	2010-04-01	WALVIUS SUSAN KATHERINE	SHEEX INC	FABRIC SYSTEM
CN102245822A_	2011-11-16	MARCINIAK MICHELLE MARIE	SHEEX LLC	Fabric system
DE202009018490U1	2012-01-19	-	SHEEX INC	Gewebesystem

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DE9817024T1	2012-01-12	MARCINIAK Michelle Marie	SHEEX INC	GEWEBESYSTEM
EP2344691A2	2011-07-20	WALVIUS Susan Katherine	SHEEX LLC	Knitted bed sheet
EP2344691A4	2012-03-21	WALVIUS SUSAN KATHERINE	SHEEX INC	FABRIC SYSTEM
ES2368481T1	2011-11-17	WALVIUS SUSAN	SHEEX INC	SISTEMA DE TEJIDO.
US20110000020A1	2011-01-06	Walvius Susan Katherine	SHEEX LLC	Fabric System
US20120024013A1	2012-02-02	Walvius Susan	SHEEX INC	Fabric System
US20120030874A1	2012-02-09	Walvius Susan	SHEEX INC	Fabric System
WO2010037082A2	2010-04-01	WALVIUS Susan Katherine	SHEEX LLC	FABRIC SYSTEM
WO2010037082A3	2010-07-08	WALVIUS Susan Katherine	SHEEX LLC	FABRIC SYSTEM

## DWPI Family (14)

Publication	DWPI Update	Publication Date	IPC Code	Language
WO2010037082A2	201025	2010-04-01	D04B002114	English
Designated States: (Regional) AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HR HU IE IS IT LT LU LV MC MK MT NL NO PL PT RO SE SI SK SM TR OA BW GH GM KE LS MW MZ NA SD SL SZ TZ UG ZM ZW EA (National) AE AG AL AM AO AT AU AZ BA BB BG BH BR BW BY BZ CA CH CL CN CO CR CU CZ DE DK DM DO DZ EC EE EG ES FI GB GD GE GH GM GT HN HR HU ID IL IN IS JP KE KG KM KN KP KR KZ LA LC LK LR LS LT LU LY MA MD ME MG MK MN MW MX MY MZ NA NG NI NO NZ OM PE PG PH PL PT RO RS RU SC SD SE SG SK SL SM ST SV SY TJ TM TN TR TT TZ UA UG US UZ VC VN ZA ZM ZW				
Local Applications: WO2009US58716A filed 2009-09-29				
WO2010037082A3	201045	2010-07-08	D04B002114	English
Designated States: (Regional) AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HR HU IE IS IT LT LU LV MC MK MT NL NO PL PT RO SE SI SK SM TR OA BW GH GM KE LS MW MZ NA SD SL SZ TZ UG ZM ZW EA (National) AE AG AL AM AO AT AU AZ BA BB BG BH BR BW BY BZ CA CH CL CN CO CR CU CZ DE DK DM DO DZ EC EE EG ES FI GB GD GE GH GM GT HN HR HU ID IL IN IS JP KE KG KM KN KP KR KZ LA LC LK LR LS LT LU LY MA MD ME MG MK MN MW MX MY MZ NA NG NI NO NZ OM PE PG PH PL PT RO RS RU SC SD SE SG SK SL SM ST SV SY TJ TM TN TR TT TZ UA UG US UZ VC VN ZA ZM ZW				
Local Applications: WO2009US58716A filed 2009-09-29				
US20110000020A1	201104	2011-01-06	A47G000902	English
Local Applications: US2008101049P filed 2008-09-29 US2009569659A filed 2009-09-29				
AU2009296195A1	201127	2010-04-01	D04B002114	English
Local Applications: based on WO2010037082 AU2009296195A filed 2009-09-29				
CA2738658A1	201136	2010-04-01	D04B002114	English
Local Applications: based on WO2010037082 CA2738658A filed 2009-09-29 WO2009US58716A filed 2009-09-29 CA2738658A filed 2009-09-29				
EP2344691A2	201147	2011-07-20	A47G000902	English

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Designated States: (Regional) AT BE BG CH CY CZ DE DK EE ES FI FR GB GR HR HU IE IS IT LI LT LU LV MC MK MT NL NO PL PT RO SE SI SK SM TR AL BA RS				
Local Applications: based on WO2010037082 WO2009US58716A filed 2009-09-29 EP2009817024A filed 2009-09-29				
CN102245822A_	201201	2011-11-16	D04B002114	Chinese
Local Applications: based on WO2010037082 WO2009US58716A filed 2009-09-29 CN200980147643A filed 2009-09-29				
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Local Applications: EP2009817024A filed 2009-09-29 based on EP2344691				
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Local Applications: DE202009018490U filed 2009-09-29				
US20120024013A1	201210	2012-02-02	D04B000900	English
Local Applications: US2008101049P filed 2008-09-29 US2009569659A filed 2009-09-29 US13271884A filed 2011-10-12				
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Local Applications: US2008101049P filed 2008-09-29 US2009569659A filed 2009-09-29 US13272977A filed 2011-10-13				
HK1154058A0	201251	2012-04-20	-	English
Local Applications: based on WO2010037082 WO2009US58716A filed 2009-09-29 HK2011108432A filed 2011-08-11				
AU2012202375A1	201255	2012-05-17	D04B002114	English
Local Applications: AU2009296195A filed 2009-09-29 AU2012202375A filed 2012-04-24				
CN102551442A_	201259	2012-07-11	A47G000902	Chinese
Local Applications: CN201110443469A filed 2009-09-29				

## Claims

### Claims

All Claims (28)

#### Claims (English)

1. An artificial fibre fabric comprises the bed sheet, the fabric has high permeability and cotton fabric, heat resistance, and high moisture wicking characteristic.
2. Bed according to claim 1, wherein said fabric comprises fabric, the finished fabric comprises the fabric part is a cylindrical knitting; And the second cylindrical knitted fabric part; At least one of the fabric part comprises performance fabric part; The first and the second fabric portion is separated and combined to form the finished fabric.
3. The bed according to claim 1, comprising border.
4. Bed according to claim 2, wherein the first and second fabric portions is provided with different

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characters.

5. Bed according to claim 4, wherein at least one of the fabric property comprises moisture control.
6. Bed according to claim 1, wherein the fabric is a knit fabric of synthetic fibre.
7. Bed according to claim 1, wherein the fabric has a length that is at least 17 of the knitting needle.
8. Bed according to claim 1, wherein the fabric is a cylindrical knitting.
9. Bed according to claim 1, the sheet is stretched to adapt the baby bed and the adult bed.
10. Bed according to claim 1, it can be adequately stretching to adapt standard rectangular bed and smaller, non-rectangular sea bed.
11. Bed according to claim 1, it can be fully stretched to the adult bed adapted baby bed or standard.
12. The bed according to claim 1, wherein at least 90 inches wide.
13. Bed according to claim 1, it is provided with about 102 inches length and size of approximately 91 of an inch.
14. Bed according to claim 1, the bed sheet comprises a pull line, the pull line belt capable of stretching is to increase the tension around the edge of the bed sheet.
15. Bed according to claim 4, wherein at least one of the fabric property is UV protection.
16. Bed according to claim 4, wherein at least one of the fabric characters are as antimicrobial.
17. Bed according to claim 4, wherein at least one of the fabric property is heat.
18. Bed according to claim 4, wherein at least one of the fabric property is wind.
19. Bed according to claim 4, wherein at least one of the fabric property is anti-water.
20. Comprising a cylindrical fabric for bed sheet, the cylindrical knitted fabric comprises high performance artificial fibre.
21. The bed according to claim 20, wherein at least 90 inches wide.
22. Bed according to claim 20, wherein said sheet comprises at least two cylindrical knitted fabric.
23. Bed according to claim 20, wherein fabric comprises polyurethane-polyurea copolymer fibre.
24. When bed according to claim 23, wherein polyurethane-polyurea copolymer fiber comprise of the fabric, such that, if the cylindrical knitting the knitting needle number is , under the condition without damaging the integrity of the polyurethane-polyurea copolymer fibre fabric can be knitted to not exceed 72.5 circumference.
25. A cover of bed of the bed, the bed sheet comprises artificial fibre fabric, the fabric is compared with the cotton fabric with high air permeability, high heat conductivity and high moisture wicking characteristic.
26. According to claim bed according to claim 25, wherein fabric comprises cylindrical knitted fabric.

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27. Bed according to claim 25, wherein the bed sheet is at least 90 inches wide.

28. A single bed, the bed sheet comprises a cylindrical knitting artificial fibre fabric, the fabric is provided with knitting needle number is at least 17, and the fabric with the cotton fabric with high air permeability, high heat conductivity and high moisture wicking characteristic.

### ***Translation from Thomson Reuters***

## **Description**

### **Background/ Summary**

Background/Summary

-

### **DWPI Drawing Description**

The drawing shows an illustration of a non-rectangular shaped sheet.

14 - Stitching.

16 - Main portion.

18 - Interior edge.

20 - Edge of sewn-on portion.

### **Drawing Description**

Drawing Description

-

## **Description**

Description

-

## **Citations**

### **Citation**

Citing Patents (0)

Cited Patents (0)

Cited Non-patents (0)

## **Other**

000074

**Attorney / Agent**

Liu Shen & Associates, CN, CN

**DWPI Title Terms**

METHOD FINISH FABRIC MANUFACTURE RESIDENCE SET MARINE BOAT RECREATION VEHICLE  
ENVIRONMENT JOIN DISCRETE PERFORMANCE PORTION FORM

**Custom Fields**

**Test**

-

**Relevance**

-

**Product Name**

-

**Docket number**

-

**Notes**

-

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(19) 中华人民共和国国家知识产权局



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61/101,049 2008.09.29 US

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200980147643.6 2009.09.29

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11105

代理人 曲莹

(51) Int. Cl.

A47G 9/02 (2006.01)

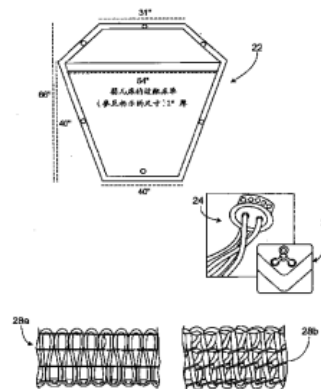
权利要求书 1 页 说明书 6 页 附图 4 页

(54) 发明名称

织物系统

(57) 摘要

寝具材料,包括第一织物部分和第二织物部分,所述第一织物部分用性能织物制成并具有第一侧面和第二侧面,所述第二织物部分附着在所述第一织物部分的所述第一侧面上。另外,还可在所述第一织物部分的第二侧面上附着第三织物部分。所述第一织物部分可通过平式锁缝线迹附着在第二织物部分上。所述第一织物部分可包括第一区域和第二区域,其中所述第一区域包含不同于第二区域的功能特性,而且所述第一区域可具有芯吸散热或散湿特性。



CN 102551442 A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Susan Walvius et al.	Art Unit	: 3673
Serial No.	: 13/271,884	Examiner	: Nicholas F. Polito
Filed	: October 12, 2011	Conf. No.	: 4645
Title	: FABRIC SYSTEM		

**MAIL STOP RCE**

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

INFORMATION DISCLOSURE STATEMENT

Please consider the reference listed on the attached PTO-1449 form.

Copies of United States patent documents will be provided upon request. Copies of all non-U.S. patent documents and other documents are enclosed.

The United States patent applications and/or patents listed below contain material related to material in this application. Copies of the applications and/or patents, their current claims (in the case of patents), and their transaction histories from the patent office public PAIR website are enclosed (or were provided previously with information disclosure statements identified in the table).

The applicant invites the examiner to consider the claims and claim amendments of these other applications and/or patents, and the positions of the examiners and the applicant that appear in their prosecution histories. The applicant understands that the examiner has direct access to these papers at the patent office, but will be happy to provide copies to the examiner upon request.

Applicant : Susan Walvius et al.  
Serial No. : 13/271,884  
Filed : October 12, 2011  
Page : 2 of 2

Attorney's Docket No.: 29712-0002002

US serial number and filing date/ status	Examiner and group art unit	Is patent or application attached and listed on form 1449 and/or what is the date of a prior information disclosure statement with which it was submitted	In the case of an application, are claims attached or what is the date of a prior information disclosure statement with which they were submitted	Is current PAIR transaction history attached and listed on form 1449
61/101,049 09/29/2008 Expired	N/A	No	No	No
12/569,659 09/29/2009 Pending	Nicholas F. Polito GAU 3673	No - publication 2011/0000020 submitted 2/16/12	Yes	Yes
13/272,977 10/13/2011 Pending	Nicholas F. Polito GAU 3673	No - publication 2012/0030874 submitted 2/16/12	Yes	Yes

This statement is being filed after a request for continued examination and before the mailing of a first Office Action. Please apply any necessary charges or credits to Deposit Account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: January 24, 2013 \_\_\_\_\_

/Frank L. Gerratana/ \_\_\_\_\_  
Frank L. Gerratana  
Reg. No. 62,653

Customer Number 26161  
Fish & Richardson P.C.  
Telephone: (617) 542-5070  
Facsimile: (877) 769-7945

22973437.doc

000078



Substitute Disclosure Form  <b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)  (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 29712-0002002	Application No. 13/271,884
	Applicant Susan Walvius et al.		
	Filing Date October 12, 2011	Group Art Unit 3673	

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
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**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	1	CN2841696	11/29/2006	China			X	
	2	JP8-256891	10/8/1996	Japan			X	
	3	CN102551442A	7/11/2012	China			Abst.	

**Other Documents (include Author, Title, Date, and Place of Publication)**

Examiner Initial	Desig. ID	Document
	4	Canadian office action issued May 30, 2012 in Canadian application no. 2,738,658 (11 pages).
	5	Office Action from Australian Patent Application No. 2012202375 mailed November 20, 2012 (5 pages).
	6	Response to Office Action issued May 30, 2012 in Canadian Application No. 2,738,658 filed August 30, 2012 (21 pages).
	7	Voluntary Amendment filed in Chinese Application No. 2011-10443469.9 on November 29, 2012 (1 page).
	8	Response to Communication dated May 9, 2012 in European Application no. 09817024.4 filed on September 7, 2012 (9 pages).
	9	European Communication mailed November 22, 2012 from European application no. 09817024.4 (24 pages).
	10	Transaction history from PAIR of U.S. application no. 13/271,884 as of January 24, 2013.
	11	Transaction history from PAIR of U.S. application no. 13/272,977 as of January 24, 2013.
	12	Pending claims for 13/271,884 as of January 24, 2013.
	13	Pending claims for 13/272,977 as of January 24, 2013.

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13271884			
<b>Filing Date:</b>	12-Oct-2011			
<b>Title of Invention:</b>	Fabric System			
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius			
<b>Filer:</b>	Frank L. Gerratana/jennifer franco			
<b>Attorney Docket Number:</b>	29712-0002002			
Filed as Large Entity				
<b>Utility under 35 USC 111(a) Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total in USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Statutory or terminal disclaimer	1814	1	160	160
<b>Total in USD (\$)</b>				<b>160</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14785554
<b>Application Number:</b>	13271884
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4645
<b>Title of Invention:</b>	Fabric System
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Customer Number:</b>	26161
<b>Filer:</b>	Frank L. Gerratana/jennifer franco
<b>Filer Authorized By:</b>	Frank L. Gerratana
<b>Attorney Docket Number:</b>	29712-0002002
<b>Receipt Date:</b>	24-JAN-2013
<b>Filing Date:</b>	12-OCT-2011
<b>Time Stamp:</b>	17:15:37
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	4860
Deposit Account	061050
Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
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1	Terminal Disclaimer Filed	2002_TerminalDisclaimer.pdf	65496 082cab09ebb2ae9b09cb28115eade56efc44b544	no	2
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<b>Information:</b>					
2	Foreign Reference	CN2841696.pdf	528937 1311d02f8c4f8543f78aff901fb5360523a4b0e3	no	10
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3	Foreign Reference	JP1996256891.pdf	324726 b93fb6c24fda4c910f7469c5b2634b63d93927d	no	7
<b>Warnings:</b>					
<b>Information:</b>					
4	Foreign Reference	CN102551442A.pdf	421547 63f25b54a8004f050690ce60a1a3a9c582a7c006	no	9
<b>Warnings:</b>					
<b>Information:</b>					
5	Non Patent Literature	2AU2_OA_11_20_12.pdf	1478526 f4137559df899e35a1105f4db1b72257a69cc521	no	5
<b>Warnings:</b>					
<b>Information:</b>					
6	Non Patent Literature	2CA1_ROA_8_30_12.pdf	2013866 a7d4cc6cc71481a419494f3aafd284b557109921	no	21
<b>Warnings:</b>					
<b>Information:</b>					
7	Non Patent Literature	2CA1_OA_5_30_12_.pdf	2315863 fdff0d4f68abc483ecc940baefd57193775a220e	no	11
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<b>Information:</b>					
8	Non Patent Literature	2CN2_VOLAMDT_11_29_12.pdf	35310 f6c6a7b4f9512a4433d4dd2d195e9c4a599262b8	no	1
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<b>Information:</b>					
9	Non Patent Literature	2EP1_RCOMM_11_22_11.pdf	249260 611bfd45983aab144b0e79f08473d5df64fc43fb	no	12
<b>Warnings:</b>					
<b>Information:</b>					
000083					



10	Non Patent Literature	2001_TH_1_24_13.pdf	111922 ea481539e44d22b2ff611a908b51325342139ad	no	1
<b>Warnings:</b>					
<b>Information:</b>					
11	Non Patent Literature	2003_TH_1_24_13.pdf	144339 3461954962d2377f494dbaf6a459db89616ae9c9	no	2
<b>Warnings:</b>					
<b>Information:</b>					
12	Non Patent Literature	2EP1_RCOMM_9_7_12_.pdf	142184 eb028795f44605aa0aacc298915ad06c17ae690	no	9
<b>Warnings:</b>					
<b>Information:</b>					
13	Non Patent Literature	2001_PendingClaims.pdf	53298 e096d5211ff9de0e86e19a23d8b629bf99a4bdf9	no	6
<b>Warnings:</b>					
<b>Information:</b>					
14	Non Patent Literature	2003_PendingClaims.pdf	49468 031ce61681724fd3ab45259a9050321249ddb0bd	no	5
<b>Warnings:</b>					
<b>Information:</b>					
15	Transmittal Letter	2002_IDS.pdf	64862 90d3ec104e5c8355d07beea8f087fed802f48a1d	no	2
<b>Warnings:</b>					
<b>Information:</b>					
16	Information Disclosure Statement (IDS) Form (SB08)	2002_1449.pdf	88750 0a00c9c3124a3848a3b2ced7c8b09bf6ae12767d	no	1
<b>Warnings:</b>					
<b>Information:</b>					
This is not an USPTO supplied IDS fillable form					
17	Fee Worksheet (SB06)	fee-info.pdf	29596 9408a95db32c38058dd97bd0e49ce39fd6e04a99	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			8117950		

**This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.**

**New Applications Under 35 U.S.C. 111**

**If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.**

**National Stage of an International Application under 35 U.S.C. 371**

**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.**

**New International Application Filed with the USPTO as a Receiving Office**

**If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.**

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14786347
<b>Application Number:</b>	13271884
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4645
<b>Title of Invention:</b>	Fabric System
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Customer Number:</b>	26161
<b>Filer:</b>	Frank L. Gerratana/jennifer franco
<b>Filer Authorized By:</b>	Frank L. Gerratana
<b>Attorney Docket Number:</b>	29712-0002002
<b>Receipt Date:</b>	24-JAN-2013
<b>Filing Date:</b>	12-OCT-2011
<b>Time Stamp:</b>	18:02:59
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Non Patent Literature	2EP1_COMM_11_22_12.pdf	1489408 <small>6fa224ab5f845621c9114e4660fa2c3b6969d13b</small>	no	24

### Warnings:

### Information:

000086

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

**New Applications Under 35 U.S.C. 111**

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

**National Stage of an International Application under 35 U.S.C. 371**

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

**New International Application Filed with the USPTO as a Receiving Office**

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	13/271,884
Filing Date	October 12, 2011
First Named Inventor	Susan Walvius
Art Unit	3673
Examiner Name	Nicholas F. Polito
Attorney Docket Number	29712-0002002

### This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply

iii.  Information Disclosure Statement (IDS)

ii.  Affidavit(s)/ Declaration(s)

iv.  Other \_\_\_\_\_

### 2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

a.  period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b.  Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees any underpayment of fees or credit any overpayments to

a.  Deposit Account No. 06-1050.

i.  RCE fee required under 37 CFR 1.17(e)

ii.  Extension of time fee (37 CFR 1.136 and 1.17)

iii.  Other any deficiencies

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/Frank L. Gerratana/	Date	November 30, 2012
Name (Print/Type)	Frank L. Gerratana	Registration No.	62,653

#### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

000088





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susan Walvius et al.                      Art Unit : 3673  
Serial No. : 13/271,884                                      Examiner : Nicholas F. Polito  
Filed : October 12, 2011                                      Conf. No. : 4645

Title : FABRIC SYSTEM

**MAIL STOP AF**

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

AMENDMENT IN REPLY TO ACTION OF MAY 30, 2012

Please amend the above-identified application as follows:

List of Claims (replacing all prior versions):

1-13. (Cancelled).

14. (Withdrawn) A method of making a finished fabric at least 90 inches wide comprising:  
forming at least two discrete performance fabric portions; and  
joining at least two discrete performance fabric portions to form the finished fabric.

15. (Withdrawn) The method of claim 14, wherein forming at least two discrete performance fabric portions comprises knitting at least two discrete performance fabric portions.

16. (Withdrawn) The method of claim 14, wherein forming at least two discrete performance fabric portions comprises circular knitting at least one of the discrete performance fabric portions.

17. (Withdrawn) The method of claim 14, wherein joining at least two discrete performance fabric portions to form the finished fabric comprises stitching at least two discrete performance fabric portions together to form the finished fabric.

18. (Withdrawn) The method of claim 14, wherein the two discrete performance fabric portions are joined by flatlock stitching.

19. (Withdrawn) The method of claim 14, comprising  
heat setting finishing the joined at least two discrete fabric portions.

20. (Withdrawn) The method of claim 14 wherein the finished fabric comprises a bed sheet.

21. (Withdrawn) The method of claim 20, further comprising providing piping to the bed sheet.

22. (Withdrawn) The method according to claim 14, wherein the at least two discrete fabric portions have different fabric characteristics.

23. (Withdrawn) The method of making a finished fabric at least 90 inches wide comprising  
circular knitting at least two discrete fabric portions;  
stitching at least two discrete fabric portions; and  
heat setting finishing the stitched at least two discrete fabric portions.

24. (Withdrawn) A method of making a bed sheet at least 90 inches wide from performance fabric comprising  
circular knitting at least two discrete fabric portions; the two discrete fabric portions having different fabric characteristics including at least one of the following: moisture management, UV protection, anti-microbial, thermo-regulation, wind resistance, and water resistance;  
stitching at least two discrete fabric portions together;  
heat setting finishing the stitched at least two discrete fabric portions to form a finished bed sheet; and  
providing piping to the finished bed sheet.

25. (Currently Amended) A finished fabric at least 90 inches wide comprising:  
a first circular knitted fabric portion; and  
a second circular knitted fabric portion,

at least one of the circular knitted fabric portions comprising a ~~circular knitted~~ performance fabric ~~portion~~ that has been circularly knitted at a high gauge 17 gauges or higher, the performance fabric having an elasticity such that the performance fabric has a tendency to sag by an amount that is greater than a threshold amount of sag determined by a finishing process, such that the sag would interfere with the finishing process if the performance fabric were circularly knit at greater than a 72.5 inch circumference;

wherein the first and second fabric portions are discrete; and

wherein the first and second fabric portions are joined along respective edges of the two portions to form the finished fabric.

26. (Previously Presented) The finished fabric of claim 25, further comprising piping.

27. (Previously Presented) The finished fabric of claim 25, wherein the first and second fabrics have different fabric characteristics.

28. (Previously Presented) The finished fabric of claim 27, wherein at least one of the fabric characteristics comprises moisture management.

29. (Previously Presented) The finished fabric of claim 27, wherein at least one of the fabric characteristics comprises UV protection.

30. (Previously Presented) The finished fabric of claim 27, wherein at least one of the fabric characteristics comprises anti-microbial properties.

31. (Previously Presented) The finished fabric of claim 27, wherein at least one of the fabric characteristics comprises thermo-regulation.

32. (Previously Presented) The finished fabric of claim 27, wherein at least one of the fabric characteristics comprises wind resistance.



33. (Previously Presented) The finished fabric of claim 27, wherein at least one of the fabric characteristics comprises water resistance.

34. (Previously Presented) The finished fabric of claim 25, wherein the performance fabric portion comprises a man-made fiber that has higher breathability than a cotton fabric.

35. (Previously Presented) The finished fabric of claim 25, wherein the performance fabric portion comprises a man-made fiber that has higher heat transfer than a cotton fabric.

36. (Previously Presented) The finished fabric of claim 25, wherein the performance fabric portion comprises a man-made fiber that has higher moisture wicking characteristics than a cotton fabric.

37. (Previously Presented) The finished fabric of claim 25, having a gauge of at least 17 gauges.

38. (Previously Presented) The finished fabric of claim 25, comprising a bed sheet.

39. (Previously Presented) The finished fabric of claim 25, comprising a bed covered by the bed sheet.

40. (Previously Presented) The finished fabric of claim 25, wherein the bed sheet is sufficiently stretchable to fit a standard rectangular bed and a smaller, non-rectangular marine bed.

41. (Previously Presented) The finished fabric of claim 25, wherein the bed sheet is sufficiently stretchable to fit either a crib or a standard adult bed.

42. (Previously Presented) The finished fabric of claim 25, comprising a knit fabric that includes polyurethanepolyurea copolymer fiber.

43. (Previously Presented) The finished fabric of claim 42, wherein the polyurethanepolyurea copolymer fiber is included in the knit fabric in a proportion that, if circularly knit at a high gauge, the knit fabric could be knit at no more than a 72.5 inch circumference without losing integrity of the polyurethanepolyurea copolymer fiber.

### REMARKS

This application is related to co-pending application 12/569,659, and the amendments in this response are made in part based on discussions held with the examiner in that case.

Claims 25-43 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-4 and 28 of copending Application No. 12/569,659. In response, the applicant will consider filing a terminal disclaimer once the pending claims have been found to be allowable.

Claims 25-29 and 31-41 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Murphy et al. (U.S. Patent No. 6,823,548) in view of Taniguchi et al. (U.S. Pub. No. 2005/0132754). In response, claim 25 has been amended to recite "at least one of the circular knitted fabric portions comprising a performance fabric that has been circularly knit at 17 gauges or higher, the performance fabric having an elasticity such that the performance fabric has a tendency to sag by an amount that is greater than a threshold amount of sag determined by a finishing process, such that the sag would interfere with the finishing process if the performance fabric were circularly knit at greater than a 72.5 inch circumference." The references are not understood to have described or made obvious at least this feature of the claim.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

The applicant thanks the examiner for the indication of allowable subject matter in claim 43.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim

Applicant : Susan Walvius et al.  
Serial No. : 13/271,884  
Filed : October 12, 2011  
Page : 8 of 8

Attorney's Docket No.: 29712-0002002

does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

The Petition for Extension of Time fee is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any necessary charges or credits to Deposit Account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: November 30, 2012\_\_\_\_\_

/Frank L. Gerratana/\_\_\_\_\_  
Frank L. Gerratana  
Reg. No. 62,653

Customer Number 26161  
Fish & Richardson P.C.  
Telephone: (617) 542-5070  
Facsimile: (877) 769-7945

22858987.doc

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	13271884
<b>Filing Date:</b>	12-Oct-2011
<b>Title of Invention:</b>	Fabric System
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Filer:</b>	Frank L. Gerratana/jennifer franco
<b>Attorney Docket Number:</b>	29712-0002002

Filed as Large Entity

### Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 3 months with \$0 paid	000098 <sup>1253</sup>	1	1290	1290



Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Request for continued examination	1801	1	930	930
<b>Total in USD (\$)</b>				<b>2220</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	14352435
<b>Application Number:</b>	13271884
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4645
<b>Title of Invention:</b>	Fabric System
<b>First Named Inventor/Applicant Name:</b>	Susan Walvius
<b>Customer Number:</b>	26161
<b>Filer:</b>	Frank L. Gerratana/jennifer franco
<b>Filer Authorized By:</b>	Frank L. Gerratana
<b>Attorney Docket Number:</b>	29712-0002002
<b>Receipt Date:</b>	30-NOV-2012
<b>Filing Date:</b>	12-OCT-2011
<b>Time Stamp:</b>	14:20:45
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	\$2220
RAM confirmation Number	769
Deposit Account	061050
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### File Listing:

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