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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
15/019,660	02/09/2016	Kenneth P. Weiss	W0537-700924	1202
37462 7590 04/15/2016 LANDO & ANASTASI, LLP			EXAMINER	
ONE MAIN STREET, SUITE 1100 CAMBRIDGE, MA 02142			CHEUNG, CALVIN K	
			ART UNIT	PAPER NUMBER
			3668	
			NOTIFICATION DATE	DELIVERY MODE
			04/15/2016	ELECTRONIC

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

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	Application No. 15/019,660	Applicant(s) WEISS, KENNETH P.	
Office Action Summary	Examiner CALVIN CHEUNG	Art Unit 3668	AIA (First Inventor to File) Status No
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet with the o	corresponden	ce address
 A SHORTENED STATUTORY PERIOD FOR REF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory perior Failure to reply within the set or extended period for reply will, by stat Any reply received by the Office later than three months after the ma earned patent term adjustment. See 37 CFR 1.704(b). 	1.136(a). In no event, however, may a reply be the od will apply and will expire SIX (6) MONTHS from tute, cause the application to become ABANDONE	nely filed the mailing date o ED (35 U.S.C. § 133	f this communication.
Status			
 1) Responsive to communication(s) filed on <u>2/s</u> A declaration(s)/affidavit(s) under 37 CFR 			
2a) This action is FINAL . 2b) 🛛 T	his action is non-final.		
3) An election was made by the applicant in re-	sponse to a restriction requirement	set forth durir	ng the interview on
; the restriction requirement and elect	•		
4) Since this application is in condition for allow closed in accordance with the practice unde	•		to the merits is
Disposition of Claims*			
5) Claim(s) <u>1-12</u> is/are pending in the application	on.		
5a) Of the above claim(s) is/are withd			
6) Claim(s) is/are allowed.			
7) 🛛 Claim(s) <u>1-12</u> is/are rejected.			
8) 🛛 Claim(s) <u>3 and 4</u> is/are objected to.			
9) Claim(s) are subject to restriction and	d/or election requirement.		
* If any claims have been determined <u>allowable</u> , you may be	e eligible to benefit from the Patent Pro	secution High	way program at a
participating intellectual property office for the corresponding	g application. For more information, plea	ase see	
http://www.uspto.gov/patents/init_events/pph/index.jsp or se	end an inquiry to <u>PPHfeedback@uspto.</u>	<u>qov</u> .	
Application Papers			
10) The specification is objected to by the Exami	iner.		
11) The drawing(s) filed on is/are: a) a		Examiner.	
Applicant may not request that any objection to the			(a).
Replacement drawing sheet(s) including the corr			
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for forei	ian priority under 25 U.S.C. & 110(a	(d) or (f)	
Certified copies:			
a) All b) Some** c) None of the:			
1. Certified copies of the priority docum	ents have been received		
2. Certified copies of the priority docum		tion No	
3. Copies of the certified copies of the p			
	-	reu in this wal	lional Stage
application from the International Bure ** See the attached detailed Office action for a list of the cer			
	tilled copies not received.		
Attachment(s)			
1) X Notice of References Cited (PTO-892)	3) 🔲 Interview Summary	(PTO-413)	
	Paper No(s)/Mail D		
) Information Disclosure Statement(s) (PTO/SB/08a and/or PT	(O/SB/08b)		
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DETAILED ACTION

Office Action Identifier

This office action is given an identifier, Paper No. 20160408, for reference purposes only.

Continuation Application

This application is a continuation application ("CON") of U.S. App# 14027860, now U.S. Pat# 9100826 which is a CON of U.S. App# 13621609, now U.S. Pat# 8538881 which is a CON of U.S. App# 13168556, now U.S. Pat# 8271397 which is a CON of U.S. App# 11677490, now U.S. Pat# 8001055 . See MPEP §201.07. In accordance with MPEP §609.02 A. 2 and MPEP §2001.06(b) (last paragraph), the Examiner has reviewed and considered the prior art cited in the Parent Application. Also in accordance with MPEP §2001.06(b) (last paragraph), all documents cited or considered 'of record' in the Parent Application are now considered cited or 'of record' in this application. Additionally, Applicant(s) are reminded that a listing of the information cited or 'of record' in the Parent Application need not be resubmitted in this application. See MPEP §609.02 A. 2. Finally, Applicant(s) are reminded that the prosecution history of the Parent Application is relevant in this application. See e.g., Microsoft Corp. v. Multi-Tech Sys., Inc., 357 F.3d 1340, 1350, 69 USPQ2d 1815, 1823 (Fed. Cir. 2004) (holding that statements made in prosecution of one patent are relevant to the scope of all sibling patents).

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Notice of Pre-AIA or AIA Status

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

Track-1 Status

Track-1 status was granted to this application by the USPTO on 22 March 2016.

Status of Claims

Claims 1-12 filed 9 February 2016 are examined in this office action.

Allowable Subject Matter

Claims 3-4 would be allowable if rewritten to overcome all pending objection(s) and all pending rejection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim Objections

1. Claims 1 and 10 are objected to because of the following informalities:

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Claim 1 does not follow the convention of separating distinct elements/steps of the claims with line spacings or line indentations. MPEP 608.01(i) expressly states, "... Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation." For example, claim 1 contains an individual "wherein" clause hiding a

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plurality of further "wherein" clauses that also including multiple distinct steps and/or elements; however, the claim as presented fails to delineate these elements in accordance with MPEP 608.01(i).

Claim 10 does not follow the convention of separating distinct elements/steps of the claims with line spacings or line indentations. MPEP 608.01(i) expressly states, "... Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation." For example, claim 10 contains more than one "wherein" clause; however, the claim as presented fails to delineate these elements in accordance with MPEP 608.01(i).

Claim Rejections - 35 USC § 112(B) or (pre-AIA) Second Paragraph

2. The following is a quotation of 35 U.S.C. 112(B):

(B) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-11 are rejected under 35 U.S.C. 112(B) or 35 U.S.C. 112 (pre-AIA), second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject

matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the

invention.

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