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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
16/585,790	09/27/2019	Frank Haron Preiss	DMC007USCon4	6155
81796	7590	04/09/2021	EXAMINER	
Moyles IP, LLC 1 Enterprise Drive, Suite 428 Shelton, CT 06484				
			ART UNIT	PAPER NUMBER
			MAIL DATE	DELIVERY MODE
			04/09/2021	

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



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In re Application of :  
Preiss et al. :  
U.S. Pat. No. 10,844,697 : NOTIFICATION OF IMPROPER  
Issued: November 24, 2020 : PRIOR ART CITATION UNDER  
For: PERFORATION GUN : 37 CFR 1.501  
COMPONENTS AND SYSTEM :

The submission filed on March 3, 2021 filed by a third party under 37 CFR 1.501 is hereby acknowledged to have been received and reviewed by the Patent and Trademark Office. The requirements for a proper prior art citation under 37 CFR 1.501 are as follows:

A) prior art submitted must be limited to “written prior art consisting of patents and publications”. Any submission that contains any issue not directed to patents and publications will not be entered into the file and will be returned unconsidered, despite the fact that it may also contain “properly considerable” prior art. MPEP 2205.

B) an explanation of how the person submitting the prior art considers it to be pertinent and applicable to the patent.

C) an explanation of why it is believed that the prior art has a bearing on the patentability of any claim of the patent.

D) if filed by a party other than the patent owner, an indication must be present that a copy of the submission has been served on the patent owner, or includes a duplicate copy if service on the patent owner was not possible.

The prior art submission filed March 3, 2021 fails to meet the requirement of item A) above. Pursuant MPEP 2205, “[t]he submission must be directed to patents, printed publications and/or written claim scope statements and additional information and cannot discuss what the patent owner did, or failed to do, with respect to submitting and/or describing patents and printed publications during examination, because that would be a statement as to the conduct of the patent owner.” The submission includes statements discussing what the patent owner did during examination as well as statements with regards to patent owner’s post grant conduct in a proceeding before a Federal court or the Office.

Telephone inquiries related to this letter should be directed to Teri P. Luu, Quality Assurance Specialist, at (571) 272-7045.

/Katherine Matecki/

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KM/tl: 03/31/21

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