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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
90/010,615	07/24/2009	5474142	NOV-2RE:142	8642

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EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED: 02/22/2010

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

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EX PARTE REEXAMINATION COMMUNICATION TRANSMITTAL FORM

REEXAMINATION CONTROL NO. *90/010,615*.

PATENT NO. *5,474,142*.

ART UNIT *3993*.

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified *ex parte* reexamination proceeding (37 CFR 1.550(f)).

Where this copy is supplied after the reply by requester, 37 CFR 1.535, or the time for filing a reply has passed, no submission on behalf of the *ex parte* reexamination requester will be acknowledged or considered (37 CFR 1.550(g)).

Office Action in Ex Parte Reexamination	Control No. 90/010,615	Patent Under Reexamination 5,474,142	
	Examiner PETER C. ENGLISH	Art Unit 3993	

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

a☒ Responsive to the communication(s) filed on *14 January 2010* . b☒ This action is made FINAL.
c☐ A statement under 37 CFR 1.530 has not been received from the patent owner.

A shortened statutory period for response to this action is set to expire *1* month(s) from the mailing date of this letter. Failure to respond within the period for response will result in termination of the proceeding and issuance of an *ex parte* reexamination certificate in accordance with this action. 37 CFR 1.550(d). **EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.550(c).** If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☐ Information Disclosure Statement, PTO/SB/08.
3. ☐ Interview Summary, PTO-474.
4. ☐ _____.

Part II SUMMARY OF ACTION

1a. ☒ Claims *1-8 and 11-15* are subject to reexamination.
1b. ☒ Claims *9 and 10* are not subject to reexamination.
2. ☐ Claims _____ have been canceled in the present reexamination proceeding.
3. ☒ Claims *2-8 and 12-15* are patentable and/or confirmed.
4. ☒ Claims *1 and 11* are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ The drawings, filed on _____ are acceptable.
7. ☐ The proposed drawing correction, filed on _____ has been (7a)☐ approved (7b)☐ disapproved.
8. ☐ Acknowledgment is made of the priority claim under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All b)☐ Some* c)☐ None of the certified copies have
   1☐ been received.
   2☐ not been received.
   3☐ been filed in Application No. _____ .
   4☐ been filed in reexamination Control No. _____.
   5☐ been received by the International Bureau in PCT application No. _____.
   * See the attached detailed Office action for a list of the certified copies not received.
9. ☐ Since the proceeding appears to be in condition for issuance of an *ex parte* reexamination certificate except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte* Quayle, 1935 C.D. 11, 453 O.G. 213.
10. ☐ Other: _____

cc: Requester (if third party requester)

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by LeCompte et al. (US 1,891,329).

LeCompte discloses a brake actuation mechanism co-acting with a telescopic drill stem section and actuated by the back pressure of a mud laden (i.e., drilling) fluid for automatically retarding the lowering of additional drill stem into the hole and, if necessary, stopping further lowering of drill stem (p. 1, lines 49-58).

The first element of claim 1: a drilling fluid pressure sensor

LeCompte includes a drilling fluid pressure sensor, disclosing that a "reference character T designates the mud fluid pressure gauge which gives the reading of pressure that the mud laden fluid is being pumped into mud pipe M and through the drill stem line..." (p. 3, lines 8-13, and Figure 1). In combination with the back pressure generated from the movements of the length compensator U, and in co-action with the pressure of the drilling fluid pumped through mud pipe M, LeCompte teaches that a mud laden fluid carrying pipe 82, which is a branch from the mud laden fluid conducting pipe M, is also connected with the valve case 80, and the valve case 80 is provided with a suitable slidable valve 84 which allows the valve to open only sufficiently against a suitable spring 85 to permit steam to pass through valve groove 86 to set the brake (p. 5, lines 51-61). Therefore, the slidable valve 84, as it interacts with the spring 85, senses the back pressure caused by the interaction of the length compensator U and the mud pumped through mud pipe M and mud laden fluid carrying pipe 82.

The second element of claim 1: a drilling fluid pressure regulator measuring changes in drilling fluid pressure and outputting a signal representing those changes

As explained above, as the pressure changes, LeCompte's slidable valve 84 presses and releases against spring 85 (p. 5, lines 51-61). The slidable valve 84 contains a valve groove 86, that allows steam to pass through in varying amounts, depending on the pressure detected (p. 5, lines 51-61). The steam is generated by steam boiler O, is output through steam pipe P, and passes through valve groove 86 in varying amounts depending on the back pressure of the drilling fluid as detected by slidable valve 84 in interaction with spring 85 (p. 5, lines 43-63). Thus, the steam, output from the boiler O and transferred by the pipe P, is utilized by the slidable valve 84 as a signal to communicate a particular change in pressure at that point in time, which signal thus represents the change in drilling fluid pressure at that particular point in time. Thus, LeCompte discloses measuring a pressure change and outputting a signal representing that change.

The third element of claim 1: a relay responsive to the output signal of said drilling fluid pressure regulator to supply a drill string control signal at an output thereof

In LeCompte, as steam exits through the valve groove 86, it is relayed to the braking system, entering cylinder 67, which then acts against piston 70 (p. 5, line 14 to p. 6, line 15). The output signal of a particular amount of steam through valve groove 86 is relayed to the brake (the drill string controller) and moves cylinder 67 and piston 70 in varying amounts. Thus, LeCompte includes a relay system which sends the modified steam signal, based on changes in drilling fluid pressure, to the braking system.

The fourth element of claim 1: a drill string controller coupled to the relay such that the controller reduces the rate of drill string release when drilling fluid pressure increases, and increases the rate of drill string release when drilling fluid pressure decreases

LeCompte discloses "a brake ***setting and releasing*** mechanism" (p. 3, lines 24-26, emphasis added). LeCompte explains that the hydraulic brake actuating mechanism is also operated by the telescopic movements of the length compensator U connected into the drill stem (p. 4, lines 123-127). The braking system is capable of increasing or decreasing the rate of

release of the drill string in direct response to the amount of braking force employed. As LeCompte explains, and as shown in detail in Figure 15, the cable drum brake actuating mechanism embodies a brake setting lever 60, which can be manually actuated through the handle 61, when so desired, instead of being automatically actuated hydraulically. The brake lever 60 is connected with the free end of a brake band 64 riding over the cable drum D by means of a connecting link 65. By this arrangement, the brake band can be brought into braking contact with the cable drum D when so desired ***with any degree of frictional contact*** when manually operating the brake lever by manipulating the handle thereof for leading off cable from the cable drum, ***at any desired speed*** for lowering upper drill stem section in to the well hole bored by the drilling bit (p. 4, line 128 to p. 5, line 23, emphasis added).

As to automatically setting or releasing the brake (decreasing or increasing the rate of release) in response to changes in drilling fluid pressure, LeCompte teaches that the means for automatically actuating the brake lever comprises a steam cylinder 67 pivotally supported as at 68, the steam chamber 69 of the cylinder being provided with piston 70 connected to the lower end of a piston rod 71, which leads upwardly through the upper end of the cylinder, the upper end of the piston being pivotally connected to an arm 73 which arm is pivotally connected to a coupling 75, suitably clamped to the brake lever 60 (p. 5, lines 24-35). LeCompte explains that, when the mud pump pressure is normal for safe drilling, the mud pressure against one end of the slidable valve 84 allows the valve to open ***only sufficiently*** against a suitable spring 85 to permit steam to pass through valve groove 86 to set the brake with such tension as to allow the cable drum to revolve at a speed to lower upper drill stem section at a predetermined speed, and, if for any reason the mud laden fluid pressure increases from normal, due to the collapsible telescopic action of the drill stem length compensator U, the valve will be opened sufficiently to admit more steam into the steam cylinder for quickly raising the piston therein to move the brake lever 60 to quickly set the brake against the cable drum to prevent further lowering of the upper drill stem section into the well hole (p. 5, line 51 to p. 6, line 74, emphasis added). LeCompte then explains that the sliding valve action is automatic as to both the mud laden fluid pressure and the steam, thus ***the setting of the brake is automatic relative to the amount of back pressure developed*** in the upper drill stem section by the telescopic action of the length compensator U (p. 5, lines 75-81, emphasis added).

LeCompte then teaches the concept of increasing or decreasing the rate of release (setting or releasing of the brake) of the drill string as follows: When the compensator device U is fully extended, the normal working pressure of the mud laden fluid is present and the steam and mud fluid valve will be in such position as to admit such amount of steam into the cylinder 67 as to set the brake to permit the cable drum to revolve at such speed as to lower the upper drill stem section into the hole at a predetermined speed (p. 5, lines 82-96). However, when the length compensator U has collapsed to a point sufficiently to set up a back pressure to the pump, the slidable valve 84 will be ***slightly moved by the increased pressure of the mud laden fluid***, allowing more steam to enter the cylinder 67 having the bleeder valve 87, ***to further set the brake and slow up feeding of upper drill stem into the hole*** (p. 5, lines 97-112, emphasis added). In the event of an additional and more substantial pressure increase, LeCompte discloses the ability to fully engage the brake, further decreasing the rate of release of the drill string to the point where the drill stem is no longer released. In such a circumstance, the sliding valve 84 will have been fully opened and the pressure entering the cylinder 67 and acting against the piston 70 will cause the brake band to be fully set against the cable drum, preventing the further lowering of the upper drill stem section (p. 5, line 115 to p. 6, line 6).

Notably, LeCompte's system does not simply go into shut-down, but maintains the requisite braking force ***until at such time as the back pressure is reduced, which simultaneously causes the sliding valve to slightly close, admitting less steam*** to the cylinder and ***causing a slight let up on the braking action*** (p. 6, lines 6-16, emphasis added). In the event that the drilling fluid pressure decreases even more, sliding valve 84 will be further closed to allow normal lowering of the upper drill stem section (p. 6, lines 16-30). This setting and releasing of the brake handle increases or decreases the rate of release of the drill string in response to corresponding decreases or increases in drilling fluid pressure as detected by the interaction of the sliding valve 84, spring 85, and valve groove 86, with the steam relayed through cylinder 67 to cause piston 70 to move brake lever 60 to increase or decrease the frictional braking force placed on brake drum D.

Thus, LeCompte discloses a controller that reduces the rate of drill string release when drilling fluid pressure increases, and that increases the rate of drill string release when drilling fluid pressure decreases. While LeCompte is ultimately intended to control the weight on the

drill bit (p. 2, lines 92-95), LeCompte measures the weight using a telescopic device that reflects the bit weight in the pressure of the drilling fluid. LeCompte, therefore, performs its regulation based on drilling fluid pressure. The fact that the drilling fluid pressure in LeCompte is a proxy for bit weight is irrelevant. Further it is noted that all four parameters involved in the '142 Patent are interrelated means and proxies used to determine the pressure of the bit against the formation.

Claim 11

Claim 11 is a method claim that parallels apparatus claim 1. LeCompte discloses each and every step in the method of claim 11 as explained in detail above.

Response to Arguments

Rejection under 35 USC 102(b)

3. Claims 1 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by LeCompte et al. (US 1,891,329).

Patent owner argues that LeCompte et al. only releases the upper part of the drill string and does not release the entire drill string. This argument is not persuasive because:

1) Claims 1 and 11 do not require that an "entire" drill string is released.
2) The upper drill string section H of LeCompte et al. comprises a plurality of connected drill stems (page 2, lines 111-121) and, therefore, constitutes a "drill string" as broadly claimed.
3) The lower drill string section V of LeCompte et al. is lowered together with the upper drill string section H during normal operation; only when the bit advances at a slower pace than desired does the telescopic section U collapse causing the upper section to be lowered relative to the lower section (page 5, line 54 to page 6, line 30). Therefore, the entire drill string is released during normal operation.

Patent owner argues that LeCompte et al. only generates a control signal indicating the relative position of the telescopic section U and that the relative position of the telescopic section U does not indicate weight or the interaction of the drill bit with the formation. This argument is not understood since claims 1 and 11 do not require a control signal indicating "weight or the interaction of the drill bit with the formation."

Patent owner argues that LeCompte et al. fails to teach a system for increasing and decreasing the rate of release of the drill string, but instead discloses only an "on/off switch" type of release of the drill string. The examiner disagrees because LeCompte et al. teaches more than an "on/off" type of control. Instead, LeCompte et al. describes a 3-step process of decreasing (page 5, line 82 to page 6, line 10) and increasing (page 6, lines 1-30) the rate of release of the drill string.

Patent owner argues that the control system of LeCompte et al. is inoperable, specifically calling into question the reference's description of the steam cylinder 67 and the control valves 80 and 87. This argument is not persuasive for the following reasons:

1) LeCompte et al. describes steam as entering the steam cylinder 67 and raising the piston 70 to move the brake lever 60 to quickly set the brake against the cable (page 5, lines 64-74). From this description and the illustration in Figs. 2 and 15, one of ordinary skill in the art would have no difficulty understanding that the steam is introduced into the steam cylinder 67 below the piston 70 to thereby raise the piston and move the brake lever 60 to set the brake.
2) As the valve 80 opens to a greater degree more steam is introduced into the steam cylinder 67 (page 5, lines 43-74), thereby providing a variable decreasing rate of release of the drill stem (page 5, line 82 to page 6, line 10).
3) LeCompte et al. describes the steam cylinder 67 as being equipped with a bleeder valve 87 (page 5, lines 109-110). One of ordinary skill in the art, with familiarity with the operation of valve mechanisms, would understand that the bleeder valve 87 functions to bleed (i.e., release) steam from the steam cylinder 67, thereby lowering the piston 70 to move the brake lever 60 to release the brake. That is, whereas the valve 80 introduces steam to raise the piston 70, the bleeder valve 87 bleeds off steam to lower the piston. This bleed off function of the bleeder valve 87 enables a variable increasing rate of release of the drill stem (page 6, lines 1-30).

Rejection under 35 USC 103(a)

2. In the previous Office action mailed on 14 December 2009, claims 1, 5 and 11-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bowden '359 (US 3,265,359) in view of Dillon et al. (US 2,005,889) and Hobhouse (US 3,550,697).

Patent owner argues that Dillon et al. fails to disclose a drilling system that is capable of increasing or decreasing the rate of release of the drill string, but instead discloses only an "on/off switch" type of release of the drill string. This argument is not persuasive because Dillon et al. is not relied upon for teaching this feature. This feature is taught by Bowden '359. Since the base reference, Bowden '359, teaches this feature it does not need to also be taught by the secondary reference, Dillon et al.

Patent owner argues that Dillon et al. teaches away from the use of a fluid pressure sensor. This argument is not persuasive because Dillon et al. incorporates a fluid pressure sensor 104-107 into the control system shown in Figs. 1 and 1a. If Dillon et al. viewed a fluid pressure sensor as being undesirable, then the sensor 104-107 would not be included in the control system.

Patent owner argues that Hobhouse fails to disclose a drilling system that is capable of increasing or decreasing the rate of release of the drill string. This argument is not persuasive because Hobhouse is not relied upon for teaching this feature. This feature is taught by Bowden '359. Since the base reference, Bowden '359, teaches this feature it does not need to also be taught by the secondary reference, Hobhouse.

Patent owner argues that Hobhouse fails to teaching combining a fluid pressure sensor with other sensors (e.g., a bit weight sensor and a torque sensor). This argument is not persuasive because Hobhouse is not relied upon for teaching this feature. This feature is taught by Dillon et al., which combines a fluid pressure sensor 104-107 with a bit weight sensor 33. Dillon et al. also teaches combined control as a function of bit weight, drilling motor load, drilling motor speed, and drilling fluid pressure (page 1, left column, line 54 to right column, line 5). Furthermore, in the embodiment of Figs. 1-7, Hobhouse shows that multiple parameters, including bit weight and drilling motor torque, can be used in a combination control arrangement.

Secondary Considerations

3. Patent owner has provided a detailed showing of secondary considerations as evidence of non-obviousness, such secondary considerations including commercial success, long-felt need, unsuccessful attempts by others to find solutions to the problem solved by the claimed invention, copying by others, unexpected results, and acceptance by others. See pages 23-28 of the response filed on 14 January 2010 and the supporting documents referred to therein. Patent owner has also established the required nexus between the claimed invention and the showing of secondary considerations, such that a factually and legally sufficient connection exists between the evidence of secondary considerations and the claimed invention so that the evidence is of probative value in the determination of nonobviousness. See pages 21-23 of the response filed on 14 January 2010 and the supporting documents referred to therein.

All of the competent rebuttal evidence presented by the Patent Owner, taken as a whole, has been weighed against the evidence supporting the prima facie case of obviousness. It is the examiner's determination that the evidence of secondary considerations, which are indicia of nonobviousness, outweigh the evidence of obviousness. Therefore, the rejection under 35 USC 103(a) has been withdrawn.

Improper Argument

4. Patent owner argues that Dillon et al. (US 2,005,889) cannot be relied upon to establish a substantial new question of patentability (SNQ). This is an improper argument and, therefore, will not be considered. Neither the patent owner nor the third party requester has a right to petition, or request reconsideration of, a finding that prior art patents or printed publications raise an SNQ after a request for reexamination is granted. However, in limited circumstances, the patent owner may petition under 37 CFR 1.181 to vacate an *ultra vires* reexamination order. See MPEP 2246.

Patentable Claims

5. The following is an examiner's statement of reasons for patentability and/or confirmation of the claims found patentable in this reexamination proceeding:

Claim 2 is patentable because the cited prior art patents and printed publications fail to teach an automatic drilling system for automatically regulating the rate of release of a drill string based upon input from a drilling fluid pressure sensor, drilling fluid pressure regulator and drilling fluid pressure relay, as defined in independent claim 1, and also automatically regulating the rate of release of the drill string based upon input from a bit weight sensor, a bit weight regulator coupled to the bit weight sensor for measuring changes in bit weight and outputting an output signal representing those changes, and a bit weight relay coupled to the bit weight regulator and responsive to the output signal to supply a drill string control signal, the automatic regulation based on bit weight being effected by a controller coupled to the bit weight relay, wherein a decrease in bit weight causes the controller to effect an increase in the rate of release of the drill string and an increase in bit weight causes the controller to effect a decrease in the rate of release of the drill string.

Claim 3 is patentable because the cited prior art patents and printed publications fail to teach an automatic drilling system for automatically regulating the rate of release of a drill string based upon input from a drilling fluid pressure sensor, drilling fluid pressure regulator and drilling fluid pressure relay, as defined in independent claim 1, and also automatically regulating the rate of release of the drill string based upon input from a drill string torque sensor, a drill string torque regulator coupled to the drill string torque sensor for measuring changes in drill string torque and outputting an output signal representing those changes, and a drill string torque relay coupled to the drill string torque regulator and responsive to the output signal to supply a drill string control signal, the automatic regulation based on drill string torque being effected by a controller coupled to the drill string torque relay, wherein a decrease in drill string torque causes the controller to effect an increase in the rate of release of the drill string and an increase in drill string torque causes the controller to effect a decrease in the rate of release of the drill string.

Claim 4 is patentable because the cited prior art patents and printed publications fail to teach an automatic drilling system for automatically regulating the rate of release of a drill string based upon input from a drilling fluid pressure sensor, drilling fluid pressure regulator and drilling fluid pressure relay, as defined in independent claim 1, and also automatically regulating the rate of release of the drill string based upon input from a drill string RPM sensor, a drill

string RPM regulator coupled to the drill string RPM sensor for measuring changes in drill string RPM and outputting an output signal representing those changes, and a drill string RPM relay coupled to the drill string RPM regulator and responsive to the output signal to supply a drill string control signal, the automatic regulation based on drill string RPM being effected by a controller coupled to the drill string RPM relay, wherein an increase in drill string RPM causes the controller to effect an increase in the rate of release of the drill string and a decrease in drill string RPM causes the controller to effect a decrease in the rate of release of the drill string.

Claim 5 is patentable because the prior rejection of this claim under 35 USC 103(a) has been overcome by the patent owner's showing of secondary considerations as evidence of non-obviousness. See the explanation above.

Claims 6, 7 and 8 are patentable because of their dependency from claims 2, 3 and 4, respectively.

Claims 12-15 are patentable because the prior rejection of these claims under 35 USC 103(a) has been overcome by the patent owner's showing of secondary considerations as evidence of non-obviousness. See the explanation above.

Not All Claims Reexamined

6. This action is directed only to the claims for which reexamination was requested. With respect to such claims, requester has alleged that a substantial new question of patentability (SNQ) exists, and upon review, it has been determined that the alleged SNQ in fact is present for claims 1-8 and 11-15. No determination was made with respect to the existence or nonexistence of a SNQ with respect to claims 9 and 10 for which reexamination was not specifically requested.

Final Action

7. **THIS ACTION IS MADE FINAL.**

Litigation involving Patent No. 5,474,142 (*National Oilwell Varco LP v. Pason Systems USA*, US District-Colorado, No. 1:03cv2579) has been stayed for the purposes of reexamination. Accordingly, a shortened statutory period of 1 month is set for response to Office actions in this proceeding. See MPEP 2263.

Extensions of time under 37 CFR 1.136(a) do not apply in reexamination proceedings. The provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Further, in 35 U.S.C. 305 and in 37 CFR 1.550(a), it is required that reexamination proceedings "will be conducted with special dispatch within the Office."

Extensions of time in reexamination proceedings are provided for in 37 CFR 1.550(c). A request for extension of time must be filed on or before the day on which a response to this action is due, and it must be accompanied by the petition fee set forth in 37 CFR 1.17(g). The mere filing of a request will not effect any extension of time. An extension of time will be granted only for sufficient cause, and for a reasonable time specified.

The filing of a timely first response to this final rejection will be construed as including a request to extend the shortened statutory period for an additional month, which will be granted even if previous extensions have been granted. In no event however, will the statutory period for response expire later than SIX MONTHS from the mailing date of the final action. See MPEP § 2265.

Remarks

8. Any proposed amendment filed in this reexamination proceeding must be made in accordance with 37 CFR 1.530(d)-(j) and comply with the formal requirements of 37 CFR 1.52(a) and (b). See MPEP 2250.

9. Responses to this Office action may be submitted by facsimile and should be directed to the Central Reexamination Unit using facsimile number 571-273-9900. A confirmation of receipt will be generated automatically for all papers transmitted via this facsimile number.

All responses to be delivered by the United States Postal Service (USPS) should be addressed as follows:

Mail Stop Ex Parte Reexam
Central Reexamination Unit
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be labeled "Attn: Central Reexamination Unit" and delivered to:

Customer Service Window
Randolph Building, Lobby Level
401 Dulany Street
Alexandria, VA 22314

Submissions for reexamination proceedings may also be submitted through EFS-Web (the USPTO's web-based document submission system).

10. Any document filed by either the patent owner or third party requester ***must be served*** on the other party (or parties in a merged proceeding) in the reexamination proceeding in the manner provided by 37 CFR 1.248. See 37 CFR 1.550(f) and MPEP 2266.03.

11. The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving the patent throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282 and 2286.

12. Any inquiry concerning this communication or earlier communications from the Reexamination Examiner should be directed to Peter English whose telephone number is 571-272-6671. The examiner can normally be reached on Monday through Thursday (7:00 AM - 5:00 PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andres Kashnikow, can be reached at 571-272-4361.

For general information regarding reexamination proceedings please call the Central Reexamination Unit at 571-272-7705. For guidance on reexamination practice and procedure please call the Office of Patent Legal Administration at 571-272-7703. Information regarding this reexamination proceeding may be obtained from the Patent Application Information

Retrieval (PAIR) system. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Peter C. English 2/17/10
Primary Examiner
Central Reexamination Unit

Conferees: MCG
BCR

pe
17 February 2010