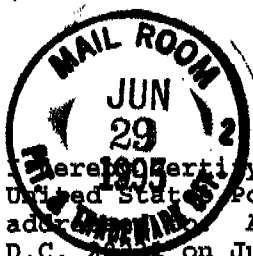


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on June 26, 1995.

6/26/95  
Date

*Alison R. Ruch*  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bradford E. Gliner, et al.

Serial No.: 08/103,837

Group Art Unit: 3305

Filing Date: August 6, 1993

Examiner: K. Schaetzle

Title: ELECTROTHERAPY METHOD AND APPARATUS

AMENDMENT UNDER 37 CFR § 1.111

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

7/a  
ed  
7-28

Dear Sir:

In response to the Office Action dated June 16, 1995, please amend the application as follows:

In the claims:

Please add the following new claims:

-- 35.13 A method for applying electrotherapy to a patient through electrodes connected to an energy source, the method comprising the following steps:

discharging the energy source across the electrodes to deliver electrical energy to the patient in a waveform

having a first phase and a second phase;

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PATENT  
USSN 08/103,837  
Atty Dkt 2410820006

B monitoring a patient-dependent electrical parameter during the discharging step;  
adjusting <sup>waveform tilt</sup> ~~a discharge parameter~~ based on a value of the monitored electrical parameter.

14/ 36. The method of claim 13 wherein the adjusting step comprises discharging the energy source across the electrodes until the end of a predetermined time period and until the monitored electrical parameter reaches a predetermined value.

a 37. The method of claim 35 wherein the adjusting step comprises discharging the energy source across the electrodes until the end of a predetermined time period or until the monitored electrical parameter reaches a predetermined value, whichever occurs first.

12/ 38. The method of claim 13 wherein the electrical parameter is energy source voltage.

16/ 39. The method of claim 13 wherein the electrical parameter is energy source current.

17/ 40. The method of claim 13 wherein the second phase has a duration which is a function of first phase duration.

41. The method of claim 35 wherein the second phase has a duration which is a function of a value of the electrical parameter during the first phase.

PATENT  
USSN 08/103,837  
Atty Dkt 2410820006

42. The method of claim 35 wherein the second phase has a fixed duration.

43. The method of claim 35 wherein the adjusting step comprises adjusting waveform tilt. --

REMARKS

This amendment and election of species responds to the Office Action dated June 16, 1995. Claims 1-43 are pending after entry of the Amendment.

The Examiner has required Applicants to elect a single species out of a list of seven for prosecution on the merits. In addition, the Examiner has identified six claims as being generic to all species. The Examiner also stated that Applicants may select one species for describing the first phase discharge combined with a second species for describing the second phase discharge.

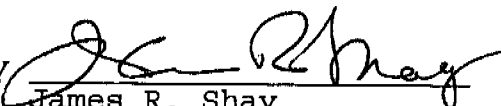
Applicants hereby elect the Examiner's second invention ("the species defined by Figure 3") to describe the first phase combined with the Examiner's seventh invention ("discharging in a second polarity as a function of a first discharge duration") to describe the second phase. Claims 1-5, 8-12, 23-32, 35, 36, 38, 42 and 43 read on this combination. Of these, claims 11, 12, 23, and 30-32 are generic to all species.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due

PATENT  
USSN 08/103,837  
Atty Dkt 2410820006

in connection with the filing of this document to our  
Deposit Account No. 03-1952. However, the Commissioner is  
not authorized to charge the cost of the issue fee to the  
Deposit Account.

Respectfully submitted,

By   
James R. Shay  
Registration No. 32,062

Date: 6/26/95

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