

AO 120 (Rev. 08/10)

<b>TO:</b> <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 Puerto Rico \_\_\_\_\_ on the following

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

DOCKET NO. 13-cv-01658-SEC	DATE FILED 8/28/2013	U.S. DISTRICT COURT for the District of Puerto Rico
PLAINTIFF Master Lock Company LLC		DEFENDANT Toledo & Co., Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,481,085	1/27/2009	Master Lock Company LLC
2 7,516,843	4/14/2009	Master Lock Company LLC
3 7,743,917	6/29/2010	Master Lock Company LLC
4 7,905,351	3/15/2011	Master Lock Company LLC
5 8,166,783	5/1/2012	Master Lock Company LLC

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
1		
2		
3		
4		
5		

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

Toledo Exhibit 1002-1

AO 120 (Rev. 08/10)

<b>TO:</b> <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>
---	---

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 Puerto Rico \_\_\_\_\_ on the following

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

DOCKET NO. 13-cv-01658-SEC	DATE FILED 8/28/2013	U.S. DISTRICT COURT for the District of Puerto Rico
PLAINTIFF  Master Lock Company LLC 137 West Forest Hill Avenue Oak Creek, Wisconsin 53154		DEFENDANT  Toledo & Co., Inc. Urb. Industrial Espinosa, Lote 3 Carr #2 Vega Baja, Puerto Rico 00646 P.O. Box 915, Dorado, Puerto Rico 00646
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,481,085	1/27/2009	Master Lock Company LLC
2 7,516,843	4/14/2009	Master Lock Company LLC
3 7,743,917	6/29/2010	Master Lock Company LLC
4 7,905,351	3/15/2011	Master Lock Company LLC
5 8,166,783	5/1/2012	Master Lock Company LLC

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	
1			
2			
3			
4			
5			

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

Toledo Exhibit 1002-2



jcipolla@calfee.com  
216.622.8808 **Direct**

Calfee, Halter & Griswold LLP  
*Attorneys at Law*

The Calfee Building  
1405 East Sixth Street  
Cleveland, Ohio 44114-1607  
216.622.8200 **Phone**  
calfee.com

September 3, 2013

***Via First Class U.S. Mail***

Mail Stop 8  
Director of Patents and Trademarks  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Re:   *Master Lock Company LLC v. Toledo & Co., Inc.*  
      U.S. District Court, District of Puerto Rico  
      Case No. 3:13-cv-1658, Filed Aug. 28, 2013**

Dear Sir:

At the instruction of the Office of the Clerk of Courts of the United States District Court for the District Puerto Rico, please find enclosed a copy of a Report on The Filing or Determination of an Action Regarding a Patent, which was docketed in the above-captioned lawsuit on Aug. 29, 2013.

Very truly yours,

John S. Cipolla

JSC/jsor

Enclosures (Form AO 120; Return Postcard)

cc:   Clerk of Courts, U.S. District Court, District of Puerto Rico (w/ encls.)  
      Diego A. Ramos, Esq., Co-Counsel for Plaintiff, Master Lock Company, LLC (w/ encls.)

TO:  Mail Stop 8 Director of the US Patent and Trademark Office PO Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
--	--

In compliance 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 Eastern District of Wisconsin on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 09CV1104	DATE FILED November 27, 2009	U.S. DISTRICT COURT USDC EDWI Milwaukee, WI
PLAINTIFF  Master Lock Company LLC		DEFENDANT  Hampton Products International Corporation
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 - US 7,516,843 B2	April 14, 2009	Master Lock Company LLC
2 -		
3 -		
4 -		
5 -		

In the above-entitled case, the following patent(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
1	
2	
3	
4	
5	

In the above-entitled case, following decision has been rendered or judgment issued:

DECISION/JUDGMENT
-------------------

CLERK JON W. SANFILIPPO	(BY) DEPUTY CLERK Diane Dimiceli	DATE
----------------------------	-------------------------------------	------



# 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](http://www.uspto.gov)

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/635,732	04/14/2009	7516843	27475/08808	5913

58822 7590 03/25/2009  
CALFEE, HALTER & GRISWOLD LLP  
1400 KEYBANK CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

## 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 125 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 Customer Service Center of the Office of Patent Publication at (571)-272-4200.

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

Gary Konop, Germantown, WI;  
David Kearns, Hartford, WI;

Toledo Exhibit 1002-5

## 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)

58822 7590 02/26/2009

CALFEE, HALTER & GRISWOLD LLP  
 1400 KEYBANK CENTER  
 800 SUPERIOR AVENUE  
 CLEVELAND, OH 44114

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.

## 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.

Ellen Grzelak	(Depositor's name)
<i>Ellen Grzelak</i>	(Signature)
VIA EFS ON 03/02/2009	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/635,732	12/07/2006	Gary Konop	27475/08808	5913

TITLE OF INVENTION: PADLOCK DISPLAY PACKAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/26/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
GEHMAN, BRYON P	3728	206-461000

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,

(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.

1 Calfee, Halter

2 & Griswold LLP

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

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Master Lock Company LLC

Oak Creek, Wisconsin

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): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 030172 (enclose an extra copy of this form).

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

*William A. Johnston*

Date March 2, 2009

Typed or printed name William A. Johnston

Registration No. 47687

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.

Electronic Patent Application Fee Transmittal				
Application Number:		11635732		
Filing Date:		07-Dec-2006		
Title of Invention:		PADLOCK DISPLAY PACKAGE		
First Named Inventor/Applicant Name:		Gary Konop		
Filer:		William A. Johnston/Ellen Grzelak		
Attorney Docket Number:		27475/08808		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	1501	1	1510	1510
Publ. Fee- early, voluntary, or normal	1504	1	300	100

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1810



## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	4884842
<b>Application Number:</b>	11635732
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5913
<b>Title of Invention:</b>	PADLOCK DISPLAY PACKAGE
<b>First Named Inventor/Applicant Name:</b>	Gary Konop
<b>Customer Number:</b>	58822
<b>Filer:</b>	William A. Johnston/Ellen Grzelak
<b>Filer Authorized By:</b>	William A. Johnston
<b>Attorney Docket Number:</b>	27475/08808
<b>Receipt Date:</b>	02-MAR-2009
<b>Filing Date:</b>	07-DEC-2006
<b>Time Stamp:</b>	15:12:06
<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	\$ 1810
RAM confirmation Number	555
Deposit Account	030172
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

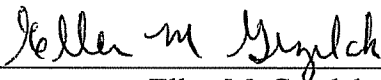
Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Toledo Exhibit 1002-9

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		00496665.PDF	194383  48f2799f02b84b53ec7a86223585516606703ac2	yes	2
	<b>Multipart Description/PDF files in .zip description</b>				
	<b>Document Description</b>		<b>Start</b>	<b>End</b>	
	Miscellaneous Incoming Letter		1	1	
	Issue Fee Payment (PTO-85B)		2	2	
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (PTO-06)	fee-info.pdf	31804  3cd32b77d23136805183cf5bb323279fb36b1af1	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			226187		
<p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  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.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  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.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  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.</p>					

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for **Atty. Docket No. 27475/08808** are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 2nd day of March, 2009.

Signed:   
Ellen M. Grzelak

Itemization of Papers:

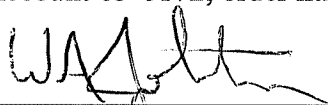
Certificate of Electronic Transmission/

Authorization to Charge Deposit Account (1 page)

Issue Fee Transmittal (1 page)

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

The Commissioner is hereby authorized to charge the Design Issue Fee as set forth in 37 CFR §1.18 (a) of \$1510.00 for a non-small entity and \$300.00 as set forth in 1.18(d) for the publication fee, totaling \$1,810.00. Also, any additional fee(s) and/or credit any overpayment to our Deposit Account 03-0172, order number 27475/08808.

Signed:   
William A. Johnston  
Registration No. 47687



# 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

## NOTICE OF ALLOWANCE AND FEE(S) DUE

58822 7590 02/26/2009

CALFEE, HALTER & GRISWOLD LLP  
1400 KEYBANK CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

EXAMINER

GEHMAN, BRYON P

ART UNIT

PAPER NUMBER

3728

DATE MAILED: 02/26/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

11/635,732

12/07/2006

Gary Konop

27475/08808

5913

TITLE OF INVENTION: PADLOCK DISPLAY PACKAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/26/2009

**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)

58822

7590

02/26/2009

CALFEE, HALTER & GRISWOLD LLP  
 1400 KEYBANK CENTER  
 800 SUPERIOR AVENUE  
 CLEVELAND, OH 44114

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.

**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.
11/635,732	12/07/2006	Gary Konop	27475/08808	5913

TITLE OF INVENTION: PADLOCK DISPLAY PACKAGE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/26/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
GEHMAN, BRYON P	3728	206-461000

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 \_\_\_\_\_
- (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

(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

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); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ 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).

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.

**Toledo Exhibit 1002-13**



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/635,732	12/07/2006	Gary Konop	27475/08808	5913
58822	7590	02/26/2009	EXAMINER	
CALFEE, HALTER & GRISWOLD LLP 1400 KEYBANK CENTER 800 SUPERIOR AVENUE CLEVELAND, OH 44114			GEHMAN, BRYON P	
			ART UNIT	PAPER NUMBER
			3728	
DATE MAILED: 02/26/2009				

## 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 125 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 125 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.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	11/635,732	KONOP ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bryon P. Gehman	3728	

**-- 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 amendment filed 06 February 2009.
2. ☒ The allowed claim(s) is/are 12-23 and 26-29.
3. ☐ 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.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ 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 type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>2/6/09</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                 | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other ____.   |

/Bryon P. Gehman/  
Primary Examiner, Art Unit 3728



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## BIB DATA SHEET

CONFIRMATION NO. 5913

<b>SERIAL NUMBER</b> 11/635,732	<b>FILING or 371(c) DATE</b> 12/07/2006 <b>RULE</b>	<b>CLASS</b> 206	<b>GROUP ART UNIT</b> 3728	<b>ATTORNEY DOCKET NO.</b> 27475/08808		
<b>APPLICANTS</b> Gary Konop, Germantown, WI; David Kearns, Hartford, WI; <b>** CONTINUING DATA *****</b> This appln claims benefit of 60/749,324 12/07/2005 <b>** FOREIGN APPLICATIONS *****</b> <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **</b> 01/18/2007						
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 Acknowledged <u>/BRYON P GEHMAN/</u> Examiner's Signature		<input type="checkbox"/> Met after Allowance Initials	<b>STATE OR COUNTRY</b> WI	<b>SHEETS DRAWINGS</b> 4	<b>TOTAL CLAIMS</b> 23	<b>INDEPENDENT CLAIMS</b> 3
<b>ADDRESS</b> CALFEE, HALTER & GRISWOLD LLP 1400 KEYBANK CENTER 800 SUPERIOR AVENUE CLEVELAND, OH 44114 UNITED STATES						
<b>TITLE</b> Padlock Display Package						
<b>FILING FEE RECEIVED</b> 1480	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>Search Notes</b>  	<b>Application/Control No.</b>  11635732	<b>Applicant(s)/Patent Under Reexamination</b>  KONOP ET AL.
	<b>Examiner</b>  Bryon P Gehman	<b>Art Unit</b>  3728

SEARCHED			
Class	Subclass	Date	Examiner
206	349,363,461,463-471477-483,493,495,806,	6/5/08	BPG
211	70.6	6/5/08	BPG
Update		12/21/08	BPG
Update		2/18/09	BPG

SEARCH NOTES		
Search Notes	Date	Examiner
Inventor Name Search	6/5/08	BPG

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner
206	349,481,493,495,806	2/18/09	BPG

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732	
	Filing Date		2006-12-07	
	First Named Inventor	Gary Konop		
	Art Unit	3728		
	Examiner Name	Bryon P. Gehman		
	Attorney Docket Number	27475/08808		

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Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> j	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>	

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop
Art Unit	3728
Examiner Name	Bryon P. Gehman
Attorney Docket Number	27475/08808

/BG/	1	Brinks, Model No. 105-626011, 6 foot Water Resistant 5/8" Key Locking Steel Cable, date unknown, known prior art.	<input type="checkbox"/>
/BG/	2	Brinks, Model No. 105-38901, 9 foot Weather Resistant 3/8 Steel Cable, date unknown, known prior art.	<input type="checkbox"/>
/BG/	3	Kryptonite, 6'X5/8" Locking Cable, date unknown, known prior art.	<input type="checkbox"/>
/BG/	4	Kryptonite, 30'X3/8" Braided Steel Cable, date unknown, known prior art.	<input type="checkbox"/>
/BG/	5	Master Lock, Model No. 72DPF, 15'X3/8" Heavy Duty Braided Steel Cable, at least as early December 31, 2002, 2 pages.	<input type="checkbox"/>
/BG/	6	Master Lock, Model No. 78DPF, 6'X3/8" Braided Steel Cable, at least as early as December 31, 2002, 2 pages.	<input type="checkbox"/>
/BG/	7	Master Lock, Model No. 8119DPF, 5' Resettable Combination Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>
/BG/	8	Master Lock, Model No. 8113DPF, 5' Keyed Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>
/BG/	9	Master Lock, Model No. 8154DPF, 6' Keyed Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>
/BG/	10	Master Lock, Model No. 8143DSG, Bike Series, 4 Ft Combination Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop
Art Unit	3728
Examiner Name	Bryon P. Gehman
Attorney Docket Number	27475/08808

**EXAMINER SIGNATURE**

Examiner Signature	/Bryon Gehman/	Date Considered	02/17/2009
--------------------	----------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

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Ellen Grzelak

Name of Person Signing (Type or Print)

Signed: Ellen Grzelak

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Gehman, Bryon P.
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

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P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO OFFICE ACTION**


Dear Sir:

In response to the Office Action mailed January 2, 2009, Applicants hereby submit the following amendments and remarks. While it is believed that no fees are associated with the filing of this response, the Commissioner is hereby authorized to charge the any and all fees incurred as a result of entering this amendment, to deposit account number 03-0172, order number 27475/08808. Please amend the present application as follows:

## EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	37	"206"/\$.ccls. and padlock	US-PGPUB	OR	ON	2009/02/18 15:15
L2	214	(206/349). CCLS.	US-PGPUB	OR	OFF	2009/02/18 15:17
L3	0	(206/481). CCLS.	US-PGPUB	OR	OFF	2009/02/18 15:19
L4	48	(206/493). CCLS.	US-PGPUB	OR	OFF	2009/02/18 15:19
L5	32	(206/495). CCLS.	US-PGPUB	OR	OFF	2009/02/18 15:19

2/ 18/ 09 3:20:45 PM

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b>  11635732	<b>Applicant(s)/Patent Under Reexamination</b>  KONOP ET AL.
	<b>Examiner</b>  Bryon P Gehman	<b>Art Unit</b>  3728

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

<input type="checkbox"/> <b>Claims renumbered in the same order as presented by applicant</b>		<input type="checkbox"/> <b>CPA</b>		<input type="checkbox"/> <b>T.D.</b>		<input type="checkbox"/> <b>R.1.47</b>			
CLAIM		DATE							
Final	Original	06/06/2008	12/22/2008	02/18/2009					
	1	✓	✓	-					
	2	✓	✓	-					
	3	✓	-	-					
	4	✓	-	-					
	5	✓	✓	-					
	6	✓	✓	-					
	7	✓	-	-					
	8	✓	-	-					
	9	✓	✓	-					
	10	✓	✓	-					
	11	✓	✓	-					
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3	14	✓	=	=					
6	15	✓	=	=					
7	16	✓	=	=					
8	17	✓	=	=					
9	18	✓	=	=					
10	19	✓	✓	=					
12	20	✓	=	=					
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14	22	✓	✓	=					
15	23	✓	=	=					
	24	✓	✓	-					
	25	✓	✓	-					
11	26	✓	=	=					
16	27	✓	=	=					
4	28		=	=					
5	29		=	=					
	30		✓	-					





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Ellen Grzelak

Name of Person Signing (Type or Print)

Signed: Ellen Grzelak

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Gehman, Bryon P.
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

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

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Dear Sir:

In response to the Office Action mailed January 2, 2009, Applicants hereby submit the following amendments and remarks. While it is believed that no fees are associated with the filing of this response, the Commissioner is hereby authorized to charge the any and all fees incurred as a result of entering this amendment, to deposit account number 03-0172, order number 27475/08808. Please amend the present application as follows:

**In the claims:**

- 1.-11. (Canceled)
12. (Previously presented) In combination, a padlock and a padlock display package, the padlock having a shackle lockable with a lock body, the padlock display package comprising:
- a card having a front side and a back side;
  - a hasp extending from the front side of the card to define at least a portion of a slot, wherein the padlock is secured to the display package when the locked shackle is positioned through the slot; and
  - a padlock engaging feature spaced apart from the hasp and configured to limit clockwise and counterclockwise swinging movement of the padlock with respect to the package in a direction substantially parallel to the card.
13. (Original) The combination of claim 12, wherein the card further comprises a cut-out configured to allow the lock body to extend beyond the back side of the card.
14. (Original) The combination of claim 12, wherein the card further comprises a pocket for receiving a key configured to unlock the padlock.
15. (Original) The combination of claim 12, wherein the display package comprises a plurality of hasps for attaching a plurality of padlocks to the display package.
16. (Previously presented) The combination of claim 12, wherein the padlock engaging feature comprises a post configured such that the shackle may be positioned around the post when the shackle is positioned through the slot.
17. (Original) The combination of claim 16, wherein the post defines a portion of the slot.
18. (Original) The combination of claim 16, wherein an outer perimeter of the post is sized to match an inner perimeter of the shackle and an upper surface of the lock body.
19. (Currently amended) The combination of claim 16, wherein the display package further comprises an anchor adapted to be positioned between the post and the lock body, such

that the anchor engages a front ~~faeing~~ portion of the shackle and a ~~rear faeing~~back edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

20. (Previously presented) A method for displaying a padlock having a shackle lockable with a lock body, the method comprising:

providing a display package having a card with a hasp extending from a front side of the card to define at least a portion of a slot and a padlock engaging feature spaced apart from the hasp; and

positioning the shackle of the padlock through the slot such that the padlock engaging feature further limits clockwise and counterclockwise swinging movement of the padlock with respect to the package beyond an amount limited by the hasp in a direction substantially parallel to the card.

21. (Previously presented) The method of claim 20, wherein the padlock engaging feature comprises a post, the method further comprising positioning the shackle around the post.

22. (Currently amended) The method of claim 21, further comprising inserting an anchor between the post and an upper surface of the lock body, such that the anchor engages a front ~~faeing~~ portion of the shackle and a ~~rear faeing~~back edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

23. (Original) The method of claim 20, further comprising securing a key to the card such that the key is at least partially received in a pocket in the card.

24. (Canceled)

25. (Canceled)

26. (Previously presented) The combination of claim 12, wherein the padlock engaging feature limits movement of the padlock in a direction substantially parallel to the card by engaging the shackle.

27. (Previously presented) The method of claim 20, wherein positioning the shackle of the padlock through the slot comprises inserting an end of the shackle of the padlock through the slot and locking the shackle into engagement with the lock body.

28. (Previously presented) The combination of claim 14, further comprising a fastener for affixing the key to the pocket.

29. (Previously presented) The combination of claim 14, wherein the pocket comprises a cavity extending from the front side of the card.

30. (Canceled)

### REMARKS

By this amendment, claims 1, 2, 5, 6, 9-11, 24, 25, and 30 have been canceled, and claims 19 and 22 have been amended. As such, claims 12-23 and 26-29 remain pending in this application. No new matter has been added.

The Office Action rejected claims 19, 22, and 25 under 35 U.S.C. 112 as being indefinite. Claims 19 and 22 were amended to replace "front facing portion" with "front portion" and "rear facing" with "back," which Applicants believe will correct any indefiniteness. Claim 25 has been canceled without prejudice or disclaimer.

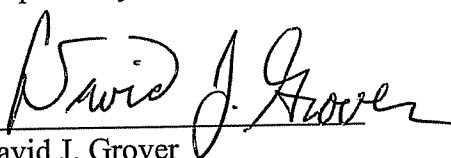
The Office Action rejected claims 1, 2, 5, 6, 9, 10, 24, 25, and 30 as being unpatentable over either one of Williams et al. (U.S. Patent No. 4,711,352), and Delang (U.S. Patent No. 4,512,466), in view of Eldridge, Jr. (U.S. Patent No. 4,385,692). The Office Action rejected claim 11 as being unpatentable over Williams et al./Delang in view of Eldridge, Jr., and further in view of Jackson (U.S. Patent No. 791,912). In the interest of placing this case in condition for allowance, claims 1, 2, 5, 6, 9-11, 24, 25, and 30 have been canceled without prejudice or disclaimer.

In view of the above amendments and remarks, it is respectfully submitted that all pending claims of this application are in condition for allowance. Accordingly, a Notice of Allowance for all pending claims of this application is respectfully solicited.

Additionally, a Supplemental Information Disclosure Statement is being filed concurrently with this reply. The Commissioner is hereby authorized to charge any and all related fees to deposit account number 03-0172, order number 27475/08808.

Respectfully submitted,

Dated: 2/6/2009

  
David J. Grover  
(Reg. No.: 58,930)  
Phone (216) 622-8333

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I hereby certify that this paper and/or associated fees are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 6th day of February 2009.

Ellen Grzelak

Name of Person Signing (Type or Print)

Signed: Ellen Grzelak

**Customer No. 58822**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Gary Konop	)	Examiner: Bryon P. Gehman
		)	
Serial No.:	11/635,732	)	Art Unit: 3728
		)	
Filed:	12/07/2006	)	Confirmation No.: 5913
		)	
For:	DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**CERTIFICATION STATEMENT**

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

Dear Sir/Madam:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

**FOREIGN LANGUAGE DOCUMENTS**

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version of that portion of the Communication indicating the

degree of relevance found by the foreign patent office.

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:
- ☐ Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

#### **CERTIFICATION AND FEE PAYMENT INFORMATION**

- ☐ The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172, order number 27475/08808.**
- ☐ The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☐ The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172.**
  - ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
  - ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

Serial No. 11/635,732

Attorney Docket No. 27475/08808

- ☒ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:

☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).

☒ The patent office is hereby authorized to charge the amount of \$180 and any related fee to **Deposit Account No. 030172, order number 27475/08808.**

- ☐ The present Information Disclosure Statement is being filed after the mailing of a final Office Action, Notice of Allowance or an action that otherwise closes prosecution in the application, but on or before the payment of the issue fee. Accordingly, Applicant submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee required under 37 C.F.R. § 1.17(p).

☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

AND, the fee is being paid in the following manner:

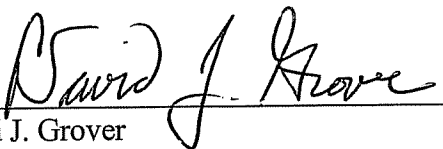
☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).

☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and any related fee to **Deposit Account No. 030172.**

☒ **Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 03-0172, order number 27475/08808.**

Respectfully submitted,

Date: February 6, 2009

  
\_\_\_\_\_  
David J. Grover  
Registration No. 58930  
Telephone: 216/622-8333  
Customer No.: 58822



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732	
	Filing Date		2006-12-07	
	First Named Inventor	Gary Konop		
	Art Unit	3728		
	Examiner Name	Bryon P. Gehman		
	Attorney Docket Number	27475/08808		

U.S.PATENTS							Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1						

If you wish to add additional U.S. Patent citation information please click the Add button.

Add

U.S.PATENT APPLICATION PUBLICATIONS							Remove
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
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If you wish to add additional U.S. Published Application citation information please click the Add button.

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FOREIGN PATENT DOCUMENTS								Remove
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> i	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1							<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

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NON-PATENT LITERATURE DOCUMENTS				Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>	

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop
Art Unit	3728
Examiner Name	Bryon P. Gehman
Attorney Docket Number	27475/08808

1	Brinks, Model No. 105-626011, 6 foot Water Resistant 5/8" Key Locking Steel Cable, date unknown, known prior art.	<input type="checkbox"/>
2	Brinks, Model No. 105-38901, 9 foot Weather Resistant 3/8 Steel Cable, date unknown, known prior art.	<input type="checkbox"/>
3	Kryptonite, 6'X5/8" Locking Cable, date unknown, known prior art.	<input type="checkbox"/>
4	Kryptonite, 30'X3/8" Braided Steel Cable, date unknown, known prior art.	<input type="checkbox"/>
5	Master Lock, Model No. 72DPF, 15'X3/8" Heavy Duty Braided Steel Cable, at least as early December 31, 2002, 2 pages.	<input type="checkbox"/>
6	Master Lock, Model No. 78DPF, 6'X3/8" Braided Steel Cable, at least as early as December 31, 2002, 2 pages.	<input type="checkbox"/>
7	Master Lock, Model No. 8119DPF, 5' Resettable Combination Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>
8	Master Lock, Model No. 8113DPF, 5' Keyed Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>
9	Master Lock, Model No. 8154DPF, 6' Keyed Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>
10	Master Lock, Model No. 8143DSG, Bike Series, 4 Ft Combination Cable Lock, at least as early as December 31, 2001, 2 pages.	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number	11635732
	Filing Date	2006-12-07
	First Named Inventor	Gary Konop
	Art Unit	3728
	Examiner Name	Bryon P. Gehman
	Attorney Docket Number	27475/08808

EXAMINER SIGNATURE			
Examiner Signature		Date Considered	
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
<small> <sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="http://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.         </small>			

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop
Art Unit	3728
Examiner Name	Bryon P. Gehman
Attorney Docket Number	27475/08808

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☒ See attached certification statement.

☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/david j. grover/	Date (YYYY-MM-DD)	2009-02-05
Name/Print	David J. Grover	Registration Number	58930

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 hour 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## 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 the Freedom of Information Act requires disclosure of these records.
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 inspections 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.

Electronic Patent Application Fee Transmittal				
Application Number:		11635732		
Filing Date:		07-Dec-2006		
Title of Invention:		Display package		
First Named Inventor/Applicant Name:		Gary Konop		
Filer:		David James Grover/ellen grzelak		
Attorney Docket Number:		27475/08808		
Filed as Large Entity				
Utility under 35 USC 111(a) Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Submission- Information Disclosure Stmt	1806	1	180	180
<b>Total in USD (\$)</b>				<b>180</b>

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	4747728
<b>Application Number:</b>	11635732
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5913
<b>Title of Invention:</b>	Display package
<b>First Named Inventor/Applicant Name:</b>	Gary Konop
<b>Customer Number:</b>	58822
<b>Filer:</b>	David James Grover/ellen grzelak
<b>Filer Authorized By:</b>	David James Grover
<b>Attorney Docket Number:</b>	27475/08808
<b>Receipt Date:</b>	06-FEB-2009
<b>Filing Date:</b>	07-DEC-2006
<b>Time Stamp:</b>	12:51:13
<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	\$ 180
RAM confirmation Number	7624
Deposit Account	030172
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

Charge any Additional Fees required under 37 C.F.R. Section 1.17 (Patent application and reexamination processing fees)

Toledo Exhibit 1002-40



File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1		00482368.PDF	538501	yes	9
			25804baf6b331f95475def1e80c9edb9f9946333		
	Multipart Description/PDF files in .zip description				
	Document Description		Start		End
	Miscellaneous Incoming Letter		1		1
	Amendment/Req. Reconsideration-After Non-Final Reject		2		2
	Claims		3		5
	Applicant Arguments/Remarks Made in an Amendment		6		6
	Information Disclosure Statement Letter		7		9
Warnings:					
Information:					
2	Information Disclosure Statement (IDS) Filed (SB/08)	00481861.PDF	608280	no	5
			0684f4eccb5e1dc9aa589ea012baedc67fb7bdbf		
Warnings:					
Information:					
A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.					
3	NPL Documents	00482182.PDF	2334351	no	2
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Warnings:					
Information:					
4	NPL Documents	00482177.PDF	2310351	no	2
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Warnings:					
Information:					
5	NPL Documents	00482178.PDF	2432927	no	2
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Warnings:					
Information:					

Toledo Exhibit 1002-4

6	NPL Documents	00482172.PDF	811765	no	1
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Warnings:					
Information:					
7	NPL Documents	00482166.PDF	591788	no	1
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Warnings:					
Information:					
8	NPL Documents	00482168.PDF	716242	no	1
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Warnings:					
Information:					
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10	NPL Documents	00482162.PDF	2273645	no	2
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Information:					
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Information:					
12	NPL Documents	00482155.PDF	2002542	no	2
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Warnings:					
Information:					
13	Fee Worksheet (PTO-06)	fee-info.pdf	29664	no	2
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Warnings:					
Information:					
Total Files Size (in bytes):			17300306		

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**

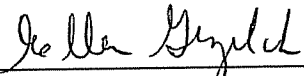
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition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

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for Atty. Docket No. 27475/08808 are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 6th day of February, 2009.

Signed:   
Ellen Grzelak

Itemization of Papers:

Certificate of Electronic Transmission/

Authorization to Charge Deposit Account (1 page)

Amendment and Response (5 pages)

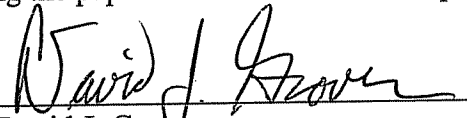
Second Supplemental Information Disclosure Statement - Certification and Fee Payment  
Information (3 pages)

Information Disclosure Statement by Applicant (Form PTO/SB/08a) (5 pages)

Non Patent documents - 16 pages

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering the papers itemized above to Deposit Account No. 03-0172.

Signed:   
David J. Grover  
Registration No. 58930

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.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>11/635,732</b>		Filing Date <b>12/07/2006</b>		<input type="checkbox"/> To be Mailed	
<b>APPLICATION AS FILED – PART I</b>										
(Column 1)			(Column 2)		SMALL ENTITY <input type="checkbox"/>		OR		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)				
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A					
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		N/A					
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A					
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$	=	OR	X \$	=			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$	=		X \$	=			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL				
<b>APPLICATION AS AMENDED – PART II</b>										
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT	02/06/2009	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 16	Minus	** 20	= 0	X \$ =	OR	X \$52=	0	
	Independent (37 CFR 1.16(h))	* 2	Minus	*** 3	= 0	X \$ =	OR	X \$220=	0	
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE	OR	TOTAL ADD'L FEE	0	
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =	OR	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =	OR	X \$ =		
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
						TOTAL ADD'L FEE	OR	TOTAL ADD'L FEE		
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>										

Legal Instrument Examiner:  
/DAVID SASFAI/

This collection of information is required by 37 CFR 1.16. 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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<b>MULTIPLE DEPENDENT CLAIM FEE CALCULATION SHEET</b> Substitute for Form PTO-1360 (For use with Form PTO/SB/06)				Application Number 11/635,732		Filing Date 07 December, 2006		<input type="checkbox"/> To be Mailed					
				Applicant(s) KONOP ET AL.						Page 1 of 1			
* May be used for additional claims or amendments													
CLAIMS	AS FILED		AFTER FIRST AMENDMENT		AFTER SEC. AMENDMENT		*			*		*	
	Indep	Depend	Indep	Depend	Indep	Depend		Indep	Depend	Indep	Depend	Indep	Depend
1	x						51						
2	x						52						
3	x						53						
4	x						54						
5	x						55						
6	x						56						
7	x						57						
8	x						58						
9	x						59						
10	x						60						
11	x						61						
12	1						62						
13		1					63						
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48							98						
49							99						
50							100						
Total Indep	2						Total Indep						
Total Depend		14					Total Depend						
Total Claims	16						Total Claims						

This collection of information is required by 37 CFR 1.16. 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Part of Paper No20090217-1.

Toledo Exhibit 1002-46



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/635,732

12/07/2006

Gary Konop

27475/08808

5913

58822 7590 01/02/2009  
CALFEE, HALTER & GRISWOLD LLP  
1400 KEYBANK CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

EXAMINER

GEHMAN, BRYON P

ART UNIT

PAPER NUMBER

3728

NOTIFICATION DATE

DELIVERY MODE

01/02/2009

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):

ipdocket@calfee.com  
dcunin@calfee.com

Toledo Exhibit 1002-47

<b>Office Action Summary</b>	<b>Application No.</b> 11/635,732	<b>Applicant(s)</b> KONOP ET AL.	
	<b>Examiner</b> Bryon P. Gehman	<b>Art Unit</b> 3728	

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

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance 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.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,6 and 9-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-18,20,21,23 and 26-29 is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,9-11,19,22,24,25 and 30 is/are rejected.
- 7) ☒ Claim(s) 19 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ 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:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ 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)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/27/08</u> . | 6) <input type="checkbox"/> Other: _____  |



Art Unit: 3728

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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.

2. Claims 19, 22 and 25 are finally rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 19, line 3, "front facing portion" is indefinite, as such does not face the only front previously defined, rendering an ambiguous interpretation, and "rear facing edge" is indefinite, as no "rear" has been antecedently defined. See also claim 22. Each should be amended to correspond to the front as defined in claim 12, and to correspond to the actual direction that "rear", not previously defined, refers to.

In claim 25, the reference to the padlock lacks antecedent basis from claim 1. It appears claim 25 should depend from claim 12.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 5-6, 9-10, 24-25 and 30 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (4,711,352) in view of Eldridge Jr. (4,385,692). Claims 1-2, 5-6, 9-10, 24-25 and 30 are finally rejected under 35

Art Unit: 3728

U.S.C. 103(a) as being unpatentable over Delang (4,512,466) in view of Eldridge Jr.. Each base reference discloses a display package comprising a card (12; 22; respectively) having a front side and a back side, a post (42; 48 or one 34 or a lower portion of 34) extending from the front side, a hasp (20; other 34 or upper end portion of 34) extending from the front side to define a slot and wherein any item attached to the display package may be done so by positioning its loop portion around (adjacent or encircling) the post and through the slot. No item per se defines the claimed structure, only being referenced as its intended use. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. Neither reference discloses a pocket capable of receiving some imaginary unclaimed accessory. However, Eldridge Jr. discloses a pocket (formed by 14 and 12) capable of receiving an accessory, with the cover member (14) serving as a fastener to affix such an accessory to the pocket. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the card of either Williams et al. or Delang with a pocket as claimed; such a modification would predictably serve to secure an end of a surgical instrument and inherently serve to possibly receive an accessory. "A combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results." *KSR Int 'l v. Teleflex Inc.*, 127 S.Ct. 1731, 82 USPQ2d at 1396.

Art Unit: 3728

As to claim 2, each discloses a cut-out (between 14 and 16; defined by the displacement of 48 or 52 from the card) that would allow an item to extend beyond the back side, if ever so realized.

As to claims 5 and 6, each discloses at least one retaining member (50; 48) capable of engaging an attached item to limit movement of the attached item in a direction perpendicular to the front side, the at least one retaining member comprising a projection.

As to claim 9, the dependent location on the card of the hasp is not seen to distinguish any particular significance based upon its particular location.

As to claim 10, the hasp of Delang at the upper end of 34 extends from the post.

As to claims 24 and 25, the post of each base reference defines a portion of the slot and limits movement of its intended content.

As to claim 30, Eldridge Jr. extends from the front side of its structure and would do so in the combination.

5. Claim 11 is finally rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claim 1 above, and further in view of Jackson. Jackson comprises a plurality of secured items requiring plural hasps, etc.. To modify the display package of Williams et al. or Delang employing multiple securing structures for multiple items would have been an obvious provision of duplicate structure to secure multiple items.

Art Unit: 3728

6. Applicant's arguments with respect to claim 1 and its dependent claims have been considered but are moot in view of the new ground(s) of rejection including Eldridge Jr.. An accessory per se is not positively claimed, but merely referred to as a possible adjunct.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Claims 12-18, 21, 23 and 26-29 are allowed.

Art Unit: 3728

9. Claims 19 and 22 would be allowable if rewritten or amended as directed to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryon P. Gehman whose telephone number is (571) 272-4555. The examiner can normally be reached on Tuesday through Thursday from 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu, can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 3728

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.

/Bryon P. Gehman/  
Primary Examiner, Art Unit 3728

Bryon P. Gehman  
Primary Examiner  
Art Unit 3728

BPG

<b>Search Notes</b>  	<b>Application/Control No.</b>  11635732	<b>Applicant(s)/Patent Under Reexamination</b>  KONOP ET AL.
	<b>Examiner</b>  Bryon P Gehman	<b>Art Unit</b>  3728

SEARCHED			
Class	Subclass	Date	Examiner
206	349,363,461,463471,477-483,493,495,806,	6/5/08	BPG
211	70.6	6/5/08	BPG
Update		12/21/08	BPG

SEARCH NOTES		
Search Notes	Date	Examiner
Inventor Name Search	6/5/08	BPG

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732
	Filing Date		2006-12-07
	First Named Inventor	Gary Konop	
	Art Unit	3728	
	Examiner Name	Bryon P. Gehman	
	Attorney Docket Number	27475/08808	

U.S.PATENTS						<a href="#">Remove</a>
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	<del>1</del>	<del>0701812</del>		<del>1995-06-06</del>	<del>Jackson</del>	
	<del>2</del>	<del>3497050</del>		<del>1970-02-24</del>	<del>Watts Jr.</del>	All previously made of record
	<del>3</del>	<del>4542466</del>		<del>1985-04-23</del>	<del>Delang</del>	/BG/ 12/12/2008
	<del>4</del>	<del>4744352</del>		<del>1987-12-08</del>	<del>Williams et al.</del>	

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop
Art Unit	3728
Examiner Name	Bryon P. Gehman
Attorney Docket Number	27475/08808

	1							<input type="checkbox"/>
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**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
/BG/	1	International Search Report and Written Opinion from International Application No. PCT/US2006/46728, mailed 11 July 2008.	<input type="checkbox"/>


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**EXAMINER SIGNATURE**

Examiner Signature	/Bryon Gehman/	Date Considered	12/12/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

<b><i>Index of Claims</i></b>  	<b>Application/Control No.</b>  11635732	<b>Applicant(s)/Patent Under Reexamination</b>  KONOP ET AL.
	<b>Examiner</b>  Bryon P Gehman	<b>Art Unit</b>  3728

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant				<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47	
CLAIM		DATE							
Final	Original	06/06/2008	12/22/2008						
	1	✓	✓						
	2	✓	✓						
	3	✓	-						
	4	✓	-						
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	26	✓	=						
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	28		=						
	29		=						
	30		✓						

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Ruth Weible

Name of Person Signing (Type or Print)

Signed: Ruth Weible

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Gehman, Bryon P.
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

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

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Dear Sir:

In response to the Office Action mailed June 11, 2008, Applicants hereby submit the following amendments and remarks. By this amendment, 26 total claims (including three independent claims) are pending in this application. While it is believed that no fees are associated with the filing of this response, the Commissioner is hereby authorized to charge the any and all fees incurred as a result of entering this amendment, to deposit account number 03-0172, order number 27475/08808. Please amend the present application as follows:

**In the claims:**

1. (Currently amended) A display package for an item having a loop portion, the display package comprising:

a card having a front side and a back side;

a post extending from the front side of the card; [[and]]

a hasp extending from the front side of the card to define at least a portion of a slot;

a pocket for receiving at least a portion of an accessory associated with the item;

and

a fastener for affixing the accessory to the pocket;

wherein the item is attached to the display package by positioning the loop portion of the item around the post and through the slot.

2. (Original) The display package of claim 1, wherein the card further comprises a cut-out configured to allow the attached item to extend beyond the back side of the card.

3. (Canceled)

4. (Canceled)

5. (Original) The display package of claim 1, further comprising at least one retaining member adapted to engage the attached item to limit movement of the attached item in a direction substantially perpendicular to the front side of the card.

6. (Original) The display package of claim 5, wherein the at least one retaining member comprises a projection extending from the front side of the card, the projection being positioned to engage the loop portion.

7. (Canceled)

8. (Canceled)

9. (Previously presented) The display package of claim 1, wherein a portion of the hasp extends from the post.

10. (Original) The display package of claim 1, wherein the item comprises a padlock.

11. (Original) The display package of claim 1, further comprising a plurality of hasps and a plurality of posts for attaching a plurality of items to the display package.

12. (Currently amended) In combination, a padlock and a padlock display package, the padlock having a shackle lockable with a lock body, the padlock display package comprising:

a card having a front side and a back side;

a hasp extending from the front side of the card to define at least a portion of a slot, wherein the padlock is secured to the display package when the locked shackle is positioned through the slot; and

a padlock engaging feature spaced apart from the hasp and configured to ~~further~~ limit clockwise and counterclockwise swinging movement of the padlock with respect to the package in a direction substantially parallel to the ~~display~~-card.

13. (Original) The combination of claim 12, wherein the card further comprises a cut-out configured to allow the lock body to extend beyond the back side of the card.

14. (Original) The combination of claim 12, wherein the card further comprises a pocket for receiving a key configured to unlock the padlock.

15. (Original) The combination of claim 12, wherein the display package comprises a plurality of hasps for attaching a plurality of padlocks to the display package.

16. (Previously presented) The combination of claim 12, wherein the padlock engaging feature comprises a post configured such that the shackle may be positioned around the post when the shackle is positioned through the slot.

17. (Original) The combination of claim 16, wherein the post defines a portion of the slot.

18. (Original) The combination of claim 16, wherein an outer perimeter of the post is sized to match an inner perimeter of the shackle and an upper surface of the lock body.

19. (Original) The combination of claim 16, wherein the display package further comprises an anchor adapted to be positioned between the post and the lock body, such that the anchor engages a front facing portion of the shackle and a rear facing edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

20. (Currently amended) A method for displaying a padlock having a shackle lockable with a lock body, the method comprising:

providing a display package having a card with a hasp extending from a front side of the card to define at least a portion of a slot and a padlock engaging feature spaced apart from the hasp; and

positioning the shackle of the padlock through the slot such that the padlock engaging feature further limits clockwise and counterclockwise swinging movement of the padlock with respect to the package beyond an amount limited by the hasp in a direction substantially parallel to the ~~display~~-card.

21. (Previously presented) The method of claim 20, wherein the padlock engaging feature comprises a post, the method further comprising positioning the shackle around the post.

22. (Original) The method of claim 21, further comprising inserting an anchor between the post and an upper surface of the lock body, such that the anchor engages a front facing portion of the shackle and a rear facing edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

23. (Original) The method of claim 20, further comprising securing a key to the card such that the key is at least partially received in a pocket in the card.

24. (Previously presented) The display package of claim 1, wherein the post defines a portion of the slot.

25. (Currently amended) The display package of claim 1, wherein the post is configured to further limit movement of the padlock with respect to the package in a direction substantially parallel to the ~~display~~-card.

26. (Currently amended) The ~~display package combination~~ of claim 12, wherein the padlock engaging feature limits movement of the padlock in a direction substantially parallel to the ~~display-card~~ by engaging the shackle.

27. (Previously presented) The method of claim 20, wherein positioning the shackle of the padlock through the slot comprises inserting an end of the shackle of the padlock through the slot and locking the shackle into engagement with the lock body.

28. (New) The combination of claim 14, further comprising a fastener for affixing the key to the pocket.

29. (New) The combination of claim 14, wherein the pocket comprises a cavity extending from the front side of the card.

30. (New) The display package of claim 1, wherein the pocket comprises a cavity extending from the front side of the card.



## REMARKS

By this amendment, claims 3, 4, 7, and 8 have been canceled, claims 1, 12, 20, 25, and 26 have been amended, and claims 28-30 have been added. As such, claims 1, 2, 5, 6, and 9-30 remain pending in this application. No new matter has been added.

The Office Action rejected claims 7, 8, 12-23, 26, and 27 under 35 U.S.C. 112 as being indefinite due to ambiguities in the claim language. Claims 12, 20, 25, and 26 were amended to correct any lack of antecedent basis in claims 12-23, 26, and 27. Claims 7 and 8 have been canceled without prejudice or disclaimer.

The Office Action rejected claims 1, 2, 5-8, 10, 24, and 25 as being anticipated by Williams et al. (US Patent No. 4,711,352), and claims 1, 2, 5-10, 24, and 25 as being anticipated by Delang (US Patent No. 4,512,466). The Office Action has rejected claims 4, 9-12, 15-18, 20, 21, 23, 26, and 27 as being unpatentable over one or more of Williams et al., Delang, Jackson (US Patent No. 791,912), and Watts Jr. (US Patent No. 3,497,059). Claims 19 and 22 were identified as allowable if rewritten in independent form.

Applicants respectfully submit that amended claim 1 is patentable over the above cited references because claim 1 recites features not disclosed or suggested by the above cited references. For example, claim 1 recites a pocket for receiving at least a portion of an accessory associated with an item, and a fastener for affixing the accessory in the pocket. In Watts, Jr., the windows 36a and 36b (identified in the Office Action as a pocket) do not utilize a fastener to affix the keys 71 within the windows, and such a fastener would provide no apparent benefit (as the keys 71 are fully enclosed by the windows). None of the other cited references discloses or suggests a pocket and fastener arrangement for an accessory. As such, claim 1 is patentable over the above cited references and in condition for allowance. Claims 2, 5, 6, 9-11, 24, 25, and 30 are also patentable at least based on direct or indirect dependence from claim 1.

Applicants respectfully submit that amended claim 12 is patentable over the above cited references because claim 12 recites features not disclosed or suggested by the above cited references. For example, claim 12 recites a display package having a padlock engaging feature spaced apart from a hasp and configured to further limit clockwise and counterclockwise swinging movement of a padlock with respect to the package in a direction substantially parallel to a card. The support 42 of Williams et al., and the tip separator 52, shaft divider 48, and finger

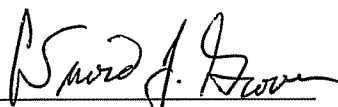
ring post 34 of Delang (all identified in the Office Action as engaging features) are either not spaced apart from a hasp or would not limit clockwise and counterclockwise swinging movement of a padlock in a direction substantially parallel to a card. None of the other cited references discloses such a padlock and padlock engaging feature arrangement. As such, claim 12 is patentable over the above cited references and is in condition for allowance. Claims 13-19, 26, 28, and 29 are also patentable at least based on direct or indirect dependence from claim 12.

Applicants respectfully submit that amended claim 20 is patentable over the above cited references because claim 20 recites features not disclosed or suggested by the above cited references. For example, claim 20 recites providing a display package having a card with a padlock engaging feature spaced apart from a hasp, and positioning a shackle of a padlock through the slot such that the padlock engaging feature further limits clockwise and counterclockwise swinging movement of the padlock with respect to the package beyond an amount limited by the hasp in a direction substantially parallel to the card. As discussed above, none of the cited references disclose such a padlock and padlock engaging feature arrangement. As such, claim 20 is patentable over the above cited references and is in condition for allowance. Claims 21-25 and 27 are also patentable at least based on direct or indirect dependence from claim 20.

In view of the above amendments, it is respectfully submitted that all pending claims of this application are in condition for allowance. Accordingly, a Notice of Allowance for all pending claims of this application is respectfully solicited.

Respectfully submitted,

Dated: 9/9/2008

  
David J. Grover  
(Reg. No.: 58,930)  
Phone (216) 622-8333

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	3909133
<b>Application Number:</b>	11635732
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5913
<b>Title of Invention:</b>	Display package
<b>First Named Inventor/Applicant Name:</b>	Gary Konop
<b>Customer Number:</b>	58822
<b>Filer:</b>	David James Grover/Ruth Weible
<b>Filer Authorized By:</b>	David James Grover
<b>Attorney Docket Number:</b>	27475/08808
<b>Receipt Date:</b>	09-SEP-2008
<b>Filing Date:</b>	07-DEC-2006
<b>Time Stamp:</b>	13:46:11
<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		00381451.PDF	435144 bd60c83c03c86af0bd9c41ab86fe7e91d823db71	yes	9

	Multipart Description/PDF files in .zip description		
	Document Description	Start	End
	Miscellaneous Incoming Letter	1	1
	Amendment/Req. Reconsideration-After Non-Final Reject	2	2
	Claims	3	7
	Applicant Arguments/Remarks Made in an Amendment	8	9

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**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**

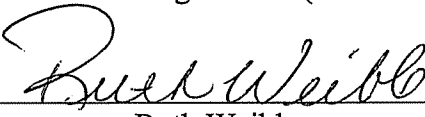
**If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition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

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for **Atty. Docket No. 27475/08808** are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 9th day of September, 2008.

Signed:   
Ruth Weible

Itemization of Papers:

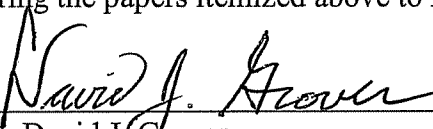
Certificate of Electronic Transmission/

Authorization to Charge Deposit Account (1 page)

Amendment and Response to Non-final Office Action (8 pages)

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering the papers itemized above to Deposit Account No. 03-0172.

Signed:   
David J. Grover  
Registration No. 58,930

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.

<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>11/635,732</b>		Filing Date <b>12/07/2006</b>		<input type="checkbox"/> To be Mailed	
<b>APPLICATION AS FILED – PART I</b>										
(Column 1)			(Column 2)		SMALL ENTITY <input type="checkbox"/>		OR		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)				
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A					
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		N/A					
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A					
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$	=	OR	X \$	=			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$	=		X \$	=			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL				
<b>APPLICATION AS AMENDED – PART II</b>										
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
<b>AMENDMENT</b>	<b>09/09/2008</b>	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 26	Minus	** 27	= 0	X \$ =	OR	X \$50=	0	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X \$ =	OR	X \$210=	0	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	0	
<b>AMENDMENT</b>	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =	OR	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =	OR	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		TOTAL ADD'L FEE		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.										

Legal Instrument Examiner:  
/Ruby Johnson/

This collection of information is required by 37 CFR 1.16. 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: 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.

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for **Atty. Docket No. 27475/08808** are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 27<sup>th</sup> day of August 2008.

Signed: Ellen M. Grzelak  
By: Ellen M. Grzelak

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop	)	Examiner: Bryon P. Gehman
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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

**I. Preliminary Statement**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. §1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. §1.97(h)), or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **II. Identification of Time of Filing the Accompanying Information Disclosure Statement**

- ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). As such it is believed that there is no fee due.
- ☐ The information disclosure statement submitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113, or a notice of allowance under §1.311, whichever occurs first, but before or simultaneously with, the payment of the issue fee.

## **III. Non-English References**

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:
- ☐ No English translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.
- ☐ Concise Explanation of Non-English Language Listed Information Items. (Attached)

## **IV. CERTIFICATE**

- ☒ I certify that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ I certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement

{00372867.DOC;1 }



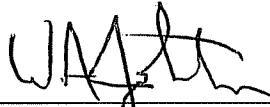
- ☐ This information disclosure statement is submitted for the Examiner and includes the references that were cited in the parent application..

**V. Fee**

- ☐ Petition fee due (§1.17(p)): \$180.00
- ☐ Attached is a check in the amount of \$180.00.
- ☐ Authorization is hereby made to charge the amount of \$ \_\_\_\_\_ to Deposit Account No. **03-0172**.
- ☒ Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. **03-0172, order number 27475/08808**.

Date: August 27, 2008

Respectfully submitted,



William A. Johnston  
Reg. No. 47,687  
Calfee, Halter & Griswold LLP  
1400 KeyBank Center  
800 Superior Avenue  
Cleveland, OH 44114-2688  
Customer No. 58822  
Telephone: 216/622-8576

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732
	Filing Date		2006-12-07
	First Named Inventor	Gary Konop	
	Art Unit	3728	
	Examiner Name	Bryon P. Gehman	
	Attorney Docket Number	27475/08808	

U.S.PATENTS							Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1	0791912		1905-06-06	Jackson		
	2	3497059		1970-02-24	Watts Jr.		
	3	4512466		1985-04-23	Delang		
	4	4711352		1987-12-08	Williams et al.		

If you wish to add additional U.S. Patent citation information please click the Add button.

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Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> i	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>

Toledo Exhibit 1002-74

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732	
	Filing Date		2006-12-07	
	First Named Inventor	Gary Konop		
	Art Unit	3728		
	Examiner Name	Bryon P. Gehman		
	Attorney Docket Number	27475/08808		

	1							<input type="checkbox"/>
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Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>
	1	International Search Report and Written Opinion from International Application No. PCT/US2006/46728, mailed 11 July 2008.	<input type="checkbox"/>

If you wish to add additional non-patent literature document citation information please click the Add button

<b>EXAMINER SIGNATURE</b>			
---------------------------	--	--	--

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop
Art Unit	3728
Examiner Name	Bryon P. Gehman
Attorney Docket Number	27475/08808

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☒ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/WA Johnston/	Date (YYYY-MM-DD)	2008-08-27
Name/Print	William A. Johnston	Registration Number	47687

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 hour 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## 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 the Freedom of Information Act requires disclosure of these records.
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 inspections 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.

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	3845740
<b>Application Number:</b>	11635732
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5913
<b>Title of Invention:</b>	Display package
<b>First Named Inventor/Applicant Name:</b>	Gary Konop
<b>Customer Number:</b>	58822
<b>Filer:</b>	William A. Johnston/Ellen Grzelak
<b>Filer Authorized By:</b>	William A. Johnston
<b>Attorney Docket Number:</b>	27475/08808
<b>Receipt Date:</b>	27-AUG-2008
<b>Filing Date:</b>	07-DEC-2006
<b>Time Stamp:</b>	11:30:05
<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		00374108.PDF	197688 61aa897e181606440927aa37d413e45d6254ec36	yes	4

Multipart Description/PDF files in .zip description									
Document Description		Start		End					
Miscellaneous Incoming Letter		1		1					
Information Disclosure Statement Letter		2		4					
<b>Warnings:</b>									
<b>Information:</b>									
2	Information Disclosure Statement (IDS) Filed (SB/08)	00372869.PDF	740506 <small>cf513481554c8018e99e14a598541baec07e1e75</small>	no	4				
<b>Warnings:</b>									
<b>Information:</b>									
3	NPL Documents	00374107.PDF	667623 <small>a0743ba923a1f00f1ea66e11d2a9b8e202ef6d21</small>	no	10				
<b>Warnings:</b>									
<b>Information:</b>									
Total Files Size (in bytes):			1605817						
<p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  <b>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.</b></p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  <b>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.</b></p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  <b>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.</b></p>									

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for **Atty. Docket No. 27475/08808** are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 21<sup>st</sup> day of August, 2008.

Signed:   
Ellen Grzelak

Itemization of Papers:

Certificate of Electronic Transmission/

Authorization to Charge Deposit Account (1 page)

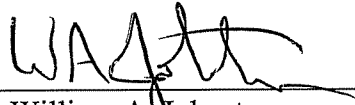
Information Disclosure Statement by Applicant (Form PTO/SB/08a) (4 pages)

Supplemental Information Disclosure Statement - Certification and Fee Payment Information  
(3 pages)

Non-patent Document (10 pages)

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering the papers itemized above to Deposit Account No. 03-0172.

Signed:   
William A. Johnston  
Registration No. 47,687





# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

11/635,732

12/07/2006

Gary Konop

27475/08808

5913

58822 7590 06/11/2008  
CALFEE, HALTER & GRISWOLD LLP  
1400 KEYBANK CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

EXAMINER

GEHMAN, BRYON P

ART UNIT

PAPER NUMBER

3728

MAIL DATE

DELIVERY MODE

06/11/2008

PAPER

**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.

Toledo Exhibit 1002-81

<b>Office Action Summary</b>	<b>Application No.</b> 11/635,732	<b>Applicant(s)</b> KONOP ET AL.	
	<b>Examiner</b> Bryon P. Gehman	<b>Art Unit</b> 3728	

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

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance 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.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☒ Claim(s) 19 and 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ 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:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ 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)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/13/07 + 4/22/08</u> .                                       | 6) <input type="checkbox"/> Other: _____                          |

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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.

2. Claims 7-8, 12-23 and 26-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 7, line 3, "front facing portion" is indefinite, as such does not face the only front previously defined, rendering an ambiguous interpretation, and "rear facing edge" is indefinite, as no "rear" has been antecedently defined. See also claims 19 and 22.

As to each of claims 4 and 7-8, the relationship between the structure claimed and the imaginary item are indeterminate from the claimed package without the item, rendering the claimed structure indefinite.

In claim 12, line 8, "the display card" lacks antecedent basis or is inconsistent with prior terminology. See also claim 20, lines 7-8.

3. 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.

4. Claims 1-2, 5-8, 10 and 24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al. (4,711,352). Claims 1-2, 5-10 and 24-25 are rejected

under 35 U.S.C. 102(b) as being anticipated by Delang (4,512,466). Each discloses a display package comprising a card (12; 22; respectively) having a front side and a back side, a post (42; 48 or one 34 or a lower portion of 34) extending from the front side, a hasp (20; other 34 or upper end portion of 34) extending from the front side to define a slot and wherein any item attached to the display package may be done so by positioning its loop portion around (adjacent or encircling) the post and through the slot. No item per se defines the claimed structure, only being referenced as its intended use. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

As to claim 2, each discloses a cut-out (between 14 and 16; defined by the displacement of 48 or 52 from the card) that would allow an item to extend beyond the back side, if ever so realized.

As to claims 5 and 6, each discloses at least one retaining member (50; 48) capable of engaging an attached item to limit movement of the attached item in a direction perpendicular to the front side, the at least one retaining member comprising a projection.

As to claims 7 and 8, the arrangement of some imaginary item is held to be able to meet the indefinite relationship between the imaginary item and the claimed structure.

As to claim 10, the hasp of Delang at the upper end of 34 extends from the post.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over either one of Williams et al. and Delang. As to claim 4, to dimension the post for particular content is held to have been within the level of ordinary skill in the art. As to claim 9, the dependent location on the card of the hasp is not seen to distinguish any particular significance based upon its particular location. "[I]f a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond that person's skill." *KSR Int'l v. Teleflex Inc.*, 127 S.Ct. 1740, 82 USPQ2d 1396 (2007). A change in form or shape is generally recognized as being within the level of ordinary skill in the art, absent any showing of unexpected results. *In re Dailey et al.*, 149 USPQ 47.

7. Claims 10-12, 15-18 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson in view of either one of Williams et al. and Delang. Jackson discloses a padlock and padlock display package (see Figure 1) comprising a card having a front side and a back side, and means securing the padlock to the card. Jackson does not disclose a hasp and additional engaging feature to secure the

padlock to the card. However, Williams et al. and Delang each disclose a hasp (20; 34 or upper part of 34) to define a portion of a slot and an engaging feature (42; 52 or 48 or lower part of 34) to limit movement of a content item with respect to a card of a package in a direction parallel to the card. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the card of Jackson with a hasp and additional retaining structure as claimed, as such a modification would predictably more fixedly secure the padlock to the card in the manner suggested in general by either one of Williams et al. and Delang. "A combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results." *KSR Int 'l v. Teleflex Inc.*, 127 S.Ct. 1731, 82 USPQ2d at 1396.

As to claims 11 and 15, Jackson comprises a plurality of secured padlocks requiring plural hasps, etc..

As to claims 16-17 and 26, Williams et al. and Delang each disclose a post, as described in the above 102 rejection.

As to claim 18, to dimension the post for particular content is held to have been within the level of ordinary skill in the art.

8. Claims 20, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson in view of either one of Williams et al. and Delang. The structural combination of Jackson with either one of Williams et al. and Delang has been explained above. To merely provide the structure is similarly held to have been obvious in view of the reasons provided above.

As to claim 21, Williams et al. and Delang each disclose a post, as described in the above 102 rejection.

9. Claims 3, 13-14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1, 12 and 20 above, and further in view of Watts Jr. (3,497,059). The previously employed art does not disclose the card further comprising a separate pocket for receiving an accessory. However, Watts Jr. discloses a separate pocket (defined by 36a and 36b) to house an accessory key to a padlock. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the card of any of the prior art with an additional pocket as claimed, as such a modification would predictably provide separate storage for a needed accessory, as suggested by Watts Jr..

As to claim 13, Watts Jr. further suggests employing a cutout to allow a padlock lock body to extend beyond the back side of the card.

10. Claims 19 and 22 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Foote et al. disclose a card for a padlock.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryon P. Gehman whose telephone number is (571) 272-4555. The examiner can normally be reached on Tuesday through Thursday from 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu, can be reached on (571) 272-4562. 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.

/Bryon P. Gehman/  
Primary Examiner, Art Unit 3728

Bryon P. Gehman  
Primary Examiner  
Art Unit 3728

BPG



<b>Notice of References Cited</b>	Application/Control No. 11/635,732	Applicant(s)/Patent Under Reexamination KONOP ET AL.	
	Examiner Bryon P. Gehman	Art Unit 3728	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-791,912	06-1905	JACKSON, M	206/483
*	B	US-2,949,185	08-1960	FOOTE DANIEL J; et. al.	206/483
*	C	US-3,497,059	02-1970	WATTS RIDLEY JR	206/463
*	D	US-4,512,466	04-1985	Delang, Theodore G.	206/482
*	E	US-4,711,352	12-1987	Williams et al.	206/478
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			


**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**


*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<p align="center"><b>Index of Claims</b></p> 	<b>Application/Control No.</b> 11635732	<b>Applicant(s)/Patent Under Reexamination</b> KONOP ET AL.
	<b>Examiner</b> Bryon P Gehman	<b>Art Unit</b> 3728

✓	<b>Rejected</b>	-	<b>Cancelled</b>	N	<b>Non-Elected</b>	A	<b>Appeal</b>
=	<b>Allowed</b>	÷	<b>Restricted</b>	I	<b>Interference</b>	O	<b>Objected</b>

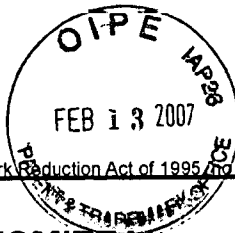
<input type="checkbox"/> Claims renumbered in the same order as presented by applicant		<input type="checkbox"/> CPA		<input type="checkbox"/> T.D.		<input type="checkbox"/> R.1.47			
CLAIM		DATE							
Final	Original	06/06/2008							
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	3	✓							
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	5	✓							
	6	✓							
	7	✓							
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	22	✓							
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	24	✓							
	25	✓							
	26	✓							
	27	✓							

<b>Search Notes</b>  	<b>Application/Control No.</b>  11635732	<b>Applicant(s)/Patent Under Reexamination</b>  KONOP ET AL.
	<b>Examiner</b>  Bryon P Gehman	<b>Art Unit</b>  3728

SEARCHED			
Class	Subclass	Date	Examiner
206	349,363,461,463471,477-483,493,495,806,	6/5/08	BPG
211	70.6	6/5/08	BPG

SEARCH NOTES		
Search Notes	Date	Examiner
Inventor Name Search	6/5/08	BPG

INTERFERENCE SEARCH			
Class	Subclass	Date	Examiner



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

11/635,732

Filing Date

12/07/2006

First Named Inventor

Gary Konop et al.

Art Unit

3728

Examiner Name

Not yet assigned

Attorney Docket Number

27475/08808

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



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Terminal Disclaimer



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CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
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Form 1449 (2 pages)  
IDS - (3 pages)**Remarks**Please charge our Deposit Account Number 03-0172 for any additional fees or credit any  
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Firm Name

Customer 58822

Signature

Printed name

William A. Johnston

Date

February 8, 2007

Reg. No.

47,687

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with  
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Signature

Typed or printed name

Patrice Simpson

Date

February 8, 2007

This collection of information is required by 37 CFR 1.5. 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 2 hours 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. Toledo Exhibit 1002-92/EG/



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Patrice Simpson

Signature: P. Simpson

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Not yet assigned
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

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

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

**FOREIGN LANGUAGE DOCUMENTS**

☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for

foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version of that portion of the Communication indicating the degree of relevance found by the foreign patent office.

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:
- ☐ Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

#### **CERTIFICATION AND FEE PAYMENT INFORMATION**

- ☒ The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
- ☐ The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☐ The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
  - ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
  - ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable

inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

☐ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:

- ☐ A check is attached in the amount of \$180.00 as required under 37 § 1.17(p).
- ☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and any related fee to **Deposit Account No. 030172.**

☐ The present Information Disclosure Statement is being filed after the mailing of a final Office Action, Notice of Allowance or an action that otherwise closes prosecution in the application, but on or before the payment of the issue fee. Accordingly, Applicant submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee required under 37 C.F.R. § 1.17(p).

- ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

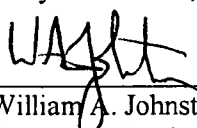
AND, the fee is being paid in the following manner:

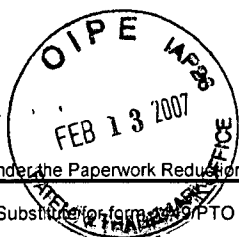
- ☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).
- ☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and any related fee to **Deposit Account No. 030172.**
- ☒ **Although no fees are believed to be due, please charge any fee deficiencies and credit any overpayments to Deposit Account No. 03-0172.**

Respectfully submitted,

Date: February 8, 2007

By: \_\_\_\_\_

  
William A. Johnston, Reg. No. 47,687  
Customer Number 58822  
(216) 622-8576



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	11/635,732
Filing Date	12/07/2006
First Named Inventor	Gary Konop et al.
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	27475/08808

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 0,997,154	07-1911	Slaymaker et al.	
		US- 3,236,372	02-1966	Foote	
		US- 3,289,830	12-1966	Foote	
		US- 3,586,163	6-1971	Loehrer et al.	
		US- 4,948,036	8-1990	Loughman	
		US- 4,020,694	05-1977	Mayhew, Theron T.	
		US- 4,328,894	05-1982	Edell, Morton	
		US- 5,713,467	02-1998	Kao	
		US- 6,164,463	12-2000	Lee, Jack	
		US- 6,257,536	07-2001	Manuel	
		US- 6,241,092	06-2001	Vasudeva, Kailash C.	
		US- 6,378,700	04-2002	Tong	
		US- 6,401,924	06-2002	Fresnel	
		US- 6,520,324	02-2003	Matthews et al.	
		US- 6,679,379	01-2004	Kao, Jui-Chen	
		US- 6,749,060	06-2004	Ford	
		US- 6,935,516	08-2005	Chiang, Kuo Chuan	
		US- D494,066	08-2004	Liu, Yung-Yuan	
		US- US2003/0024831	02-2003	Matthews et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

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SignatureDate  
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**(Use as many sheets as necessary)**

Sheet	2	of	2
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**Complete if Known**

Application Number	11/635,732
Filing Date	12/07/2006
First Named Inventor	Gary Konop et al.
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	27475/08808

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

/Bryon Gehman/

Date  
Considered

06/05/2008

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732	
	Filing Date		2006-12-07	
	First Named Inventor	Gary Konop et al.		
	Art Unit	3728		
	Examiner Name	Not yet assigned		
	Attorney Docket Number	27475/08808		

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/BG/	1	3251465		1966-05-17	H. Winkhaus et al.		

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop et al.
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	27475/08808

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Customer No. 58822

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Mary Uthoff

Name of Person Signing (Type or Print)

Signed: 

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Not yet assigned
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT**

Dear Sir:

Prior to examination of this application, please enter the following amendments in connection with the above-referenced application. By this amendment, 27 total claims (including three independent claims) are pending in this application. The Commissioner is hereby authorized to charge the \$200 fee for the four (4) additional total claims, as well as any and all additional fees incurred as a result of entering this amendment, to deposit account number 03-0172, order number 27475/08808.

Please amend the application as follows:

**In the claims:**

1. (Currently amended) A display package for an item having a loop portion, the display package comprising:

a card having a front side and a back side;

a post extending from the front side of the card; and

a hasp extending from the front side of the card to define [[a]] at least a portion of a slot;

wherein the item is attached to the display package by positioning the loop portion of the item around the post and through the slot.

2. (Original) The display package of claim 1, wherein the card further comprises a cut-out configured to allow the attached item to extend beyond the back side of the card.

3. (Original) The display package of claim 1, wherein the card further comprises a pocket for receiving an accessory associated with the item.

4. (Original) The display package of claim 1, wherein an outer perimeter of the post is sized to match an inner perimeter of the loop portion of the item.

5. (Original) The display package of claim 1, further comprising at least one retaining member adapted to engage the attached item to limit movement of the attached item in a direction substantially perpendicular to the front side of the card.

6. (Original) The display package of claim 5, wherein the at least one retaining member comprises a projection extending from the front side of the card, the projection being positioned to engage the loop portion.

7. (Original) The display package of claim 5, wherein the at least one retaining member comprises an anchor adapted to be positioned between the post and the item, such that the anchor engages a front facing portion of the item and a rear facing edge of the post to limit movement of the attached item in a direction substantially perpendicular to the front side of the card.

8. (Original) The display package of claim 5, wherein the at least one retaining member retains the card at an angle with respect to a longitudinal centerline of the attached item.

9. (Currently amended) The display package of claim 1, wherein ~~an end~~ a portion of the hasp extends from the post.

10. (Original) The display package of claim 1, wherein the item comprises a padlock.

11. (Original) The display package of claim 1, further comprising a plurality of hasps and a plurality of posts for attaching a plurality of items to the display package.

12. (Currently amended) In combination, a padlock and a padlock display package, the padlock having a shackle lockable with a lock body, the padlock display package comprising:  
a card having a front side and a back side; [[and]]

a hasp extending from the front side of the card to define at least a portion of a slot, wherein the padlock is secured to the display package when the locked shackle is positioned through the slot; and

a padlock engaging feature configured to further limit movement of the padlock with respect to the package in a direction substantially parallel to the display card

~~wherein the padlock is attachable to the display package by inserting the shackle through the slot and locking the shackle with the lock body.~~

13. (Original) The combination of claim 12, wherein the card further comprises a cut-out configured to allow the lock body to extend beyond the back side of the card.

14. (Original) The combination of claim 12, wherein the card further comprises a pocket for receiving a key configured to unlock the padlock.

15. (Original) The combination of claim 12, wherein the display package comprises a plurality of hasps for attaching a plurality of padlocks to the display package.

16. (Currently amended) The combination of claim 12, wherein the ~~display package further padlock engaging feature~~ comprises a post ~~extending from the front side of the card, the post being~~ configured such that the shackle may be positioned around the post when the shackle is ~~inserted~~ positioned through the slot.

17. (Original) The combination of claim 16, wherein the post defines a portion of the slot.

18. (Original) The combination of claim 16, wherein an outer perimeter of the post is sized to match an inner perimeter of the shackle and an upper surface of the lock body.

19. (Original) The combination of claim 16, wherein the display package further comprises an anchor adapted to be positioned between the post and the lock body, such that the anchor engages a front facing portion of the shackle and a rear facing edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

20. (Currently amended) A method for displaying a padlock having a shackle lockable with a lock body, the method comprising:

providing a display package having a card with a hasp extending from a front side of the card to define at least a portion of a slot and a padlock engaging feature; and

positioning the inserting an end of the shackle of the padlock through the slot such that the padlock engaging feature further limits movement of the padlock with respect to the package beyond an amount limited by the hasp in a direction substantially parallel to the display card; and

~~locking the shackle into engagement with the lock body.~~

21. (Currently amended) The method of claim 20, wherein the padlock engaging feature comprises a post, the method further comprising positioning the shackle around the [[a]] ~~post extending from the front side of the card.~~

22. (Original) The method of claim 21, further comprising inserting an anchor between the post and an upper surface of the lock body, such that the anchor engages a front



facing portion of the shackle and a rear facing edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

23. (Original) The method of claim 20, further comprising securing a key to the card such that the key is at least partially received in a pocket in the card.

24. (New) The display package of claim 1, wherein the post defines a portion of the slot.

25. (New) The display package of claim 1, wherein the post is configured to further limit movement of the padlock with respect to the package in a direction substantially parallel to the display card.

26. (New) The display package of claim 12, wherein the padlock engaging feature limits movement of the padlock in a direction substantially parallel to the display card by engaging the shackle.

27. (New) The method of claim 20, wherein positioning the shackle of the padlock through the slot comprises inserting an end of the shackle of the padlock through the slot and locking the shackle into engagement with the lock body.

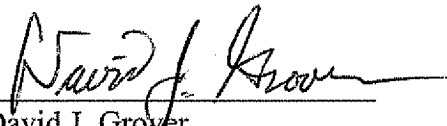
**REMARKS**

Applicants wish to amend this application preliminary to the review by the Examiner. By this amendment, claims 1, 9, 12, 16, 20, and 21 have been amended, and new claims 24-27 have been added. No new matter has been added.

It is respectfully submitted that all pending claims of this application are in condition for allowance. Accordingly, a Notice of Allowance for all pending claims of this application is respectfully solicited.

Respectfully submitted,

Dated: 5/1/2008

  
David J. Grover  
(Reg. No.: 58,930)  
Phone (216) 622-8333

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	11635732			
<b>Filing Date:</b>	07-Dec-2006			
<b>Title of Invention:</b>	Display package			
<b>First Named Inventor/Applicant Name:</b>	Gary Konop			
<b>Filer:</b>	David James Grover/Mary Uthoff			
<b>Attorney Docket Number:</b>	27475/08808			
Filed as Large Entity				
<b>Utility      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>				
Claims in excess of 20	1202	4	50	200
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
Post-Allowance-and-Post-Issuance:				
<b>Extension-of-Time:</b>				

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Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				200

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<b>EFS ID:</b>	3239936
<b>Application Number:</b>	11635732
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5913
<b>Title of Invention:</b>	Display package
<b>First Named Inventor/Applicant Name:</b>	Gary Konop
<b>Customer Number:</b>	58822
<b>Filer:</b>	David James Grover/Mary Uthoff
<b>Filer Authorized By:</b>	David James Grover
<b>Attorney Docket Number:</b>	27475/08808
<b>Receipt Date:</b>	01-MAY-2008
<b>Filing Date:</b>	07-DEC-2006
<b>Time Stamp:</b>	14:21:36
<b>Application Type:</b>	Utility under 35 USC 111(a)

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1		00292822.PDF	233322	yes	8
			5cb62e08fcd29e73c7a0c0e678b72b66c1a37abf		
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Miscellaneous Incoming Letter		1	1	
	Preliminary Amendment		2	2	
	Claims		3	7	
	Applicant Arguments/Remarks Made in an Amendment		8	8	
Warnings:					
Information:					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8119	no	2
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**New International Application Filed with the USPTO as a Receiving Office**

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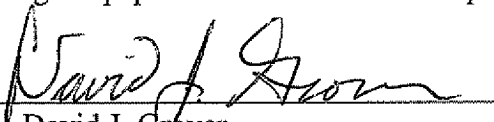
Preliminary Amendment (7 pages)

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<b>Total</b>			<b>\$ 200</b>

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>11/635,732</b>		Filing Date <b>12/07/2006</b>		<input type="checkbox"/> To be Mailed	
<b>APPLICATION AS FILED – PART I</b>										
(Column 1)			(Column 2)		SMALL ENTITY <input type="checkbox"/>		OR		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)				
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A					
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(k), (l), or (m))	N/A	N/A	N/A		N/A					
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A					
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X \$	=	OR	X \$	=			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X \$	=		X \$	=			
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL				
<b>APPLICATION AS AMENDED – PART II</b>										
(Column 1)			(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
<b>AMENDMENT</b>	<b>05/01/2008</b>	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	* 27	Minus	** 23	= 4	X \$ =	OR	X \$50=	200	
	Independent (37 CFR 1.16(h))	* 3	Minus	***3	= 0	X \$ =	OR	X \$210=	0	
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		TOTAL ADD'L FEE	200	
<b>AMENDMENT</b>	Total (37 CFR 1.16(i))	*	Minus	**	=	X \$ =	OR	X \$ =		
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X \$ =	OR	X \$ =		
	<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))									
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))									
						TOTAL ADD'L FEE		TOTAL ADD'L FEE		
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>										

Legal Instrument Examiner:  
/DONNA D. SMALLS LOGAN/

This collection of information is required by 37 CFR 1.16. 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: 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.

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for **Atty. Docket No. 27475/08808** are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 2nd day of April 2008.

Signed: Ellen M. Grzelak  
By: Ellen M. Grzelak

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Not yet assigned
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

**INFORMATION DISCLOSURE STATEMENT**

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

**I. Preliminary Statement**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. §1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. §1.97(h)), or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **II. Identification of Time of Filing the Accompanying Information Disclosure Statement**

- ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). As such it is believed that there is no fee due.
- ☐ The information disclosure statement submitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113, or a notice of allowance under §1.311, whichever occurs first, but before or simultaneously with, the payment of the issue fee.

## **III. Non-English References**

- ☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:
- ☐ No English translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.
- ☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.
- ☐ Concise Explanation of Non-English Language Listed Information Items. (Attached)

## **IV. CERTIFICATE**

- ☐ I certify that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- ☐ I certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement

{00283930.DOC;1}

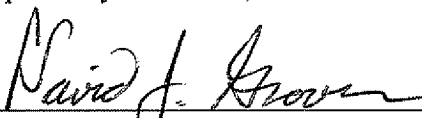
- ☐ This information disclosure statement is submitted for the Examiner and includes the references that were cited in the parent application..

**V. Fee**

- ☐ Petition fee due (§1.17(p)): \$180.00
- ☐ Attached is a check in the amount of \$180.00.
- ☐ Authorization is hereby made to charge the amount of \$\_\_\_\_\_ to Deposit Account No. 03-0172.
- ☒ Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 03-0172, order number 27475/08808.

Respectfully submitted,

Date: April 22, 2008



David J. Grover  
Reg. No. 58930  
Calfee, Halter & Griswold LLP  
1400 KeyBank Center  
800 Superior Avenue  
Cleveland, OH 44114-2688  
Customer No. 58822  
Telephone: 216/622-8333

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732	
	Filing Date		2006-12-07	
	First Named Inventor	Gary Konop et al.		
	Art Unit	3728		
	Examiner Name	Not yet assigned		
	Attorney Docket Number	27475/08808		

U.S.PATENTS							Remove
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1	3251465		1966-05-17	H. Winkhaus et al.		

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U.S.PATENT APPLICATION PUBLICATIONS							Remove
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	
	1						

If you wish to add additional U.S. Published Application citation information please click the Add button.

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Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup> i	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1							<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

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NON-PATENT LITERATURE DOCUMENTS				Remove
Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>5</sup>	

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> ( Not for submission under 37 CFR 1.99)	Application Number		11635732
	Filing Date		2006-12-07
	First Named Inventor	Gary Konop et al.	
	Art Unit	3728	
	Examiner Name	Not yet assigned	
	Attorney Docket Number	27475/08808	

	1		<input type="checkbox"/>
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If you wish to add additional non-patent literature document citation information please click the Add button

### EXAMINER SIGNATURE

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

Application Number	11635732
Filing Date	2006-12-07
First Named Inventor	Gary Konop et al.
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	27475/08808

**CERTIFICATION STATEMENT**

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

**OR**

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☒ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/s/	Date (YYYY-MM-DD)	2008-04-21
Name/Print	David J. Grover	Registration Number	58,930

This collection of information is required by 37 CFR 1.97 and 1.98. 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 1 hour 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

## 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 the Freedom of Information Act requires disclosure of these records.
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 inspections 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.



## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	3190043
<b>Application Number:</b>	11635732
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	5913
<b>Title of Invention:</b>	Display package
<b>First Named Inventor/Applicant Name:</b>	Gary Konop
<b>Customer Number:</b>	58822
<b>Filer:</b>	David James Grover/Ellen Grzelak
<b>Filer Authorized By:</b>	David James Grover
<b>Attorney Docket Number:</b>	27475/08808
<b>Receipt Date:</b>	22-APR-2008
<b>Filing Date:</b>	07-DEC-2006
<b>Time Stamp:</b>	15:05:41
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	no
------------------------	----

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	00284888.PDF	32285 1b6a734192b82dcf5aabc5e55fe85006b0849e00	no	1

Warnings:

Information:

Toledo Exhibit 1002-121

2	Information Disclosure Statement Letter	00284884.PDF	104294 453a104f83fa9dc4d055d712a6ef31556e0a66c6	no	3
<b>Warnings:</b>					
<b>Information:</b>					
3	Information Disclosure Statement (IDS) Filed	00284882.PDF	713508 3388eeffb638a39ca62dbf85f86cb19fd6469f7db	no	4
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			850087		
<p><b>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.</b></p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>  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.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>  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.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>  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.</p>					

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that the papers itemized below for **Atty. Docket No. 27475/08808** are being transmitted electronically to the United States Patent and Trademark Office (USPTO) via the USPTO's Electronic Filing Service (EFS-Web) on this 22nd day of April, 2008.

Signed:   
Ellen Grzelak

Itemization of Papers:

Certificate of Electronic Transmission/

Authorization to Charge Deposit Account (1 page)

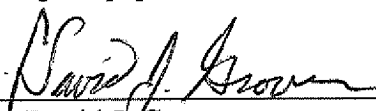
Information Disclosure Statement by Applicant (Form PTO/SB/08a) (4 pages)

Information Disclosure Statement - Certification and Fee Payment

Information (3 pages)

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Should the Commissioner decide that any fee or fee deficiency is due, the Commissioner is hereby authorized to charge any and all such fees, and/or credit any overpayments, incurred as a result of entering the papers itemized above to Deposit Account No. 03-0172.

Signed:   
David J. Grover  
Registration No. 58,930



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](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/635,732	12/07/2006	Gary Konop	27475/08808

**CONFIRMATION NO. 5913**

58822  
CALFEE, HALTER & GRISWOLD LLP  
1400 MCDONALD INVESTMENT CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH44114

**Title:** Display package

**Publication No.** US-2007-0125680-A1

**Publication Date:** 06/07/2007

### NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at 703-305-3028.

---

Pre-Grant Publication Division, 703-605-4283

Toledo Exhibit 1002-124



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

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
11/635,732	12/07/2006	3728	1280	27475/08808	4	23	3

**CONFIRMATION NO. 5913**

58822  
CALFEE, HALTER & GRISWOLD LLP  
1400 MCDONALD INVESTMENT CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

**UPDATED FILING RECEIPT**

Date Mailed: 02/13/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Gary Konop, Germantown, WI;  
David Kearns, Hartford, WI;

**Power of Attorney:** The patent practitioners associated with Customer Number 58822

**Domestic Priority data as claimed by applicant**

This appln claims benefit of 60/749,324 12/07/2005

**Foreign Applications**

**If Required, Foreign Filing License Granted:** 01/18/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is  
**US11/635,732**

**Projected Publication Date:** 06/07/2007

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Display package

**Preliminary Class**

Toledo Exhibit 1002-125

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### LICENSE FOR FOREIGN FILING UNDER

#### Title 35, United States Code, Section 184

#### Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

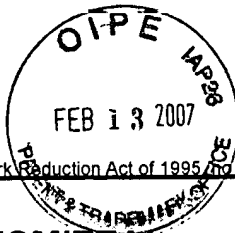
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to

espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

11/635,732

Filing Date

12/07/2006

First Named Inventor

Gary Konop et al.

Art Unit

3728

Examiner Name

Not yet assigned

Attorney Docket Number

27475/08808

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):return receipt postcard  
Form 1449 (2 pages)  
IDS - (3 pages)**Remarks**

Please charge our Deposit Account Number 03-0172 for any additional fees or credit any overpayment to the same deposit account.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Customer 58822

Signature

Printed name

William A. Johnston

Date

February 8, 2007

Reg. No.

47,687

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature

Typed or printed name

Patrice Simpson

Date

February 8, 2007

This collection of information is required by 37 CFR 1.5. 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 2 hours 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Toledo Exhibit 1002-128





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Service with sufficient postage as first class mail in an  
envelope addressed to:

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

Typed or Printed name of person signing this certificate:

Patrice Simpson

Signature: P. Simpson

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner: Not yet assigned
	)	
Serial No.: 11/635,732	)	Art Unit: 3728
	)	
Filed: 12/07/2006	)	Confirmation No. 5913
	)	
For: DISPLAY PACKAGE	)	Attorney Docket No.: 27475/08808

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

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B forms and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

**FOREIGN LANGUAGE DOCUMENTS**

☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for

foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version of that portion of the Communication indicating the degree of relevance found by the foreign patent office.

- ☐ In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:
- ☐ Complete English translations of foreign language documents are being submitted herewith, and therefore no concise explanation for such documents is required.

#### **CERTIFICATION AND FEE PAYMENT INFORMATION**

- ☒ The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination under 37 C.F.R. § 1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
- ☐ The present Information Disclosure Statement is being filed thirty days or fewer from a Communication from a foreign patent office and Applicant submits the following Statement Under 37 C.F.R. § 1.704(d). Each item of information contained in the Information Disclosure Statement was cited in a Communication from a foreign patent office in a counterpart application and this Communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☐ The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant submits the following Statement under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 030172**.
  - ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
  - ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable

inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.

☐ The present Information Disclosure Statement is being filed (without a Statement under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier). Accordingly, Applicant submits the fee required under 37 C.F.R. § 1.17(p). The fee is being paid in the following manner:

- ☐ A check is attached in the amount of \$180.00 as required under 37 § 1.17(p).
- ☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and any related fee to **Deposit Account No. 030172.**

☐ The present Information Disclosure Statement is being filed after the mailing of a final Office Action, Notice of Allowance or an action that otherwise closes prosecution in the application, but on or before the payment of the issue fee. Accordingly, Applicant submits the following Statement under 37 C.F.R. § 1.97(e) along with the fee required under 37 C.F.R. § 1.17(p).

- ☐ Each item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a Communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

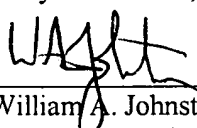
AND, the fee is being paid in the following manner:

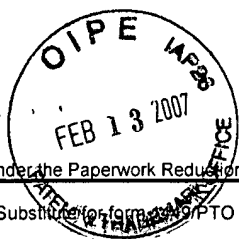
- ☐ A check is attached in the amount of \$\_\_\_\_\_ as required under 37 § 1.17(p).
- ☐ The patent office is hereby authorized to charge the amount of \$\_\_\_\_\_ and any related fee to **Deposit Account No. 030172.**
- ☒ **Although no fees are believed to be due, please charge any fee deficiencies and credit any overpayments to Deposit Account No. 03-0172.**

Respectfully submitted,

Date: February 8, 2007

By: \_\_\_\_\_

  
William A. Johnston, Reg. No. 47,687  
Customer Number 58822  
(216) 622-8576



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Substitute for form PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	11/635,732
Filing Date	12/07/2006
First Named Inventor	Gary Konop et al.
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	27475/08808

Sheet 1 of 2

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 0,997,154	07-1911	Slaymaker et al.	
		US- 3,236,372	02-1966	Foote	
		US- 3,289,830	12-1966	Foote	
		US- 3,586,163	6-1971	Loehrer et al.	
		US- 4,948,036	8-1990	Loughman	
		US- 4,020,694	05-1977	Mayhew, Theron T.	
		US- 4,328,894	05-1982	Edell, Morton	
		US- 5,713,467	02-1998	Kao	
		US- 6,164,463	12-2000	Lee, Jack	
		US- 6,257,536	07-2001	Manuel	
		US- 6,241,092	06-2001	Vasudeva, Kailash C.	
		US- 6,378,700	04-2002	Tong	
		US- 6,401,924	06-2002	Fresnel	
		US- 6,520,324	02-2003	Matthews et al.	
		US- 6,679,379	01-2004	Kao, Jui-Chen	
		US- 6,749,060	06-2004	Ford	
		US- 6,935,516	08-2005	Chiang, Kuo Chuan	
		US- D494,066	08-2004	Liu, Yung-Yuan	
		US- US2003/0024831	02-2003	Matthews et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. 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 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PT©

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

Sheet

2

0

2

**Complete if Known**

Application Number	11/635,732
Filing Date	12/07/2006
First Named Inventor	Gary Konop et al.
Art Unit	3728
Examiner Name	Not yet assigned
Attorney Docket Number	27475/08808

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner  
Signature

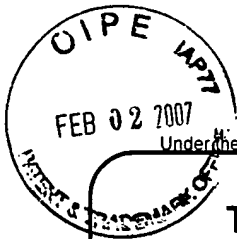
Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. 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 2 hours 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, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Toledo Exhibit 1002-133



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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

11/635,732

Filing Date

12/07/2006

First Named Inventor

Gary Konop et al.

Art Unit

3728

Examiner Name

Not yet assigned

Attorney Docket Number

27475/08808

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	return receipt postcard; check in the amount of \$130.00; return copy of notice to file missing parts; declaration and power of attorney.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

Please charge our Deposit Account Number 03-0172 for any additional fees or credit any overpayment to the same deposit account.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Customer 58822		
Signature			
Printed name	William A. Johnston		
Date	January 29, 2007	Reg. No.	47,687

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Signature			
Typed or printed name	Patrice Simpson	Date	January 30 2007

This collection of information is required by 37 CFR 1.5. 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 2 hours 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Toledo Exhibit 1002-134

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Patrice Simpson

Typed Name Of Person Signing This Certificate

Patrice Simpson  
Signature Of Patrice Simpson

Customer Number

**58822**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gary Konop et al.	)	Examiner:	Not yet assigned
	)		
Serial No.: 11/635,732	)	Art Unit:	3728
	)		
Filed: 12/07/2006	)	Confirmation No.	5913
	)		
For: DISPLAY PACKAGE	)	Attorney Docket No.:	27475/08808

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice To File Missing Parts of Nonprovisional Application dated 01/22/2007, applicant respectfully submits a copy of the fully executed Declaration and Power of Attorney.

Also enclosed is a return copy of the Notice to File Missing Parts of Nonprovisional Application and a check in the amount of \$130.00 as payment of the surcharge fee.

Please charge any deficiencies in connection with this communication to our Deposit Account No. 03-0172, Order Number 27475/08808. Please credit any overpayment to same Deposit Account.

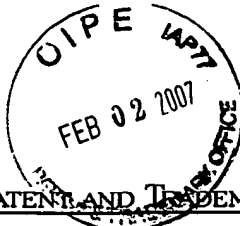
Respectfully submitted,

Date: January 29, 2007

William A. Johnston  
William A. Johnston, Reg. No. 47,687  
Customer No. 58822  
1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, OH 44114-2688



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 NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/635,732	12/07/2006	Gary Konop	27475/08808

CONFIRMATION NO. 5913

FORMALITIES  
LETTER

58822  
 CALFEE, HALTER & GRISWOLD LLP  
 1400 MCDONALD INVESTMENT CENTER  
 800 SUPERIOR AVENUE  
 CLEVELAND, OH 44114

Date Mailed: 01/22/2007

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a non-small entity

- \$130 Surcharge.**

02/02/2007 ZJUHAR1 00000062 11635732

01 FC:1051

130.00 0P

Replies should be mailed to: Mail Stop Missing Parts

Toledo Exhibit 1002-136




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

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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



NOT AVAILABLE COPY

CALFEE, HALTER & GRISWOLD LLP

Attorney Docket No. 27475/08808

DECLARATION  
AND POWER OF ATTORNEY

ORIGINAL APPLICATION

As a below named inventor(s), I/We hereby declare that:

My/Our residence, post office address and citizenship are as stated below next to my name;

I/We believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DISPLAY PACKAGE

the specification of which

- ☐ is attached hereto.
- ☒ was filed on December 7, 2006 as United States Application or PCT International Application Serial No. 11/635,732.
- ☐ and was amended on \_\_\_\_\_.

(if applicable)

I/We hereby state that I/We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I/We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I/We hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplementary priority data sheet PTO/SB/02B attached hereto.

I/We hereby claim on information and belief the benefit of United States priority under 35 USC §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial Number	Filing Date	Legal Status

I/We hereby claim on information and belief the benefit of United States priority under 35 USC §119(e) of any United States provisional application(s) listed below:

Application Serial Number	Filing Date	Legal Status
60/749,324	12/07/2005	Expired

I/We hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

The Attorneys Associated with Customer No. 58822

Direct all telephone calls to **WILLIAM A. JOHNSTON** at telephone number 216-622-8576 and faxes to (216) 241-0816.

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

# BEST AVAILABLE COPY

Name of Sole or First inventor: GARY KONOP

Inventor's signature: *Gary Konop*

Date: 1/26/07

Residence:

City: Germantown

State: WI

Country: US

Citizenship: US

Mailing Address: W147 N10363 Heritage Hills Parkway

City: Germantown State: WI Zip: 53022 Country: US

Name of Second or Co-inventor: DAVID KEARNS

Inventor's signature: *David Kearns*

Date: 1-26-07

Residence:

City: Hartford

State: WI

Country: US

Citizenship: US

Mailing Address: 4975 State Road 144

City: Hartford State: WI Zip: 53027 Country: US



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 NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
11/635,732	12/07/2006	3728	1150	27475/08808	4	23	3

**CONFIRMATION NO. 5913**

58822  
CALFEE, HALTER & GRISWOLD LLP  
1400 MCDONALD INVESTMENT CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

**FILING RECEIPT**

Date Mailed: 01/22/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Gary Konop, Residence Not Provided;

**Power of Attorney:** None

**Domestic Priority data as claimed by applicant**

This appln claims benefit of 60/749,324 12/07/2005

**Foreign Applications**

**If Required, Foreign Filing License Granted:** 01/18/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is  
**US11/635,732**

**Projected Publication Date:** To Be Determined - pending completion of Missing Parts

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Display package

**Preliminary Class**

206

**Toledo Exhibit 1002-141**

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER

#### Title 35, United States Code, Section 184

#### Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of

Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign AssetsControl, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/635,732	12/07/2006	Gary Konop	27475/08808

58822  
CALFEE, HALTER & GRISWOLD LLP  
1400 MCDONALD INVESTMENT CENTER  
800 SUPERIOR AVENUE  
CLEVELAND, OH 44114

CONFIRMATION NO. 5913

FORMALITIES  
LETTER

Date Mailed: 01/22/2007

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*  
*Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.*

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a non-small entity

- **\$130** Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

Toledo Exhibit 1002-144



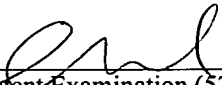
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

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Office of ~~Initial~~ Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 3 - OFFICE COPY

120706

17114

S. PTO

PTO/SB/05 (04-05)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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.

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	27475/08808
First Inventor	Gary Konop et al.
Title	DISPLAY PACKAGE
Express Mail Label No.	EL084932998US

11/30/14 U.S. PTO  
11/30/14 U.S. PTO

120706

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form** (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ **Applicant claims small entity status.**  
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages 13]  
Both the claims and abstract must start on a new page  
(For information on the preferred arrangement, see MPEP 608.01(a))
4. ☒ **Drawing(s)** (35 U.S.C. 113) [Total Sheets 4]
5. **Oath or Declaration** [Total Sheets       ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ A copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ **Application Data Sheet.** See 37 CFR 1.76
7. ☐ **CD-ROM or CD-R** in duplicate, large table or  
Computer Program (Appendix)  
☐ Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, items a. - c. are required)
  - a. ☐ Computer Readable Form (CRF)
  - b. **Specification Sequence Listing on:**
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

## ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers** (cover sheet & document(s))  
Name of Assignee \_\_\_\_\_
10. ☐ **37 CFR 3.73(b) Statement** ☐ **Power of Attorney**  
(when there is an assignee)
11. ☐ **English Translation Document** (if applicable)
12. ☐ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)  
☐ Copies of citations attached
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard** (MPEP 503)  
(Should be specifically itemized)
15. ☐ **Certified Copy of Priority Document(s)**  
(if foreign priority is claimed)
16. ☐ **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or equivalent.
17. ☒ **Other: return receipt postcard**

check in the amount of \$1150.00

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_

## 19. CORRESPONDENCE ADDRESS

☒ The address associated with Customer Number: 58822 OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Email

Signature

Date

December 7, 2006

Name  
(Print/Type)

David J. Grover

Registration No.  
(Attorney/Agent)

58,930

This collection of information is required by 37 CFR 1.53(b). 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Exhibit 1002-146

120706  
17114  
U.S. PTO

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Filed pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,150.00

**Complete if Known**

Application Number	Not yet assigned
Filing Date	Concurrently herewith
First Named Inventor	Gary Konop et al.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	27475/08808

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 030172 Deposit Account Name: Calfee, Halter & Griswold

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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.

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	\$1000.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
23	- 20 or HP = 3	x 50 =	150.00	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	- 3 or HP = 0	x 200 =	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature	<i>David J. Grover</i>	Registration No. (Attorney/Agent) 58,930	Telephone 216-622-8200
Name (Print/Type)	David J. Grover		Date December 7, 2006

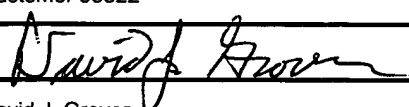
This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

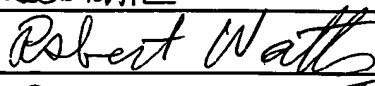
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Toledo Exhibit 1002-147

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	Not yet assigned	
	Filing Date	Herewith	
	First Named Inventor	Gary Konop et al.	
	Art Unit	Not yet assigned	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	20	Attorney Docket Number	27475/08808

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): return receipt postcard check int he amount of \$1150.00 specification (8 pages) Drawings (4 pages) claims (4 pages) abstract (1 page)
Remarks Please charge our Deposit Account Number 03-0172 for any additional fees or credit any overpayment to the same deposit account.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Customer 58822	
Signature		
Printed name	David J. Grover	
Date	December 7, 2006	Reg. No. 58,930

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as <del>in an envelope</del> addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: <b>EXPRESS MAIL</b>			
Signature			
Typed or printed name	ROBERT WATTS	Date	12/7/2006

This collection of information is required by 37 CFR 1.5. 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 2 hours 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: 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.

Toledo Exhibit 1002-148

120706

17114

S. PTO

PTO/SB/05 (04-05)

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UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	27475/08808
First Inventor	Gary Konop et al.
Title	DISPLAY PACKAGE
Express Mail Label No.	EL084932998US

APPLICATION ELEMENTS  
See MPEP chapter 600 concerning utility patent application contents.

1. ☒ **Fee Transmittal Form** (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ **Applicant claims small entity status.**  
See 37 CFR 1.27.
3. ☒ **Specification** [Total Pages 13]  
Both the claims and abstract must start on a new page  
(For information on the preferred arrangement, see MPEP 608.01(a))
4. ☒ **Drawing(s)** (35 U.S.C. 113) [Total Sheets 4]
5. **Oath or Declaration** [Total Sheets       ]
  - a. ☐ Newly executed (original or copy)
  - b. ☐ A copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ **Application Data Sheet.** See 37 CFR 1.76
7. ☐ **CD-ROM or CD-R** in duplicate, large table or  
Computer Program (Appendix)  
☐ Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, items a. - c. are required)
  - a. ☐ Computer Readable Form (CRF)
  - b. **Specification Sequence Listing on:**
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

## ACCOMPANYING APPLICATION PARTS

9. ☐ **Assignment Papers** (cover sheet & document(s))  
Name of Assignee \_\_\_\_\_
10. ☐ **37 CFR 3.73(b) Statement** ☐ **Power of Attorney**  
(when there is an assignee)
11. ☐ **English Translation Document** (if applicable)
12. ☐ **Information Disclosure Statement** (PTO/SB/08 or PTO-1449)  
☐ Copies of citations attached
13. ☐ **Preliminary Amendment**
14. ☒ **Return Receipt Postcard** (MPEP 503)  
(Should be specifically itemized)
15. ☐ **Certified Copy of Priority Document(s)**  
(if foreign priority is claimed)
16. ☐ **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or equivalent.
17. ☒ **Other: return receipt postcard**

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18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_

## 19. CORRESPONDENCE ADDRESS

☒ The address associated with Customer Number: 58822 OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Email

Signature

Date

December 7, 2006

Name  
(Print/Type)

David J. Grover

Registration No.  
(Attorney/Agent)

58,930

This collection of information is required by 37 CFR 1.53(b). 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: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Exhibit 1002-149

120706  
17114  
U.S. PTO

PTO/SB/17 (01-06)

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**FEE TRANSMITTAL**  
**For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,150.00

**Complete if Known**

Application Number	Not yet assigned
Filing Date	Concurrently herewith
First Named Inventor	Gary Konop et al.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	27475/08808

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 030172 Deposit Account Name: Calfee, Halter & Griswold

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	\$1000.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
23	- 20 or HP = 3	x 50 =	150.00	

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	- 3 or HP = 0	x 200 =	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

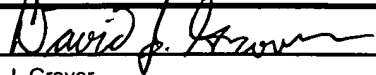
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 58,930	Telephone 216-622-8200
Name (Print/Type)	David J. Grover		Date December 7, 2006

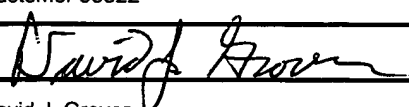
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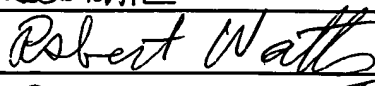
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Toledo Exhibit 1002-150

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	Not yet assigned	
	Filing Date	Herewith	
	First Named Inventor	Gary Konop et al.	
	Art Unit	Not yet assigned	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	20	Attorney Docket Number	27475/08808

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): return receipt postcard check int he amount of \$1150.00 specification (8 pages) Drawings (4 pages) claims (4 pages) abstract (1 page)
Remarks Please charge our Deposit Account Number 03-0172 for any additional fees or credit any overpayment to the same deposit account.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Customer 58822	
Signature		
Printed name	David J. Grover	
Date	December 7, 2006	Reg. No. 58,930

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	ROBERT WATTS	Date	12/7/2006

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Toledo Exhibit 1002-151

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BOB WATTS

Name of Person Signing (Type or Print)

Signed: Bob Watts

## DISPLAY PACKAGE

### Cross Reference to Related Application

[0001] This application claims the benefit of United States Provisional Patent Application No. 60/749,324, entitled "Display Package" and filed December 7, 2005, the entire disclosure of which is hereby incorporated by reference.

### Field of the Invention

[0002] The present invention relates to display packaging and more specifically to a display package for use in displaying and retaining a product.

### Background of the Disclosure

[0003] Products are packaged for a variety of retail and commercial purposes, such as for example, for storage, transportation, and display. One type of package known in the art is display card and blister packaging. This type of packaging is used for many products, including, for example, padlocks, such as key operated padlocks and combination padlocks. Conventional packaging typically encapsulates or surrounds the entire product and is sealed closed to prevent removal of the product, for example, to inhibit or deter theft of the product from a retail location. However, this type of packaging, designed to prevent removal of the product from the packaging at the store, may also make it difficult or time consuming for a consumer to remove the product from the packaging after purchase. Also, with most or all of the product encapsulated by this conventional packaging, pre-purchase inspection of the product by a consumer may be inhibited, as a potential buyer may be unable to see or feel many or most of the surfaces of the product.



**Summary**

[0004] As described in the present application, a display package may be configured to securely retain one or more items for display while increasing the areas of the item that may be touched or grasped by a user, such as a potential purchaser, and/or reducing the amount of packaging materials that must be cut, torn, or otherwise separated in order to access the packaged item. In one such embodiment, a display package for an item may include a hasp defining a slot for receiving a loop portion of the item, such as a strap, band, link, or shackle, to secure the item to the package. In an exemplary embodiment, a padlock display package includes a card having a front side and a back side and a hasp extending from the front side of the card to define a slot. The padlock is attachable to the display package by inserting the padlock's shackle through the slot and locking the shackle with the lock body.

[0005] As further described in the present application, a display package may further include a post onto which a loop portion may be positioned. In an exemplary embodiment, a display package for an item having a loop portion includes a card having a front side and a back side, a post extending from the front side of the card, and a hasp extending from the front side of the card to define a slot. The item may be attached to the display package by positioning the loop portion of the item around the post and through the slot.

**Brief Description of the Drawings**

[0006] Further features and advantages of the invention will become apparent from the following detailed description made with reference to the accompanying drawings, wherein:

[0007] Figure 1 is a perspective view of a display package, showing a padlock retained on the display package;

[0008] Figure 2 is a front exploded view of the display package of Figure 1;

[0009] Figure 3 is a top view of the display package of Figure 1;

[0010] Figure 4 is a right side view of the display package of Figure 1, showing a padlock retained on the display package;

[0011] Figure 5 is a perspective view of a display package having a pocket for storage of at least one accessory;

[0012] Figure 6 is a perspective view of another display package having a pocket for storage of at least one accessory;

[0013] Figure 7 is a perspective view of a display package configured to retain two attached items;

[0014] Figure 8 is a perspective view of a display package configured to retain three attached items; and

[0015] Figure 9 is a perspective view of a display package configured to retain four attached items.

### **Detailed Description**

[0016] This Detailed Description merely describes exemplary embodiments of the invention and is not intended to limit the scope of the claims in any way. Indeed, the invention as described is broader than and unlimited by the preferred embodiments, and the terms used have their full ordinary meaning.

[0017] The present application will primarily describe display packages for use with padlocks. It should be understood that inventive aspects of the present application may also be used with display packages for other items, such as other items having loop portions, including, for example, wrist watches and carabiners.

[0018] According to an inventive aspect of the present application, a display package may be configured to securely attach an item having a loop portion to a hasp extending from a display card. As described herein, a “hasp” may include any type of projection at least partially defining a hole, opening, or other such slot, while a “loop portion” may include any segment or portion of material at least partially defining an opening in an item, such as, for example, a strap, band, link, tag, or a shackle. A hasp or loop portion may comprise many different shapes, including, for example, straight, arcuate, or circular segments. For items having a loop portion that separates or opens, such as a padlock or carabiner, the hasp may be integral with the display card. While the display card may be a substantially flat component to which one or more items may be mounted, for example, to hang the items from a rack, the shape, size, thickness, and contours of the display card may be varied to suit the item being packaged, the types of indicia or other information to be included on the display card, and the intended environment for display of the item.

**[0019]** According to another inventive aspect of the present application, a display package may include a display card having a post extending from a front side of the display card. The post may be sized such that a loop portion of an item may be positioned over the post, for example, to secure the item to the display package or to limit movement of the item while attached to the display package. In one embodiment, an outer perimeter of the post may be sized to match or closely fit with an inner perimeter of the loop portion, for example, to further limit movement of the attached item with respect to the display package.

**[0020]** Referring now to the drawings, Figures 1-4 illustrate a padlock display package 10 made in accordance with an exemplary embodiment of the present application. The package 10 may be suitable for various display methods at a retail environment, including hanging on a rack or hook and resting on a shelf or platform. The package may be constructed of plastic, corrugate, or any other material of suitable strength. Figures 1 and 4 illustrate a padlock 20 in phantom lines as retained on the display package 10.

**[0021]** Still referring to Figure 1, the package 10 can be formed from several pieces or as a uniform single piece. The exemplary package 10 includes a display card 11, a knob or post 18 extending from a front side of the card 11, and a hasp 16, extending from the front side of the card 11 and to define a slot 17. As illustrated, a portion of the hasp 16 may also extend from the post 18, with the post 18 defining a portion of the slot 17. As shown, the slot 17 may be sized to receive the shackle 22 therethrough, and an outer perimeter of the post 18 may be sized to correspond with or closely match an inner perimeter defined by the shackle 22 and lock body 21 of the padlock 20, which may serve to limit movement of the padlock 20 with respect to the package 10 in a direction substantially parallel to the display card 11. Movement in a direction substantially parallel as used herein may include movement of the padlock relative to the face of the card 11 by an offset angle, such as, for example, the offset angle  $\alpha$  as shown in Figure 4 and described below.

**[0022]** The exemplary display package 10 may be configured to further limit movement of the padlock 20 with respect to the package 10 in a direction substantially perpendicular to the display card 11. For example, the display package 10 may include one or more projections 15 extending from the front side of the card 11 to engage a rear facing portion of the loop portion or shackle 22 of the attached padlock 20, effectively limiting movement of the shackle 22 within the slot 17. As another example, the display package 10

may be configured to engage a front facing surface of the shackle 22 to limit forward rotation of the padlock 20 about the slot 17. While many different configurations may be used to provide engagement with the front surface of the shackle 22, including, for example, prongs extending from the front side of the display card or tabs extending from the sides of the post (not shown), in the illustrated embodiment, a separate retaining member or anchor 30 may be inserted between the post 18 and an upper surface of the lock body 21. The illustrated post 18 includes a downward extending lip 19 that retains the anchor 30 when the padlock 20 is attached to the display package 10. The anchor 30 includes outward extending tabs 33 that engage the front surface of the shackle 22. The engagement between the anchor 30 and the shackle 22 and post 18 limits forward rotation of the padlock 20 about the slot 17. The exemplary anchor 30 remains retained between the post 18 and the padlock 20 until the padlock 20 is removed from the display package 10.

**[0023]** A display package with an attached item may be configured to be displayed either by placement on a shelf or platform or by hanging from a rack or hook. Where the attached item 20 is a free standing item (such as, for example, a padlock with a flat bottom surface), the display card 11 may be sized such that a bottom surface 24 of the item 20 extends below the bottom of the card 11, such that the bottom surface 24 may be directly supported by the shelf or platform X, as shown, for example, in Figure 4.

**[0024]** The display card may also include a cut-out portion 13 that aligns with a portion of the attached item (for example, the lock body 21 of the illustrated padlock 20) to allow the attached item to extend beyond the back side of the display card 11. This may allow for improved visibility and access to the rear facing surfaces of the attached item 20. Further, in one embodiment, the display package may be configured such that the display card 11 is maintained in an angled (non-parallel) vertical orientation with respect to the item, for example, to aid in visibility of indicia or other markings on the front side of the display card 11 when the display package 10 and item 20 are placed on a shelf below eye level. For example, projections 15 from the display card 11 may hold a middle portion of the shackle 22 further away from the display card 11, while an anchor 30 retains a lower portion of the shackle 22 closer to the display card 11, thereby orienting the display card 11 at an angle  $\alpha$  with respect to a vertical center line Y of the attached padlock 20. In one embodiment, the center line Y and the display card 11 form an angle  $\alpha$  of approximately  $10^\circ$ . The slot 17 may

also be sized to retain the padlock 20 and display card 11 at the desired angle  $\alpha$  with respect to each other.

**[0025]** To hang the display package 10 from a rack or hook (not shown), the display card 11 may further define a punch hole or other such opening 12. The hole 12 may be positioned on the card 11 to align with the item 20 to be attached to the display package 10, which may be offset from the center of the card 11, such that the display package 10 with attached item 20 will hang in a straight (non-crooked) orientation.

**[0026]** To attach a padlock to the exemplary display package 10 of Figures 1-4, the shackle 22 of the unlocked padlock 20 is inserted through the hasp 16 and positioned around the post 18. The shackle 22 is then locked into engagement with the lock body 21. To remove the padlock from the display package 10, the padlock 20 is unlocked, and the shackle is withdrawn from the hasp 16. In the illustrated embodiment, no additional packaging materials need to be cut, torn, or otherwise separated to remove the padlock 20 for use. However, in other embodiments, additional packaging materials may be used. For example, wrappings may be used to protect the displayed item from the environment.

**[0027]** According to another aspect of the present application, a display package may also be configured to secure one or more accessories associated with or corresponding to the attached item, such as, for example, one or more fasteners, batteries, or padlock keys. In one embodiment, the display card may include a pocket configured to at least partially receive and retain the accessory. For example, the pocket may include a cavity 14a extending from the front face of the display card 11, as shown in the exemplary embodiment of Figure 5. As another example, the pocket may include a slotted or hollow projection 14b extending from the front face of the display card 11, as shown in the exemplary embodiment of Figure 6.

**[0028]** In the exemplary padlock display package, deterred access to a padlock key may be desirable, as the padlock 20 may be easily removed from the exemplary package 10 by unlocking the padlock 20 and withdrawing the shackle 22 from the hasp 18. Many different configurations may be utilized to deter access to this accessory. For example, the key K may be stored in a cavity 14a, as shown in Figure 5, that is covered by a display label 40 adhered to the front side of the display card 11, such that the label 40 must be peeled or torn from the display card 11 to access the key, which may cause obvious damage to the packaging to identify tampering. In one such exemplary embodiment, a portion of the label

40 is transparent, such that the stored key K is visible. As another example, the key K may be attached to the display card by a fastener 50, such as, for example, a post and lock tab arrangement as shown in Figure 6, requiring tools and/or effort to remove the key for use.

**[0029]** In other embodiments, a display package may be configured to retain and display multiple items, such as, for example, multiple padlocks. While many different configurations may be used to retain multiple items, in one embodiment, a display package may be provided with multiple hasps, wherein each hasp is configured to retain one item. For example, Figures 7, 8, and 9 illustrate padlock display packages 100a, 100b, 100c configured to accommodate two, three, and four padlocks, respectively. The features of each display package 100a, 100b, 100c, such as, for example, the hasps 116 and posts 118, may, but need not, be consistent with the features of the display packages of Figures 1-6. In another embodiment (not shown), a display package may be configured to retain multiple items by including an elongated hasp through which loop portions of multiple items may be inserted, and an elongated post, over which loop portions of multiple items may be positioned. As shown in Figures 7-9, a larger display package 100a, 100b, 100c may include multiple punch holes 112 to provide additional support for the display packages when hanging.

**[0030]** While various inventive aspects, concepts and features of the inventions may be described and illustrated herein as embodied in combination in the exemplary embodiments, these various aspects, concepts and features may be used in many alternative embodiments, either individually or in various combinations and sub-combinations thereof. Unless expressly excluded herein all such combinations and sub-combinations are intended to be within the scope of the present inventions. Still further, while various alternative embodiments as to the various aspects, concepts and features of the inventions--such as alternative materials, structures, configurations, methods, circuits, devices and components, software, hardware, control logic, alternatives as to form, fit and function, and so on--may be described herein, such descriptions are not intended to be a complete or exhaustive list of available alternative embodiments, whether presently known or later developed. Those skilled in the art may readily adopt one or more of the inventive aspects, concepts or features into additional embodiments and uses within the scope of the present inventions even if such embodiments are not expressly disclosed herein. Additionally, even though some features, concepts or aspects of the inventions may be described herein as being a preferred

arrangement or method, such description is not intended to suggest that such feature is required or necessary unless expressly so stated. Still further, exemplary or representative values and ranges may be included to assist in understanding the present disclosure; however, such values and ranges are not to be construed in a limiting sense and are intended to be critical values or ranges only if so expressly stated. Moreover, while various aspects, features and concepts may be expressly identified herein as being inventive or forming part of an invention, such identification is not intended to be exclusive, but rather there may be inventive aspects, concepts and features that are fully described herein without being expressly identified as such or as part of a specific invention, the inventions instead being set forth in the appended claims. Descriptions of exemplary methods or processes are not limited to inclusion of all steps as being required in all cases, nor is the order that the steps are presented to be construed as required or necessary unless expressly so stated.

**We claim:**

1. A display package for an item having a loop portion, the display package comprising:
  - a card having a front side and a back side;
  - a post extending from the front side of the card; and
  - a hasp extending from the front side of the card to define a slot;wherein the item is attached to the display package by positioning the loop portion of the item around the post and through the slot.
2. The display package of claim 1, wherein the card further comprises a cut-out configured to allow the attached item to extend beyond the back side of the card.
3. The display package of claim 1, wherein the card further comprises a pocket for receiving an accessory associated with the item.
4. The display package of claim 1, wherein an outer perimeter of the post is sized to match an inner perimeter of the loop portion of the item.
5. The display package of claim 1, further comprising at least one retaining member adapted to engage the attached item to limit movement of the attached item in a direction substantially perpendicular to the front side of the card.
6. The display package of claim 5, wherein the at least one retaining member comprises a projection extending from the front side of the card, the projection being positioned to engage the loop portion.



7. The display package of claim 5, wherein the at least one retaining member comprises an anchor adapted to be positioned between the post and the item, such that the anchor engages a front facing portion of the item and a rear facing edge of the post to limit movement of the attached item in a direction substantially perpendicular to the front side of the card.
8. The display package of claim 5, wherein the at least one retaining member retains the card at an angle with respect to a longitudinal centerline of the attached item.
9. The display package of claim 1, wherein an end of the hasp extends from the post.
10. The display package of claim 1, wherein the item comprises a padlock.
11. The display package of claim 1, further comprising a plurality of hasps and a plurality of posts for attaching a plurality of items to the display package.
12. In combination, a padlock and a padlock display package, the padlock having a shackle lockable with a lock body, the padlock display package comprising:
  - a card having a front side and a back side; and
  - a hasp extending from the front side of the card to define a slot;wherein the padlock is attachable to the display package by inserting the shackle through the slot and locking the shackle with the lock body.
13. The combination of claim 12, wherein the card further comprises a cut-out configured to allow the lock body to extend beyond the back side of the card.

14. The combination of claim 12, wherein the card further comprises a pocket for receiving a key configured to unlock the padlock.

15. The combination of claim 12, wherein the display package comprises a plurality of hasps for attaching a plurality of padlocks to the display package.

16. The combination of claim 12, wherein the display package further comprises a post extending from the front side of the card, the post being configured such that the shackle may be positioned around the post when the shackle is inserted through the slot.

17. The combination of claim 16, wherein the post defines a portion of the slot.

18. The combination of claim 16, wherein an outer perimeter of the post is sized to match an inner perimeter of the shackle and an upper surface of the lock body.

19. The combination of claim 16, wherein the display package further comprises an anchor adapted to be positioned between the post and the lock body, such that the anchor engages a front facing portion of the shackle and a rear facing edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

20. A method for displaying a padlock having a shackle lockable with a lock body, the method comprising:

providing a display package having a card with a hasp extending from a front side of the card to define a slot;

inserting an end of the shackle of the padlock through the slot; and

locking the shackle into engagement with the lock body.

21. The method of claim 20, further comprising positioning the shackle around a post extending from the front side of the card.

22. The method of claim 21, further comprising inserting an anchor between the post and an upper surface of the lock body, such that the anchor engages a front facing portion of the shackle and a rear facing edge of the post to limit movement of the padlock in a direction substantially perpendicular to the front side of the card.

23. The method of claim 20, further comprising securing a key to the card such that the key is at least partially received in a pocket in the card.

**ABSTRACT**

An exemplary display package for an item having a loop portion includes a card having a front side and a back side, a post extending from the front side of the card, and a hasp extending from the front side of the card to define a slot. The item may be attached to the display package by positioning the loop portion of the item around the post and through the slot.

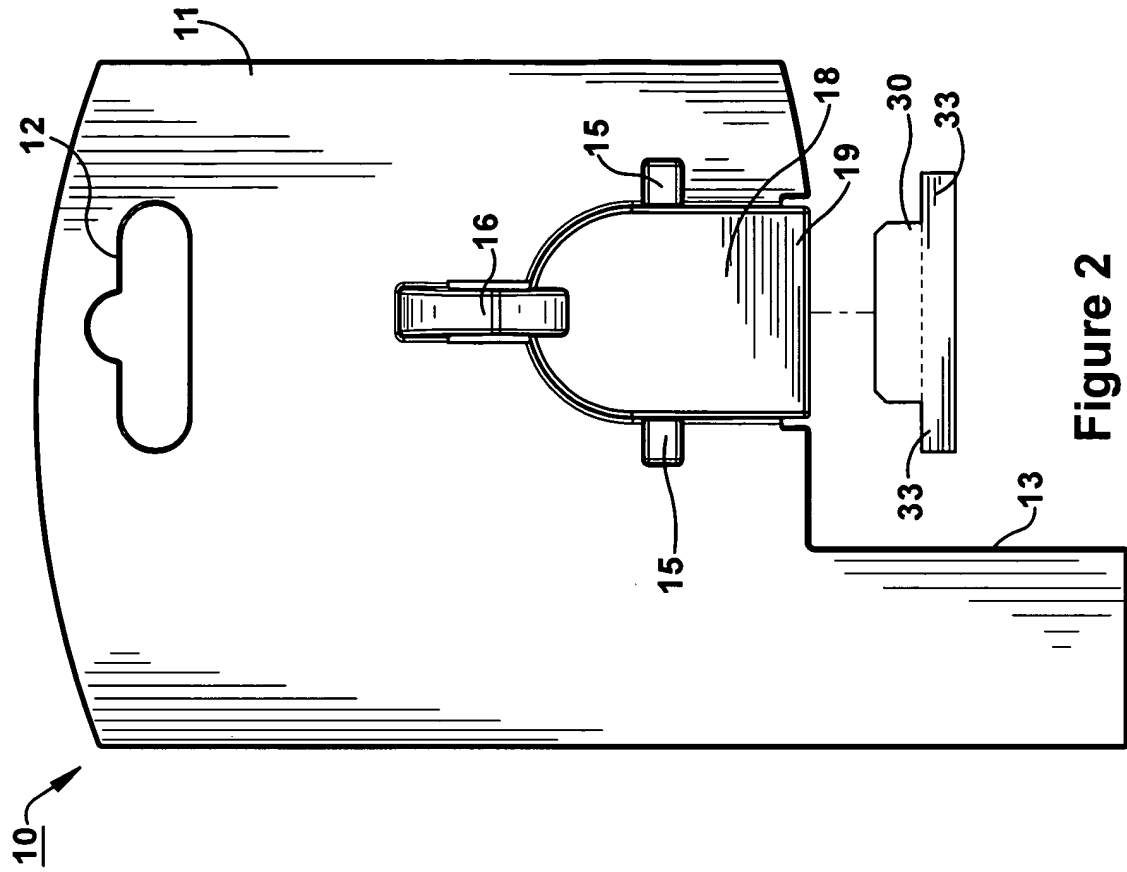


Figure 2

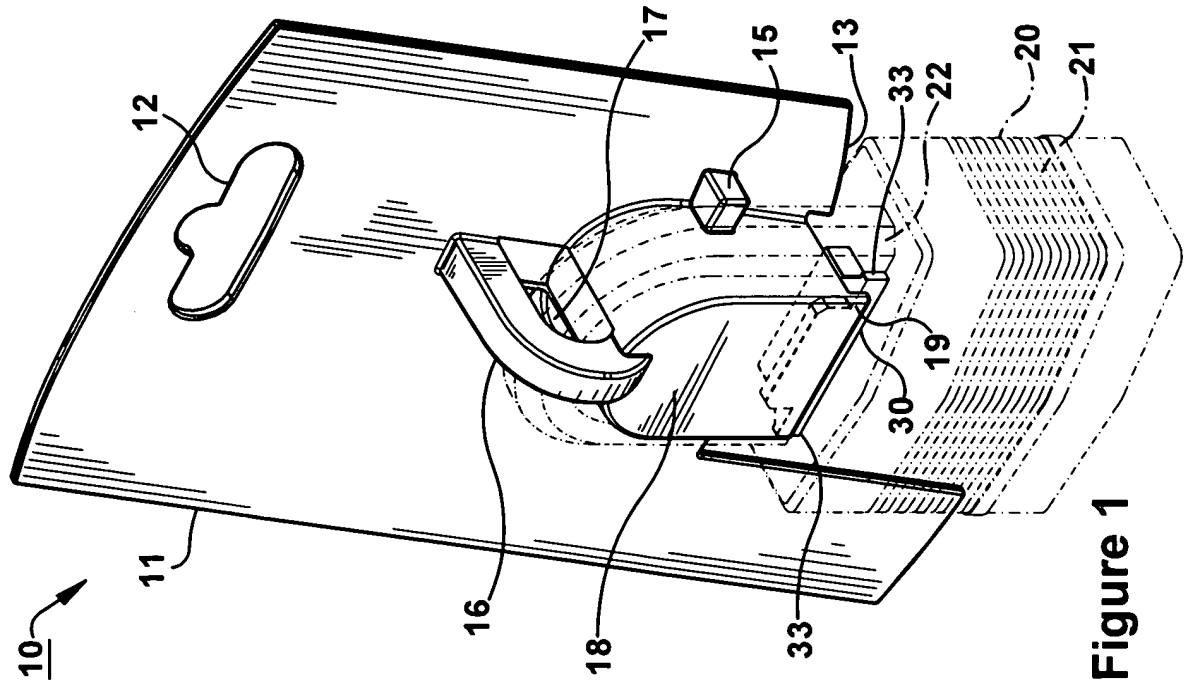


Figure 1

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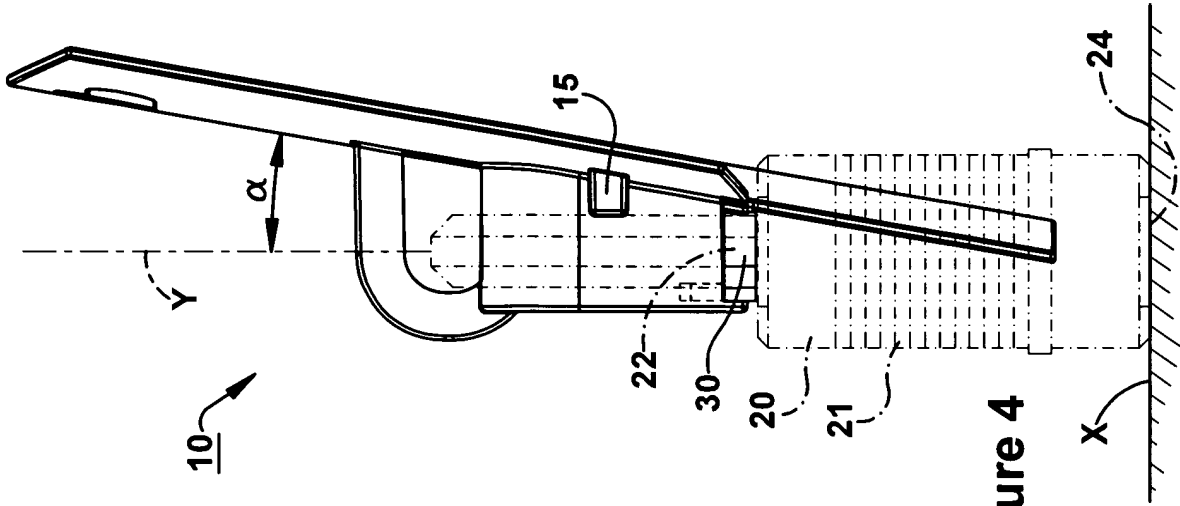


Figure 4

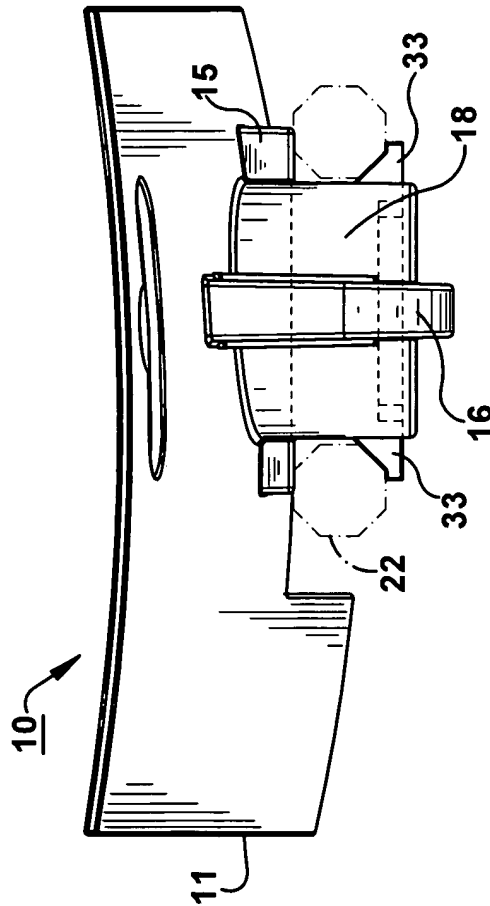


Figure 3

BEST AVAILABLE COPY

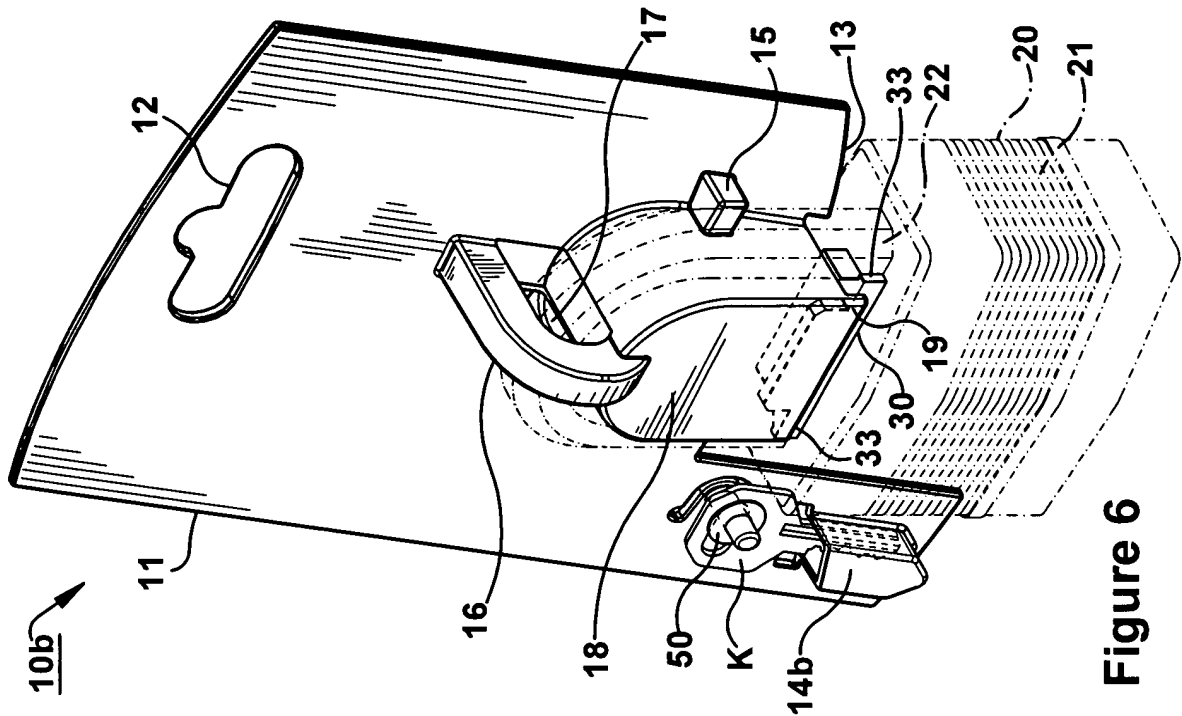


Figure 6

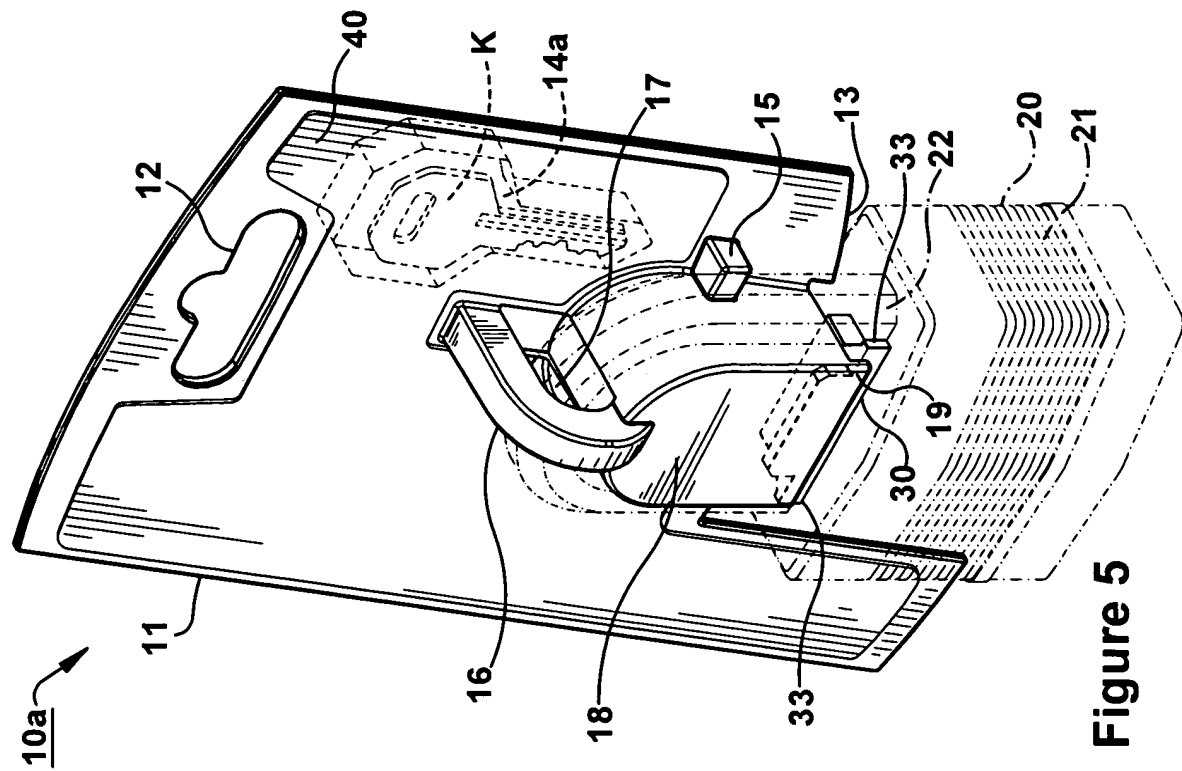


Figure 5

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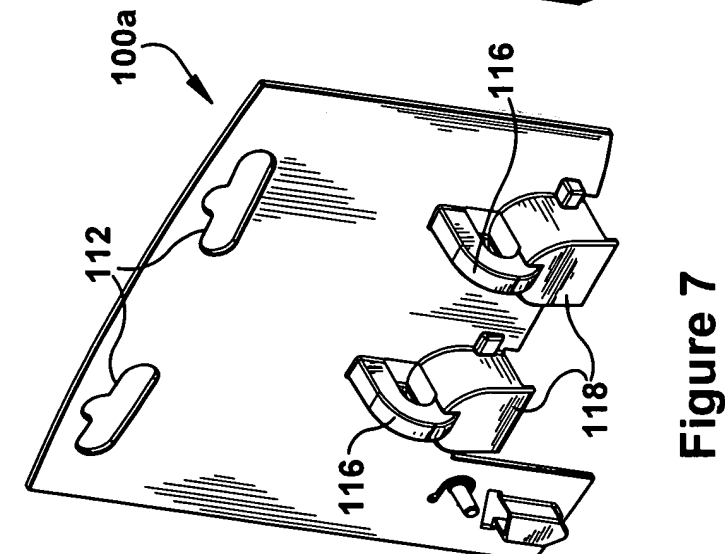


Figure 7

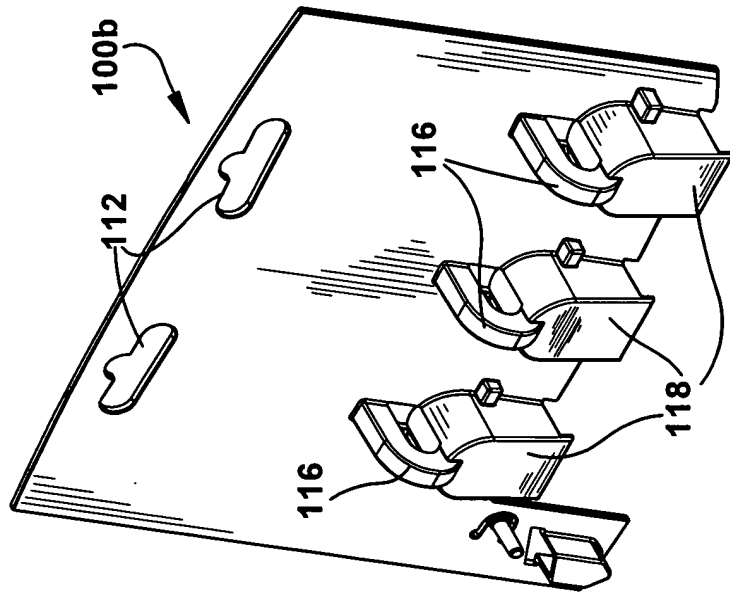


Figure 8

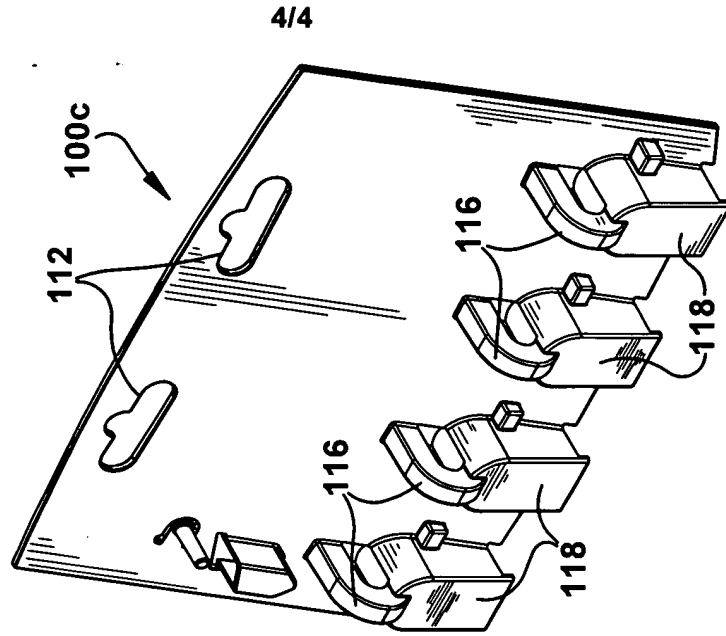


Figure 9



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**PATENT APPLICATION FEE DETERMINATION RECORD**

Substitute for Form PTO-875 Effective December 8, 2004

Application or Docket Number

11635732

**APPLICATION AS FILED - PART I**

(Column 1)

(Column 2)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A
SEARCH FEE (37 CFR 1.16(b), (d), or (e))	N/A	N/A
EXAMINATION FEE (37 CFR 1.16(d), (f), or (g))	N/A	N/A
TOTAL CLAIMS (37 CFR 1.16(f))	23 minus 20 =	3
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		

RATE (\$)	FEE (\$)
N/A	150.00
N/A	\$250
N/A	\$100
X\$ 25 =	
X100 =	
+180=	
TOTAL	

RATE (\$)	FEE (\$)
N/A	300.00
N/A	\$500
N/A	\$200
X\$50 =	150
X200 =	
+360=	
TOTAL	1150

\* If the difference in column 1 is less than zero, enter "0" in column 2.

**APPLICATION AS AMENDED - PART II**

(Column 1)

(Column 2)

(Column 3)

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(g))	Minus	**	=
Independent (37 CFR 1.16(h))	Minus	***	=
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

RATE (\$)	ADDI- TIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

RATE (\$)	ADDI- TIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

(Column 1)

(Column 2)

(Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(g))	Minus	**	=
Independent (37 CFR 1.16(h))	Minus	***	=
Application Size Fee (37 CFR 1.16(s))			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			

RATE (\$)	ADDI- TIONAL FEE (\$)
X\$ 25 =	
X100 =	
+180=	
TOTAL ADD'L FEE	

RATE (\$)	ADDI- TIONAL FEE (\$)
X\$50 =	
X200 =	
+360=	
TOTAL ADD'L FEE	

- \* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
  - \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
  - \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. 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, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Toledo Exhibit 1002-169

PATENT APPLICATION SERIAL NO. \_\_\_\_\_ g.

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

12/11/2006 SSITHIB1 00000048 11635732

01 FC:1011	300.00 OP
02 FC:1111	500.00 OP
03 FC:1311	200.00 OP
04 FC:1202	150.00 OP

PTO-1556  
(5/87)