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U.S. PTO  
040705

# UTILITY PATENT APPLICATION TRANSMITTAL

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

Attorney Docket No.	SPRUSON-09809
First Inventor	Simon Nicholas Richmond
Title	A Solar Powered Light Assembly ...
Express Mail Label No.	EV 329476987 US

## 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 17]  
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 8]
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 HPM Industries Pty Ltd
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:** \_\_\_\_\_

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.: 10/789,488

Prior application information: Examiner to be assigned Art Unit: 2875

## 19. CORRESPONDENCE ADDRESS

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

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Signature		Date	April 7, 2005
Name (Print/Type)	Christine A. Lekutis	Registration No. (Attorney/Agent)	51,934

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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PTO/SB/17 (12-04v2)

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

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Effective on 12/08/2004.

As required by the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
2050.00**Complete if Known**

Application Number	
Filing Date	April 7, 2005
First Named Inventor	Simon Nicholas Richmond
Examiner Name	
Art Unit	
Attorney Docket No.	SPRUSON-09809

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

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  
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**FEE CALCULATION****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
41 - 20 or HP =	21	x 50 =	1050.00	

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 0 =	0.

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 (\$)
25 - 100 =	0	/ 50 =	(round up to a whole number) x	0

**4. OTHER FEE(S)**

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

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

Fees Paid (\$)

**SUBMITTED BY**

Signature	<i>Christine A. Lekutis</i>	Registration No. (Attorney/Agent)	51,934	Telephone	415.904.6500
Name (Print/Type)	Christine A. Lekutis	Date	April 7, 2005		

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.

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## **A SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS**

### **Technical Field**

The present invention relates to solar powered lights and more particularly but  
5 not exclusively to solar powered lights that produce a light of varying colour.

### **Background of the Invention**

Light devices that employ light emitting diode (LED) systems to produce a  
variable colour are known. Examples are described in USA Patents 6459919, 6608458,  
6150774 and 6016038. It is also known to have "garden lights" that are solar powered.  
10 For example such garden lights include a body providing a spike that is driven into a  
ground surface. At the upper end of the spike there is mounted a diffuser surrounding a  
lamp, with the lamp being driven by rechargeable batteries and a solar cell.

The abovementioned lighting apparatus have a number of disadvantages  
including difficulty in adjusting the various lighting functions and not producing a  
15 uniform desired colour when required to do so.

### **Object of the Invention**

It is the object of the present invention to overcome or substantially ameliorate at  
least one of the above disadvantages.

### **Summary of the Invention**

20 There is disclosed herein a lighting device to produce light of varying colour,  
said device including:

a body;

a lens mounted on the body and generally enclosing a chamber having an upper  
rim surrounding a top opening, and a bottom region;

25 a reflector mounted in the bottom region;

a cap assembly including securing means to releasably engage the rim so that the  
cap assembly can be selectively removed from the lens; said assembly including:

a base;

a circuit having at least two lamps of different colours which are activated to  
30 produce a desired colour including a varying colour, the lamps being mounted to direct  
light into said chamber, a solar cell mounted on an exposed surface of the assembly and  
rechargeable batteries to power the circuit, a light sub-circuit connected to the lamps to  
deliver electric power thereto so that the lamps produce said desired colour, and a switch

operable to deliver electric power from the batteries and cell to said sub-circuit, the switch being exposed to provide for access thereto by a user.

Preferably, said circuit includes a light sensitive switch that renders the circuit operation at low light levels.

5 Preferably, said switch is on an exposed downwardly facing surface.

Preferably, said circuit includes three lamps, each of a different colour.

Preferably, said lens is a first lens, and said device includes a second lens, said second lens being attached to said base and providing a cavity into which the LEDs direct light, with the light leaving said second lens then passing through said first lens.

10 Preferably, the first and second lenses diffuse light.

Preferably, said body includes a post having opposite first and second ends, with a spike attached to said first end, and said first lens attached to said second end.

Preferably, said second lens is detachably secured to said post.

Preferably, said switch is a first switch, and second sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being exposed to provide for access thereto by a user.

Preferably, said second switch activates said integrated circuit to select a desired colour.

Preferably, said second switch is on said exposed surface.

20 There is further disclosed herein a lighting device to produce light of varying colour, said device including:

a body;

a lens mounted on the body and generally enclosing a chamber;

a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on an exposed surface of the assembly and operatively associated with the connections to charge the battery, and a switch operated to control delivery of electric power from the battery to operate said circuit, the switch being exposed to provide for access thereto by a user.

30 Preferably, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

Preferably, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.



Preferably, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

Preferably, said circuit includes a sub-circuit, said switch is a first switch said  
5 first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

Preferably, said second switch is on said exposed external surface.

10 There is further disclosed a lighting device to produce light, said device including:

- a base;

- a lens mounted on the base and generally enclosing a chamber;

- 15 a circuit having at least one lamp to produce a light, the lamp being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the battery, and a primary switch operable to control to operate said circuit;

- 20 a battery compartment including a cavity to receive said battery and having said contacts;

- a closure member attached to said compartment but movable relative thereto to expose said cavity to provide for insertion of said battery; and wherein

- said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch.

25 Preferably, device has at least two lamps to produce light of a desired colour including a varying colour.

Preferably, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

30 Preferably, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

35 Preferably, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

Preferably, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

Preferably, said second switch is on said exposed external surface.

Preferably, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said primary switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

Preferably, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said integrated circuit being connected to a sub-circuit switch, the sub-circuit switch being operable to select said desired fixed colour.

Preferably, said circuit includes a sub-circuit, said primary switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

Preferably, said second switch is exposed to said chamber.

Preferably, said lens is fixed to said battery compartment and said battery compartment threadably engages said closure member so that relative rotation between the closure member and said compartment moves said closure member between an open position exposing said cavity and a closed position closing said cavity.

Preferably, said closure member includes a socket, and said device includes a spike engaged in said socket and projecting therefrom to provide for the spike to be inserted in a ground surface so that the device is supported thereby.

### **Brief Description of the Drawings**

A preferred form of the present invention will now be described by way of example with reference to the accompanying drawings wherein:

Figure 1 is a schematic side elevation of a lighting device;

Figure 2 is a schematic sectioned front elevation of the device of Figure 1;

Figure 3 is a schematic sectioned side elevation of the device of Figure 1;

Figure 4 is a schematic plan view of a moulding employed in the device of

Figure 1;

Figure 5 is a schematic plan view of a base member of the device of Figure 1;

Figure 6 is a schematic to plan view of a cap assembly employed in the device of Figure 1;

Figure 7 is a schematic isometric view of a lens employed in the device of Figure 1;

Figure 8 is a schematic isometric view of a second lens employed in the device of Figure 1;

Figure 9 is a circuit diagram of the circuit of the board of Figure 4;

Figure 10 is a schematic perspective view of an ornamental garden light.

Figure 11 is a schematic side elevation of a further lighting device;

Figure 12 is a schematic side elevation of the lens portion of the device of Figure 11; and

Figure 13 is a schematic sectioned side elevation of portion of the device of Figure 11.

#### **Detailed Description of the Preferred Embodiments**

In Figures 1 to 9 of the accompanying drawings there is schematically depicted a lighting device 10. The device 10 of this embodiment is configured as a "garden light". The device 10 includes a body 11 including a post 12 from the lower end from which there extends a spike 13. The spike 13 is driven into a ground surface so that the post 12 is exposed above the ground surface.

Attached to the upper end of the post 12 is a lens assembly 14. The lens assembly 14 includes a lens 15 that encompasses a chamber 16. The lower end of the lens 15 has fixed to it a "bayonet" fitting 17 that engages a shaft 18 fixed to the upper end of the post 12. The fitting 17 includes an "L" shaped slot 19 through which the shaft 18 passes to secure the lens assembly 14 to the upper end of the post 12.

The chamber 16 includes a lower portion 20 within which there is mounted an arcuate reflector 21 that is concave.

The lens 15 has a rim 22 surrounding the upper opening 23 of the lens 15.

Removably attached to the rim 22 is a cap assembly 24. The assembly 24 includes a cover 25 fixed to a base 26. The base 26 is located beneath the cover 25 and is shielded thereby. The base 26 and cover 25 encompass a chamber 27 within which there is a mounted moulding 28. The moulding 28 is provided with battery compartments 32. The components of the circuit 29 are located within the chamber 27, while the upper surface of the assembly 27 is provided with the solar cell 30. The cell 30 is exposed through a central rectangular aperture 31 of the cap 25.

Mounted within the chamber 27 via battery compartments 32 are rechargeable batteries 33 which are used to energise three LEDs 34. The LEDs 34 when illuminated produce red, green and blue light.

5 The cap assembly 24 is generally circular in configuration so as to provide the device 10 with a generally vertical longitudinal axis 35.

The base 26 has radially inward projecting flange segments 36 that engage with radially outward extending flange segments 37 of the rim 22 to be secured thereto. By angular movement of the cap assembly 24 about the axis 35, the segments 36 and 37 engage or disengage to secure or to release the assembly 24 with respect to the lens 15.  
10 As can be noted from Figure 5, the flange segments 27 have end abutment portions 38 against which these segments 36 engage when the assembly 24 is secured to the lens 15.

Mounted on the under surface of the base 26 is a second lens 38. Accordingly, the LEDs 34 when activated have their light preferably diffused by the lens 38 and then further diffused by the lens 15. This in particular aids in producing a more evenly  
15 coloured light when the LEDs 34 are activated.

The circuit 29 powers and controls the lighting device 10 in accordance with an embodiment of this invention. The circuit 29 consists of a number of interconnected sub-circuits, including a power supply circuit, a light operated circuit, a boost-up circuit, a rectifier circuit, and a light circuit.

20 The power supply circuit comprises a solar cell 30 connected in series to a forward biased diode 39, which is in turn connected to a positive terminal of a battery 33. A negative terminal of the battery 33 is then connected to the solar cell 30 to complete the power supply circuit. In this example, the diode 39 is a model number IN5817 Schottky diode and the battery comprises two rechargeable 1.2 volt battery cells. It will be  
25 apparent to a person skilled in the art that other diode and battery configurations may be utilised without departing from the spirit and scope of the invention.

When the solar cell 30 is exposed to sufficient light, the solar cell converts some of the solar energy to electrical energy and creates a current that passes through the diode 39 to charge the battery 33. Thus, during the day the solar cell 30 converts energy from  
30 the sun to charge the battery 33. The diode 39 prevents the battery 33 from expending any power on the solar cell 30.

The power supply circuit is connected in parallel to the light operated circuit, which is connected across the terminals of the battery 33. The positive terminal of the battery 33 is connected to a switch 40, which is in turn connected to a 100k $\Omega$  first resistor  
35 41. The first resistor 41 is connected in series with a second, light-dependent resistor 42. The second resistor 42 connects to the negative terminal of the batteries 33 to complete

the light operated circuit. The value of resistance of the second resistor 42 depends on the amount of light to which the second resistor 42 is exposed. When there is not much light, such as occurs during the night, the value of the second resistor 42 increases. During the daytime, when there is sufficient light, the value of the second resistor 42 decreases.

5 Accordingly the resistor 42 allows the lighting device to operate only when there is insufficient light, ie night.

The boost-up circuit is connected to the light operated circuit, in parallel with the first resistor 41 and the second, light-dependent resistor 42. A first circuit node 43 is defined between the switch 40 and the first resistor 41. Connected to the node 43, is an

10 emitter terminal of a first triode 44. A collector terminal of the first triode 44 is connected in series with a 100k $\Omega$  third resistor 45. The third resistor 45 is then connected to a point between the first resistor 41 and the second resistor 42.

A 220k $\Omega$  fourth resistor 46 is connected to node 43 across the emitter and base terminals of the first triode 44. In parallel with the fourth resistor 46, and also connected

15 across the emitter and base terminals of the first triode 44, is a 4.7nF first capacitor 48. Further connected to node 43, across the emitter and base terminals of the first triode 44 and in parallel with each of the fourth resistor 46 and the first capacitor 48, is a 100 $\mu$ H inductor 49 in series with a 1nF second capacitor 50. The second capacitor is then connected to the base terminal of the first triode 44.

20 A 20k $\Omega$  fifth resistor 51 is connected across the base and collector terminals of the first triode 44. Connected across the terminals of the third resistor 45 are the collector and base terminals, respectively, of a second triode 52. The emitter terminal of the second triode 52 is connected to the negative terminal of the batteries 33.

Connected between the inductor 49 and the second capacitor 50 is the collector

25 terminal of a third triode 53. The base terminal of the third triode 53 is connected via an intermediary circuit to the collector terminal of the second triode 52. The intermediary circuit consists of a 2.4k $\Omega$  fourth resistor 54 in parallel with a 1nF third capacitor 55. The emitter terminal of the third triode 53 is connected to the negative terminal of the battery 33.

30 Also connected between the inductor 49 and the second capacitor 50 is the rectifier circuit. A forward biased second diode 56 is connected to a point between the inductor 49 and the second capacitor 50, and then to a positive terminal of a 33 $\mu$ F fourth capacitor 57. The negative terminal of the fourth capacitor 57 is connected to the negative terminal of the battery 33. A second circuit node 58 is defined between the

35 second diode 56 and the fourth capacitor 57. Connected in parallel with the fourth capacitor 57, between the second node 58 and the negative terminal of the battery 33 is a

reverse biased 4.5V third diode 59. The second diode 56, the fourth capacitor 57 and the third diode 59 comprise the rectifier circuit. Further connected to the second circuit node 58, in parallel with each of the capacitor 57 and the reverse diode 59, is a light circuit 60.

The light circuit 60 contains an integrated circuit (IC) 61 for controlling lighting effects provided by the lighting device 10. In the embodiment shown, the IC 61 is a 16-pin, three colour LED IC for controlling first, second and third light emitting diodes (LEDs) 34A, 34B and 34C. Each of pins 1, 15 and 16 is connected in series to respective switches 69, 70, 60. Each of the switches 69, 70 and 71 is then connected to the negative terminal of the battery 33. In one embodiment, the switches 69, 70, 71 correspond to the LEDs 34A, 34B, and 34C to enable or disable a particular colour range. In another embodiment, the switches 69, 70, 71 determine the frequency of a colour changing effect. In a further embodiment, the switches 69, 70, 71 determine the intensity of light emitted by each of the LEDs 34A, 34B, and 34C. Various combinations of the frequency and intensity of light are also possible. The switches 69, 70, 71 can be made accessible to a user to create custom lighting effects. Alternatively, the switches 69, 70, 71 are set according to a predetermined configuration and are not readily accessible by a user.

Pin 4 of the IC 61 enables an optional pause function. In this embodiment, pin 4 connects to a push button 65 that is, in turn, connected to the negative terminal of the batteries 33. Pin 3 of the IC 61 connects to the second circuit node 58.

Connected to the second circuit node 58, and in parallel with one another, are the first second and third forward biased light emitting diodes (LEDs) 34A, 34B and 34C. The first LED 34A is connected in series with a sixth resistor 66 that is connected to pin 13 of the IC 61. The second LED 34B is connected in series with a seventh resistor 67 that is connected to pin 12 of the IC 61. The third LED 34C is connected in series with an eighth resistor 68 that is connected to pin 11 of the IC 61. In this example, the first LED 34A is blue, the second LED 34B is green and the third LED 34C is red.

Pins 6 and 8 of the IC 61 are tied to one another via a ninth resistor 72, which in the embodiment shown is a 20K $\Omega$  resistor. The value of the ninth resistor 71 determines the frequency of a colour change created by the IC 61. Accordingly, using different resistor values for the ninth resistor 71 produces colour changes of different frequencies. Pin 9 of the IC 61 is tied to the negative terminal of the battery 33.

During the day, the solar cell 30 charges the battery 33. The value of the second resistor 42 is low and, consequently, small amounts of current flow through the boost-up circuit, rectifier circuit and light circuit. As night falls, the amount of energy converted by the solar cell 30 decreases. The resistance of the second resistor 42 increases and more current flows into the boost-up circuit, rectifier circuit and light circuit. This activates the

LEDs 34A, 34B, and 34C in the light circuit and the light device 10 produces a changing light effect.

The integrated circuit 61 controls each of the first, second and third LEDs 34A, 34B, and 34C to produce a changing light effect for the light device 10. The integrated circuit varies the frequency and intensity of light emitted by the LEDs 34A, 34B, and 34C to produce a constantly changing kaleidoscopic effect. The light device 10 displays a constantly changing lighting effect that cycles through the light spectrum by ramping up and ramping down the intensity of light displayed by the LEDs 34A, 34B, and 34C.

Connecting the optional pause function of pin 4 of the IC 61 to the push button 65 enables a user to stop the changing light effect and maintain a constant colour. In this manner, a user can select a preferred colour for a lighting effect. The user observes the changing colour effect and when a desired colour is displayed, the user depresses the pause button 65.

The colour displayed at the time that the button is pressed then remains on. Preferably, the circuit retains sufficient charge such that a user selected colour is retained during the day and is displayed again when the light is reactivated the following evening. In this manner, the user does not have to reselect a desired colour each night. To reinstate the changing light effect, the user presses the push button 65 again and the changing light effect resumes.

In the embodiment shown in Fig. 9, the battery 33 powers the light circuit 60 during the night to produce light of varying colours and the user can optionally select a desired colour by pushing the push button 65. A selected colour is retained by memory in the IC 61. The memory may be a switch. Whilst the battery is powering the light circuit 60, the fourth capacitor 57 stores charge. As stated above, it is desirable for a selected colour to be retained and displayed on successive nights. As the battery 33 discharges, the output voltage of the battery 33 decreases. When the output voltage of the battery 33 is less than the stored voltage of the capacitor 57, the capacitor 57 discharges. Due to the presence and arrangement of the diodes 56 and 59, the capacitor 57 discharges through the light circuit 60.

The IC 61 preferably includes a cut-off circuit that is voltage dependent. As the capacitor 57 discharges, the voltage across the cut-off circuit decreases. Once the voltage across the cut-off circuit reaches a predetermined threshold value, the cut-off circuit prevents further power being consumed by the LEDs. As no power is being consumed by the light circuit 60, the capacitor 57 retains a residual charge. The residual charge maintains a voltage across the IC 60, which enables the selected colour to be retained by the memory in the IC 61.

During the next day, the solar cell 30 recharges the battery 33. As night falls, the resistance of resistor 42 again increases and the battery 33 provides sufficient power to the light circuit 60 to increase the voltage across the cut-off circuit above the predetermined threshold value. The LEDs are activated and the selected colour, as retained in the memory of the IC 61, is displayed. The voltage provided by the battery 33 is more than the stored charge of the fourth capacitor 57, so the capacitor 57 again begins to store charge.

It will be readily apparent to a person skilled in the art that there are many circuit variations possible for enabling and controlling the lighting display, without departing from the spirit and scope of the invention.

The switch 40 and/or switch 65 is/are mounted on the base 26 so as to be on a downwardly facing external surface 72 of the base 26. This enables a user to control the device via readily accessible switches, without needing to remove the cap assembly 24. The switches 40 and 65 are each operable to control delivery of electric power from the batteries to the LEDs 34A, 34B and 34C. The circuit 29 is only rendered operative when there is insufficient light, that is, by operation of a light sensitive switch, ie the diode 42.

The embodiment of Figure 10 includes an ornamental garden light 73 having a body or base 74. The base 74 would be at least partly hollow so as to contain the circuitry of Figure 9, except for the solar cell 30. The solar cell 30 would be mounted so as to be exposed to sunlight. The switches 40 and 65 would be mounted at an external surface of the base 74.

The switch 40 and/or switch 65 would be mounted on an external surface of the base 74, while the diode 42 would be exposed to sunlight.

The base 74 includes a spherical lens 75 secured to a horizontal portion 76 of the base 74. The horizontal portion 76 would have mounted in it the LEDs 34A, 34B and 34C so as to deliver light to the interior of the lens 75.

In Figures 11 to 13 there is schematically depicted a lighting device 100 that is a modification of the previously described lighting devices.

The lighting device 100 employs the circuit of Figure 9.

In this embodiment, the lighting device 100 includes a lens 101 of generally spherical form consisting of a lower portion 102 fixed to an upper portion 103. A skirt 104 abuts the lower portion 102.

The base 106 includes a battery compartment 110 providing a cavity 111 within which a battery holder 112 is located and supports the batteries 33. The battery compartment 110 is closed by a closure member 109 that acts as a cap or lid closing the



cavity 111. The member 109 includes a pad 113 that abuts the batteries 33 to aid in retaining them in position.

A spike 105 extending from the closure member 109 and is provided to penetrate an earth surface to secure the device 100 in position.

5        The member 109 has a socket 107 within which the upper portion of the spike 105 is slidably received. The spike 105 engages the skirt 104 and holds the skirt 104 abutting the lower portion 102.

Flanges 108 extend from the socket 107 and are fixed to an upper flange 115 of the closure member 109 to reinforce the socket 107.

10        The lens 101 encloses a chamber 114 to which the solar cell 30 is exposed so that the solar cell 30 receives light through the lens 101. Located adjacent the solar cell 30 but not illustrated is a circuit board having the circuit 29.

Mounted on the battery compartment 110 are the LEDs 34a, 34b and 34c that are protected by means of a translucent diffuser 115.

15        Mounted on the battery compartment 110 is the switch 40 and/or switch 65 of the circuit 29.

The battery compartment 110 includes a generally circular internally threaded flange 116 that threadably engages a circular flange 117 of the base 106.

20        In respect of the above preferred embodiment, the battery compartment 110 is integrally formed with the lower portion 102 and engages the base 106 by means of an annular seal 118 to sealingly connect the base 106 to the battery compartment 110.

To provide access to the batteries 33 and switches 40 and 65, the lens 101 is rotated about the axis 119 relative to the base 106 so there is relative movement between the flanges 116 and 117. This relative movement removes the base 106 from the lens  
25        101. Accordingly a user may then manipulate the switches 40 and 65.

In the above embodiment, the member 109 is moved relative to the base 106 from a closed position, relative to the cavity 111, to at least a partly open position providing access to the switches 40 and 65.

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**CLAIMS:**

1. A lighting device to produce light of varying colour, said device including:

a body;

5 a lens mounted on the body and generally enclosing a chamber having an upper rim surrounding a top opening, and a bottom region;

a reflector mounted in the bottom region;

a cap assembly including securing means to releasably engage the rim so that the cap assembly can be selectively removed from the lens; said assembly including:

10 a base;

a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on an exposed surface of the assembly and operatively associated with the connections to charge the battery, and a switch operated to control delivery of electric power from the battery to operate said circuit, the switch being exposed to provide for access thereto by a user.

2. The light device of claim 1 wherein, said circuit includes a light sensitive switch that renders the circuit operation at low light levels.

20 3. The device of claim 2 wherein, said switch is on an exposed downwardly facing surface.

4. The device of claim 1 wherein, said circuit includes three lamps, each of a different colour.

5. The device of claim 1 wherein, said lens is a first lens, and said device includes a second lens, said second lens being attached to said base and providing a cavity into which the LEDs direct light, with the light leaving said second lens then passing through said first lens.

6. The device of claim 5 wherein, the first and second lenses diffuse light.

7. The device of claim 6 wherein, said body includes a post having opposite first and second ends, with a spike attached to said first end, and said first lens attached to said second end.

8. The device of claim 7 wherein, said second lens is detachably secured to said post.

9. The lighting device of any one of claims 1 to 8 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that

the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

10. The lighting device of any one of claims 1 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operated to select said  
5 desired fixed colour.

11. The device of claim 9 wherein, said switch is a first switch, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to  
10 provide for access thereto by a user.

12. The device of claim 11 wherein, said second switch is on said exposed external surface.

13. The device of claim 1 wherein, said switch is on an exposed downwardly facing surface.

14. The device of claim 13 wherein, said circuit includes three lamps, each  
15 of a different colour.

15. The device of claim 14 wherein, said lens is a first lens, and said device includes a second lens, said second lens being attached to said base and providing a cavity into which the LEDs direct light, with the light leaving said second lens then passing  
20 through said first lens.

16. The lighting device of claim 14 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

17. The lighting device of claim 14 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operated to select said desired fixed colour.

18. The device of claim 16 wherein, said switch is a first switch, and said  
30 sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

19. The device of claim 18 wherein, said second switch is on said exposed external surface.

20. A lighting device to produce light of varying colour, said device  
35 including:

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a body;

a lens mounted on the body and generally enclosing a chamber;

a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on an exposed surface of the assembly and operatively associated with the connections to charge the battery, and a switch operable to control delivery of electric power from the battery to operate said circuit, the switch being exposed to provide for access thereto by a user.

21. The lighting device of claim 20 wherein, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

22. The lighting device of claim 20 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

23. The lighting device of claim 20 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

24. The device of claim 20 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

25. The device of claim 24 wherein, said second switch is on said exposed external surface.

26. The lighting device of claim 21 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

27. The lighting device of claim 26 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

28. The device of claim 21 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power

from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

29. The device of claim 28 wherein, said second switch is on said exposed  
5 external surface.

30. A lighting device to produce light, said device including:  
a base;  
a lens mounted on the base and generally enclosing a chamber;  
a circuit having at least one lamp to produce a light, the lamp being mounted to  
10 direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the battery, and a primary switch operable to control to operate said circuit;

a battery compartment including a cavity to receive said battery and having said  
15 contacts;

a closure member attached to said compartment but movable relative thereto to expose said cavity to provide for insertion of said battery; and wherein

said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch.

31. The lighting device of claim 30, wherein device has at least two lamps  
20 to produce light of a desired colour including a varying colour.

32. The lighting device of claim 31 wherein, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

33. The lighting device of claim 31 wherein, said circuit includes a light  
25 sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

34. The lighting device of claim 31 wherein, said circuit includes a light  
sub-circuit having an integrated circuit operable to select a desired fixed colour, with said  
30 switch being connected to said integrated circuit and operable to select said desired fixed colour.

35. The device of claim 31 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and  
35 a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

36. The lighting device of claim 32 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said primary switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

5 37. The lighting device of claim 36 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said integrated circuit being connected to a sub-circuit switch, the sub-circuit switch being operable to select said desired fixed colour.

38. The device of claim 32 wherein, said circuit includes a sub-circuit, said  
10 primary switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

15 39. The device of claim 38 wherein, said second switch is exposed to said chamber.

40. The lighting device of 39 wherein, said lens is fixed to said battery compartment and said battery compartment threadably engages said closure member so that relative rotation between the closure member and said compartment moves said  
20 closure member between an open position exposing said cavity and a closed position closing said cavity.

41. The device of claim 40, wherein said closure member includes a socket, and said device includes a spike engaged in said socket and projecting therefrom to provide for the spike to be inserted in a ground surface so that the device is supported  
25 thereby.

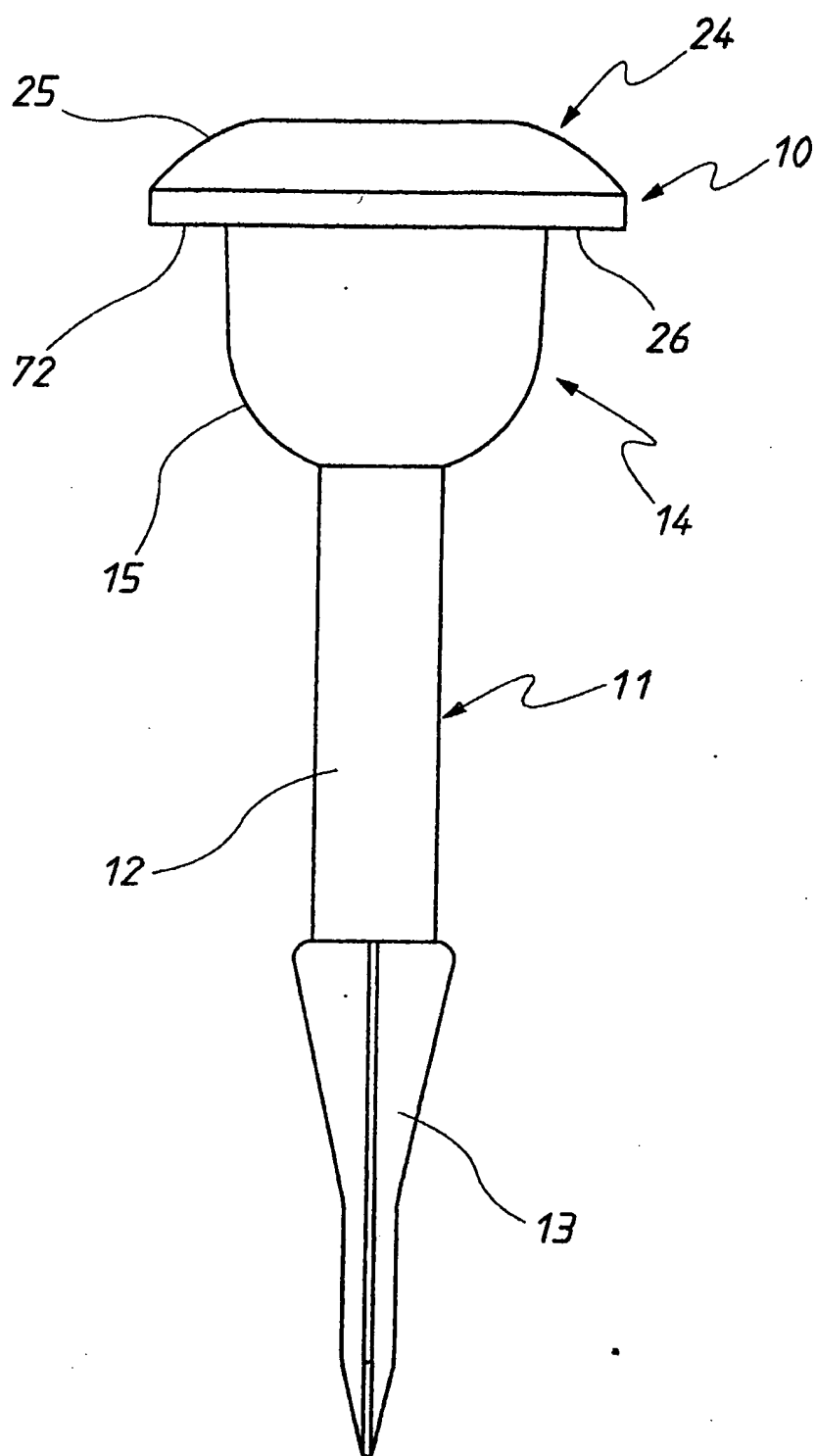
## **A SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS**

### **Abstract**

5 A garden light 10 having a body (11) with a post (12), the lower end of which is  
provided with a spike (13). The upper end of the post (11) receives a lens assembly (12).  
Secured to the lens assembly (12) is a cap assembly (24) that has three LEDs that are  
activated to produce a varying colour light.

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FIG. 1

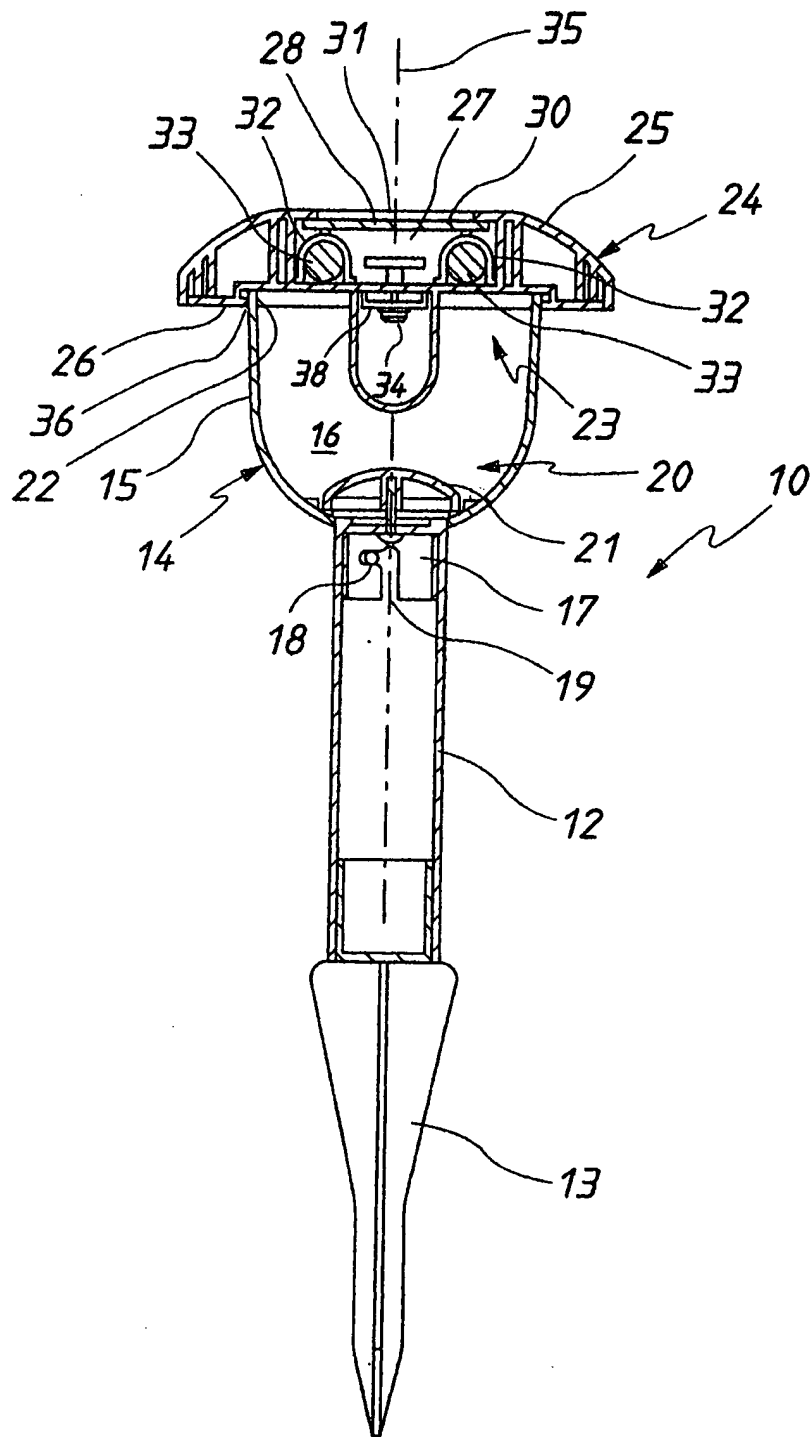
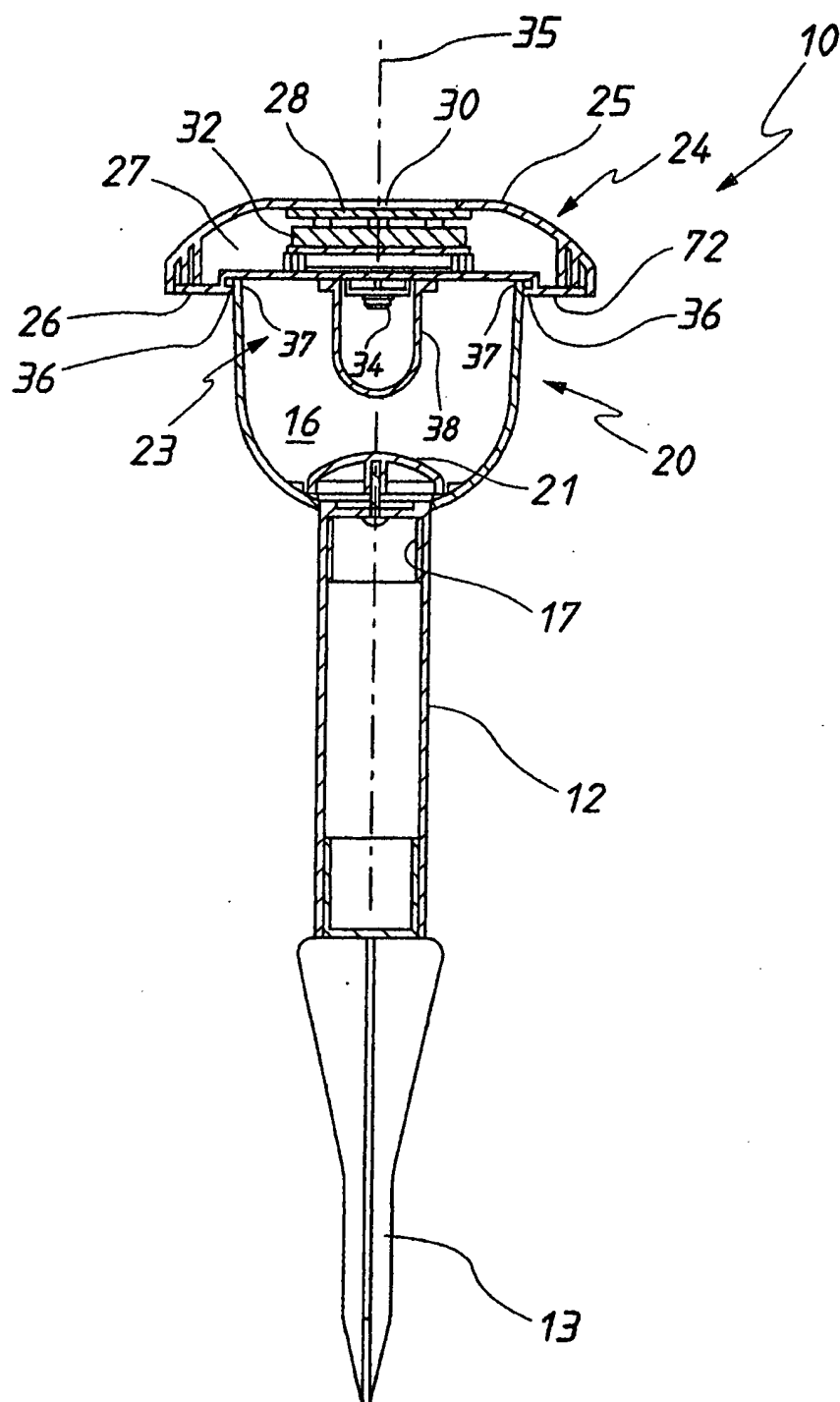


FIG. 2



**FIG. 3**

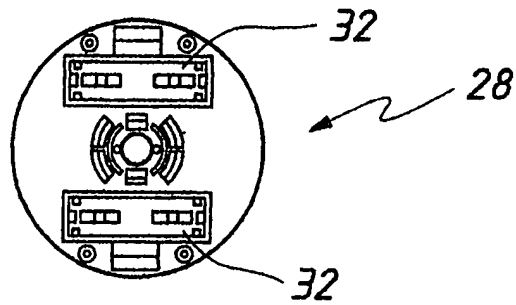


FIG. 4

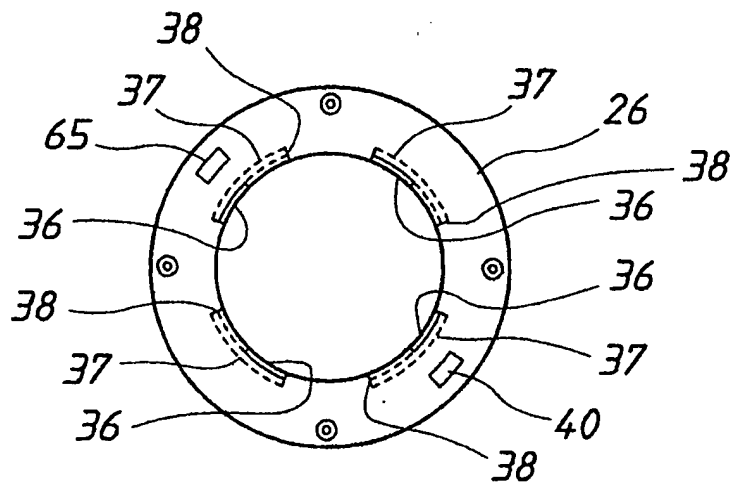


FIG. 5

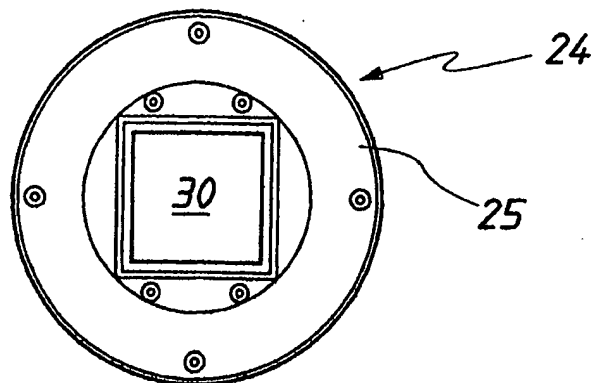


FIG. 6

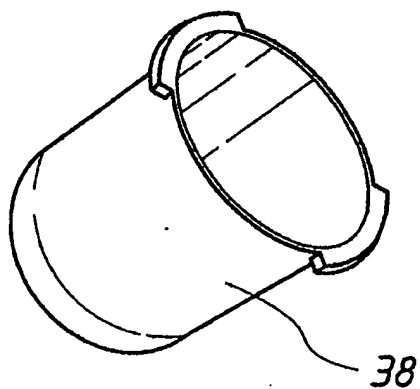


FIG. 7

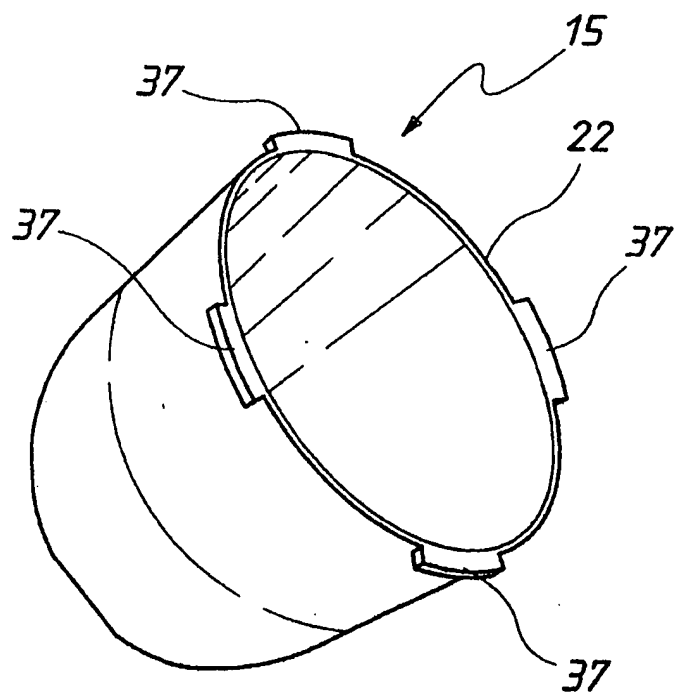


FIG. 8

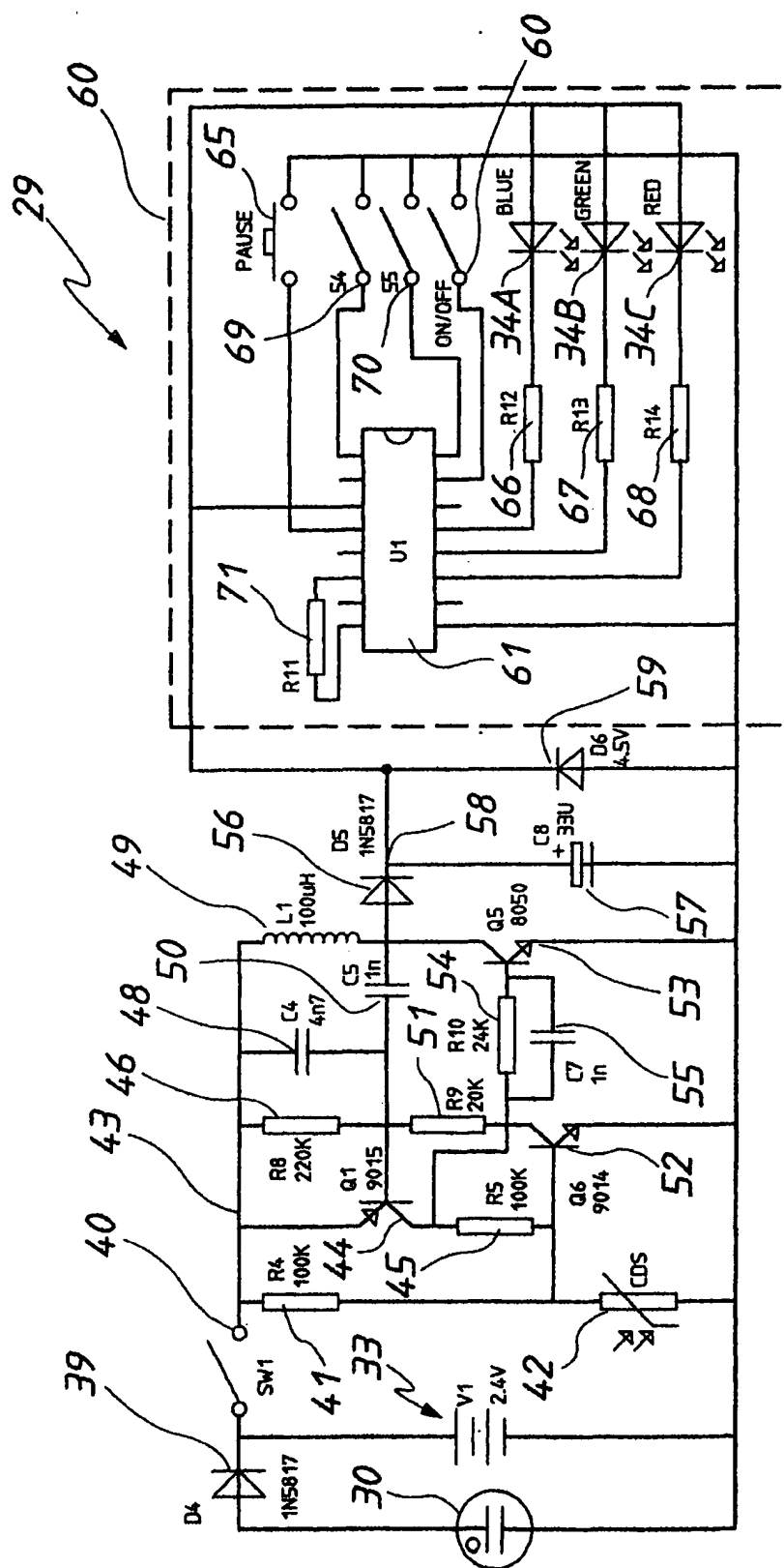


FIG. 9

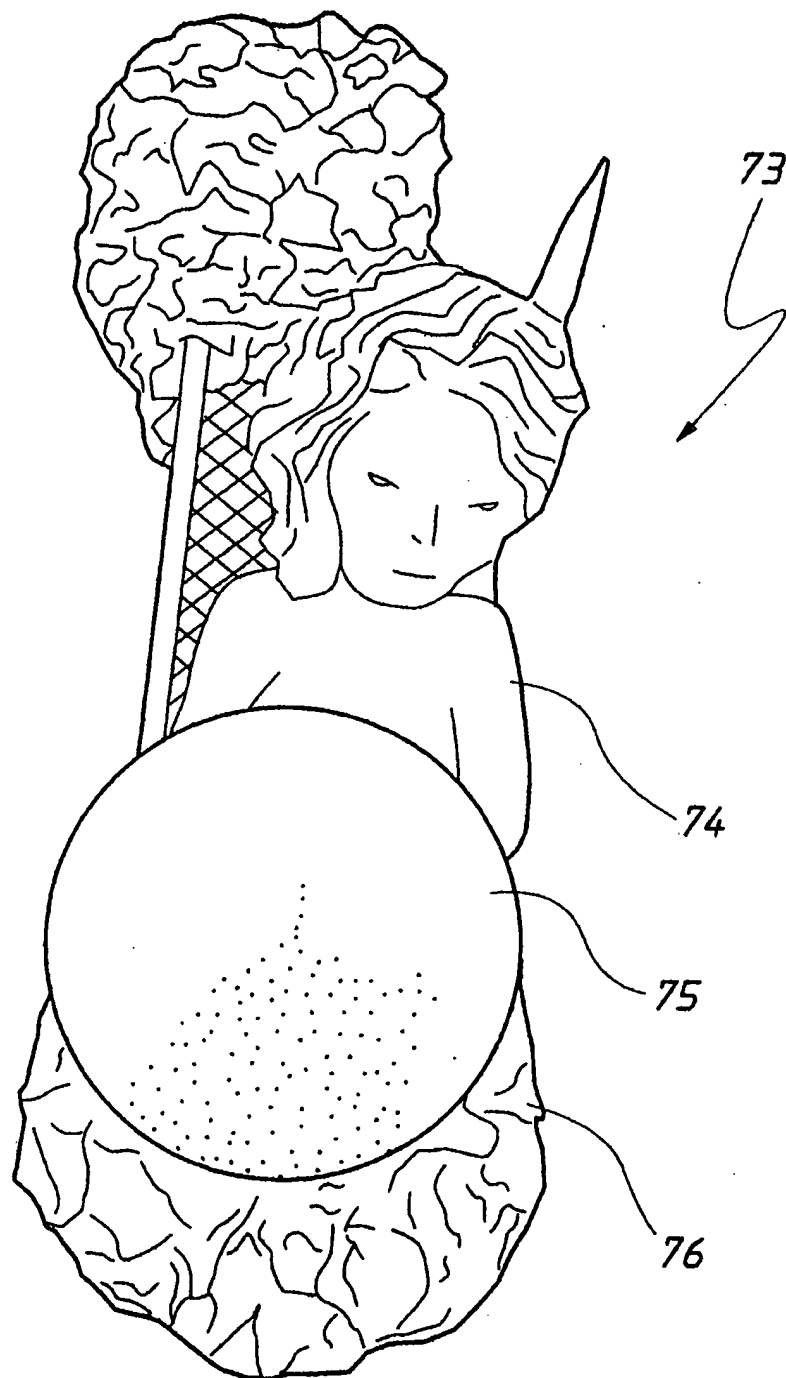
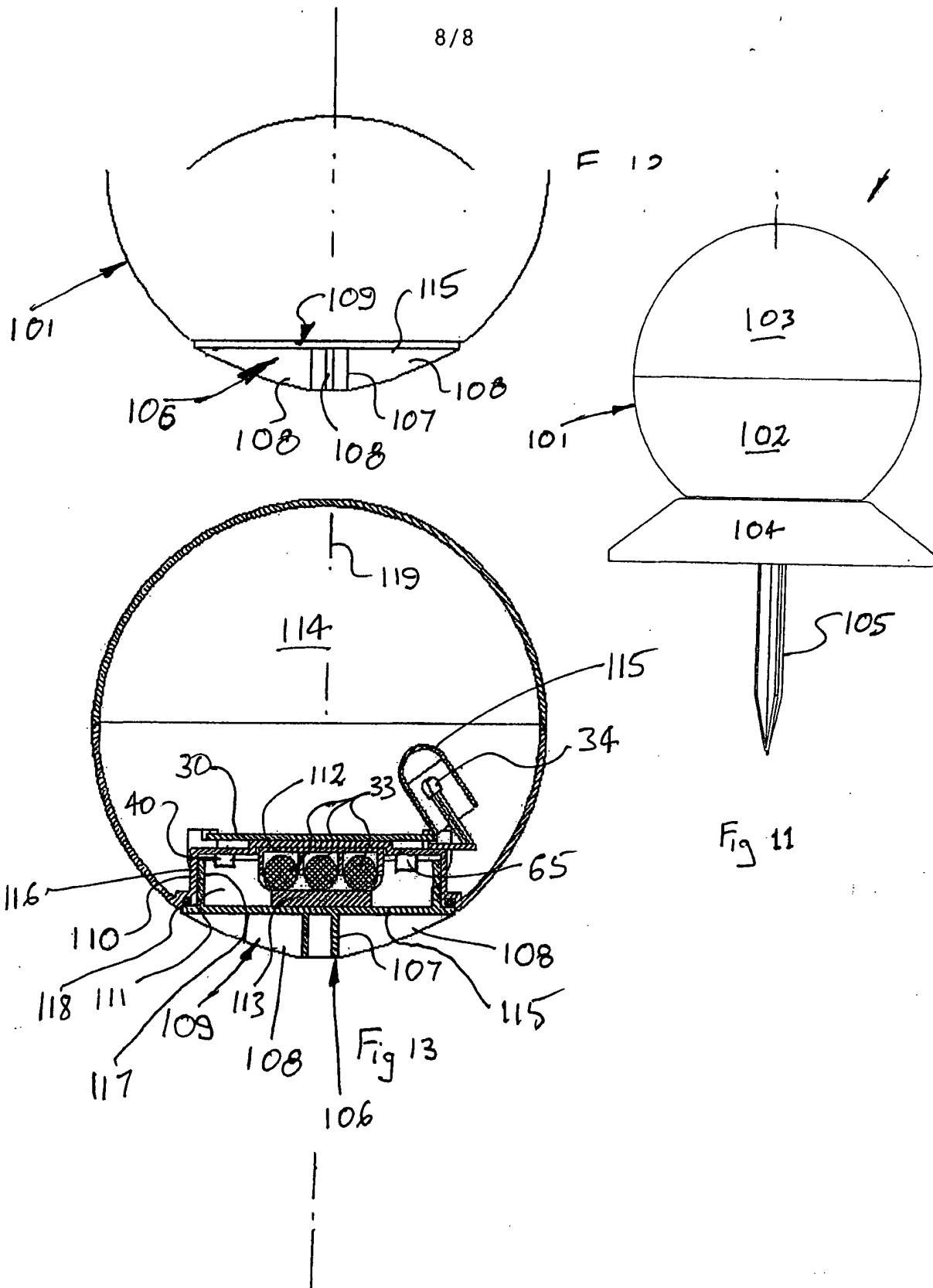


FIG. 10





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

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

04/12/2005 SMINASS1 00000015 11102229

01 FC:1011	300.00 OP
02 FC:1111	500.00 OP
03 FC:1311	200.00 OP
04 FC:1202	1050.00 OP

PTO-1556  
(5/87)

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

11102229

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	41	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	41 minus 20 =	* 21
INDEPENDENT CLAIMS	3 minus 3 =	* 0
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	150.00
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	FEE
BASIC FEE	300.00
X\$50=	1050
X200=	
+360=	
TOTAL	1350

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

## CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL	
ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL	
ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL	
ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL	
ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL	
ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL	
ADDIT. 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.

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

In re Application of: Simon Nicholas Richmond  
Serial No.:  
Filed:  
Entitled: **A Solar Powered Light Assembly To Produce Light Of Varying Colours**

Group No.:  
Examiner:

**PRELIMINARY AMENDMENT**

**MS Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV 329476987** US, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 7, 2005

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

*Karen B. Webber*

Karen B. Webber

Dear Sir or Madam:

Prior to an examination on the merits, please amend the above-referenced application as follows. Amendments to the specification begin on page 2, while amendments to the claims are reflected in the listing of claims, which begins on page 3 of this paper. In addition, remarks begin on page 10.

**AMENDMENTS TO THE SPECIFICATION**

Please insert the following paragraph beginning on page 1, line 3:

This application is a Continuation-In-Part of U.S. Patent Application No. 10/789,488, filed on February 26, 2004, which claims priority to Australian Patent Application No. 2003271383, filed on December 23, 2003.

### **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application.

1. (original) A lighting device to produce light of varying colour, said device including:
  - a body;
  - a lens mounted on the body and generally enclosing a chamber having an upper rim surrounding a top opening, and a bottom region;
  - a reflector mounted in the bottom region;
  - a cap assembly including securing means to releasably engage the rim so that the cap assembly can be selectively removed from the lens; said assembly including:
    - a base;
    - a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on an exposed surface of the assembly and operatively associated with the connections to charge the battery, and a switch operated to control delivery of electric power from the battery to operate said circuit, the switch being exposed to provide for access thereto by a user.
2. (original) The light device of claim 1 wherein, said circuit includes a light sensitive switch that renders the circuit operation at low light levels.
3. (original) The device of claim 2 wherein, said switch is on an exposed downwardly facing surface.
4. (original) The device of claim 1 wherein, said circuit includes three lamps, each of a different colour.
5. (original) The device of claim 1 wherein, said lens is a first lens, and said device includes a second lens, said second lens being attached to said base and providing a cavity into which the LEDs direct light, with the light leaving said second lens then passing through said first lens.

6. (original) The device of claim 5 wherein, the first and second lenses diffuse light.
7. (original) The device of claim 6 wherein, said body includes a post having opposite first and second ends, with a spike attached to said first end, and said first lens attached to said second end.
8. (original) The device of claim 7 wherein, said second lens is detachably secured to said post.
9. (currently amended) The lighting device of ~~any one of claims 1 to 8~~ claim 1 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.
10. (currently amended) The lighting device of ~~any one of claims 1 to 8~~ claim 1 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operated to select said desired fixed colour.
11. (original) The device of claim 9 wherein, said switch is a first switch, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.
12. (original) The device of claim 11 wherein, said second switch is on said exposed external surface.
13. (original) The device of claim 1 wherein, said switch is on an exposed downwardly facing surface.
14. (original) The device of claim 13 wherein, said circuit includes three lamps, each of a different colour.

15. (original) The device of claim 14 wherein, said lens is a first lens, and said device includes a second lens, said second lens being attached to said base and providing a cavity into which the LEDs direct light, with the light leaving said second lens then passing through said first lens.

16. (original) The lighting device of claim 14 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

17. (original) The lighting device of claim 14 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operated to select said desired fixed colour.

18. (original) The device of claim 16 wherein, said switch is a first switch, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

19. (original) The device of claim 18 wherein, said second switch is on said exposed external surface.

20. (original) A lighting device to produce light of varying colour, said device including:

- a body;
- a lens mounted on the body and generally enclosing a chamber;
- a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on an exposed surface of the assembly and operatively associated with the connections to charge the battery, and a switch operable to control delivery of electric power from the battery to operate said circuit, the switch being exposed to provide for access thereto by a user.

21. (original) The lighting device of claim 20 wherein, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

22. (original) The lighting device of claim 20 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

23. (original) The lighting device of claim 20 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

24. (original) The device of claim 20 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

25. (original) The device of claim 24 wherein, said second switch is on said exposed external surface.

26. (original) The lighting device of claim 21 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

27. (original) The lighting device of claim 26 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.



28. (original) The device of claim 21 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

29. (original) The device of claim 28 wherein, said second switch is on said exposed external surface.

30. (original) A lighting device to produce light, said device including:  
a base;  
a lens mounted on the base and generally enclosing a chamber;  
a circuit having at least one lamp to produce a light, the lamp being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the battery, and a primary switch operable to control to operate said circuit;  
a battery compartment including a cavity to receive said battery and having said contacts;  
a closure member attached to said compartment but movable relative thereto to expose said cavity to provide for insertion of said battery; and wherein  
said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch.

31. (original) The lighting device of claim 30, wherein device has at least two lamps to produce light of a desired colour including a varying colour.

32. (original) The lighting device of claim 31 wherein, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

33. (original) The lighting device of claim 31 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce

said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

34. (original) The lighting device of claim 31 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

35. (original) The device of claim 31 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

36. (original) The lighting device of claim 32 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said primary switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

37. (original) The lighting device of claim 36 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said integrated circuit being connected to a sub-circuit switch, the sub-circuit switch being operable to select said desired fixed colour.

38. (original) The device of claim 32 wherein, said circuit includes a sub-circuit, said primary switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

39. (original) The device of claim 38 wherein, said second switch is exposed to said chamber.

40. (original) The lighting device of 39 wherein, said lens is fixed to said battery compartment and said battery compartment threadably engages said closure member so that relative rotation between the closure member and said compartment moves said closure member between an open position exposing said cavity and a closed position closing said cavity.

41. (original) The device of claim 40, wherein said closure member includes a socket, and said device includes a spike engaged in said socket and projecting therefrom to provide for the spike to be inserted in a ground surface so that the device is supported thereby.

**R E M A R K S**

Applicant hereby amends Claims 9 and 10, in order to further the prosecution of the present application and Applicant's business interests, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s). Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect.

Dated: April 7, 2005



---

Christine A. Lekutis  
Registration No. 51,934

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
415.904.6500

## Application Data Sheet

### Application Information

Application Type::	Regular
Subject Matter::	Utility
Title::	A Solar Powered Light Assembly To Produce Light Of Varying Colours
Attorney Docket Number::	SPRUSON-09809
Total Drawing Sheets	8

### Applicant Information

#### (1<sup>st</sup> Applicant)

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Australia
Given Name::	Simon Nicholas
Family Name::	Richmond
City of Residence::	Waterloo
Country of Residence::	Australia

### Correspondence Information

Name::	Medlen & Carroll, LLP
Street of mailing address::	101 Howard Street, Suite 350
City of mailing address::	San Francisco
State of mailing address::	CA
Zip code of mailing address::	94105
Phone Number::	415.904.6500
Fax Number::	415.904.6510

**Representative Information**

Representative Designation::	Registration Number::	Representative Name::
Primary	51,934	Christine A. Lekutis
Associate	47,391	Tanya A. Arenson
Associate	45,439	Jason R. Bond
Associate	42,363	Mary Ann D. Brow
Associate	50,002	Thomas W. Brown
Associate	32,837	Peter G. Carroll
Associate	42,395	David A. Casimir
Associate	43,655	Maha A. Hamdan
Associate	48,650	Thomas C. Howerton
Associate	44,174	J. Mitchell Jones

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation-in-part of	10/789,488	02/26/04

**Foreign Priority Information**

Country::	Application number::	Filing Date::	Priority Claimed::
Australia	2003271383	12/23/03	yes

**Assignee Information**

Assignee name::	HPM Industries Pty Ltd
Street of mailing address::	ACN 000 102 661 of Level 1, Unit 3 40-48 O'Dea Avenue
City of mailing address::	Waterloo, New South Wales
Country of mailing address::	Australia
Zip code of mailing address::	2017



## 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
11/102,229	04/07/2005	Simon Nicholas Richmond	SPRUSON-09809

Medlen & Carroll, LLP  
 Suite 350  
 101 Howard Street  
 San Francisco, CA 94105

CONFIRMATION NO. 6454

## FORMALITIES LETTER



\*OC000000015980864\*

Date Mailed: 05/10/2005

## 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.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge 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.

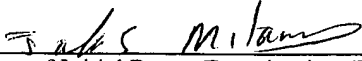
**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

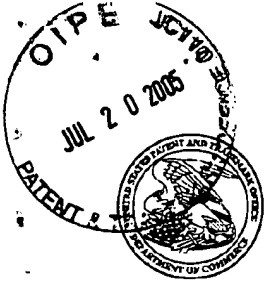
*A copy of this notice **MUST** be returned with the reply.*



Office of Initial Patent Examination (703) 308-1202

PART 3 - OFFICE COPY





## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/102,229	04/07/2005	Simon Nicholas Richmond	SPRUSON-09809

Medlen & Carroll, LLP  
 Suite 350  
 101 Howard Street  
 San Francisco, CA 94105

CONFIRMATION NO. 6454

## FORMALITIES LETTER



\*OC00000015980864\*

Date Mailed: 05/10/2005

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FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

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 P.O. Box 1450  
 Alexandria VA 22313-1450

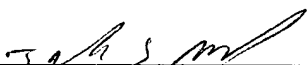
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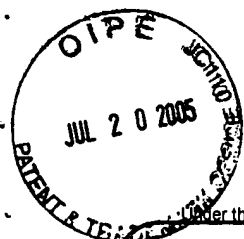
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PART 2 - COPY TO BE RETURNED WITH RESPONSE



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>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	11/102,229	
	Filing Date	04/07/2005	
	First Named Inventor	Simon Nicholas Richmond	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	7	Attorney Docket Number	SPRUSON-09809

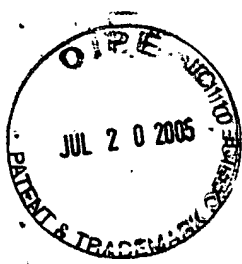
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input 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 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): Combined Declaration/Power of Attorney
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Medlen & Carroll, LLP		
Signature			
Printed name	Christine A. Lekutis		
Date	July 18, 2005	Reg. No.	51,934

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 first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Cliff Cannon-Cin	Date	July 18, 2005

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.



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**PATENT**

Attorney Docket No.: **SPRUSON-09809**

**COMBINED DECLARATION AND POWER  
OF ATTORNEY FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **A solar powered light assembly to produce light of varying colours**, the specification of which was filed on 7 April 2005 as Application Serial No. 11/102229. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 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 hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent, or inventor's 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 any foreign application for patent, or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

<u>2003271383</u>	<u>AU</u>	<u>23 December 2003</u>	<u>Yes</u>
<i>Number</i>	<i>Country</i>	<i>Day/Month/Year Filed</i>	<i>Priority Claimed</i>

I hereby claim the benefit under Title 35, United States Code, § 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 in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a), that occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>10/789,488</u>	<u>26 February 2004</u>	<u>Pending</u>
<i>Application Serial No.</i>	<i>Filing Date</i>	<i>Patented, Pending, or Abandoned</i>

I 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 § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the firm of MEDLEN & CARROLL, LLP, a firm comprised of:

Tanya A. Arenson (Reg. No. 47,391) David A. Casimir (Reg. No. 42,395)  
Jason R. Bond (Reg. No. 45,439) Thomas C. Howerton (Reg. No. 48,650)  
Mary Ann D. Brow (Reg. No. 42,363) J. Mitchell Jones (Reg. No. 44,174)  
Thomas W. Brown (Reg. No. 50,002) Christine A. Lekutis (Reg. No. 51,934)  
Peter G. Carroll (Reg. No. 32,837) James C. Mason (Reg. No. 50,255)

as my attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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**PATENT**  
Attorney Docket No.: SPRUSON-09809

**COMBINED DECLARATION AND POWER  
OF ATTORNEY FOR PATENT APPLICATION**

Please direct all correspondence and telephone calls regarding this application to:

Christine A. Lekutis  
MEDIEN & CARROLL, LLP  
101 Howard Street, Suite 350 Telephone: 415/904-6500  
San Francisco, California 94105 Facsimile: 415/904-6510

Full Name of Sole or First Inventor: **Simon Nicholas Richmond**  
Inventor's Signature: 

Date: 06/06/05  
Day/Month/Year

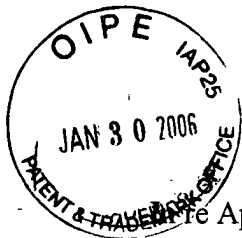
Residence: Princeton NJ 08540

Citizenship: Australia

Post Office Address: 992 Mercer Road, Princeton NJ 08450, United States of America

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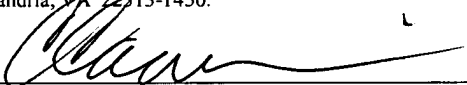


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of: **Simon Nicholas Richmond**  
Serial No.: **11/102,229** Group No.:  
Filed: **04/07/2005** Examiner:  
Entitled: **A Solar Powered Light Assembly To Produce Light Of Varying Colours**

**PRELIMINARY AMENDMENT**

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

<b>CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)</b>	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: <u>January 27, 2006</u>	By:  Cliff Cannon-Cin

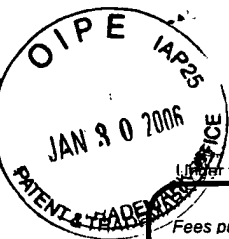
Dear Sir or Madam:

Prior to an examination on the merits, please amend the above-referenced application as described in:

- amendments to the specification beginning on page 2;
- amendments to the drawings on page 5, including as attachments a replacement sheet and an annotated sheet showing changes;
- amendments to the claims reflected in the listing of claims beginning on page 6; and
- remarks begin on page 14.

01/31/2006 HUUONG1 00000038 11102229

01 FC:1202	300.00 OP
02 FC:1201	800.00 OP



Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,100.00

### Complete if Known

Application Number	11/102,229
Filing Date	04/07/2005
First Named Inventor	Simon Nicholas Richmond
Examiner Name	
Art Unit	
Attorney Docket No.	SPRUSON-09809

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

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

#### 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	
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

Each claim over 20 (including Reissues)

Fee (\$)  
Small Entity Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims Extra Claims Fee (\$)  
47 - 20 or HP = 6 x 50 = 300.00

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

Indep. Claims Extra Claims Fee (\$)  
7 - 3 or HP = 4 x 200 = 800.00

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

##### Multiple Dependent Claims

Fee (\$)  
Fee Paid (\$)

#### 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 (\$)  
- 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):

Fees Paid (\$)

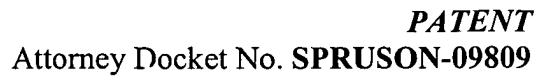
#### SUBMITTED BY

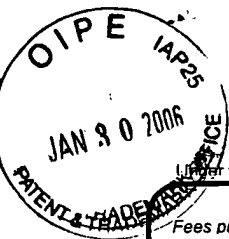
Signature	<i>Christine A. Lekutis</i>	Registration No. (Attorney/Agent) 51,934	Telephone 415.904.6500
Name (Print/Type)	Christine A. Lekutis		Date January 27, 2006

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.







Effective on 12/08/2004.  
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# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,100.00

### Complete if Known

Application Number	11/102,229
Filing Date	04/07/2005
First Named Inventor	Simon Nicholas Richmond
Examiner Name	
Art Unit	
Attorney Docket No.	SPRUSON-09809

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

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

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Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	Fee (\$)	<u>Small Entity</u> Fee (\$)	
Utility	300	150	500	250	200	100	
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Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

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##### Fee Description

Each claim over 20 (including Reissues)

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Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)  
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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):

Fees Paid (\$)

#### SUBMITTED BY

Signature	<u>Christine A. Lekutis</u>	Registration No. (Attorney/Agent) 51,934	Telephone 415.904.6500
Name (Print/Type)	Christine A. Lekutis		Date January 27, 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.

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**AMENDMENTS TO THE SPECIFICATION**

Please replace the paragraph beginning on page 8, at line 4, as follows:

The light circuit 60 contains an integrated circuit (IC) 61 for controlling lighting effects provided by the lighting device 10. In the embodiments shown, the IC 61 is a 16-pin, three colour LED IC for controlling first, second and third light emitting diodes (LEDs) 34A, 34B and 34C. Each of pins 1, 15 and 16 is connected in series to respective switches ~~69, 70, 60~~ 69, 70, 71. Each of the switches 69, 70 and 71 is then connected to the negative terminal of the battery 33. In one embodiment, the switches 69, 70, 71 correspond to the LEDs 34A, 34B, and 34C to enable or disable a particular colour range. In another embodiment, the switches 69, 70, 71 determine the frequency of a colour changing effect. In a further embodiment, the switches 69, 70, 71 determine the intensity of light emitted by each of the LEDs 34A, 34B, and 34C. Various combinations of the frequency and intensity of light are also possible. The switches 69, 70, 71 can be made accessible to a user to create custom lighting effects. Alternatively, the switches 69, 70, 71 are set according to a predetermined configuration and are not readily accessible by a user.

Please replace the paragraph beginning on page 8, at line 27, as follows:

Pins 6 and 8 of the IC 61 are tied to one another via a ninth resistor 72, which in the embodiment shown is a 20K $\Omega$  resistor. The value of the ninth ~~resistor 71~~ resistor 72 determines the frequency of a colour change created by the IC 61. Accordingly, using different resistor values for the ninth ~~resistor 71~~ resistor 72 produces colour changes of different frequencies. Pin 9 of the IC 61 is tied to the negative terminal of the battery 33.

Please replace the paragraph beginning on page 9, at line 30, as follows:

The IC 61 preferably includes a cut-off circuit that is voltage dependent. As the capacitor 57 discharges, the voltage across the cut-off circuit decreases. Once the voltage across the cut-off circuit reaches a predetermined threshold value, the cut-off circuit prevents further power being consumed by the LEDs. As no power is being consumed by the light circuit 60, the capacitor 57 retains a residual charge. The residual charge maintains a voltage across the ~~IC 60,~~ IC 61, which enables the selected colour to be retained by the memory in the IC 61.

Please replace the paragraph beginning on page 10, at line 11, as follows:

The switch 40 and/or switch 65 is/are mounted on the base 26 so as to be on a downwardly facing external ~~surface-72~~ surface of the base 26. This enables a user to control the device via readily accessible switches, without needing to remove the cap assembly 24. The switches 40 and 65 are each operable to control delivery of electric power from the batteries to the LEDs 34A, 34B and 34C. The circuit 29 is only rendered operative when there is insufficient light, that is, by operation of a light sensitive switch, ie the diode 43.

**AMENDMENTS TO THE CLAIMS**

1-29 (canceled).

30. (original) A lighting device to produce light, said device including:  
a base;  
a lens mounted on the base and generally enclosing a chamber;  
a circuit having at least one lamp to produce a light, the lamp being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the battery, and a primary switch operable to control to operate said circuit;  
a battery compartment including a cavity to receive said battery and having said contacts;  
a closure member attached to said compartment but movable relative thereto to expose said cavity to provide for insertion of said battery; and wherein  
said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch.

31. (original) The lighting device of claim 30, wherein device has at least two lamps to produce light of a desired colour including a varying colour.

32. (original) The lighting device of claim 31 wherein, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

33. (original) The lighting device of claim 31 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

34. (original) The lighting device of claim 31 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

35. (original) The device of claim 31 wherein, said circuit includes a sub-circuit, said switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

36. (original) The lighting device of claim 32 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said primary switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

37. (original) The lighting device of claim 36 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said integrated circuit being connected to a sub-circuit switch, the sub-circuit switch being operable to select said desired fixed colour.

38. (original) The device of claim 32 wherein, said circuit includes a sub-circuit, said primary switch is a first switch said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

39. (original) The device of claim 38 wherein, said second switch is exposed to said chamber.

40. (original) The lighting device of 39 wherein, said lens is fixed to said battery compartment and said battery compartment threadably engages said closure member so that relative rotation between the closure member and said compartment moves said closure member between an open position exposing said cavity and a closed position closing said cavity.

41. (original) The device of claim 40, wherein said closure member includes a socket, and said device includes a spike engaged in said socket and projecting therefrom to provide for the spike to be inserted in a ground surface so that the device is supported thereby.

42. (new) A lighting device to produce light of varying colour, said device including:  
a body;  
a lens mounted on the body and generally enclosing a chamber;  
a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on a surface of the assembly so as to be exposed to light and operatively associated with the connections to charge the battery, and a user operated switch operable to control delivery of electric power from the battery to operate said lamps to vary the said colour, the switch being exposed to provide for access thereto by a user thereby enabling a user to manipulate the switch to control the delivery of electric power from the battery.

43. (new) The lighting device of claim 42, wherein said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

44. (new) The lighting device of claim 42, wherein said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch controlling said sub-circuit.

45. (new) The lighting device of claim 42, wherein said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

46. (new) The device of claim 42, wherein said circuit includes a sub-circuit, said switch is a first switch said first switch, and said sub-circuit includes an integrated circuit and connected to said first switch, the first switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user, and wherein said device includes a second switch, said second switch being an on/off switch to deliver electric power from the battery to said sub-circuit.

47. (new) The device of claim 46, wherein said second switch is on said exposed external surface.

48. (new) The lighting device of claim 43, wherein said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said device further including an on/off switch to deliver electric power from the batteries to said sub-circuit.

49. (new) A lighting device to produce light of varying colour, said device including:  
a lens mounted generally enclosing a chamber;  
a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on a surface of the assembly so as to be exposed to light and operatively associated with the connections to charge the battery, and a user operated switch located outside said chamber and operable to control said circuit so that said lamps produce a fixed colour.

50. (new) The lighting device of claim 49, wherein said circuit includes a light sensitive switch that renders the circuit operative at low light levels.



51. (new) The lighting device of claim 49, wherein said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being a first switch, and said circuit includes a second switch, said second switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

52. (new) The device of claim 49, wherein said circuit includes a sub-circuit, said switch is a first switch with said circuit including a second switch, said second switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit with said first switch being connected to said integrated circuit.

53. (new) The device of claim 52, wherein said first switch is on an exposed external surface.

54. (new) A lighting device to produce light of varying colour, said device including:  
a body;  
a first lens mounted on the body and generally enclosing a chamber;  
a second lens mounted on the body and generally enclosing a cavity;  
a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber via said cavity, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on a surface of the assembly so as to be exposed to light and operatively associated with the connections to charge the battery, and a user operated switch operable to control said circuit so that said lamps produce a fixed colour, and wherein the light produced by said lamp is diffused by said second lens and then said first lens.

55. (new) The lighting device of claim 54, wherein said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

56. (new) The lighting device of claim 54, wherein said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being a first switch, and said circuit includes a second switch, said second switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

57. (new) The device of claim 54, wherein said circuit includes a sub-circuit, said switch is a first switch, and said circuit includes a second switch, said second switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and said sub-circuit includes an integrated circuit said first switch connected to said integrated circuit, the first switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

58. (new) The device of claim 57, wherein said first switch is on an exposed external surface.

59. (new) A lighting device to produce light of varying colour, said device comprising:  
a lens generally enclosing a chamber;  
a circuit including:

at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber;

connections for at least one rechargeable battery to power the circuit;

a solar cell mounted on a surface so as to be exposed to light and operatively associated with the connections to charge the battery;

a light sub-circuit having an integrated circuit for controlling said lamps, and a selection switch, said selection switch being connected to said integrated circuit and operable to select a desired fixed colour; and

a volatile memory retained for a period of time and associated with said integrated circuit, said memory causing operation of said circuit to produce said desired fixed colour.

60. (new) The device according to claim 59, wherein said memory is a switch.

61. (new) The device according to claim 59, wherein said memory forms a portion of said integrated circuit.

62. (new) The device according to claim 59, wherein said light sub-circuit is connected to said lamps to deliver electric power thereto, so that the lamps produce said desired colour.

63. (new) The device according to claim 59, further comprising an on/off switch operable to control delivery of electric power from said battery to the sub-circuit.

64. (new) The device according to claim 59, wherein said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

65. (new) The device according to claim 59, further comprising: a voltage cut-off sub-circuit, wherein said cut-off sub-circuit interrupts delivery of power to said lamps, upon a voltage in said cut-off sub-circuit reaching a predetermined threshold.

66. (new) The device according to claim 65, wherein said voltage cut-off sub-circuit forms a portion of said integrated circuit.

67. (new) The device according to claim 65, wherein said circuit further comprises: a capacitor, wherein said capacitor is arranged to store charge when an output voltage of said battery is greater than a stored charge on said capacitor and discharge charge when said output voltage of said battery is lower than said stored charge.

68. (new) The device according to claim 67, wherein said voltage cut-off sub-circuit prevents said capacitor from discharging further stored charge, upon a voltage in said cut-off sub-circuit reaching a predetermined threshold, such that a retained stored charge on said capacitor provides sufficient voltage to said memory to retain the selected desired colour for a period of time.

69. (new) The device according to claim 68, wherein said retained stored charge is substantially zero volts.

70. (new) A lighting device to produce light of varying colour, said device comprising:  
a lens generally enclosing a chamber;  
a circuit including:  
at least two lamps of different colours to produce a desired colour, the lamps being mounted to direct light into said chamber;  
connections for at least one rechargeable battery to power the circuit;  
a solar cell mounted on a surface so as to be exposed to light and operatively associated with the connections to charge the battery;  
a light sub-circuit having an integrated circuit for controlling said lamps to produce lighting effects, and a selection switch, said selection switch being connected to said integrated circuit and operable to select a desired lighting effect; and  
a volatile memory retained for a period of time and associated with said integrated circuit, said memory causing operation of said circuit to produce said lighting effects.

71. (new) The device according to claim 70, wherein said lighting effect is selected from the group of lighting effects consisting of: a specific colour changing effect, a colour brightness effect, a colour changing frequency effect, a colour changing sequence effect, and a colour light intensity effect.

72. (new) The device according to claim 70, wherein said desired colour includes a varying colour.

73. (new) A lighting device to produce light of varying colour, said device including:  
a first lens mounted generally enclosing a chamber;  
a second lens generally enclosing a cavity; and  
a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber via said cavity, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on a surface of the assembly so as to be exposed to light and operatively associated with the connections to charge the battery, and wherein the light produced by said lamps is diffused by said second lens and then said first lens.

74. (new) The lighting device of claim 73, wherein said second lens projects into said chamber.

75. (new) The lighting device of claim 73, further including a lens assembly incorporating the first lens and the second lens, the lens assembly including a base to which said second lens is attached, with said base being removably attached to said first lens.

76. (new) The lighting device of claim 75, wherein said circuit is mounted on said base.

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Figure 9, and replaces the original sheet including Figure 9. In original Figure 9, the switch element 71 was erroneously labeled 60, while the ninth resistor element 72 was erroneously labeled 71.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

**REMARKS**

Applicant hereby amends the Specification and Drawings, cancels Claims 1-29 and adds Claims 42-76, in order to further the prosecution of the present application and Applicant's business interests, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s). In particular, Applicant hereby amends the Specification and Figure 9 to properly label the switch element as 71 and the ninth resistor element as 72. Support for these amendments can be found in the description of Figure 9. In any event, Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect.

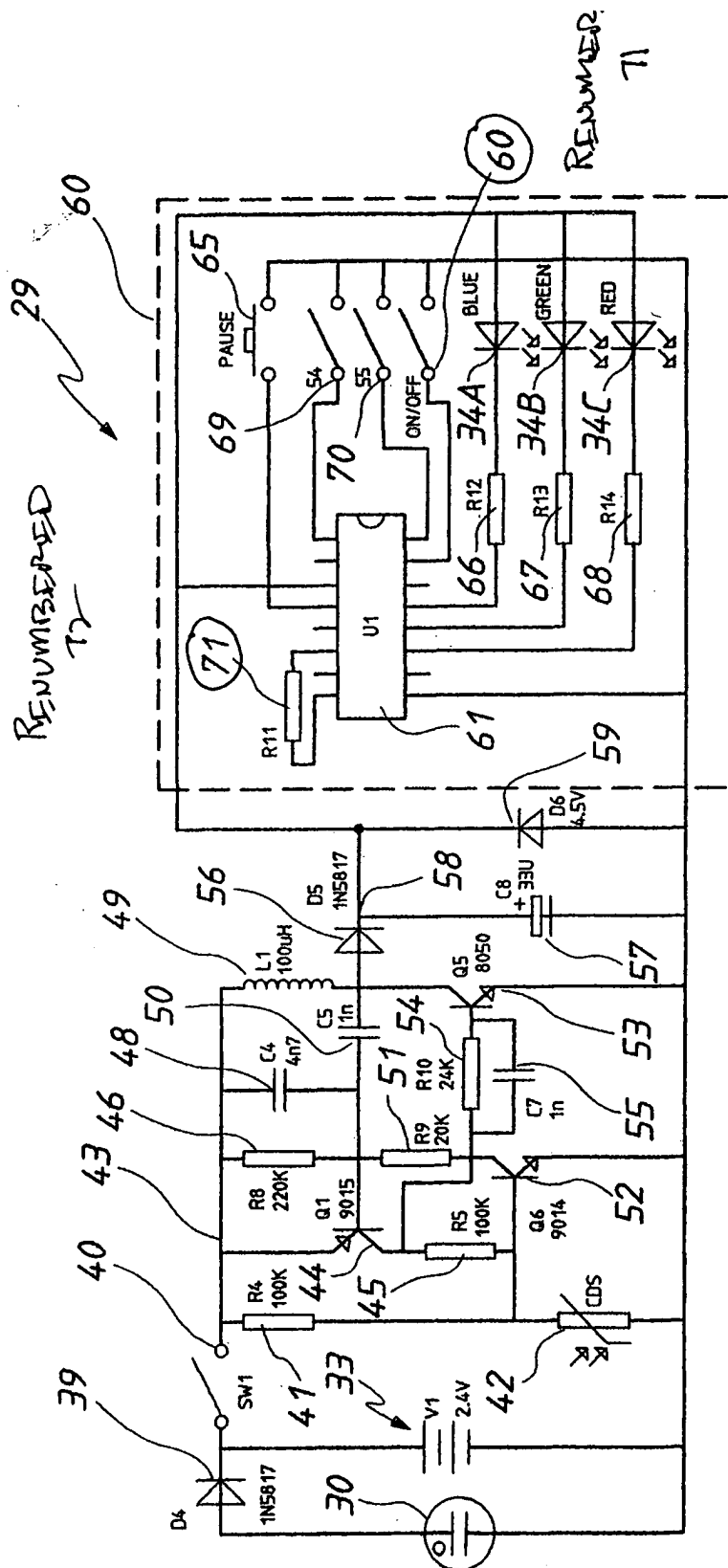
Dated: January 27, 2006



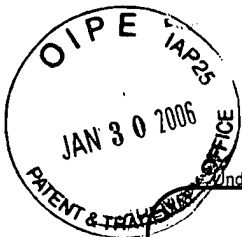
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*JH*

PTO/SB/21 (09-04)

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

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	11/102,229	
	Filing Date	04/07/2005	
	First Named Inventor	Simon Nicholas Richmond	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	19	Attorney Docket Number	SPRUSON-09809

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" 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 checked="" 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 Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Medlen & Carroll, LLP		
Signature	<i>Christine A. Lekutis</i>		
Printed name	Christine A. Lekutis		
Date	January 27, 2006	Reg. No.	51,934

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature	<i>Cliff Cannon-Cin</i>		
Typed or printed name	Cliff Cannon-Cin	Date	January 27, 2006

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

Replacement Sheet

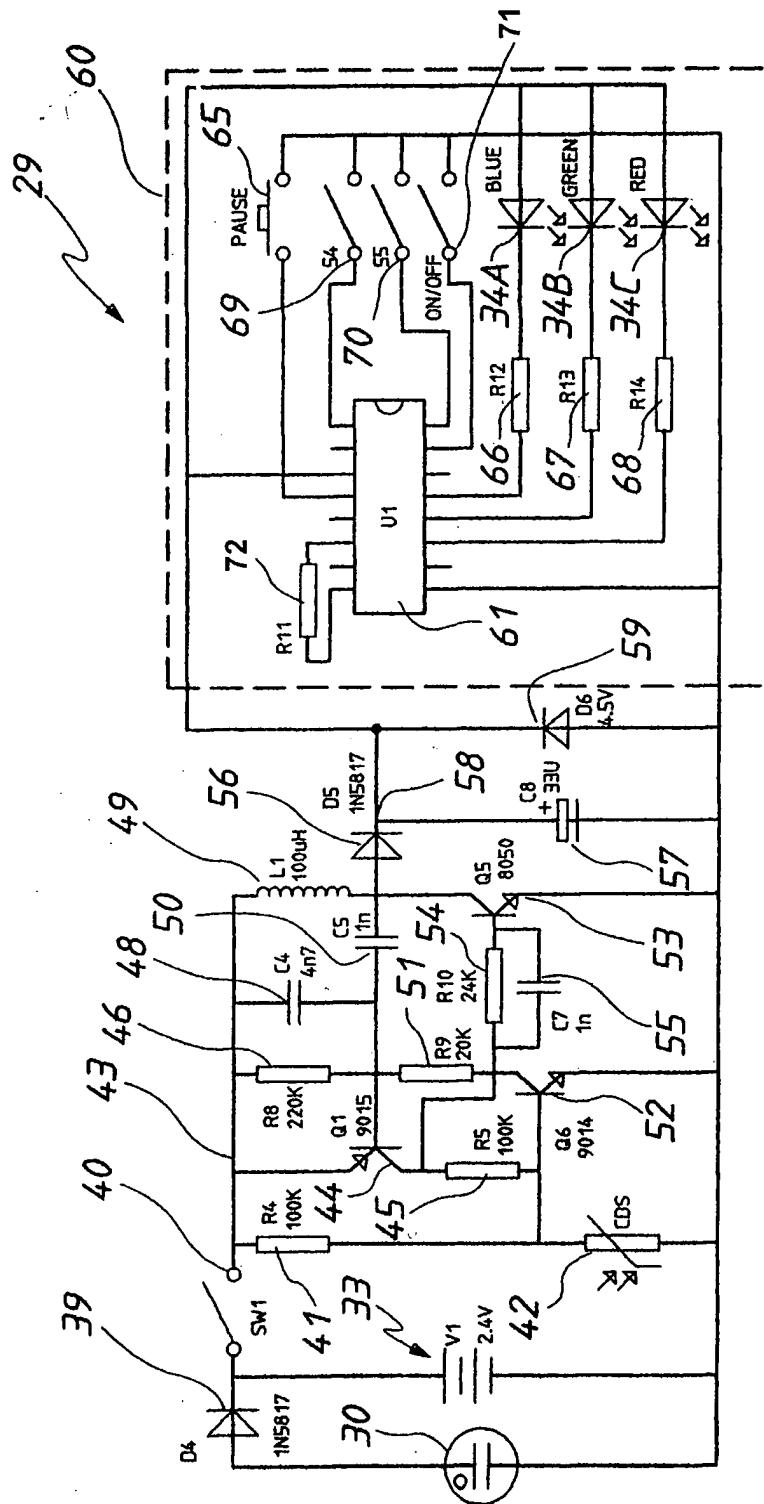


FIG.9

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

11102229

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	41	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	41 minus 20 =	21
INDEPENDENT CLAIMS	3 minus 3 =	0
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

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

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

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BASIC FEE	150.00
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	FEE
BASIC FEE	300.00
X\$50=	1050
X200=	
+360=	
TOTAL	1350

## CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
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Independent	3	3	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. FEE	

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	47	41	= 6
Independent	7	3	= 4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

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X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	300.00
X200=	800.00
+360=	
TOTAL ADDIT. FEE	1100.00

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
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Independent			=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL ADDIT. 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.

# CLAIMS ONLY

APPENDIX 11/102229

4/7/05

1/30/06

CLAIMS

	AS FILED		AFTER 1st AMENDMENT		AFTER 2nd AMENDMENT	
	NO.	DEC.	NO.	DEC.	NO.	DEC.
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TOTAL NO.	3					
TOTAL DEC.	38					
TOTAL CLAIMS	41					

	NO.	DEC.	NO.	DEC.	NO.	DEC.
51						
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98						
99						
100						
TOTAL NO.						
TOTAL DEC.						
TOTAL CLAIMS						

MAY BE USED FOR ADDITIONAL CLAIMS OR AMENDMENTS

47

FORM PTO-0022 (1-00)

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

U.S. Government Printing Office: 1999 / O-214-70333

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 8, 2004

11/102229

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	41	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	41 minus 20 =	21
INDEPENDENT CLAIMS	3 minus 3 =	0
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	150.00
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	FEE
BASIC FEE	300.00
X\$50=	1050.00
X200=	
+360=	
TOTAL	1350.00

pd,  
1050.00 pd,

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

## CLAIMS AS AMENDED - PART II

1-7-05

	(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
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Independent	3	3	0
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SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
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X100=	
+180=	
TOTAL	

RATE	ADDITIONAL FEE
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X200=	
+360=	
TOTAL	

pd,

1-30-06

	(Column 1)	(Column 2)	(Column 3)
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X100=	
+180=	
TOTAL	

RATE	ADDITIONAL FEE
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X200=	800
+360=	
TOTAL	

300

	(Column 1)	(Column 2)	(Column 3)
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			
Independent			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

RATE	ADDITIONAL FEE
X\$ 25=	
X100=	
+180=	
TOTAL	

RATE	ADDITIONAL FEE
X\$50=	
X200=	
+360=	
TOTAL	

\* 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.



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APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
11/102,229		2623	2821

## Correspondence Address / Fee Address Change

The following fields have been set to Customer Number 23535 on 03/12/2007

- Correspondence Address
- Maintenance Fee Address

**The address of record for Customer Number 23535 is:**

MEDLEN & CARROLL, LLP  
101 HOWARD STREET  
SUITE 350  
SAN FRANCISCO, CA 94105



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/102,229	04/07/2005	Simon Nicholas Richmond	SPRUSON-09809	6454
23535 7590 03/17/2008 MEDLEN & CARROLL, LLP 101 HOWARD STREET SUITE 350 SAN FRANCISCO, CA 94105			EXAMINER A, MINH D	
			ART UNIT 2821	PAPER NUMBER
			MAIL DATE 03/17/2008	DELIVERY MODE 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.

<b>Office Action Summary</b>	<b>Application No.</b> 11/102,229	<b>Applicant(s)</b> RICHMOND, SIMON NICHOLAS	
	<b>Examiner</b> MINH D. A	<b>Art Unit</b> 2821	

**-- 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 \_\_\_\_.
- 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) 30-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30-41 and 59-72 is/are allowed.
- 6) ☒ Claim(s) 42-58 and 73-76 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_ 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:
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)).

\* 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)<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 type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |



### ***DETAILED ACTION***

This is a response to the Applicants' filing on 4/7/05. In virtue of this filing, claims 30-76 are currently presented in the instant application.

### ***Double Patenting***

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claim 42 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of (U.S. Patent No. 7, 196, 477) in view of Frost et al (U.S Patent No. 6,384,570).

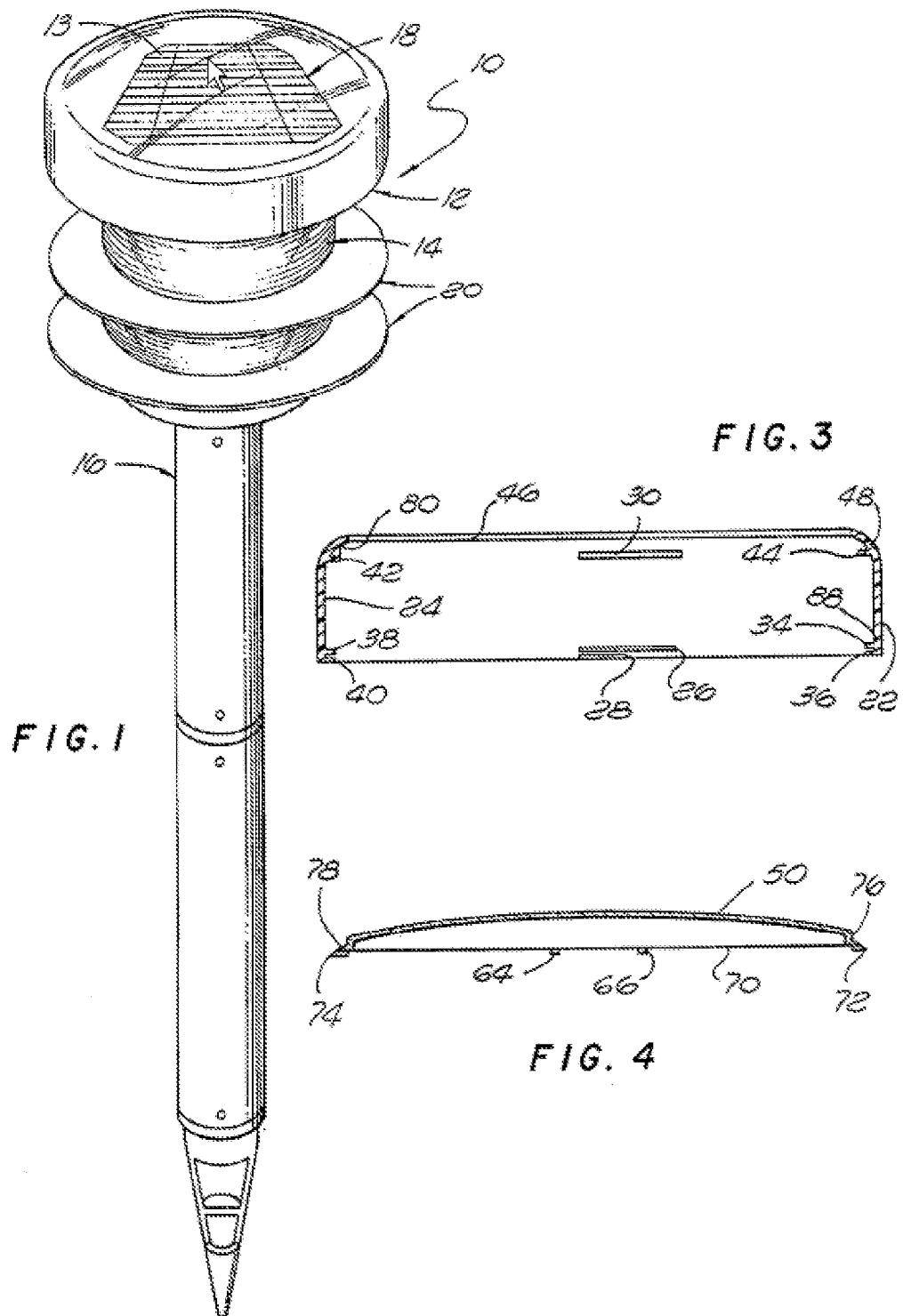
Regarding claim 42, claim 1 of Patent No 7, 196, 477) discloses that, a lighting device to produce light of varying colour, the device including: a body; a lens mounted on the body and generally enclosing a chamber; a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being

Art Unit: 2821

mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and operatively associated with the connections to charge the battery, and a user operated switch operable to control delivery of electric power from the battery to operate said lamps to vary the said colour, the switch being exposed to provide for access thereto by a user thereby enabling a user to manipulate the switch to control the delivery of electric power from the battery.

Patent No 7, 196, 477) does not teach that, a solar cell mounted on a surface of the assembly so as to be exposed to light.

Frost et al discloses a solar array (13) and solar assembly (18) as show on figure 1 below and col.4, lines 36-63.



It would have been obvious to one having ordinary skill in the art to employ the solar array cell (13) disclosed in Reference of Frost et al in the solar lamp of the Reference of Patent to achieve the claimed invention, As disclosed in the Reference of Frost et al, the motivation for combination would be provided the current/voltage for the electrical storage device or rechargeable device and would be offered the major cost benefits.

Regarding claim 43 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 2 of patent discloses all limitations.

Regarding claim 44 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 9 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 9 of patent discloses all limitations.

Regarding claim 45 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 10 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 10 of patent discloses all limitations.

Regarding claim 46 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 9-10 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claims 9-10 of patent discloses all limitations.

Regarding claim 47 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 11 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claim 11 of patent discloses all limitations.

Regarding claim 48 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 16 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claim 16 of patent discloses all limitations.

Regarding claim 49, claims 1 and 12 of Patent No 7, 196, 477) discloses that, a lighting device to produce light of varying colour, said device including: a lens mounted generally enclosing a chamber; a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on a surface of the assembly so as to be exposed to light and operatively associated with the connections to charge the battery, and a user

operated switch located outside said chamber and operable to control said circuit so that said lamps produce a fixed colour.

Patent No 7, 196, 477) does not teach that, a solar cell mounted on a surface of the assembly so as to be exposed to light.

Frost et al discloses a solar array (13) and solar assembly (18) as show on figure 1 above and col.4, lines 36-63.

It would have been obvious to one having ordinary skill in the art to employ the solar array cell (13) disclosed in Reference of Frost et al in the solar lamp of the Reference of Patent to achieve the claimed invention, As disclosed in the Reference of Frost et al, the motivation for combination would be provided the current/voltage for the electrical storage device or rechargeable device and would be offered the major cost benefits.

Regarding claim 50 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 2 of patent discloses all limitations.

Regarding claim 51 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 9-10 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 9-10 of patent discloses all limitations.

Regarding claim 52 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 9-10 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claims 9-10 of patent discloses all limitations.

Regarding claim 53 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 11 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claim 11 of patent discloses all limitations.

Regarding claim 54, claims 1 and 12 of Patent No 7, 196, 477) discloses that, a lighting device to produce light of varying colour, said device including: a body; a first lens mounted on the body and generally enclosing a chamber; a second lens mounted on the body and generally enclosing a cavity; a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber via said cavity, connections for at least one rechargeable battery to power the circuit and a solar cell mounted on a surface of the assembly so as to be exposed to light and operatively associated with the connections to charge the battery, and a user operated switch operable to control said circuit so that said lamps produce a fixed colour, and wherein the light produced by said lamp is diffused by said second lens and then said first lens.

Patent No 7, 196, 477) does not teach that, a solar cell mounted on a surface of the assembly so as to be exposed to light.

Frost et al discloses a solar array (13) and solar assembly (18) as show on figure 1 above and col.4, lines 36-63.

It would have been obvious to one having ordinary skill in the art to employ the solar array cell disclosed in Reference of Frost et al in the solar lamp of the Reference of Patent to achieve the claimed invention, As disclosed in the Reference of Frost et al, the motivation for combination would be provided the current/voltage for the electrical storage device or rechargeable device and would be offered the major cost benefits.

Regarding claim 55 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 2 of patent discloses all limitations.

Regarding claim 56 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 9 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patent able merit since, claim 9 of patent discloses all limitations.

Regarding claim 57 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 9-10 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from



each other because this difference is not of patentable merit since, claim 9-10 of patent discloses all limitations.

Regarding claim 58 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 2 of U.S. Patent No. 7,196,477.

Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claim 11 of patent discloses all limitations.

Regarding claim 73, claims 1 and 12 of Patent No 7, 196, 477) discloses that, a lighting device to produce light of varying colour, said device including: a first lens mounted generally enclosing a chamber; a second lens generally enclosing a cavity; and a circuit having at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber via said cavity, connections for at least one rechargeable battery to power the circuit and and operatively associated with the connections to charge the battery, and wherein the light produced by said lamps is diffused by said second lens and then said first lens.

Patent No 7, 196, 477) does not teach that, a solar cell mounted on a surface of the assembly so as to be exposed to light.

Frost et al discloses a solar array (13) and solar assembly (18) as show on figure 1 above and col.4, lines 36-63.

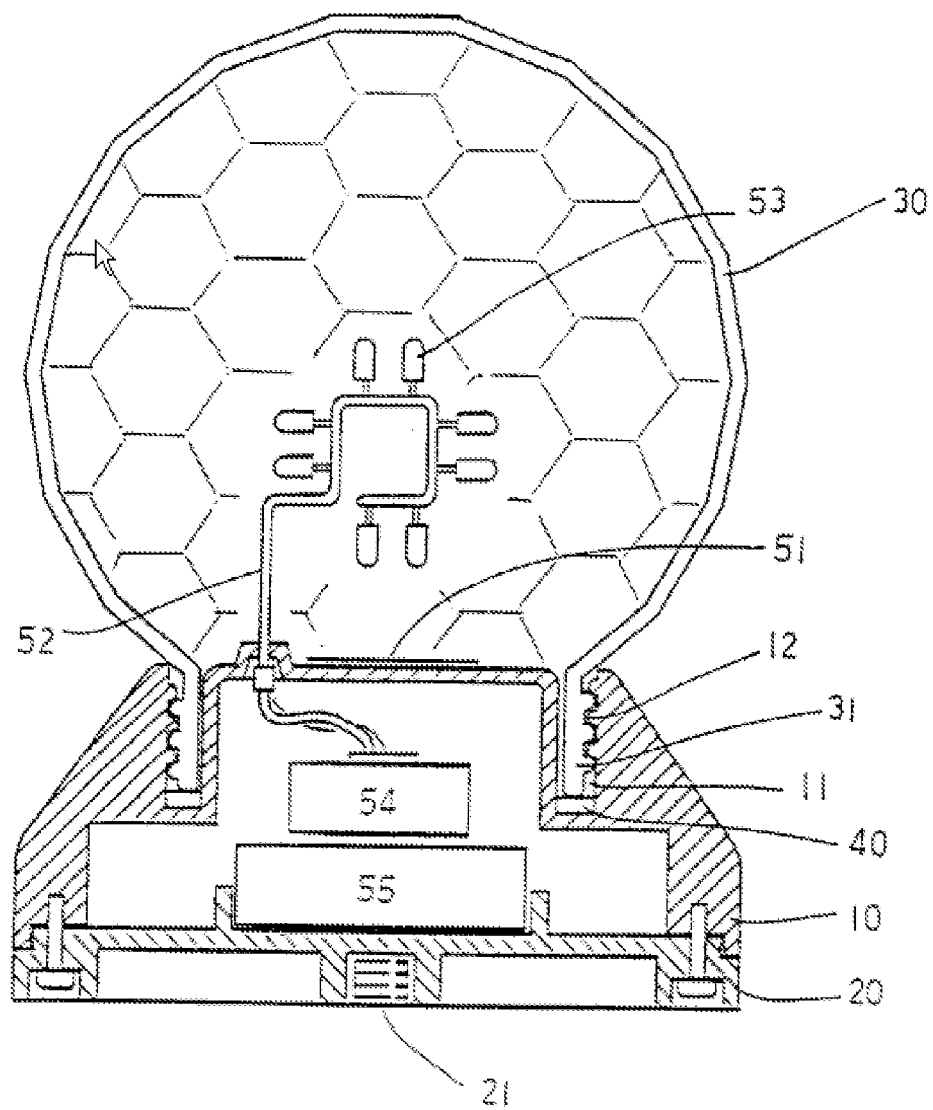
It would have been obvious to one having ordinary skill in the art to employ the solar array cell disclosed in Reference of Frost et al in the solar lamp of the Reference of Patent to achieve the claimed invention, As disclosed in the Reference of Frost et al,

the motivation for combination would be provided the current/voltage for the electrical storage device or rechargeable device and would be offered the major cost benefits.

Regarding claim 74 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 5 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claim 5 of patent discloses all limitations.

Regarding claim 75 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 5 of U.S. Patent No. 7,196,477. Although the conflicting claims are not identical, they are not patentably distinct from each other because this difference is not of patentable merit since, claim 5 of patent discloses all limitations.

2. Claim 76 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 7,196,477 in view of Liao (U.S. Patent No. 6, 517,217).



**FIG. 2**

Regarding claim 76, claim 1 of Patent No, 7, 196,477 obviously discloses all of the claimed inventions of the claims 76, except for wherein the circuit is mounted on the base.

Liao discloses the circuit (54) is mounted on the base (20). See figure 2 above and col.2, lines 55-67.

It would have thus been obvious to one having ordinary skill in the art to employ the circuit being mounted on the base disclosed in Reference of Liao in the solar lamp of Patent to achieve the claimed invention. As disclosed in Reference of Liao, the motivation for the combination would be converted the radiant energy of sunlight into electric power for rechargeable battery and turn on the light when dark.

***Allowable Subject Matter***

3. Claims 30-41 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Prior art does not teach that, a circuit having at least one lamp to produce a light, the lamp being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the battery, and a primary switch operable to control to operate said circuit; a battery compartment including a cavity to receive said battery and having said contacts; a closure member attached to said compartment but movable relative

thereto to expose said cavity to provide for insertion of said battery; and wherein said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch recited in independent claim 30.

Prior art does not teach that, a volatile memory retained for a period of time and associated with said integrated circuit, said memory causing operation of said circuit to produce said desired fixed colour in combination with all limitations recited in independent claims 59 and 70.

The remaining dependent claims 31-41, 60-69 and 71-72 are allowable for at least above reason.

#### ***Citation of relevant prior art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Prior art Zhang et al (U.S. Patent No. 6,693,944) discloses a light filter and controls.

Prior art Kashima et al (U.S. Patent No. 4,240,021) discloses a solar cell battery charging control system.

Prior art Wang (U.S. Patent No. 6,784,357) discloses a solar energy operated street lamp system.

#### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 AM-2:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Owens Douglas W can be reached on (571) 272-1662. 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).

Examiner  
Minh A  
Art Unit 2821  
2/29/08

/Douglas W Owens/  
Supervisory Patent Examiner, Art Unit 2821  
March 3, 2008



<b>Notice of References Cited</b>	Application/Control No. 11/102,229	Applicant(s)/Patent Under Reexamination RICHMOND, SIMON NICHOLAS	
	Examiner MINH D. A	Art Unit 2821	Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-7,196,477	03-2007	Richmond, Simon Nicholas	315/149
*	B	US-6,517,217	02-2003	Liao, Fu-Tie	362/235
*	C	US-4,240,021	12-1980	Kashima et al.	320/101
*	D	US-3,757,511	09-1973	Burgess et al.	368/83
*	E	US-6,528,782	03-2003	Zhang et al.	250/226
	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.



## EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	127	"6459919"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 20:30
L2	7	"6608458"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 20:30
L3	232	"6150774"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 20:30
L4	354	"6016038"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 20:31
L5	1688	(solar near4 cell or solar near4 lamp or soloar near4 light) and (battery or recharg\$3 near4 battery) and (switch\$3 with (user or interface))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:28
L6	645	l5 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:30
L7	610879	(solar near4 lamp or soloar near4 light) and (battery or recharg\$3 near4 battery) same (cavity or chamber or enclous\$3 or tube) abd switch\$3 and user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:48
L8	611229	(solar near4 lamp or solar near4 light) and (battery or recharg\$3 near4 battery) same (cavity or chamber or enclous\$3 or tube) abd switch\$3 and user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:48


L9	130	(solar near4 lamp or solar near4 light) and (battery or recharg\$3 near4 battery) same (cavity or chamber or enclos\$3 or tube) and switch\$3 and user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:49
L10	45	l9 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:49
L11	22496	solar near4 (lamp or light or LED or light near4 source)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:54
L12	405	l11 and (battery or recharg \$3 near4 battery) and (switch\$3 with (user or interface))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:54
L13	189	l12 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 21:54
L14	2	"7196477"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:07
L15	501	solar near lamp	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:19
L16	0	l15 and switch43 and solar	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:38
L17	106	l15 and switch\$3	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:38
L18	17	l17 and user	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:38

L19	321023	l8 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:44
L20	2060	315/149-153.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:44
L21	147	l19 and l20	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:44
L22	369	315/153-154.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:45
L23	2234	362/800.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:45
L24	1022	362/802.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:45
L25	1109	362/276.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:45
L26	879	362/183.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:45
L27	259	362/194.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:46
L28	3354	362/249-252.ccls.	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:46

L29	147	I19 and I21	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:46
L30	28	I19 and I22	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:46
L31	237	I19 and I23	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:46
L32	219	I19 and I24	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:47
L33	170	I19 and I25	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:47
L34	206	I19 and I26	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:47
L35	37	I19 and I27	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:47
L36	209	I19 and I28	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 22:47
L37	2	"20060109647"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 23:31
L38	2	("2006/0109647").URPN.	USPAT	OR	ON	2008/02/22 23:31
L39	0	("7314287").URPN.	USPAT	OR	ON	2008/02/22 23:31
L40	207	User with switch\$3 and solar near4 (lamp or light or IED or light near4 source)	USPAT	OR	ON	2008/02/22 23:33

L41	84	l4 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 23:33
L42	249	(person or people or human or user) with switch\$3 and solar near4 (lamp or light or IED or light near4 source)	USPAT	OR	ON	2008/02/22 23:40
L43	177	l42 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/02/22 23:40

2/ 22/ 08 11:45:51 PM

<b><i>Application Number</i></b> 	<b>Application/Control No.</b> 11/102,229	<b>Applicant(s)/Patent under Reexamination</b> RICHMOND, SIMON NICHOLAS	
	<b>Examiner</b> MINH D. A	<b>Art Unit</b> 2821	

# Index of Claims



Application/Control No.

11/102,229

Examiner

MINH D. A

Applicant(s)/Patent under Reexamination

RICHMOND, SIMON NICHOLAS

Art Unit

2821

✓	Rejected
=	Allowed

—	(Through numeral) Cancelled
÷	Restricted

N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claim		Date									
Final	Original	2/29/08									
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**Search Notes**

Application/Control No.

11/102,229

Applicant(s)/Patent under  
ReexaminationRICHMOND, SIMON  
NICHOLAS

Examiner

MINH D. A

Art Unit

2821

**SEARCHED**

Class	Subclass	Date	Examiner
315	149	2/22/2008	MA
	150		
	151		
	152		
	153		
	154		
362	800	2/22/2008	MA
	276		
	183		
	194		
	249-252		

**INTERFERENCE SEARCHED**

Class	Subclass	Date	Examiner

**SEARCH NOTES  
(INCLUDING SEARCH STRATEGY)**

	DATE	EXMR
EAST	2/22/2008	MA





*Application No. 11/102,229*  
Attorney Docket No. SNR-09809

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Simon Nicholas Richmond

Serial No.: 11/102,229

Group No.: 2821

Filed: 04/07/2005

Examiner: A., Minh D.

Entitled: **A Solar Powered Light Assembly To Produce Light Of Varying Colours**

## **AMENDMENT AND RESPONSE TO OFFICE ACTION MAILED MARCH 17, 2008**

### **MS Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

#### **CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being facsimile transmitted to the USPTO or is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 9, 2008

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

*Chiff Cannon-Cin*  
Chiff Cannon-Cin

Dear Examiner:

This communication is responsive to the Office Action mailed March 17, 2008, having a deadline for reply of June 17, 2008. Applicant respectfully requests reconsideration of the application in view of the amendments, remarks and arguments provided herein.

**AMENDMENTS TO THE SPECIFICATION**

Please replace the paragraph beginning on page 1, line 3, as follows:

This application is a Continuation-In-Part of U.S. Patent Application No. 10/789,488, filed on February 26, 2004, now U.S. Patent No. 7,196,477, which claims priority to Australian Patent Application No. 2003271383, filed on December 23, 2003.

Please replace the paragraph beginning on page 6, line 6, as follows:

The base 26 has radially inward projecting flange segments 36 that engage with radially outward extending flange segments 37 of the rim 22 to be secured thereto. By angular movement of the cap assembly 24 about the axis 35, the segments 36 and 37 engage or disengage to secure or to release the assembly 24 with respect to the lens 15. As can be noted from Figure 5, the flange ~~segments 27~~ segments 37 have end abutment portions 38 against which these segments 36 engage when the assembly 24 is secured to the lens 15.

Please replace the paragraph beginning on page 6, line 12, as follows:

~~Mounted~~ As can be noted from Figure 6, mounted on the under surface of the base 26 is a second lens 38. Accordingly, the LEDs 34 when activated have their light preferably diffused by the lens 38 and then further diffused by the lens 15. This in particular aids in producing a more evenly coloured light when the LEDs 34 are activated.

Please replace the paragraph beginning on page 11, line 8, as follows:

Flanges 108 extend from the socket 107 and are fixed to an upper ~~flange 115~~ flange 120 of the closure member 109 to reinforce the socket 107.

**AMENDMENTS TO THE DRAWINGS**

The attached sheet of drawings includes changes to Figures 12 and 13, and replaces the original sheet including Figures 11-13. In original Figures 12 and 13, the upper flange 120 was erroneously labeled 115, which is the label correctly associated with the translucent diffuser.

Attachment: Replacement Sheet

**AMENDMENTS TO THE CLAIMS**

1-29. (canceled)

30. (currently amended) A lighting device to produce light, said device including:

a base;

a lens mounted on the base and generally enclosing a chamber;

a circuit having at least one lamp to produce a light, the lamp being mounted to direct light into said chamber, connections for at least one rechargeable battery to power the circuit and a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the battery, and a primary switch operable to control ~~to operate~~ said circuit;

a battery compartment including a cavity to receive said battery and having said ~~contacts~~ connections;

a closure member attached to said compartment but movable relative thereto to expose said cavity to provide for insertion of said battery; and wherein

said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch.

31. (currently amended) The lighting device of claim 30, wherein said device has at least two lamps to produce light of a desired colour including a varying colour.

32. (original) The lighting device of claim 31 wherein, said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

33. (original) The lighting device of claim 31 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

34. (original) The lighting device of claim 31 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said switch being connected to said integrated circuit and operable to select said desired fixed colour.

35. (currently amended) The device of claim 31 wherein, said circuit includes a sub-circuit, said switch is a first switch with said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and wherein said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

36. (original) The lighting device of claim 32 wherein, said circuit includes a light sub-circuit connected to the lamps to deliver electric power thereto so that the lamps produce said desired colour, with said primary switch being an on/off switch to deliver electric power from the batteries to said sub-circuit.

37. (original) The lighting device of claim 36 wherein, said circuit includes a light sub-circuit having an integrated circuit operable to select a desired fixed colour, with said integrated circuit being connected to a sub-circuit switch, the sub-circuit switch being operable to select said desired fixed colour.

38. (currently amended) The device of claim 32 wherein, said circuit includes a sub-circuit, said primary switch is a first switch with said first switch being an on/off switch to deliver electric power from the battery to said sub-circuit, and wherein said sub-circuit includes an integrated circuit and a second switch connected to said integrated circuit, the second switch being operable to select a desired fixed colour and exposed to provide for access thereto by a user.

39. (original) The device of claim 38 wherein, said second switch is exposed to said chamber.

40. (currently amended) The lighting device of claim 39 wherein, said lens is fixed to said battery compartment and said battery compartment threadably engages said closure member so that relative rotation between the closure member and said compartment moves said closure member between an open position exposing said cavity and a closed position closing said cavity.

41. (original) The device of claim 40, wherein said closure member includes a socket, and said device includes a spike engaged in said socket and projecting therefrom to provide for the spike to be inserted in a ground surface so that the device is supported thereby.

42-58. (canceled)

59. (previously presented) A lighting device to produce light of varying colour, said device comprising:

- a lens generally enclosing a chamber;

- a circuit including:

- at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber;

- connections for at least one rechargeable battery to power the circuit;

- a solar cell mounted on a surface so as to be exposed to light and operatively associated with the connections to charge the battery;

- a light sub-circuit having an integrated circuit for controlling said lamps, and a selection switch, said selection switch being connected to said integrated circuit and operable to select a desired fixed colour; and

- a volatile memory retained for a period of time and associated with said integrated circuit, said memory causing operation of said circuit to produce said desired fixed colour.

60. (previously presented) The device according to claim 59, wherein said memory is a switch.

61. (previously presented) The device according to claim 59, wherein said memory forms a portion of said integrated circuit.

62. (previously presented) The device according to claim 59, wherein said light sub-circuit is connected to said lamps to deliver electric power thereto, so that the lamps produce said desired colour.

63. (previously presented) The device according to claim 59, further comprising an on/off switch operable to control delivery of electric power from said battery to the sub-circuit.

64. (previously presented) The device according to claim 59, wherein said circuit includes a light sensitive switch that renders the circuit operative at low light levels.

65. (previously presented) The device according to claim 59, further comprising: a voltage cut-off sub-circuit, wherein said cut-off sub-circuit interrupts delivery of power to said lamps, upon a voltage in said cut-off sub-circuit reaching a predetermined threshold.

66. (previously presented) The device according to claim 65, wherein said voltage cut-off sub-circuit forms a portion of said integrated circuit.

67. (previously presented) The device according to claim 65, wherein said circuit further comprises: a capacitor, wherein said capacitor is arranged to store charge when an output voltage of said battery is greater than a stored charge on said capacitor and discharge charge when said output voltage of said battery is lower than said stored charge.

68. (previously presented) The device according to claim 67, wherein said voltage cut-off sub-circuit prevents said capacitor from discharging further stored charge, upon a voltage in said cut-off sub-circuit reaching a predetermined threshold, such that a retained stored charge on said capacitor provides sufficient voltage to said memory to retain the selected desired colour for a period of time.

69. (previously presented) The device according to claim 68, wherein said retained stored charge is substantially zero volts.

70. (previously presented) A lighting device to produce light of varying colour, said device comprising:

- a lens generally enclosing a chamber;

- a circuit including:

- at least two lamps of different colours to produce a desired colour, the lamps being mounted to direct light into said chamber;

- connections for at least one rechargeable battery to power the circuit;

- a solar cell mounted on a surface so as to be exposed to light and operatively associated with the connections to charge the battery;

- a light sub-circuit having an integrated circuit for controlling said lamps to produce lighting effects, and a selection switch, said selection switch being connected to said integrated circuit and operable to select a desired lighting effect; and

- a volatile memory retained for a period of time and associated with said integrated circuit, said memory causing operation of said circuit to produce said lighting effects.

71. (previously presented) The device according to claim 70, wherein said lighting effect is selected from the group of lighting effects consisting of: a specific colour changing effect, a colour brightness effect, a colour changing frequency effect, a colour changing sequence effect, and a colour light intensity effect.

72. (previously presented) The device according to claim 70, wherein said desired colour includes a varying colour.

73-76. (canceled)



77. (new) A lighting device to produce light of varying colour, said device including:  
a lens;

a circuit having

at least two lamps of different colours to produce a varying colour, said lamps  
being mounted to direct light through said lens,

connections for at least one rechargeable battery to power said circuit,

a solar cell mounted so as to be exposed to light and operatively associated with  
said connections to charge said battery, and

a user operated switch operable to control said circuit, with said switch being  
accessible by a user thereby enabling said user to manipulate said switch to control  
delivery of power to said lamps; and

a spike for positioning said connections above a ground surface.

78. (new) The lighting device of claim 77, wherein said circuit includes a light sub-circuit  
connected to said lamps to deliver power thereto so that said lamps produce a desired color, with  
said switch controlling said sub-circuit.

79. (new) The lighting device of claim 77, wherein said circuit includes a light sub-circuit  
connected to said lamps to deliver power thereto so that said lamps produce light, with said  
switch being an on/off switch to deliver power from said battery to said sub-circuit.

80. (new) The lighting device of claim 77, wherein any one of said at least two lamps is a  
single diode that emits light when energized, and wherein said at least two lamps are at least  
three lamps comprising a diode that emits red light, a diode that emits blue light and a diode that  
emits green light.

81. (new) The lighting device of claim 77, wherein said circuit includes a light sub-circuit  
connected to said lamps to deliver power thereto, wherein said light sub-circuit varies said power  
to each of said lamps so as to vary both intensity of light emitted and frequency of changes to  
said intensity to produce a continuous color changing cycle.

82. (new) A lighting device to produce light of varying color, said device including:

a lens;

a circuit having

at least two lamps of different colors mounted to direct light through said lens,

an activation sub-circuit to provide power to said lamps only at low light levels,

and

a light sub-circuit to independently control delivery of power to each of said lamps so as to vary intensity of light emitted over time to produce a continuous color changing cycle,

connections for at least one rechargeable battery to power said circuit, and

at least one solar cell mounted so as to be exposed to light and operatively associated with said connections to charge said battery; and

a spike for positioning said connections above a ground surface.

83. (new) The lighting device of claim 82, further comprising at least one user operated switch operable to control said circuit, with said switch being accessible by said user thereby enabling said user to manipulate said switch to control delivery of power to said lamps.

84. (new) The lighting device of claim 82, wherein said light sub-circuit further independently controls delivery of power to each of said lamps so as to vary frequency of changes to said intensity.

85. (new) A lighting device to produce light of varying color, said device including:

a body including a post;

a lens connected to said body;

a circuit having:

a plurality of lamps of different colors to produce a varying color, said lamps being mounted to direct light through said lens,

connections for at least one rechargeable battery to power said circuit,

a solar cell mounted so as to be exposed to light and operatively associated with said connections to charge said battery, and

at least one user operated switch operable to control said circuit, with said switch being accessible by a user thereby enabling said user to manipulate said switch to control delivery of power to said lamps.

**REMARKS**

Claims 30-76 were examined. In the instant Office Action the Examiner has raised several new issues, which are set forth below in the order they are herein addressed:

- 1) Claims 42-58 stand rejected on the ground of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims of U.S. Patent No. 7,196,477 to Richmond ('477 Patent) in view of U.S. Patent No. 6,384,570 to Frost et al. ('570 Patent); and
- 2) Claims 73-76 stand rejected on the ground of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims of U.S. Patent No. 7,196,477 to Richmond ('477 Patent) in view of U.S. Patent No. 6,384,570 to Frost et al. ('570 Patent); in further view of U.S. Patent No. 6,517,217 to Liao ('217 Patent).

Applicant thanks the Examiner for indicating that Claims 30-41 and 59-72 are allowed. Applicant respectfully requests consideration of the Information Disclosure Statement submitted herewith, before the mailing of a further office communication.

Applicant hereby amends Claims 30, 31, 35, 38 and 40, cancels Claims 42-58 and 73-76, and introduces new Claims 77-85, in order to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s). The amendments to the claims improve the clarity of the claims and include replacement of the term "contacts" with the term "connections" in line 9 of Claim 30. Antecedent basis for the term "connections" is provided in line 5 of Claim 30. Likewise support for new Claims 77-79, 82, 83 and 85 can be found but is not limited to Claims 42, 44 and 48 now canceled. Further support for the spike element of the new claims can be found in Figure 2 as well as the Description, which teaches that the spike positions the post (and all device elements over the post) "above the ground surface" (See, e.g., Figure 2 and Specification, page 5, lines 19-20). Moreover support for the new Claim 80 can be found but is not limited to the Description, which teaches that in an exemplary embodiment "the first LED 34A is blue, the second LED 34B is green and the third LED 34C is red" (See, e.g., Specification, page 8, lines 20-26). In

addition support for elements of new Claims 81 82 and 84 can be found but is not limited to the Description, which teaches that in one embodiment:

the switches 69,70, 71 determine the frequency of a colour changing effect. In a further embodiment, the switches 69,70, 71 determine the intensity of light emitted by each of the LEDs 34A, 34B, and 34C. Various combinations of the frequency and intensity of light are also possible (Specification, page 8, lines 11-14).

Further support is provided by the teaching that in some embodiments an

integrated circuit 61 controls each of the first, second and third LEDs 34A, 34B, and 34C to produce a changing light effect for the light device 10. The integrated circuit varies the frequency and intensity of light emitted by the LEDs 34A, 34B, and 34C to produce a constantly changing kaleidoscopic effect. The light device 10 displays a constantly changing lighting effect that cycles through the light spectrum by ramping up and ramping down the intensity of light displayed by the LEDs 34A, 34B, and 34C (Specification, page 9, lines 3-8).

Lastly, Applicant hereby amends the Specification to update the priority claim and to correct various inadvertent clerical errors in the numbering of elements of the drawings. In addition, Applicant hereby provides a replacement sheet of drawings containing Figures 11-13. In particular, Applicant hereby amends the Specification and Figures 12 and 13 to distinguish the translucent diffuser 115 from the upper flange 120 (previously also labeled 115). Support for these amendments can be found in Figures 5, 6, 12 and 13, and in the description of Figures 11-13. As such the amendments do not introduce new matter.

### **1 & 2) There Is No Double Patenting**

The Examiner has rejected Claims 42-58 on the ground of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims of U.S. Patent No. 7,196,477 to Richmond ('477 Patent) in view of U.S. Patent No. 6,384,570 to Frost et al. ('570 Patent). Likewise, the Examiner has rejected Claims 73-76 on the ground of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims of the '477 Patent in view of the '570 Patent, and in further view of U.S. Patent No. 6,517,217 to Liao ('217 Patent). In making these rejections, the Examiner asserts that the '477 Patent does not teach "a solar cell mounted on a surface of the assembly so as to be exposed to light (Office action, pages 3, 7 and 9).

Applicant respectfully disagrees with this statement and respectfully draws the Examiner's attention to the teaching that in some embodiments "the upper surface of the assembly 27 is provided with the solar cell 30" ('477 Patent, column 3, 36 and 37). Similarly, the Specification teaches that "[w]hen the solar cell 30 is exposed to sufficient light, the solar cell converts some of the solar energy to electrical energy...[and thus,] during the day the solar cell 30 converts energy from the sun to charge the battery 33" ('477 Patent, column 4, lines 11-17). This teaching is further illustrated in Figure 6, showing an exemplary cap assembly containing a solar cell 30.

Even though Applicant respectfully disagrees with these rejections, Applicant hereby cancels Claims 42-58 and 73-76 thereby rendering these rejections moot. However, as new Claims 77-85 may be subjected to a nonstatutory obviousness-type double patenting as allegedly unpatentable over claims of U.S. Patent No. 7,196,477 to Richmond, Applicant hereby files a terminal disclaimer. The terminal disclaimer is filed in order to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s).

### CONCLUSION

Applicant believes the arguments and amendments set forth above traverse the Examiner's rejections and, therefore requests that a timely Notice of Allowance be issued in this case. However, should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect.

Dated: April 9, 2008



Christine A. Lekutis  
Registration No. 51,934

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
415/904-6500

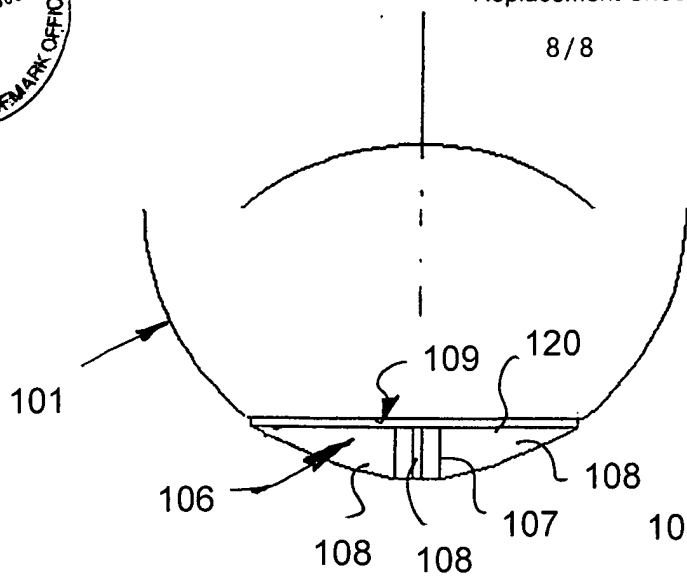


FIG. 12

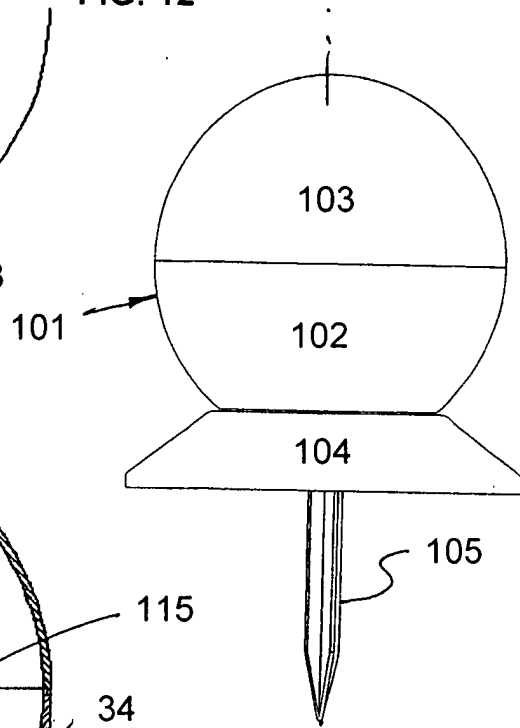


FIG. 11

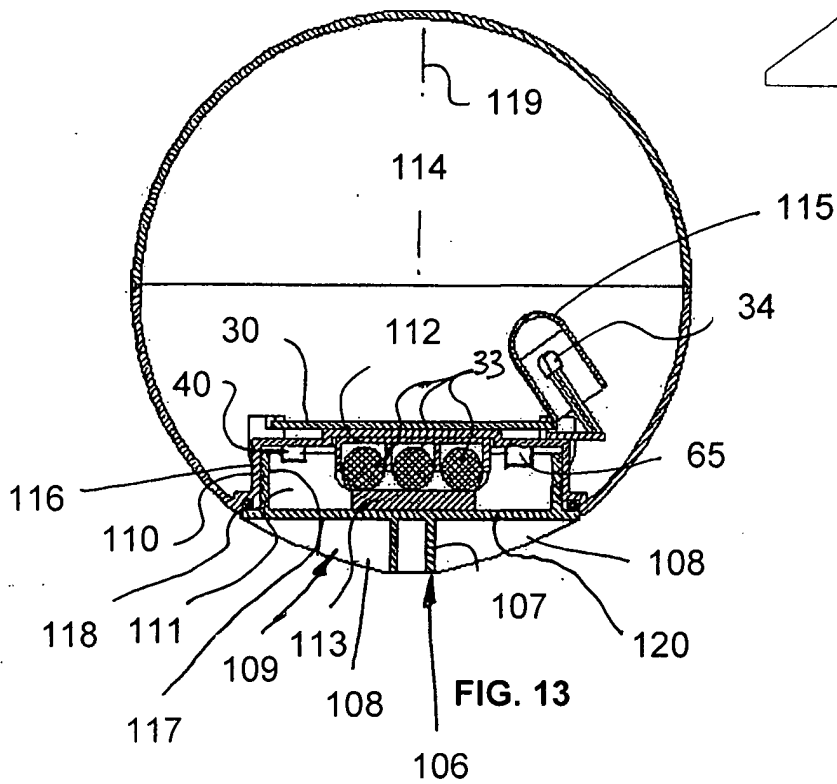
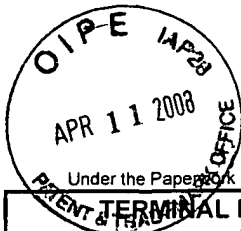


FIG. 13



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.

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
SNR-09809

In re Application of: Simon Nicholas Richmond

Application No.: 11/102,229

Filed: 04/07/2005

For: A Solar Powered Light Assembly To Produce Light Of Varying Colours

The owner\*, Simon Nicholas Richmond, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 7,196,477 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:


- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I 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 Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 51,934

  
Signature

04/09/2008  
Date

04/11/2008 HDESTA1 00000036 11102229

01 FC:2814

65.00 00

Christine A. Lekutis  
Typed or printed name

415/904-6500  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

**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.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. 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.

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





Application No. 11/102,229  
Attorney Docket No. SNR-09809

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Simon Nicholas Richmond

Serial No.: 11/102,229

Group No.: 2821

Filed: 04/07/2005

Examiner: A., Minh D.

Entitled: A Solar Powered Light Assembly To Produce Light Of Varying Colours

## INFORMATION DISCLOSURE STATEMENT

### MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being facsimile transmitted to the USPTO or is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 9, 2008

By: 


Cliff Cannon-Cin

Dear Examiner:

The references listed on the enclosed Form PTO-1449, may be material to the examination of the above-identified application, and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. § 1.56 and § 1.97. The Examiner is requested to make these references of official record in this application.

This Information Disclosure Statement under 37 C.F.R. § 1.56 and § 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art.

Dated: April 9, 2008



Christine A. Lekutis  
Registration No. 51,934

04/11/2008 HDESTA1 00000036 11102229

02 FC:1806

180.00 0P

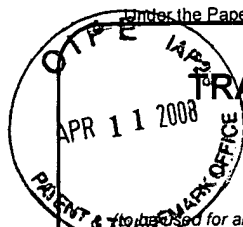
MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
415/904-6500

U.S. PATENT DOCUMENTS							
Examiner Initials	Cite No.	Document / Patent Number	Publication / Issue Date	Applicant / Patentee	Class	Subclass	Filing Date
	1	4,999,060	03/12/1991	Szekely et al.	136	251	08/11/1989
	2	5,062,028	10/29/1991	Frost et al.	362	183	08/11/1989
	3	6,016,038	01/18/2000	Mueller et al.	315	291	08/26/1997
	4	6,120,165	09/19/2000	Shalvi	362	276	06/03/1999
	5	6,150,774	11/21/2000	Mueller et al.	315	291	10/22/1999
	6	6,459,919	10/01/2002	Lys et al.	600	407	12/17/1998
	7	6,528,782	03/04/2003	Zhang et al.	250	226	06/16/2000
	8	6,608,453	08/19/2003	Morgan et al.	315	312	05/30/2001
	9	6,729,742	05/04/2004	Wismeth et al.	362	183	05/10/2002
	10	6,769,907	08/03/2004	Doud	431	350	12/16/2002
	11	6,784,357	08/31/2004	Wang	136	244	02/07/2002
	12	6,881,893	04/19/2005	Cobert	136	246	06/10/2003
	13	7,064,498	06/20/2006	Dowling et al.	315	291	03/13/2001
	14	2003/0137831	07/24/2003	Lin	362	183	01/18/2002
	15	2005/0156103	0721//2005	May et al.	250	228	06/23/2003

[illegible][illegible]

**EXAMINER:** Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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# TRANSMITTAL FORM

Total Number of Pages in This Submission

Total Number of Pages in This Submission

Application Number 11/102,229

Filing Date 04/07/2005

First Named Inventor Simon Nicholas Richmond

Art Unit 2821

Examiner Name A, Minh D

Attorney Docket Number SNR-09809

## ENCLOSURES (Check all that apply)

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

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Medlen &amp; Carroll, LLP

Signature

Printed name

Christine A. Lekutis

Date

April 9, 2008

Reg. No.

51,934

## 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 first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

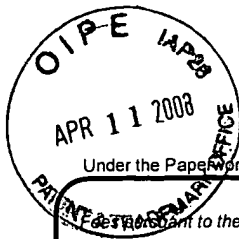
Cliff Cannon-Cin

Date

April 9, 2008

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.



PTO/SB/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032

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

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Effective on 12/08/2004.

For the Patent and Trademark Office to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2008

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 245.00

**Complete if Known**

Application Number	11/102,229
Filing Date	04/07/2005
First Named Inventor	Simon Nicholas Richmond
Examiner Name	A, Minh D
Art Unit	2821
Attorney Docket No.	SNR-09809

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

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****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	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	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)	210	105
Multiple dependent claims	370	185

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 20 or HP =	x	=	

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

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP =	x	=	

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 \$260 (\$130 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).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 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): \$180 IDS fee + \$65 terminal disclaimer fee \$245

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 51,934	Telephone 415/904-6500
Name (Print/Type)	Christine A. Lekutis		Date April 9, 2008

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.

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b> Substitute for Form PTO-875					Application or Docket Number <b>11/102,229</b>		Filing Date <b>04/07/2005</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 (\$)	OR	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	04/11/2008	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	*	35	Minus	** 41	=	0	OR	X \$50=	0	
Independent (37 CFR 1.16(h))	*	6	Minus	*** 7	=	0	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))							OR			
					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 (\$)	OR	RATE (\$)	ADDITIONAL FEE (\$)	
Total (37 CFR 1.16(i))	*		Minus	**	=		OR	X \$ =		
Independent (37 CFR 1.16(h))	*		Minus	***	=		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))							OR			
					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:  
/LINDA WISE/

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.

<b>Application Number</b> 	<b>Application No.</b> 11/102,229	<b>Applicant(s)</b> RICHMOND, SIMON NICHOLAS	
	<b>Terminal Disclaimer Filed:</b> 04/11/08		

<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
<b>Document Code - DISQ</b>	<b>This patent is subject to a Terminal Disclaimer</b>	<b>Reasons:</b>
<b>INTERNAL DOCUMENT – DO NOT MAIL</b>		

U.S. Patent and Trademark Office

### NOTE DISCLAIMER:

The term of this patent shall not extend  
beyond the expiration date of Pat. No. 7,196,477, , , .

☒ **SHARON S. HOPPE**  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800

☐ **RENEE M. PRESTON**  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800

☐ **TREDELLE D. JACKSON**  
PARALEGAL SPECIALIST  
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☐ **NOVA M. CHAPMAN**  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800

☐ **CASSANDRA B. PARIS**  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800



# 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

23535 7590 08/07/2008

MEDLEN & CARROLL, LLP  
101 HOWARD STREET  
SUITE 350  
SAN FRANCISCO, CA 94105

EXAMINER

A, MINH D

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 08/07/2008

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

11/102,229

04/07/2005

Simon Nicholas Richmond

SNR-09809

6454

TITLE OF INVENTION: SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/07/2008

**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)

23535 7590 08/07/2008

MEDLEN & CARROLL, LLP  
 101 HOWARD STREET  
 SUITE 350  
 SAN FRANCISCO, CA 94105

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.
11/102,229	04/07/2005	Simon Nicholas Richmond	SNR-09809	6454

TITLE OF INVENTION: SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/07/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
A, MINH D	2821	315-149000

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.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/102,229	04/07/2005	Simon Nicholas Richmond	SNR-09809	6454
23535	7590	08/07/2008	EXAMINER	
MEDLEN & CARROLL, LLP 101 HOWARD STREET SUITE 350 SAN FRANCISCO, CA 94105			A, MINH D	
			ART UNIT	PAPER NUMBER
			2821	
DATE MAILED: 08/07/2008				

## 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 649 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 649 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>	
	11/102,229	RICHMOND, SIMON NICHOLAS	
	<b>Examiner</b>	<b>Art Unit</b>	
	MINH D. A	2821	

**-- 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 4/11/08.
2. ☒ The allowed claim(s) is/are 30-41, 59-72 and 77-85.
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>4/11/08</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 checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

/David Hung Vu/  
Primary Examiner, Art Unit 2821

***Allowable Subject Matter***

1. Claims 30-41, 59-72, 77-85 are allowed.

The following is an examiner's statement of reasons for allowance:

Prior art does not teach that, a solar cell exposed to said chamber so as to receive light passing through said lens and operatively associated with the connections to charge the batter , a closure member attached to said compartment but movable relative thereto to expose said cavity to provide for insertion of said battery; and wherein said switch is exposed to said cavity so that upon movement of said closure member to expose said cavity, a user has access to said switch to operate the switch in combination with all limitations recited in independent claim 30.

Prior art does not teach that, at least two lamps of different colours to produce a desired colour including a varying colour, the lamps being mounted to direct light into said chamber; connections for at least one rechargeable battery to power the circuit; a solar cell mounted on a surface so as to be exposed to light and operatively associated with the connections to charge the battery in combination with all limitations recited in independent claims 59 and 70.

Prior art does not teach that, circuit having at least two lamps of different colours to produce a varying colour, said lamps being mounted to direct light through said lens, connections for at least one rechargeable battery to power said circuit, a solar cell mounted so as to be exposed to light and operatively associated with said connections to charge said battery and a spike for positioning said connections above a ground surface in combination with all limitations recited in independent claims 77, 82 and 85.

The remaining claims 31-41, 60-69, 71-72, 76, 78-81, 83-84 are allowable for at least above reason.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 AM-2: 45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Owens Douglas W can be reached on (571) 272-1662. 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).

Application/Control Number: 11/102,229  
Art Unit: 2821

Page 4

Examiner Minh A


Art Unit 2821

Date 7/28/08

/David Hung Vu/

Primary Examiner,

Art Unit 2821

<b>Application Number</b> 	<b>Application/Control No.</b> 11/102,229	<b>Applicant(s)/Patent under Reexamination</b> RICHMOND, SIMON NICHOLAS	
	<b>Examiner</b> MINH D. A	<b>Art Unit</b> 2821	

# Index of Claims



Application/Control No.

11/102,229

Examiner

MINH D. A

Applicant(s)/Patent under Reexamination

RICHMOND, SIMON NICHOLAS

Art Unit

2821

✓	Rejected
=	Allowed

—	(Through numeral) Cancelled
÷	Restricted


N	Non-Elected
I	Interference

A	Appeal
O	Objected

Claim		Date									
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<b>Issue Classification</b> 	<b>Application/Control No.</b> 11/102,229	<b>Applicant(s)/Patent under Reexamination</b> RICHMOND, SIMON NICHOLAS
	<b>Examiner</b> MINH D. A	<b>Art Unit</b> 2821

ISSUE CLASSIFICATION														
ORIGINAL						INTERNATIONAL CLASSIFICATION								
CLASS			SUBCLASS			CLAIMED					NON-CLAIMED			
315			149			H	05	B	41	/36				
CROSS REFERENCES									/					
CLASS	SUBCLASS (ONE SUBCLASS PER BLOCK)								/					
315	152					H	05	B	41	/36			/	
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MINH DIEU A 7/28/08 (Assistant Examiner) (Date)						/DAVID HUNG VU/ 8/1/08						Total Claims Allowed: 35		
(Legal Instruments Examiner) (Date)						(Primary Examiner) (Date)						O.G. Print Claim(s) 30		
												O.G. Print Fig. 9&13		

<input type="checkbox"/> Claims renumbered in the same order as presented by applicant										<input type="checkbox"/> CPA				<input checked="" type="checkbox"/> T.D.				<input type="checkbox"/> R.1.47			
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	29		13	59			89			119			149			179			209		
1	30		14	60			90			120			150			180			210		





**Search Notes**

Application/Control No.

11/102,229

Applicant(s)/Patent under  
ReexaminationRICHMOND, SIMON  
NICHOLAS

Examiner

MINH D. A

Art Unit

2821

**SEARCHED**

Class	Subclass	Date	Examiner
315	149-152	2/22/2008	MA
	153		
	154		
362	800	2/22/2008	MA
	276		
	183		
	194		
	249-252		

**INTERFERENCE SEARCHED**

Class	Subclass	Date	Examiner
<b>315</b>	<b>149</b>	7/28/2008	<b>MA</b>
315	152	7/28/2008	MA

**SEARCH NOTES  
(INCLUDING SEARCH STRATEGY)**

	DATE	EXMR
EAST	2/22/2008	MA
EAST	7/17/2008	MA
EAST	7/27/08	MA
EAST	7/28/08	MA
EAST "PGPUB TEXT SEARCH" SEE INTERFERENCE PRINTOUT	7/28/2008	MA

## EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	6	(solar near3 cell) with (battery or recharg\$3 near4 battery) and lens and switch\$3 with cavity and (user or person or humman).clm.	US-PGPUB	OR	ON	2008/07/28 11:00
L4	1	((solar near3 cell) and (battery or recharg\$3 near4 battery) and lens and (color\$1 or colour\$1) and (IC or integrated near4 circuit) and memory).clm.	US-PGPUB	OR	ON	2008/07/28 11:03
L5	2	((solar near3 cell) with (battery or recharg\$3 near4 battery) and lens and (color\$1 or colour\$1) and (spike) and (user or person)).clm.	US-PGPUB	OR	ON	2008/07/28 11:05

7/ 28/ 08 11:06:10 AM



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## BIB DATA SHEET

CONFIRMATION NO. 6454

<b>SERIAL NUMBER</b> 11/102,229	<b>FILING or 371(c) DATE</b> 04/07/2005 <b>RULE</b>	<b>CLASS</b> 348	<b>GROUP ART UNIT</b> 2821	<b>ATTORNEY DOCKET NO.</b> SNR-09809		
<b>APPLICANTS</b> Simon Nicholas Richmond, Princeton, NJ; <b>** CONTINUING DATA *****</b> YES MA ***** This application is a CIP of 10/789,488 02/26/2004 PAT 7,196,477 <b>** FOREIGN APPLICATIONS *****</b> YES MA ***** AUSTRALIA 2003271383 12/23/2003 <b>** IF REQUIRED, FOREIGN FILING LICENSE GRANTED **</b> 05/10/2005						
Foreign Priority claimed <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 35 USC 119(a-d) conditions met <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Verified and Acknowledged / MINH A / Examiner's Signature		<input checked="" type="checkbox"/> Met after Allowance MA Initials	<b>STATE OR COUNTRY</b> NJ	<b>SHEETS DRAWINGS</b> 8	<b>TOTAL CLAIMS</b> 35	<b>INDEPENDENT CLAIMS</b> 6
<b>ADDRESS</b> MEDLEN & CARROLL, LLP 101 HOWARD STREET SUITE 350 SAN FRANCISCO, CA 94105 UNITED STATES						
<b>TITLE</b> Solar powered light assembly to produce light of varying colours						
<b>FILING FEE RECEIVED</b> 3280	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			

## EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
S1	42176	(solar near4 (lamp or light) or garden near4 light or exterior near4 (lamp or light))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:28
S2	31643	S1 and (solar lamp or solar near4 cell)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:29
S4	3041	S2 and ( switch\$3 and color \$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:29
S5	1856	S4 and (battery or DC )	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:30
S6	4075037	(user or person or human)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:30
S7	1403	S5 and S6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:31
S8	572	S7 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:32

7/ 14/ 08 2:40:03 PM

## EAST Search History

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	Time Stamp
L1	2496	(solar near3 light or solar near4 lamp or solar near4 cell) with (battery or recharg \$3 near4 battery) and (color \$1 or colour\$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 08:52
L2	144	"6459919"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:22
L3	395	"6016038"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:23
L4	144	"6459919"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:24
L5	7	"6608458"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:25
L6	263	"6150774"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:26
L7	263	"6150774"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:26
L8	5	(solar near3 light or solar near4 lamp or solar near4 cell) with (battery or recharg \$3 near4 battery) and (color \$1 or colour\$1) and l2	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/28 09:56
S1	42176	(solar near4 (lamp or light) or garden near4 light or exterior near4 (lamp or light))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:28

S2	31643	S1 and (solar lamp or solar near4 cell)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:29
S4	3041	S2 and ( switch\$3 and color \$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:29
S5	1856	S4 and (battery or DC )	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:30
S6	4075037	(user or person or human)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:30
S7	1403	S5 and S6	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:31
S8	572	S7 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/13 19:32
S9	193144	(solar near4 (cell or lamp or light) or garden near4 light or exterior near4 (lamp or light) or outside near3 (cell or lamp or light))	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 13:29
S10	14	(color\$1 or colour\$1) same (solar near4 light or solar near4 cell or solar near4 lamp) same (battery or DC near4 voltage or DC near4 power) and spike	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 13:34
S11	101133	(solar near4 (lamp or light) or garden near4 light or exterior near4 (lamp or light) or solar near4 cell)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 14:52
S12	10937	(color\$1 or colour\$1) and (user or person or human) and spike	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 14:55

S13	347	S11 and S12	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 14:55
S14	88	S13 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 14:55
S15	144	"6459919"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 15:29
S16	7	"6608458"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 15:29
S17	263	"6150774"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 15:29
S18	395	"6016038"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 15:29
S19	2245	solar near4 cell with (battery or recharg\$3 near4 battery) and (color\$1 or colour\$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 17:58
S20	877	(IC or integrated near4 circuit) same fix\$3 with ( color\$1 or colour\$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:01
S21	7	S19 and S20	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:02
S22	2496	(solar near3 light or solar near4 lamp or solar near4 cell) with (battery or recharg \$3 near4 battery) and (color \$1 or colour\$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:08



S23	80	S22 and fix\$3 with ( color\$1 or colour\$1)	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:09
S24	26	S23 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:09
S25	1146	S22 and memory	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:18
S26	75	recharg\$3 near5 battery and (IC or intergrat\$3 near3 circuit) and S25	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:20
S27	13	S26 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:20
S28	4053	(vary\$3 or variable or chang\$3) near10 (intensity or dim\$4) and spike	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:35
S29	52	S22 and S28	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:35
S30	10	S29 and @pd<="20031223"	US-PGPUB; USPAT; USOCR; FPRS; EPO; JPO; DERWENT	OR	ON	2008/07/27 18:35

7/28/08 10:27:25 AM

C:\Documents and Settings\MA\My Documents\EAST\Workspaces\11102229.wsp

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MA/



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/102,229	04/07/2005	Simon Nicholas Richmond	SNR-09809	6454

EXAMINER	
A, MINH D	

ART UNIT	PAPER NUMBER
2821	

7590 08/15/2008  
MEDLEN & CARROLL, LLP  
101 HOWARD STREET  
SUITE 350  
SAN FRANCISCO, CA 94105

DATE MAILED: 08/15/2008

## PRIORITY ACKNOWLEDGMENT

- ☒ 1. Receipt is acknowledged of priority papers submitted under 35 U.S.C. 119. The papers have been placed of record in the file.
- ☐ 2. Applicant's claim for priority, based on papers filed in parent Application Number \_\_\_\_\_ submitted under 35 U.S.C. 119, is acknowledged.
- ☐ 3. The priority papers, submitted \_\_\_\_\_, after payment of the issue fee are
- ☐ acknowledged  
While the priority claim or certified copy filed will be placed in the file record, neither will be reviewed and the patent when published will not include the priority claim.  
See 37 CFR 1.55(a)(2).
  - ☐ not acknowledged since the processing fee in 37 CFR 1.17(i) has not been received.
- ☐ 4. For utility and plant applications filed on or after November 29, 2000, the priority claim is not entered because the claim was not presented within the time limit required by 37 CFR 1.55(a)(1). A petition to accept a delayed claim for priority under 35 U.S.C. 119(a) - (d) or (f), or 365(a) may be filed. See 37 CFR 1.55(c) and MPEP 201.14(a).

*Daxc H. Vabel, for.*

571-272-4200 or 1-888-786-0101  
Application Assistance Unit  
Office of Data Management

# **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)

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)

23535 7590 08/07/2008

**MEDLEN & CARROLL, LLP**  
**101 HOWARD STREET**  
**SUITE 350**  
**SAN FRANCISCO, CA 94105**

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/102,229	04/07/2005	Simon Nicholas Richmond	SNR-09809	6454

TITLE OF INVENTION: SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/07/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
A, MINH D	2821	315-149000

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 \_\_\_\_\_  
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.

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**POWER OF ATTORNEY  
OR  
REVOCATION OF POWER OF ATTORNEY  
WITH A NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

<b>Application Number</b>	11/102,229
<b>Filing Date</b>	10/31/2006
<b>First Named Inventor</b>	Simon Nicholas Richmond
<b>Title</b>	Solar Powered Light Assembly to Produce Light of varying
<b>Art Unit</b>	2821
<b>Examiner Name</b>	A. Minh D
<b>Attorney Docket Number</b>	1682-1-006

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

28914

OR

☐ I hereby appoint Practitioner(s) named below as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith:

Practitioner(s) Name	Registration Number

Please recognize or change the correspondence address for the above-identified application to:

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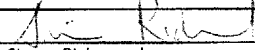
I am the:

☒ Applicant/Inventor.

OR

☐ Assignee of record of the entire interest. See 37 CFR 3.71.

☐ Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on \_\_\_\_\_
**SIGNATURE of Applicant or Assignee of Record**

Signature		Date	08/08/08
Name	Simon Richmond	Telephone	+1 (609) 651-1177
Title and Company			

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of one forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. 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 3 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.

## Electronic Patent Application Fee Transmittal

<b>Application Number:</b>	11102229			
<b>Filing Date:</b>	07-Apr-2005			
<b>Title of Invention:</b>	SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS			
First Named Inventor/Applicant Name:	Simon Nicholas Richmond			
<b>Filer:</b>	Donald J. Cox			
<b>Attorney Docket Number:</b>	SNR-09809			
Filed as Small 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>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
Post-Allowance-and-Post-Issuance:				
Utility Appl issue fee	2501	1	720	720
Publ. Fee- early, voluntary, or normal	1504	1	300	300

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Extension-of-Time:				
Miscellaneous:				
Total in USD (\$)				1020

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	3789991
<b>Application Number:</b>	11102229
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6454
<b>Title of Invention:</b>	SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS
<b>First Named Inventor/Applicant Name:</b>	Simon Nicholas Richmond
<b>Customer Number:</b>	23535
<b>Filer:</b>	Donald J. Cox
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	SNR-09809
<b>Receipt Date:</b>	15-AUG-2008
<b>Filing Date:</b>	07-APR-2005
<b>Time Stamp:</b>	16:43:49
<b>Application Type:</b>	Utility under 35 USC 111(a)

### Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$ 1020
RAM confirmation Number	1778
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Authorized User	

### File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi	Pages
		Jiawei et al. - Invention Digest	1403	Page 1 of 18	18 (if appl.)



1		11102299RNOA.pdf	812195 bc932db4a630a510697baebbb27625d1e5d17645	yes	2
	<b>Multipart Description/PDF files in .zip description</b>				
	<b>Document Description</b>		<b>Start</b>	<b>End</b>	
	Issue Fee Payment (PTO-85B)		1	1	
	Power of Attorney		2	2	
<b>Warnings:</b>					
<b>Information:</b>					
2	Fee Worksheet (PTO-06)	fee-info.pdf	8310 cf26ee039190e1247bd7d9e3034d5cddcf961de3	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			820505		
<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>					



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/102,229	04/07/2005	Simon Nicholas Richmond	SNR-09809

23535  
MEDLEN & CARROLL, LLP  
101 HOWARD STREET  
SUITE 350  
SAN FRANCISCO, CA 94105

**CONFIRMATION NO. 6454**  
**POWER OF ATTORNEY NOTICE**



Date Mailed: 08/21/2008

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 08/15/2008.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/wgormes/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
11/102,229	04/07/2005	Simon Nicholas Richmond	1682-1-006

28914  
LAW OFFICES OF DONALD COX  
P.O. BOX 505  
PRINCETON, NJ 08542-0505

**CONFIRMATION NO. 6454**  
**POA ACCEPTANCE LETTER**



Date Mailed: 08/21/2008

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 08/15/2008.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/wgormes/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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Bib Data Sheet

CONFIRMATION NO. 6454

<b>SERIAL NUMBER</b> 11/102,229	<b>FILING OR 371(c) DATE</b> 04/07/2005 <b>RULE</b>	<b>CLASS</b> 315	<b>GROUP ART UNIT</b> 2821	<b>ATTORNEY DOCKET NO.</b> 1682-1-006	
<b>APPLICANTS</b> Simon Nicholas Richmond, Princeton, NJ; <b>** CONTINUING DATA *****</b> This application is a CIP of 10/789,488 02/26/2004 PAT 7,196,477 <b>** FOREIGN APPLICATIONS *****</b> AUSTRALIA 2003271383 12/23/2003 <b>IF REQUIRED, FOREIGN FILING LICENSE GRANTED</b> <b>** 05/10/2005</b>					
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged <u>Examiner's Signature</u> <u>Initials</u>		<b>STATE OR COUNTRY</b> NJ	<b>SHEETS DRAWING</b> 8	<b>TOTAL CLAIMS</b> 41	<b>INDEPENDENT CLAIMS</b> 3
<b>ADDRESS</b> 28914					
<b>TITLE</b> SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS					
<b>FILING FEE RECEIVED</b> 3580	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		



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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/102,229	09/30/2008	7429827	1682-1-006	6454

28914 7590 09/10/2008  
LAW OFFICES OF DONALD COX  
P.O. BOX 505  
PRINCETON, NJ 08542-0505

## 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 649 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):

Simon Nicholas Richmond, Princeton, NJ;

VIA ELECTRONIC FILING SYSTEM  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Various

**Application No.:** SEE ATTACHED  
SCHEDULE A

Our File: AIS-1682-1

**Confirmation No.:** Various

**Filed:** Various

**For:** Various

**Group:** Various

**Examiner:** Various

**REVOCATION OF POWER OF ATTORNEY WITH A  
NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE  
ADDRESS**

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

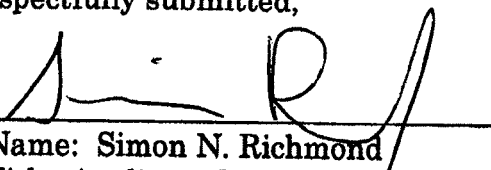
Sir:

I, **SIMON N. RICHMOND**, am the Applicant/Inventor for the applications referenced on attached Schedule A. I hereby revoke all prior powers of the attorney or authorizations of agent in said patent applications and appoint the registered attorneys and agents associated with Volpe and Koenig, P.C., **Customer No. 3624**, as attorneys or agents to prosecute said applications, and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence relating to these applications be directed to **Customer No. 3624**, namely, Volpe and Koenig, P.C.

Respectfully submitted,

June 28, 2011  
Date

By

  
Name: Simon N. Richmond  
Title: Applicant/Inventor

**SCHEDULE A**

<b>APPLICATION/PATENT NO.</b>	<b>FILING DATE/ISSUE DATE</b>	<b>DOCKET NO.</b>
11/102,229/ 7,429,827	April 7, 2005/ September 30, 2008	AIS-1682-1-006CIP1
12/286,553	September 29, 2008	AIS-1682-1-006C1
12/978,358	December 23, 2010	AIS-1682-1-006C2
12/472,360	May 26, 2009	AIS-1682-1-007
12/555,804	September 8, 2009	AIS-1682-1-009CIP
12/579,389	October 14, 2009	AIS-1682-1-010
11/420,160/ 7,708,424	May 24, 2006/ May 4, 2010	AIS-1682-1-011
11/968,504	January 2, 2008	AIS-1682-1-013CIP

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	10439522
<b>Application Number:</b>	11102229
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	6454
<b>Title of Invention:</b>	SOLAR POWERED LIGHT ASSEMBLY TO PRODUCE LIGHT OF VARYING COLOURS
<b>First Named Inventor/Applicant Name:</b>	Simon Nicholas Richmond
<b>Customer Number:</b>	28914
<b>Filer:</b>	Donald J. Cox/Hope Graves
<b>Filer Authorized By:</b>	Donald J. Cox
<b>Attorney Docket Number:</b>	1682-1-006
<b>Receipt Date:</b>	01-JUL-2011
<b>Filing Date:</b>	07-APR-2005
<b>Time Stamp:</b>	14:11:36
<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	Power of Attorney	AIS-1682-1-006CIP1_Revocation_of_Power_of_Attorney_and_Change_of_Correspondence_Address.pdf	78020 4851bbe1240c59ae187720b01beb11ee602973ee	no	2

### Warnings:

### Information:



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.



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	ATTY. DOCKET NO./TITLE
11/102,229	04/07/2005	Simon Nicholas Richmond	AIS-1682-1-006CIP1

3624  
VOLPE AND KOENIG, P.C.  
UNITED PLAZA  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

**CONFIRMATION NO. 6454**  
**POA ACCEPTANCE LETTER**



Date Mailed: 07/13/2011

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 07/01/2011.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/tkim/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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	ATTY. DOCKET NO./TITLE
11/102,229	04/07/2005	Simon Nicholas Richmond	AIS-1682-1-006CIP1

**CONFIRMATION NO. 6454**

**POWER OF ATTORNEY NOTICE**

28914  
LAW OFFICES OF DONALD COX  
P.O. BOX 505  
PRINCETON, NJ 08542-0505



Date Mailed: 07/13/2011

**NOTICE REGARDING CHANGE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 07/01/2011.

- The Power of Attorney to you in this application has been revoked by the applicant. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/ttkim/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

AO 120 (Rev. 08/10)

TO:	<b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark</b> <b>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 New Jersey** on the following:  
 \_\_\_\_ Trademarks or ☒ Patents. ( \_\_\_\_ the patent action involves 35 U.S.C. § 292.)

DOCKET NO. 3:13-cv-01960-MLC-DEA	DATE FILED 3/27/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT SMART SOLAR INC.

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	9/30/2008	Simon Nicholas Richmond
2 7,429,827 A1	9/30/2008	Simon Nicholas Richmond
3 8,362,700 A1	1/29/2013	Simon Nicholas Richmond
4 7,377,667 A1	5/27/08	Simon Nicholas Richmond
5 7,967,667 A1	6/28/11	SIMON NICHOLAS RICHMOND

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	
	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK William T. Walsh	(BY) DEPUTY CLERK s/ Marlene Kalbach	DATE 3/27/2013
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director  
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AO 120 (Rev. 08/10)		
TO:	<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 <b>U.S. District Court for the District of New Jersey</b> on the following: ____ Trademarks or <b>X</b> Patents. ( ____ the patent action involves 35 U.S.C. § 292.)		
DOCKET NO. 3:13-cv-01958-MLC-18	DATE FILED 3/27/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT ATICO INTERNATIONAL (ASIA) LTD.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	3/27/07	Simon Nicholas Richmond
2 7,429,827 A1	9/30/08	Simon Nicholas Richmond
3 8,362,700 A1	1/29/13	Simon Nicholas Richmond
4 7,377,667 A1	5/27/08	Simon Nicholas Richmond
5 7,967,667 A1	6/28/11	SIMON NICHOLAS RICHMOND

In the above—entitled case, the following patent(s)/ trademark(s) have been included:		
DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:	
DECISION/JUDGEMENT	

CLERK William T. Walsh	(BY) DEPUTY CLERK s/ Marlene Kalbach	DATE 3/27/2013
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 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

AO 120 (Rev. 08/10)

TO:	<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 <b>U.S. District Court for the District of New Jersey</b> on the following: ____ Trademarks or <input checked="" type="checkbox"/> Patents. ( ____ the patent action involves 35 U.S.C. § 292.)		
DOCKET NO. 3:13-cv-01949-MLC-1328	DATE FILED 3/28/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT QUANZHOU BRIGHT SOLAR ENERGY CO. LTD
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	3/27/2007	SIMON NICHOLAS RICHMOND
2 7,429,827 A1	9/30/2008	SIMON NICHOLAS RICHMOND
3 8,362,700 A1	1/29/2013	SIMON NICHOLAS RICHMOND
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In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK  
William T. Walsh(BY) DEPUTY CLERK  
s/ JAWEIA CAMPBELLDATE  
3/28/2013

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AO 120 (Rev. 08/10)

TO:	<b>Mail Stop 8</b> <b>Director of the U.S. Patent and Trademark</b> <b>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 New Jersey** on the following:  
 \_\_\_\_ Trademarks or ☒ Patents. ( \_\_\_\_ the patent action involves 35 U.S.C. § 292.)

DOCKET NO. 3:13-cv-01957-MLC-DEA	DATE FILED 3/27/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT CHIEN LUEN INDUSTRIES CO., LTD., INC.

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	3/27/2007	Simon Nicholas Richmond
2 7,429,827 A1	9/30/2008	Simon Nicholas Richmond
3 8,362,700 A1	1/29/2013	Simon Nicholas Richmond
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In the above--entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	

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

DECISION/JUDGEMENT
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CLERK William T. Walsh	(BY) DEPUTY CLERK s/ Marlene Kalbach	DATE 3/27/2013
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AO 120 (Rev. 08/10)		
TO:	<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 <b>U.S. District Court for the District of New Jersey</b> on the following: ____ Trademarks or <input checked="" type="checkbox"/> Patents. ( ____ the patent action involves 35 U.S.C. § 292.)		
DOCKET NO. 3:13-cv-01953-MLC-DW	DATE FILED 3/28/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT JIAWEI NORTH AMERICA INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	3/27/2007	SIMON NICHOLAS RICHMOND
2 7,429,827 A1	9/30/2008	SIMON NICHOLAS RICHMOND
3 8,362,700 A1	1/29/2013	SIMON NICHOLAS RICHMOND
4 7,336,157 A1	2/26/2008	SIMON NICHOLAS RICHMOND
5 8,077,052 A1	12/13/2011	SIMON NICHOLAS RICHMOND

In the above—entitled case, the following patent(s)/ trademark(s) have been included:		
DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
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In the above—entitled case, the following decision has been rendered or judgement issued:	
DECISION/JUDGEMENT	

CLERK William T. Walsh	(BY) DEPUTY CLERK s/ JAWEIA CAMPBELL	DATE 3/28/2013
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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 New Jersey** on the following:  
 \_\_\_\_ Trademarks or ☒ Patents. ( \_\_\_\_ the patent action involves 35 U.S.C. § 292.)

DOCKET NO. 3:13-cv-01944-MLC-DEA	DATE FILED 3/27/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT LUMISOL ELECTRICAL LTD.

PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	3/27/2007	Simon Nicholas Richmond
2 7,429,827 A1	8/30/2008	Simon Nicholas Richmond
3 8,362,700 A1	1/29/2013	Simon Nicholas Richmond
4 8,089,370 A1	1/3/2013	Simon Nicholas Richmond
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
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CLERK William T. Walsh	(BY) DEPUTY CLERK s/ Marlene Kalbach	DATE 3/27/2013
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AO 120 (Rev. 08/10)		
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DOCKET NO. 3:13-cv-01951-MLC-DW	DATE FILED 3/28/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT WINCHANCE SOLAR FUJIAN TECHNOLOGY CO. LTD.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 D554,284	10/30/2007	SIMON NICHOLAS RICHMOND
2 7,196,477 A1	3/27/2007	SIMON NICHOLAS RICHMOND
3 7,429,827 A1	9/30/2008	SIMON NICHOLAS RICHMOND
4 8,362,700A	1/29/2013	SIMON NICHOLAS RICHMOND
5 7,336,151 A1	2/26/2008	SIMON NICHOLAS RICHMOND

In the above—entitled case, the following patent(s)/ trademark(s) have been included:		
DATE INCLUDED	INCLUDED BY _____ Amendment _____ Answer _____ Cross Bill _____ Other Pleading	
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CLERK William T. Walsh	(BY) DEPUTY CLERK s/ JAWEIA CAMPBELL	DATE 3/28/2013
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AO 120 (Rev. 08/10)

TO:	<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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DOCKET NO. 3:13-cv-01954-MLC-DEA	DATE FILED 3/28/2013	U.S. DISTRICT COURT TRENTON, NJ
PLAINTIFF SIMON NICHOLAS RICHMOND		DEFENDANT WINCHANCE SOLAR FUJIAN TECHNOLOGY CO. LTD.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,196,477 A1	3/27/2007	SIMON NICHOLAS RICHMOND
2 7,429,827 A1	9/30/2008	SIMON NICHOLAS RICHMOND
3 8,362,700 A1	1/29/2013	SIMON NICHOLAS RICHMOND
4 7,336,157 A1	2/26/2008	SIMON NICHOLAS RICHMOND
5 8,077,052 A1	12/13/2011	SIMON NICHOLAS RICHMOND

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DATE INCLUDED	INCLUDED BY ____ Amendment ____ Answer ____ Cross Bill ____ Other Pleading	
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DECISION/JUDGEMENT	

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