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PATENT

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Marta Carrillo

Appl No. : 11/053,211 Confirmation No. 6748
Applicant : David E. Chen, et al.
Filed : February 7, 2005
Title : ATTACHABLE BREAST FORM ENHANCEMENT SYSTEM
TC/A.U. : 3765
Examiner : Gloria M. Hale
Docket No. : 54378/TJD/B437
Customer No. : 23363

AMENDMENT

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

Post Office Box 7068
Pasadena, CA 91109-7068
July 12, 2005

Commissioner:

In response to the Office action of May 3, 2005, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

Appln No. 11/053,211
Amdt date July 12, 2005
Reply to Office action of May 3, 2005

Amendments to the Specification:

Please amend the paragraph beginning on page 11, line 16 through 27 as follows:

In FIGs. 5a and 5b, the connector 14 is shown permanently fixed to the breast forms. More specifically, the first portion [42] 44 and second portion 42 are permanently attached to the inner sides of the breast forms 12. However, it is possible for the first portion and second portion to be removably attached to the breast forms. For example, the first portion and second portion could attach to the breast forms by way of a button type assembly that snaps through a small hole in each of the breast forms. This would allow both portions of the connector to be removed from the breast forms, which would allow the user to wear the breast forms without adjoining the breast forms.

Appln No. 11/053,211
Amdt date July 12, 2005
Reply to Office action of May 3, 2005

REMARKS

Applicants respond to each point raised in the May 3, 2005 Office action as follows:

Objection to the Specification

The disclosure was objected to because on page 11, line 18, the reference numeral "42" should have read "44." As reflected by the above amendment, this objection has been overcome.

Claim Rejections Under Double Patenting

Claims 1-9 were rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1-7 of U.S. Patent No. 6,758,720 and claim 1 of U.S. Patent No. 6,852,001.

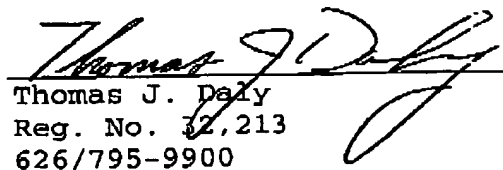
To obviate these double patenting claim rejections, Applicants are filing concurrently herewith a terminal disclaimer.

CONCLUSION

This application is now in condition for allowance, and timely indication thereof is respectfully requested.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By


Thomas J. Daly
Reg. No. 32,213
626/795-9900

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Art Unit: 3765

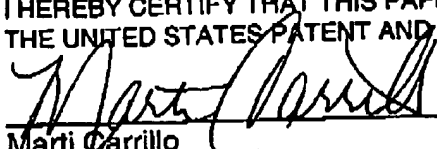
Examiner: Gloria M. Hale

Phone:

From: Thomas J. Daly
Reg No. 32,213Re: Application No. 11/053,211
Filed February 7, 2005

Entitled ATTACHABLE BREAST FORM ENHANCEMENT SYSTEM

File: 54378/TJD/B437

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JUL 13 2005I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO
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Marti Carrillo*Correspondence: Amendment, Terminal Disclaimer and Transmittal,
Information Disclosure Statement and PTO/SB/08A/BFor Office Services Use Only
Return Fax to Marti CarrilloChristie, Parker & Hale, LLP
350 West Colorado Boulevard
Post Office Box 7068
Pasadena, CA 91109-7068
626-795-9900
Fax: 626-577-8800**confidential**

The information in this transmission is confidential and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone collect, and return the original message to us at the above address via U.S. mail.

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Maria Carrillo

Applicant : David E. Chen, et al. Confirmation No. 6748
Application No. : 11/053,211
Filed : February 7, 2005
Title : ATTACHABLE BREAST FORM ENHANCEMENT SYSTEM
Grp./Div. : 3765
Examiner : Gloria M. Hale
Docket No. : 54378/TJD/B437

TRANSMITTAL FOR TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING REJECTION

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

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Pasadena, CA 91109-7068
July 12, 2005

Commissioner:

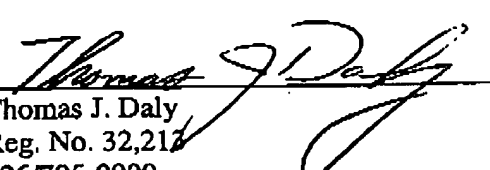
Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection in the above-identified patent application.

The Commissioner is hereby authorized to charge the statutory fee of \$65 to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction. A copy of this letter is enclosed.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By


Thomas J. Daly
Reg. No. 32,212
626/795-9900

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Enclosures: Terminal Disclaimer

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Mari Carrillo
Mari Carrillo

Applicant : David E. Chen, et al.
Application No. : 11/053,211
Filed : February 7, 2005
Title : ATTACHABLE BREAST FORM ENHANCEMENT SYSTEM

Grp./Div. : 3765
Examiner : Gloria M. Hale

Docket No. : 54378/TJD/B437

Confirmation No. 6748

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

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

Post Office Box 7068
Pasadena, CA 91109-7068
July 12, 2005

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

BRAGEL INTERNATIONAL, INC., a California corporation having a place of business at 3383 Pomona Boulevard, Pomona, California 91768, represents: (a) that it is the assignee of the entire interest in U.S. patent Application No. 11/053,211, filed February 7, 2005, and entitled ATTACHABLE BREAST FORM ENHANCEMENT SYSTEM, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 013400, frame 0794; (b) that it is the assignee of the entire interest in U.S. Patent No. 6758720, by virtue of the assignment recorded at reel 013400, frame 0794; and (c) that it is the assignee of the entire interest in U.S. Patent No. 6,852,001, by virtue of the assignment recorded at reel 013400, frame 0794

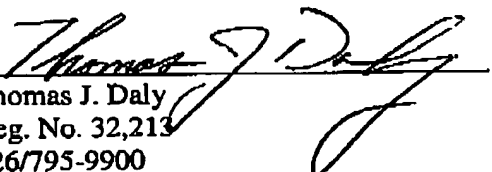
Application No. 11/053,211

BRAGEL INTERNATIONAL, INC. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6758720 and U.S. Patent No. 6,852,001, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent No. 6758720 and U.S. Patent No. 6,852,001, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, BRAGEL INTERNATIONAL, INC. does not disclaim the terminal part 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 to 156 and 173 of U.S. Patent 6758720 and U.S. Patent No. 6,852,001, as presently shortened by any terminal disclaimer, in the event that it 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.

I 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 are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Thomas J. Daly
Reg. No. 32,213
626/795-9900

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Marti Carrillo

Applicant : David E. Chen, et al.

Confirmation No. 6748

Application No. : 11/053,211

Filed : February 7, 2005

Title : ATTACHABLE BREAST FORM ENHANCEMENT SYSTEM

Grp./Div. : 3765

Examiner : Gloria M. Hale

Docket No. : 54378/TJD/B437

**INFORMATION DISCLOSURE STATEMENT WITH FEE
UNDER 37 CFR §§ 1.97(c) AND 1.17(p)**

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

Post Office Box 7068
Pasadena, CA 91109-7068
July 12, 2005

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing a reference that is known to applicant.

It is respectfully requested that the listed reference be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

07/13/2005 NNGUYEN1 00000004 031728 11053211

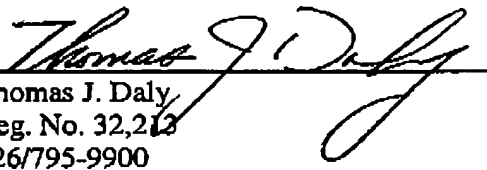
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Application No. 11/053,211

The Commissioner is hereby authorized to charge the processing fee of \$180 as required by 37 CFR § 1.17(p) to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction. **A copy of this paper is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
Thomas J. Daly
Reg. No. 32,213
626/795-9900

TJD/mac

Enclosures: Copy of IDS

Form PTO/SB/08A/B, w/reference

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FORM PTO/SB/08A/B (10-01) Substitute for PTO-1449A/B INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Attorney Docket Number	54378/TJD/B437
	Application Number	11/053,211
	Filing Date	February 7, 2005
	Applicant(s)	David E. Chen, et al.
	Group Art Unit	3765
	Examiner Name	Gloria M. Hale

U.S. PATENT DOCUMENTS				
EXAMINER INITIALS	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE
		5,922,023	07/13/1999	Mulligan et al.

FOREIGN PATENT DOCUMENTS					
EXAMINER INITIALS	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶ (✓)

OTHER DOCUMENTS		
EXAMINER INITIALS	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

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

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PAGE 10/18 * RCVD AT 7/12/2005 7:06:18 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-1/6 * DNIS:8729306 * CSID:626 577 8800 * DURATION (mm:ss):04:40^{pf} 1

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