



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 NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/071,174	03/24/2011	Niall R. Lynam	DON09 P-1696	3475
28101 7590 01/05/2012 VAN DYKE, GARDNER, LINN & BURKHART, LLP SUITE 207 2851 CHARLEVOIX DRIVE, S.E. GRAND RAPIDS, MI 49546			EXAMINER AMARI, ALESSANDRO V	
			ART UNIT 2872	PAPER NUMBER
			MAIL DATE 01/05/2012	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.

Office Action Summary	Application No.	Applicant(s)	
	13/071,174	LYNAM, NIAL R.	
	Examiner	Art Unit	
	ALESSANDRO AMARI	2872	

-- 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 03 October 2011.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.

4) ☐ 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

5) ☒ Claim(s) 1-27 is/are pending in the application.

5a) Of the above claim(s) ____ is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-18 and 20-27 is/are rejected.

8) ☒ Claim(s) 19 is/are objected to.

9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

10) ☐ The specification is objected to by the Examiner.

11) ☐ 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).

12) ☐ 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

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

DETAILED ACTION

Terminal Disclaimer

The terminal disclaimer filed on 3 October 2011 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US7,934,843 and 13/071169 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 102

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

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 and 20-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Lynam et al (hereafter "Lynam") US 2002/0072026.

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

In regard to claim 1, Lynam discloses (see Figures 3-9) an exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising: an exterior sideview mirror assembly (12) adapted for attachment to a side of an automobile; said exterior sideview mirror assembly including a reflective element (30) having a rearward field of view when attached to the side of the automobile; said reflective element attached to an electrically-operated actuator (36) of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraph [0036]; wherein said reflective element comprises a plano-auxiliary reflective element assembly, said piano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature as described in paragraph [0015] and as shown in Figures 5A-5H; said plano reflective element and said auxiliary reflective element of said piano-auxiliary reflective element assembly mounted adjacently at said piano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element as shown in Figures 5a-5H; said plano reflective element and said auxiliary reflective element supported at a backing plate element (60, 160), said backing plate element mounting to said actuator such that movement of said backing plate element of said piano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element as described in paragraph [0042]; said

auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached as described in paragraph [0058]; said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element as shown in Figures 3 and 6; wherein said auxiliary reflective element is positioned at an outboard portion of said piano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile as shown in Figures 5A-5H and as described in paragraph [0057]; wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin as described in paragraph [0050]; wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element as described in paragraph [0050]; wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion as described in paragraph [0050]; wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion; wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto as described in paragraph [0043]; wherein said plano reflective element and said auxiliary reflective

element are adjacently supported at said backing plate element at a joint, and wherein said piano-auxiliary reflective element assembly includes a demarcation element (65, 165), said demarcation element disposed at said joint to form a demarcation between said plano reflective element and said auxiliary reflective element, said demarcation element having a portion visible to a driver of the automobile when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraph [0051] and as shown in Figures 3 and 6; wherein at least a portion of said auxiliary reflective element adjacent said plano reflective element has its front surface generally coplanar with the front surface of said plano reflective element as described in paragraph [0048]; wherein said demarcation element is dark colored as described in paragraph [0051]; wherein said demarcation element comprises a polymer material as described in paragraph [0051]; wherein said joint comprises a space between said plano reflective element and said auxiliary reflective element as described in paragraph [0051] and as shown in Figures 3, 6, 8 and 9; wherein said demarcation element is at least partially disposed at said space between said plano reflective element and said auxiliary reflective element as shown in Figures 3, 6, 8 and 9; and wherein said demarcation element comprises a wall on said backing plate element, said wall located on said backing plate element at said joint, said wall disposed between said plano reflective element and said auxiliary reflective element as shown in Figure 6 and as described in paragraph [0051]; and wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the entirety of said auxiliary

reflective element is further distant from the side of the equipped automobile than the entirety of said plano reflective element as shown in Figures 5D, 5H and 8.

Regarding claim 2, Lynam discloses that the rearward field of view of said auxiliary reflective element is at an angle of at least about 3 degrees relative to the rearward field of view of said plano reflective element as described in paragraph [0059].

Regarding claim 3, Lynam discloses that the rearward field of view of said auxiliary reflective element is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraph [0059].

Regarding claim 4, Lynam discloses that said plano reflective element is supported at said backing plate element by at least one of an adhesive attachment and a mechanical attachment and wherein said auxiliary reflective element is supported at said backing plate element by at least one of an adhesive attachment and a mechanical attachment, and wherein said auxiliary reflective element comprises a glass substrate having a surface coated with a metallic reflector coating and wherein said auxiliary reflective element comprises a bent glass substrate as described in paragraph [0047] and [0055].

Regarding claim 5, Lynam discloses that said plano reflective element comprises a flat glass substrate having a surface coated with a metallic reflector coating and wherein said auxiliary reflective element comprises a bent glass substrate having a

surface coated with a metallic reflector coating, and wherein said bent glass substrate as described in paragraph [0047] and [0055].

Regarding claim 6, Lynam discloses that said plano reflective element comprises a flat glass substrate having a surface coated with a metallic reflector coating and wherein said auxiliary reflective element comprises a bent glass substrate having a surface coated with a metallic reflector coating, and wherein said bent glass substrate has an aspherical curvature as described in paragraph [0005] and [0080].

Regarding claim 7, Lynam discloses that said plano reflective element comprises a substrate having a surface coated with a metallic reflector coating and wherein said auxiliary reflective element comprises a substrate having a surface coated with a metallic reflector coating as described in paragraph [0043] and [0047]; and wherein said curved portion of said backing plate element comprises a curvature corresponding to a curvature of said auxiliary reflective element, and wherein said curved portion of said backing plate element comprises at least one of (a) a spherical curvature, (b) an aspherical curvature and (c) a multiradius curvature as shown in Figures 3 and 6.

Regarding claim 8, Lynam discloses that said demarcation element comprises a wall structure that at least partially partitions said backing plate element into a first region where said plano reflective element is disposed and a separate and adjacent second region where said auxiliary reflective element is disposed, and wherein at least one of (a) said first region is adapted to receive said plano reflective element and (b) said second region is adapted to receive said auxiliary reflective element as described in paragraph [0051] and as shown in Figure 6.

Regarding claim 9, Lynam discloses that said auxiliary reflective element comprises a heater element operable to demist/deice the outmost surface of said auxiliary reflective element when said auxiliary reflective element is disposed at said backing plate element and when said exterior sideview mirror assembly is attached and operated on the side of the automobile as described in paragraph [0054].

Regarding claim 10, Lynam discloses that said exterior sideview mirror assembly including said piano-auxiliary reflective element having a rearward field of view when attached to the side of the automobile comprises a driver-side exterior sideview mirror assembly, and wherein, when attached to the side of the automobile, said driver-side exterior sideview mirror assembly provides to the driver of the equipped automobile a total field of view that generally subtends an angle of at least about 25 degrees with respect to the side of the equipped automobile as described in paragraph [0046].

Regarding claim 11, Lynam discloses that said auxiliary reflective element has an aspherical curvature as described in paragraph [0083].

Regarding claim 12, Lynam discloses that the ratio of the width of said piano reflective element to the width of said auxiliary reflective element is greater than 1.5 as described in paragraph [0039].

Regarding claim 13, Lynam discloses that said exterior sideview mirror assembly comprises a door-mounted exterior sideview mirror assembly adapted for attachment to a side of the automobile adjacent a driver seating location of a driver of the automobile and wherein the rearward field of view of said auxiliary reflective element generally views downwardly towards the road surface adjacent to the driver seating location at

least at a distance in the range of about 1 foot to about 24 feet to the rear of the driver seating location as described in paragraph [0059].

Regarding claim 14, Lynam discloses that at least one of said plano reflective element and said auxiliary reflective element comprises a glass substrate having a surface coated with a metallic reflector coating, and wherein said metallic reflector coating is selected from the group consisting of (i) a chromium coating, (ii) a titanium coating, (iii) a rhodium coating, (iv) a metal-alloy coating, (v) a nickel alloy coating, (vi) an aluminum coating and (vii) a silver coating as described in paragraph [0043].

Regarding claim 15, Lynam discloses that said plano reflective element comprises an electro-optic reflective element as described in paragraph [0043].

Regarding claim 16, Lynam discloses that said auxiliary reflective element comprises a fixed reflectance mirror reflector and said fixed reflectance mirror reflector comprises a curved substrate coated with a metallic reflector coating as described in paragraph [0055].

In regard to claim 17, Lynam discloses (see Figures 3-9) an exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising: an exterior sideview mirror assembly (12) adapted for attachment to a side of an automobile; said exterior sideview mirror assembly including a reflective element (30) having a rearward field of view when attached to the side of the automobile; said reflective element attached to an electrically-operated actuator (36) of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror

assembly is attached to the side of the automobile as described in paragraph [0036]; wherein said reflective element comprises a plano-auxiliary reflective element assembly, said plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature as described in paragraph [0015] and as shown in Figures 5A-5H; said plano reflective element and said auxiliary reflective element of said plano-auxiliary reflective element assembly mounted adjacently at said piano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element as shown in Figures 5a-5H; said plano reflective element and said auxiliary reflective element supported at a backing plate element (60, 160), said backing plate element mounting to said actuator such that movement of said backing plate element of said piano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element as described in paragraph [0042]; said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached as described in paragraph [0058]; said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element as shown in Figures 3 and 6; wherein said auxiliary reflective element is positioned at an outboard portion of said piano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile as shown in Figures 5A-5H and as

described in paragraph [0057]; wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin as described in paragraph [0050]; wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element as described in paragraph [0050]; wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion as described in paragraph [0050]; wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion; wherein the rearward field of view of said auxiliary reflective element is different from and angled to the rearward field of view of said plano reflective element when both are attached to said backing plate element of said piano-auxiliary reflective element assembly when said piano-auxiliary reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraphs [0042] and [0051]; wherein angling of the rearward field of view of said auxiliary reflective element relative to the rearward field of view of said plano reflective element is achieved, at least in part, by an angling of said second support portion of said backing plate element supporting said auxiliary reflective element relative to said first support portion of said backing plate element supporting said plano reflective element as described in paragraph [0059]; wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the field of view of said plano reflective element generally views rearwardly of the equipped

automobile and the field of view of said auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached, said blind spot being generally outside the rearward field of view of said plano reflective element when said plano reflective element is viewed by a driver of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraphs [0052], [0058] and [0059]; wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto as described in paragraph [0043]; wherein the rearward field of view of said auxiliary reflective element is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraph [0059]; wherein said exterior sideview mirror assembly including said plano-auxiliary reflective element having a rearward field of view when attached to the side of the automobile comprises a driver-side exterior sideview mirror assembly, and wherein, when attached to the side of the automobile, said driver-side exterior sideview mirror assembly provides to the driver of the equipped automobile a total field of view that generally subtends an angle of at least about 25 degrees with respect to the side of the equipped automobile as described in paragraph

[0046]; and wherein said auxiliary reflective element comprises a fixed reflectance mirror reflector as described in paragraph [0055].

Regarding claim 18, Lynam discloses that said auxiliary reflective element comprises a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto as described in paragraphs [0047] and [0050].

Regarding claim 20, Lynam discloses that said auxiliary reflective element comprises a glass substrate having a surface coated with a metallic reflector coating as described in paragraphs [0043] and [0047].

Regarding claim 21, Lynam discloses that said plano reflective element comprises a substrate having a surface coated with a metallic reflector coating and wherein said auxiliary reflective element comprises a substrate having a surface coated with a metallic reflector coating as described in paragraphs [0043] and [0047], and wherein said curved portion of said backing plate element comprises a curvature corresponding to a curvature of said auxiliary reflective element, and wherein said curved portion of said backing plate element comprises at least one of (a) a spherical curvature, (b) an aspherical curvature and (c) a multiradius curvature as shown in Figures 3 and 6.

Regarding claim 22, Lynam discloses that said auxiliary reflective element has a spherical curvature, and wherein said curved portion of said backing plate element has a spherical curvature as described in paragraph [0083].

Regarding claim 23, Lynam discloses that said plano reflective element comprises a flat glass substrate having a surface coated with a metallic reflector coating and wherein said auxiliary reflective element comprises a bent glass substrate having a surface coated with a metallic reflector coating, and wherein said bent glass substrate has a spherical curvature as described in paragraphs [0045] and [0083].

In regard to claim 24, Lynam discloses (see Figures 3-9) an exterior sideview mirror system suitable for use on an automobile, said exterior sideview mirror system comprising: an exterior sideview mirror assembly (12) adapted for attachment to a side of an automobile; said exterior sideview mirror assembly including a reflective element (30) having a rearward field of view when attached to the side of the automobile; said reflective element attached to an electrically-operated actuator (36) of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraph [0036]; wherein said reflective element comprises a plano-auxiliary reflective element assembly, said piano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature as described in paragraph [0015] and as shown in Figures 5A-5H; said plano reflective element and said auxiliary reflective element of said piano-auxiliary reflective element assembly mounted adjacently at said piano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element as shown in Figures 5a-5H; said plano

reflective element and said auxiliary reflective element supported at a backing plate element (60, 160), said backing plate element mounting to said actuator such that movement of said backing plate element of said piano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element as described in paragraph [0042]; said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached as described in paragraph [0058]; said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element as shown in Figures 3 and 6; wherein said auxiliary reflective element is positioned at an outboard portion of said piano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile as shown in Figures 5A-5H and as described in paragraph [0057]; wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin as described in paragraph [0050]; wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element as described in paragraph [0050]; wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion as described in paragraph [0050]; wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion; wherein the rearward

field of view of said auxiliary reflective element is different from and angled to the rearward field of view of said plano reflective element when both are attached to said backing plate element of said piano-auxiliary reflective element assembly when said piano-auxiliary reflective element assembly is included in said exterior sideview mirror assembly and when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraphs [0042] and [0051]; wherein angling of the rearward field of view of said auxiliary reflective element relative to the rearward field of view of said plano reflective element is achieved, at least in part, by an angling of said second support portion of said backing plate element supporting said auxiliary reflective element relative to said first support portion of said backing plate element supporting said plano reflective element as described in paragraph [0059]; wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the field of view of said plano reflective element generally views rearwardly of the equipped automobile and the field of view of said auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached, said blind spot being generally outside the rearward field of view of said plano reflective element when said plano reflective element is viewed by a driver of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile as described in paragraphs [0052], [0058] and [0059]; wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass

element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto as described in paragraph [0043]; wherein said auxiliary reflective element comprises a fixed reflectance mirror reflector and wherein said fixed reflectance mirror reflector comprises a spherically bent glass substrate coated with a metallic reflector coating as described in paragraphs [0050] and [0055].

Regarding claim 25, Lynam discloses that said plano reflective element comprises a glass substrate having a surface coated with a metallic reflector coating and wherein said curved portion of said backing plate element comprises a curvature corresponding to a curvature of said auxiliary reflective element as described in paragraphs [0045], [0047] and Figure 3.

Regarding claim 26, Lynam discloses wherein a demarcation element is disposed between said plano reflective element and said auxiliary reflective element and wherein said demarcation element comprises a part of said backing plate element, and wherein said demarcation element at least partially partitions said backing plate element into a first region where said plano reflective element is disposed and a separate and adjacent second region where said auxiliary reflective element is disposed, and wherein said first region is adapted to receive said plano reflective element and said second region is adapted to receive said auxiliary reflective element as described in paragraphs [0050], [0051] and Figures 3 and 6.

Regarding claim 27, Lynam discloses that said exterior sideview mirror assembly including said plano-auxiliary reflective element having a rearward field of view when attached to the side of the automobile comprises a driver-side exterior sideview mirror

assembly, and wherein, when attached to the side of the automobile, said driver-side exterior sideview mirror assembly provides to the driver of the equipped automobile a total field of view that generally subtends an angle of at least about 25 degrees with respect to the side of the equipped automobile as described in paragraph [0046].

Allowable Subject Matter

Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 19 is allowable for at least the reason, "surface of said polymeric substrate, said thin flexible sheet providing an anti-abrasion function at said surface of said polymeric substrate when adhered thereto, said thin flexible glass sheet substantially conforming to said exterior surface of said polymeric substrate when adhered thereto, said thin glass sheet having a thickness of less than approximately 0.8 mm and greater than approximately 0.3 mm" as set forth in the claimed combination.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALESSANDRO AMARI whose telephone number is (571)272-2306. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alessandro Amari/
Primary Examiner, Art Unit 2872

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group : 2872
Examiner : Alessandro V. Amari
Applicant : Niall R. Lynam
Serial No. : 13/071,174
Filing Date : March 24, 2011
For : EXTERIOR SIDEVIEW MIRROR SYSTEM

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

Dear Sir:

REQUEST FOR RECONSIDERATION

Responsive to the Office Action mailed January 5, 2012, Applicant wishes to submit the following:

Remarks begin on page 2 of this paper.

A **Terminal Disclaimer** is attached.

A **Declaration** under Rule 131(a) is attached.

Applicant : Niall R. Lynam
Serial No. : 13/071,174
Page : 2

Remarks:

The amendments and remarks presented herein are believed to be fully responsive to the Office Action dated January 5, 2012. Claims 1-27 are pending in the application.

Allowable Claims:

Claim 19 was indicated as being allowable if rewritten in independent form. Because Applicant submits that independent claim 17 is in condition for allowance, as discussed below, Applicant has not amended claim 19 at this time.

Claim Rejections Under 35 U.S.C. §102:

Claims 1-18 and 20-27 were rejected under 35 U.S.C. §102(e) as being anticipated by Lynam, U.S. Publication No. US 2002/0072026 ("Lynam '026"). Applicant respectfully traverses.

Applicant submits that Lynam '026 is not prior art under 35 U.S.C. §102(e). Lynam '026 published June 13, 2002, and, as discussed below, the present application has an effective filing date of May 20, 2003 (the filing date of U.S. provisional application 60/471,872). Thus, Lynam '026 published prior to the priority date of the presently claimed invention and Lynam '026 cannot be cited as prior art under 35 U.S.C. §102(e).

Also, because the present application has a priority date of May 20, 2003 that is less than one year after the publication date of Lynam '026 (June 13, 2002), and because (as discussed below) Applicant conceived and reduced to practice the invention claimed in at least the independent claims prior to the effective date of Lynam '026, Applicant respectfully submits that Lynam '026 is also not prior art under 35 U.S.C. §102(a).

The present application is a divisional of U.S. patent application Ser. No. 12/851,045, filed August 5, 2010, now U.S. Pat. No. 7,934,843, which is a continuation of U.S. patent application Serial No. 12/197,666, filed August 25, 2008, now U.S. Patent No. 7,842,154, which is a division of U.S. patent application Serial No. 10/709,434, filed May 5, 2004, now U.S.

Applicant : Niall R. Lynam
Serial No. : 13/071,174
Page : 3

Patent No. 7,420,756, which claims the benefit of U.S. provisional application, Serial No. 60/471,872, filed May 20, 2003.

The present application incorporates by reference U.S. Patent Nos. 6,522,451 and 6,717,712. See, for example, paragraph [0045] on page 6 of the present application (reproduced below).

[0045] Reflective element 12 may comprise an aspheric or multi-radius or wide angle single element reflective element substrate. The reflective element 12 may provide a field of view similar to the plano-auxiliary reflective element assembly disclosed in U.S. Pat. Nos. 6,522,451 and 6,717,712, which are hereby incorporated herein by reference.

With respect to the priority provisional application Serial No. 60/471,872, this application similarly incorporates by reference U.S. Patent No. 6,522,451 and U.S. patent application Serial No. 09/745,172, filed December 20, 2000. U.S. patent application Serial No. 09/745,172 issued as U.S. Patent No. 6,717,712. Thus, the present application and each of the priority applications incorporate by reference the same disclosures.

With respect to the rejection in view of Lynam '026, and in accordance with 37 CFR 1.131, Applicant submits herewith a Declaration which declares that the invention claimed in at least independent claims 1, 17 and 24 was invented by Applicant prior to the publication date of Lynam '026, namely, June 13, 2002. The specification and drawings (Exhibit A) of U.S. patent application Serial No. 09/478,315, which was filed on January 6, 2000 by Niall R. Lynam (the sole named inventor of the present application), along with U.S. Patent No. 6,522,451 (Exhibit B), which issued to Lynam from U.S. patent application Serial No. 09/478,315, are submitted with the Declaration as corroborative evidence that the present invention was reduced to practice prior to the Lynam '026 publication date of June 13, 2002 (and prior to the December 20, 2000 filing date of the application that published as Lynam '026). The Declaration is signed by the named inventor (Niall R. Lynam) for the present application. The attached specification and drawings of Exhibits A and B clearly corroborate that the inventions claimed in at least independent claims 1, 17 and 24 were reduced to practice well prior to June 13, 2002, the publication date of

Applicant : Niall R. Lynam
Serial No. : 13/071,174
Page : 4

Lynam '026, and prior to December 20, 2000, the filing date of the application that published as Lynam '026.

Applicant also submits a terminal disclaimer that disclaims the term of any patent that will issue from the present application beyond the term of U.S. Patent No. 6,522,451. Please charge Account No. 50-5553 for the \$160 terminal disclaimer fee due and for any additional fees which may be due.

Accordingly, the rejections of claims 1-18 and 20-27 under §102(e) in view of Lynam '026 are obviated, and reconsideration and withdrawal of these rejections is respectfully requested.

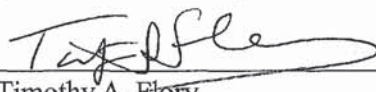
Claims 1-27 are pending in the application. Applicant respectfully submits that claims 1-27 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

NIALL R. LYNAM

By: Gardner, Linn, Burkhardt & Flory, LLP

Date: January 6, 2012.



Timothy A. Flory
Registration No. 42 540
2851 Charlevoix Drive, S.E., Suite 207
P.O. Box 888695
Grand Rapids, Michigan 49588-8695
(616) 975-5500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group : 2872
Examiner : Alessandro V. Amari
Applicant : Niall R. Lynam
Serial No. : 13/071,174
Filing Date : March 24, 2011
For : EXTERIOR SIDEVIEW MIRROR SYSTEM

Mail Stop Amendment
Commissioner for Patents
Washington, D.C. 20231

DECLARATION UNDER RULE 131(a)

Niall R. Lynam, the inventor and Applicant in the above referenced patent application,
declares as follows:

1. Prior to June 13, 2002, the inventor and Applicant conceived of the claimed invention of at least the independent claims as filed in the present application. For example, and with reference to claim 1 of the present application, the inventor and Applicant conceived of an exterior sideview mirror system comprising:
 - a. an exterior sideview mirror assembly adapted for attachment to a side of an automobile;
 - b. said exterior sideview mirror assembly including a reflective element having a rearward field of view when attached to the side of the automobile;
 - c. said reflective element attached to an electrically-operated actuator of said exterior sideview mirror assembly and movable by said actuator in order to position said rearward field of view to a driver-desired position when said exterior sideview mirror assembly is attached to the side of the automobile;
 - d. wherein said reflective element comprises a plano-auxiliary reflective element assembly, said plano-auxiliary reflective element assembly comprising a plano reflective element having unit magnification and a separate auxiliary reflective element having a curvature;

Applicant : Niall R. Lynam
Serial No. : 13/071,174
Page : 2

- e. said plano reflective element and said auxiliary reflective element of said plano-auxiliary reflective element assembly mounted adjacently at said plano-auxiliary reflective element assembly in a side-by-side relationship and not superimposed with one reflective element on top of the other reflective element;
- f. said plano reflective element and said auxiliary reflective element supported at a backing plate element, said backing plate element mounting to said actuator such that movement of said backing plate element of said plano-auxiliary reflective element assembly by said actuator simultaneously and similarly moves said plano reflective element and said auxiliary reflective element;
- g. said auxiliary reflective element having a wide-angle field of view encompassing a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached;
- h. said backing plate element having a first support portion supporting said plano reflective element and a second support portion supporting said auxiliary reflective element;
- i. wherein said auxiliary reflective element is positioned at an outboard portion of said plano-auxiliary reflective element assembly when said exterior sideview mirror assembly is mounted to the side of the automobile;
- j. wherein said backing plate element comprises a polymeric substrate that is formed as a single element by injection molding of a polymeric resin;
- k. wherein said backing plate element is capable of supporting said plano reflective element and said auxiliary reflective element;
- l. wherein said first support portion of said backing plate element comprises a flat portion and wherein said plano reflective element is disposed at said flat portion;
- m. wherein said second support portion of said backing plate element comprises a curved portion and wherein said auxiliary reflective element is disposed at said curved portion;
- n. wherein at least one of said plano reflective element and said auxiliary reflective element comprises one of (a) a glass substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto;
- o. wherein said plano reflective element and said auxiliary reflective element are adjacently supported at said backing plate element at a joint, and wherein said plano-auxiliary reflective element assembly includes a demarcation element, said demarcation element disposed at said joint to form a demarcation

Applicant : Niall R. Lynam
Serial No. : 13/071,174
Page : 3

between said plano reflective element and said auxiliary reflective element, said demarcation element having a portion visible to a driver of the automobile when said exterior sideview mirror assembly is attached to the side of the automobile;

- p. wherein at least a portion of said auxiliary reflective element adjacent said plano reflective element has its front surface generally coplanar with the front surface of said plano reflective element;
- q. wherein said demarcation element is dark colored;
- r. wherein said demarcation element comprises a polymer material;
- s. wherein said joint comprises a space between said plano reflective element and said auxiliary reflective element;
- t. wherein said demarcation element is at least partially disposed at said space between said plano reflective element and said auxiliary reflective element;
- u. wherein said demarcation element comprises a wall on said backing plate element, said wall located on said backing plate element at said joint, said wall disposed between said plano reflective element and said auxiliary reflective element; and
- v. wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the entirety of said auxiliary reflective element is further distant from the side of the equipped automobile than the entirety of said plano reflective element.

- 2. The invention of at least the independent claims of the present application was reduced to practice sometime prior to June 13, 2002, as evidenced by the attached specification and drawings (Exhibit A), which were filed with the United States Patent and Trademark Office on January 6, 2000 by Niall R. Lynam, and assigned Serial No. 09/478,315, as evidenced by the attached U.S. Patent No. 6,522,451 (Exhibit B), which issued February 18, 2003 from the 09/478,315 application.
- 3. I am the sole named inventor of U.S. patent application Serial No. 13/071,174 (the present application) and I am the sole named inventor of U.S. patent application Serial No. 09/478,315 (Exhibit A), which issued as U.S. Patent No. 6,522,451 (Exhibit B).

Applicant : Niall R. Lynam
Serial No. : 13/071,174
Page : 4

I hereby declare that all activities relating to the conception and reduction to practice of the above invention occurred in the United States.

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 the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, as set forth under section 1001, title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor:

Date:

Niall Lynam
Niall R. Lynam

JAN 5 2012



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

28101 7590 02/17/2012
VAN DYKE, GARDNER, LINN & BURKHART, LLP
SUITE 207
2851 CHARLEVOIX DRIVE, S.E.
GRAND RAPIDS, MI 49546

EXAMINER

AMARI, ALESSANDRO V

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 02/17/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/071,174	03/24/2011	Niall R. Lynam	DON09 P-1696	3475

TITLE OF INVENTION: EXTERIOR SIDEVIEW MIRROR SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	05/17/2012

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)

28101 7590 02/17/2012
VAN DYKE, GARDNER, LINN & BURKHART, LLP
SUITE 207
2851 CHARLEVOIX DRIVE, S.E.
GRAND RAPIDS, MI 49546

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.
-----------------	-------------	----------------------	---------------------	------------------

13/071,174	03/24/2011	Niall R. Lynam	DON09 P-1696	3475
------------	------------	----------------	--------------	------

TITLE OF INVENTION: EXTERIOR SIDEVIEW MIRROR SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	05/17/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
AMARI, ALESSANDRO V	2872	359-872000

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 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

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

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



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 NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/071,174	03/24/2011	Niall R. Lynam	DON09 P-1696	3475

28101	7590	02/17/2012
VAN DYKE, GARDNER, LINN & BURKHART, LLP		
SUITE 207		
2851 CHARLEVOIX DRIVE, S.E.		
GRAND RAPIDS, MI 49546		

EXAMINER	
AMARI, ALESSANDRO V	

ART UNIT	PAPER NUMBER
2872	

DATE MAILED: 02/17/2012

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 0 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 0 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.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability	Application No.	Applicant(s)	
	13/071,174	LYNAM, NIALL R.	
	Examiner	Art Unit	
	ALESSANDRO AMARI	2872	

-- 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 amendment of 1/6/2012.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1-27.
4. ☐ 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.

5. ☐ 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.
6. ☐ 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).
7. ☐ 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)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other ____ |
|--|--|

REASONS FOR ALLOWANCE

Terminal Disclaimer

The terminal disclaimer filed on 6 January 2012 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 6522451 has been reviewed and is accepted. The terminal disclaimer has been recorded. The terminal disclaimer has been recorded.

Affidavit

The affidavit filed on 6 January 2012 under 37 CFR 1.131 is sufficient to overcome the Lynam et al US 2002/0072026 reference.

Drawings

The replacement drawings for Figure 13 were received on 1 February 2012. These drawings are accepted.

Allowable Subject Matter

Claims 1-27 are allowed.

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

Claim 1 is allowable for at least the reason, "wherein said plano reflective element and said auxiliary reflective element are adjacently supported at said backing plate element at a joint, and wherein said piano-auxiliary reflective element assembly includes a demarcation element, said demarcation element disposed at said joint to form a demarcation between said plano reflective element and said auxiliary reflective element, said demarcation element having a portion visible to a driver of the automobile

when said exterior sideview mirror assembly is attached to the side of the automobile; wherein at least a portion of said auxiliary reflective element adjacent said plano reflective element has its front surface generally coplanar with the front surface of said plano reflective element; wherein said demarcation element is dark colored; wherein said demarcation element comprises a polymer material; wherein said joint comprises a space between said plano reflective element and said auxiliary reflective element; wherein said demarcation element is at least partially disposed at said space between said plano reflective element and said auxiliary reflective element; wherein said demarcation element comprises a wall on said backing plate element, said wall located on said backing plate element at said joint, said wall disposed between said plano reflective element and said auxiliary reflective element; and wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the entirety of said auxiliary reflective element is further distant from the side of the equipped automobile than the entirety of said plano reflective element" as set forth in the claimed combination. Claims 2-16 are allowable due to their dependence on claim 1.

Claim 17 is allowable for at least the reason, "wherein the rearward field of view of said auxiliary reflective element is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile; wherein said exterior sideview mirror assembly including said plano-auxiliary reflective element having a rearward field of view when attached to the side of the automobile comprises a driver-side exterior sideview mirror assembly, and wherein, when attached to the side of

the automobile, said driver-side exterior sideview mirror assembly provides to the driver of the equipped automobile a total field of view that generally subtends an angle of at least about 25 degrees with respect to tile side of the equipped automobile; and wherein said auxiliary reflective element comprises a fixed reflectance mirror reflector” as set forth in the claimed combination. Claims 18-23 are allowable due to their dependence on claim 17.

Claim 24 is allowable for at least the reason, “wherein angling of the rearward field of view of said auxiliary reflective element relative to the rearward field of view of said plano reflective element is achieved, at least in part, by an angling of said second support portion of said backing plate element supporting said auxiliary reflective element relative to said first support portion of said backing plate element supporting said plano reflective element; wherein, when said exterior sideview mirror assembly is attached to the side of the automobile, the field of view of said plano reflective element generally views rearwardly of the equipped automobile and the field of view of said auxiliary reflective element generally views towards a blind spot in the side lane adjacent the side of the automobile to which said exterior sideview mirror assembly is attached, said blind spot being generally outside the rearward field of view of said plano reflective element when said plano reflective element is viewed by a driver of the equipped automobile when said exterior sideview mirror assembly is attached to the side of the automobile; wherein said plano reflective element comprises one of (a) a glass Substrate having a surface coated with a metallic reflector coating and (b) a polymeric substrate having a thin glass element applied to a surface thereof and with an

opposing surface thereof having a reflecting layer applied thereto; and wherein said auxiliary reflective element comprises a fixed reflectance mirror reflector and wherein said fixed reflectance mirror reflector comprises a spherically bent glass substrate coated with a metallic reflector coating” as set forth in the claimed combination. Claims 25-27 are allowable due to their dependence on claim 24.

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.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALESSANDRO AMARI whose telephone number is (571)272-2306. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alessandro Amari/
Primary Examiner, Art Unit 2872