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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/336,018	12/23/2011	Niall R. Lynam	DON09 P-1800	7833
15671 7590 05/17/2012 Gardner, Linn, Burkhart & Flory, LLP 2851 Charlevoix Dr. SE, Suite 207 Grand Rapids, MI 49546			EXAMINER AMARI, ALESSANDRO V	
			ART UNIT 2872	PAPER NUMBER
			MAIL DATE 05/17/2012	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)	
	13/336,018	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 21 March 2012.

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) 1-6, 16-40 is/are pending in the application.

5a) Of the above claim(s) 16-18, 25-27 and 36-40 is/are withdrawn from consideration.

6) ☐ Claim(s) ____ is/are allowed.

7) ☒ Claim(s) 1-6, 19-24 and 28-35 is/are rejected.

8) ☐ Claim(s) ____ 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 01 February 2012 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 checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>2/9/2012</u>	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: ____
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DETAILED ACTION

Election/Restrictions

Applicant's election of Invention I (claims 1-6, 19-24 and 28-35) in the reply filed on 21 March 2012 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Claims 16-18, 25-27 and 36-40 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Invention, there being no allowable generic or linking claim.

Double Patenting

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).

Claims 1-6, 19-24 and 28-34 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 6, 10, 13, 15, 16 and 24 of U.S. Patent No. 8,128,243. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant invention are broader and claim essentially the same subject matter as that of US 8,128,243.

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 1-6, 19-24 and 28-35 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 claims 1, 19 and 28, Lynam discloses (see Fig. 2, 3) an exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising: a bracket (38) fixedly secured to the motor vehicle as described in paragraph [0041]; a mirror casing (40) secured to said bracket, said mirror casing defining a primary opening; a single mirror support (60) movably secured within said mirror casing disposed adjacent said primary opening; a primary mirror (50) fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view as described in [0046]; a spotting mirror (55) fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle as described in [0083],

such that said primary field of view of said primary mirror overlaps said second field of view of said spotting mirror as described in [0076] and [0082]; wherein said spotting mirror is at an angle relative to said primary mirror as shown in Figures 3 and 14; and wherein said primary mirror comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating as described in [0043] and (b) a generally flat 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 [0050].

Regarding claims 2, 20 and 29, Lynam discloses said single mirror support defines a primary portion for having said primary mirror fixedly secured thereto and a spotting portion for having said spotting mirror fixedly secured thereto as shown in Figure 3 and as described in [0042].

Regarding claims 3, 21 and 30, Lynam discloses that said primary portion of said single mirror support defines a primary plane that is substantially flat as shown in Figure 3 and as described in [0042].

Regarding claims 4, 22 and 31, Lynam discloses that said spotting portion of said single mirror support defines a spotting mirror support radius of curvature substantially equal to said single radius of curvature as described in [0005], [0045], [0069] and [0083].

Regarding claims 5, 23 and 32, Lynam discloses said spotting portion is forward of said primary plane as described in [0072] and as shown in Figure 10.

Regarding claims 6, 24 and 33, Lynam discloses said spotting portion is substantially rearward of said primary plane as shown in Figure 3.

Regarding claim 34, Lynam discloses the second field of view of said spotting mirror is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the motor vehicle when said exterior rearview mirror assembly is attached to the motor vehicle as shown in Figure 6 and as described in [0052].

Regarding claim 35, Lynam discloses that said spotting mirror is at an angle of at least about three degrees relative to said primary mirror as described in [0059].

Claim Rejections - 35 USC § 103

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

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

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platzer, Jr. (hereafter "Platzer") US 7097312 in view of Black et al (hereafter "Black") US 5579133.

In regard to claim 1, Platzer discloses (see Figures 20-22) an exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising: a single mirror support (92) disposed adjacent said primary opening; a primary mirror (88) fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of

view; a spotting mirror (90) fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle as described in col. 7, lines 60-67 and col. 8, lines 1-25, such that said primary field of view of said primary mirror overlaps said second field of view of said spotting mirror as shown in Figure 1 and as described in col. 8, lines 26-51;

However, in regard to claim 1, Platzer does not teach a bracket fixedly secured to the motor vehicle; a mirror casing secured to said bracket, said mirror casing defining a primary opening; and the mirror support moveable secured within mirror casing

In regard to claim 1, Black teaches (see Fig. 12) a bracket (60) fixedly secured to the motor vehicle; a mirror casing (61) secured to said bracket, said mirror casing defining a primary opening; and the mirror support moveable secured within mirror casing (via 62, 63) as described in col. 6, lines 11-51.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the bracket, casing wherein the mirror support is moveably secured within casing as taught by Black in the mirror assembly of Platzer in order to provide for attaching the mirror to the motor vehicle, protection of mirror from hazards and for adjustability of the mirror so that motorist can change angle of mirror in response to road conditions or changes in driver configuration (e.g., seat height).

Regarding claim 2, the Platzer-Black combination teaches that said single mirror support defines a primary portion for having said primary mirror fixedly secured thereto

and a spotting portion for having said spotting mirror fixedly secured thereto as shown in Figures 20 and 21 of Platzer and Figure 12 of Black.

Regarding claim 3, the Platzer-Black combination teaches that said primary portion of said single mirror support defines a primary plane that is substantially flat as shown in Figures 20 and 21 of Platzer and Figure 12 of Black.

Regarding claim 4, the Platzer-Black combination teaches that said spotting portion of said single mirror support defines a spotting mirror support radius of curvature (44) substantially equal to said single radius of curvature as shown in Figure 8 of Platzer.

Regarding claim 5, the Platzer-Black combination teaches that said spotting portion is forward of said primary plane as shown in Figure 21 of Platzer and Figure 12 of Black.

Regarding claim 6, the Platzer-Black combination teaches that said spotting portion is substantially rearward of said primary plane as shown in Figure 22 and as described in col. 11, lines 58-62.

Claims 19-24, 28-33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Platzer US 7097312 in view of Black US 5579133 and further in view of Richard US 6409354.

In regard to claims 19 and 28, Platzer discloses (see Figures 20-22) an exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising: a single mirror support (92) disposed adjacent said primary opening; a

primary mirror (88) fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view; a spotting mirror (90) fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle as described in col. 7, lines 60-67 and col. 8, lines 1-25, such that said primary field of view of said primary mirror overlaps said second field of view of said spotting mirror as shown in Figure 1 and as described in col. 8, lines 26-51; wherein said spotting mirror is at an angle relative to said primary mirror as shown in Figure 21.

However, in regard to claims 19 and 28, Platzer does not teach a bracket fixedly secured to the motor vehicle; a mirror casing secured to said bracket, said mirror casing defining a primary opening; and the mirror support moveable secured within mirror casing

In regard to claims 19 and 28, Black teaches (see Fig. 12) a bracket (60) fixedly secured to the motor vehicle; a mirror casing (61) secured to said bracket, said mirror casing defining a primary opening; and the mirror support moveable secured within mirror casing (via 62, 63) as described in col. 6, lines 11-51.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the bracket, casing wherein the mirror support is moveably secured within casing as taught by Black in the mirror assembly of Platzer in order to provide for attaching the mirror to the motor vehicle, protection of mirror from

hazards and for adjustability of the mirror so that motorist can change angle of mirror in response to road conditions or changes in driver configuration (e.g., seat height).

However, in further regard to claims 19 and 28, the Platzer-Black combination while teaching the invention as set forth above does not teach that said primary mirror comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto.

In regard to claims 19 and 28, Richard teaches that said primary mirror comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat 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 col. 1, lines 18-39.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the generally flat glass substrate having a surface coated with a metallic reflector coating as taught by Richard for the Platzer-Black combination in order to provide for high reflectivity, low cost and to provide for a durable mirror.

Regarding claims 20 and 29, the combination teaches that said single mirror support defines a primary portion for having said primary mirror fixedly secured thereto and a spotting portion for having said spotting mirror fixedly secured thereto as shown in Figures 20 and 21 of Platzer and Figure 12 of Black.

Regarding claims 21 and 30, the combination teaches that said primary portion of said single mirror support defines a primary plane that is substantially flat as shown in Figures 20 and 21 of Platzer and Figure 12 of Black.

Regarding claims 22 and 31, the combination teaches that said spotting portion of said single mirror support defines a spotting mirror support radius of curvature (44) substantially equal to said single radius of curvature as shown in Figure 8 of Platzer.

Regarding claims 23 and 32, the combination teaches that said spotting portion is forward of said primary plane as shown in Figure 21 of Platzer and Figure 12 of Black.

Regarding claims 24 and 33, the combination teaches that said spotting portion is substantially rearward of said primary plane as shown in Figure 22 of Platzer and as described in col. 11, lines 58-62 of Platzer.

Regarding claim 35, the combination teaches that said spotting mirror is at an angle of at least about three degrees relative to said primary mirror as described in col. 5, lines 48-50 of Black.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Platzer US 7097312 in view of Black US 5579133 and further in view of Richard US 6409354 and further in view of Hensley US 2279751.

Regarding claim 34, the Platzer-Black-Richard combination teaches the invention as set forth above but does not teach wherein the second field of view of said spotting mirror is generally directed at least one of outwardly and downwardly with respect to the

longitudinal axis of the motor vehicle when said exterior rearview mirror assembly is attached to the motor vehicle.

Regarding claim 34, Hensley teaches that the second field of view of said spotting mirror is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the motor vehicle when said exterior rearview mirror assembly is attached to the motor vehicle as described in page 3, left column, lines 42-70.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the spotting mirror be generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the motor vehicle as taught by Hensley in the Platzer-Black-Richard combination mirror assembly so as to increase the field of view and further eliminate blind spots so that the driver is provided with a clearer view of a wide extent of the road.

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, Thomas Pham can be reached on (571) 272-3689. 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

PATENT
DON09 P-1800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art : 2872
Examiner : Alessandro V. Amari
Applicant : Niall R. Lynam
Serial No. : 13/336,018
Filing Date : December 23, 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 May 17, 2012, Applicant wishes to submit the following:

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

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 8 of this paper.

A **Terminal Disclaimer** is attached.

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

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 2

Amendments to the Specification:

Please amend paragraph [0001] on page 1 as follows:

[0045] The present application is a continuation of U.S. patent application Ser. No. 12/911,274, filed Oct. 25, 2010, now U.S. Pat. No. 8,128,243 (~~Attorney Docket DON09 P-1651~~), which is a continuation of U.S. patent application Ser. No. 12/851,045, filed Aug. 5, 2010, now U.S. Pat. No. 7,934,843, which is a continuation of U.S. patent application Ser. No. 12/197,666, filed Aug. 25, 2008, now U.S. Pat. No. 7,842,154, which is a division of U.S. patent application Ser. No. 10/709,434, filed May 5, 2004, now U.S. Pat. No. 7,420,756, which claims the benefit of U.S. provisional application, Ser. No. 60/471,872, filed May 20, 2003, which are hereby incorporated herein by reference in their entireties.

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 3

Amendments to the Claims:

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

1 (original): An exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising:

a bracket fixedly secured to the motor vehicle;

a mirror casing secured to said bracket, said mirror casing defining a primary opening;

a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;

a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view; and

a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such that said first field of view of said primary mirror overlaps said second field of view of said spotting mirror.

2 (original): An exterior rearview mirror assembly as set forth in claim 1 wherein said single mirror support defines a primary portion for having said primary mirror fixedly secured thereto and a spotting portion for having said spotting mirror fixedly secured thereto.

3 (original): An exterior rearview mirror assembly as set forth in claim 2 wherein said primary portion of said single mirror support defines a primary plane that is substantially flat.

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 4

4 (original): An exterior rearview mirror assembly as set forth in claim 3 wherein said spotting portion of said single mirror support defines a spotting mirror support radius of curvature substantially equal to said single radius of curvature.

5 (original): An exterior rearview mirror assembly as set forth in claim 4 wherein said spotting portion is forward of said primary plane.

6 (original): An exterior rearview mirror assembly as set forth in claim 4 wherein said spotting portion is substantially rearward of said primary plane.

7-18 (canceled).

19 (previously presented): An exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising:

- a bracket fixedly secured to the motor vehicle;

- a mirror casing secured to said bracket, said mirror casing defining a primary opening;

- a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;

- a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view;

- a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such that said primary field of view of said primary mirror overlaps said second field of view of said spotting mirror; and

- wherein said primary mirror comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 5

having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto.

20 (previously presented): An exterior rearview mirror assembly as set forth in claim 19 wherein said single mirror support defines a primary portion for having said primary mirror fixedly secured thereto and a spotting portion for having said spotting mirror fixedly secured thereto.

21 (previously presented): An exterior rearview mirror assembly as set forth in claim 20 wherein said primary portion of said single mirror support defines a primary plane that is substantially flat.

22 (previously presented): An exterior rearview mirror assembly as set forth in claim 21 wherein said spotting portion of said single mirror support defines a spotting mirror support radius of curvature substantially equal to said single radius of curvature.

23 (previously presented): An exterior rearview mirror assembly as set forth in claim 22 wherein said spotting portion is forward of said primary plane.

24 (previously presented): An exterior rearview mirror assembly as set forth in claim 22 wherein said spotting portion is substantially rearward of said primary plane.

25-27 (canceled).

28 (previously presented): An exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising:

- a bracket fixedly secured to the motor vehicle;

- a mirror casing secured to said bracket, said mirror casing defining a primary opening;

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 6

a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;

a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view;

a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such that said primary field of view of said primary mirror overlaps said second field of view of said spotting mirror;

wherein said spotting mirror is at an angle relative to said primary mirror; and

wherein said primary mirror comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto.

29 (previously presented): An exterior rearview mirror assembly as set forth in claim 28 wherein said single mirror support defines a primary portion for having said primary mirror fixedly secured thereto and a spotting portion for having said spotting mirror fixedly secured thereto.

30 (previously presented): An exterior rearview mirror assembly as set forth in claim 29 wherein said primary portion of said single mirror support defines a primary plane that is substantially flat.

31 (previously presented): An exterior rearview mirror assembly as set forth in claim 30 wherein said spotting portion of said single mirror support defines a spotting mirror support radius of curvature substantially equal to said single radius of curvature.

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 7

32 (previously presented): An exterior rearview mirror assembly as set forth in claim 31 wherein said spotting portion is forward of said primary plane.

33 (previously presented): An exterior rearview mirror assembly as set forth in claim 31 wherein said spotting portion is substantially rearward of said primary plane.

34 (previously presented): An exterior rearview mirror assembly as set forth in claim 28, wherein the second field of view of said spotting mirror is generally directed at least one of outwardly and downwardly with respect to the longitudinal axis of the motor vehicle when said exterior rearview mirror assembly is attached to the motor vehicle.

35 (previously presented): An exterior rearview mirror assembly as set forth in claim 28, wherein said spotting mirror is at an angle of at least about three degrees relative to said primary mirror.

36-40 (canceled).

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 8

Remarks:

The amendments and remarks presented herein are believed to be fully responsive to the Office Action dated May 17, 2012.

Claims 1-6, 19-24 and 28-35 are pending in the application. Claims 16-18, 25-27 and 36-40 were withdrawn from consideration as being directed towards a non-elected invention. Applicants have canceled claims 16-18, 25-27 and 36-40 without prejudice so the subject matter of those claims can be pursued in a divisional application in the future. The specification has been amended to update an incorporated parent patent application which has now issued as a United States patent. No new matter has been added.

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

Claims 1-6, 19-24 and 28-35 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. Claims 1-6 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Platzer, Jr., U.S. Patent No. 7,097,312, in view of Black et al., U.S. Patent No. 5,579,133, while claims 19-24, 28-33 and 35 were also rejected under 35 U.S.C. §103(a) as being unpatentable over Platzer, in view of Black and further in view of Richard, U.S. Patent No. 6,409,354, and claim 34 was also rejected under 35 U.S.C. §103(a) as being unpatentable over Platzer, in view of Black and further in view of Richard, and further in view of Hensley, U.S. Patent No. 2,279,751.

Lynam '026 is not prior art to the present claims:

Applicant submits that Lynam '026 is not prior art to the present claims 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).

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 9

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 continuation of U.S. patent application Ser. No. 12/911,274, filed October 25, 2010, now U.S. Patent No. 8,128,243, which is a continuation of U.S. patent application Ser. No. 12/851,045, filed August 5, 2010, now U.S. Patent 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. 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

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 10

least independent claims 1, 19 and 28 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, 19 and 28 were reduced to practice well prior to June 13, 2002, the publication date of Lynam '026, and prior to December 20, 2000, the filing date of the application that published as Lynam '026.

Accordingly, the rejection of claims 1-6, 19-24 and 28-34 under §102(e) in view of Lynam '026 is obviated, and reconsideration and withdrawal of this rejection is respectfully requested.

Platzer is not prior art to the present claims:

Applicant also submits that Platzer is not prior art to the present claims. Platzer was filed February 23, 2004, and has a priority claim to U.S. provisional application Serial No. 60/449,370, filed on February 21, 2003. Because the May 20, 2003 priority date of the present application is within one year of the February 21, 2003 priority date of Platzer, and because (as discussed above) Applicant conceived and reduced to practice the invention claimed in at least the independent claims prior to the February 21, 2003 priority date of Platzer, Applicant respectfully submits that Platzer is not prior art to the present claims under 35 U.S.C. §102 or §103.

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 11

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 Platzer priority date of February 21, 2003. The attached Declaration and the attached specification and drawings of Exhibits A and B clearly corroborate that the inventions claimed in at least independent claims 1, 19 and 28 were reduced to practice well prior to February 21, 2003, the earliest priority date of the application that issued as Platzer. Applicant notes that, because Applicant's prior invention predates the February 21, 2003 priority date of Platzer, Applicant need not address whether or not Platzer's priority provisional application discloses the same or similar subject matter as the cited Platzer patent.

Accordingly, the rejections of claims 1-6, 19-24 and 28-34 under §103(a) in view of Platzer (either alone or in combination with Black and/or any other prior art of record) are obviated, and reconsideration and withdrawal of these rejections is respectfully requested.

Double Patenting Rejection:

Claims 1-6, 19-24 and 28-34 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 6, 10, 13, 15, 16 and 24 of U.S. Patent No. 8,128,243. Enclosed herewith is a Terminal Disclaimer with respect to U.S. Patent No. 8,128,243. The basis for the double-patenting rejection is obviated. Accordingly, withdrawal of the rejection of claims 1-6, 19-24 and 28-34 is respectfully requested.

Please charge Account No. 50-5553 for the \$160 terminal disclaimer fee due and for any additional fees which may be due.

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 12

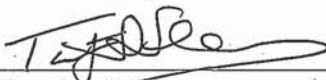
Claims 1-6, 19-24 and 28-35 are pending in the application. Applicant respectfully submits that claims 1-6, 19-24 and 28-35 are in condition for allowance and a notice to that effect is earnestly and respectfully requested.

Respectfully submitted,

NIALL R. LYNAM

By: Gardner, Linn, Burkhardt & Flory, LLP

Date: May 21, 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 Art : 2872
Examiner : Alessandro V. Amari
Applicant : Niall R. Lynam
Serial No. : 13/336,018
Filing Date : December 23, 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 rearview mirror assembly comprising:
 - a. a bracket fixedly secured to the motor vehicle;
 - b. a mirror casing secured to said bracket, said mirror casing defining a primary opening;
 - c. a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;
 - d. a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view; and
 - e. a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such

Applicant : Niall R. Lynam
Serial No. : 13/336,018
Page : 2

that said first field of view of said primary mirror overlaps said second field of view of said spotting mirror.

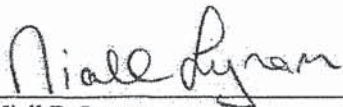
2. The invention of at least the independent claims of the present application was reduced to practice sometime prior to June 13, 2002, as evidenced by the attached specification and drawings (Exhibit A), which were filed with the United States Patent and Trademark Office on January 6, 2000 by Niall 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. 13/336,018 (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).

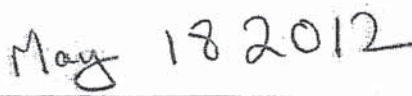
I hereby declare that all activities relating to the conception and reduction to practice of the above invention occurred in the United States.

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 R. Lynam


May 18 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

15671 7590 08/06/2012
Gardner, Linn, Burkhardt & Flory, LLP
2851 Charlevoix Dr.
SE, Suite 207
Grand Rapids, MI 49546

EXAMINER

AMARI, ALESSANDRO V

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 08/06/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/336,018	12/23/2011	Niall R. Lynam	DON09 P-1800	7833

TITLE OF INVENTION: EXTERIOR REARVIEW MIRROR ASSEMBLY

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	11/06/2012

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)

15671 7590 08/06/2012
 Gardner, Linn, Burkhart & Flory, LLP
 2851 Charlevoix Dr.
 SE, Suite 207
 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.
13/336,018	12/23/2011	Niall R. Lynam	DON09 P-1800	7833

TITLE OF INVENTION: EXTERIOR REARVIEW MIRROR ASSEMBLY

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	11/06/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
AMARI, ALESSANDRO V	2872	359-866000

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.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/336,018	12/23/2011	Niall R. Lynam	DON09 P-1800	7833
15671 7590 08/06/2012 Gardner, Linn, Burkhardt & Flory, LLP 2851 Charlevoix Dr. SE, Suite 207 Grand Rapids, MI 49546			EXAMINER AMARI, ALESSANDRO V	
			ART UNIT 2872	PAPER NUMBER

DATE MAILED: 08/06/2012

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)	
	13/336,018	LYNAM, NIAL 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 5/21/2012.
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 1-6, 19-24 and 28-35.
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)

- | | |
|--|---|
| 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),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 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 21 May 2012 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 8,128,243 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Affidavit/Declaration

The declaration filed on 21 May 2012 under 37 CFR 1.131 is sufficient to overcome the Lynam US 2002/0072026 and Black US 5579133 references.

Allowable Subject Matter

Claims 1-6, 19-24 and 28-35 are allowed.

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

Claim 1, 19 and 28 are allowable for at least the reason, "a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such that said first field of view of said primary, mirror overlaps said second field of view of said spotting mirror" as set forth in the claimed combination. Claims 2-6 are allowable due to their dependence on claim 1, claims 20-24 are allowable due to

their dependence on claim 19 and claims 29-35 are allowable due to their dependence on claim 28.

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, Thomas Pham can be reached on (571) 272-3689. 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