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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
95/002,037	07/18/2012	7142948	36563-0004RX1	1070
128	7590	10/01/2012	EXAMINER	
HONEYWELL INTERNATIONAL INC. PATENT SERVICES 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245			TSENG, CHENG YUAN	
			ART UNIT	PAPER NUMBER
			3992	
			MAIL DATE	DELIVERY MODE
			10/01/2012	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.

Transmittal of Communication to Third Party Requester <i>Inter Partes</i> Reexamination	Control No.	Patent Under Reexamination	
	95/002,037	7142948	
	Examiner	Art Unit	
	CHENG-YUAN TSENG	3992	

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

_____ (THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS) _____

Fish & Richardson P.C. (TC)
PO Box 1022
Minneapolis, MN 55440-1022

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above-identified reexamination proceeding. 37 CFR 1.903.

Prior to the filing of a Notice of Appeal, each time the patent owner responds to this communication, the third party requester of the *inter partes* reexamination may once file written comments within a period of 30 days from the date of service of the patent owner's response. This 30-day time period is statutory (35 U.S.C. 314(b)(2)), and, as such, it cannot be extended. See also 37 CFR 1.947.

If an *ex parte* reexamination has been merged with the *inter partes* reexamination, no responsive submission by any *ex parte* third party requester is permitted.

All correspondence relating to this *inter partes* reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.

**OFFICE ACTION IN INTER PARTES
REEXAMINATION**

Control No.	Patent Under Reexamination
95/002,037	7142948
Examiner	Art Unit
CHENG-YUAN TSENG	3992

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

Responsive to the communication(s) filed by:
Patent Owner on _____
Third Party(ies) on 18 July, 2012

RESPONSE TIMES ARE SET TO EXPIRE AS FOLLOWS:

For Patent Owner's Response:

2 MONTH(S) from the mailing date of this action. 37 CFR 1.945. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.956.

For Third Party Requester's Comments on the Patent Owner Response:

30 DAYS from the date of service of any patent owner's response. 37 CFR 1.947. NO EXTENSIONS OF TIME ARE PERMITTED. 35 U.S.C. 314(b)(2).

All correspondence relating to this inter partes reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

This action is not an Action Closing Prosecution under 37 CFR 1.949, nor is it a Right of Appeal Notice under 37 CFR 1.953.

PART I. THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892
2. Information Disclosure Citation, PTO/SB/08
3. _____

PART II. SUMMARY OF ACTION:

- 1a. Claims 1-8 are subject to reexamination.
- 1b. Claims _____ are not subject to reexamination.
2. Claims _____ have been canceled.
3. Claims _____ are confirmed. [Unamended patent claims]
4. Claims _____ are patentable. [Amended or new claims]
5. Claims 1-8 are rejected.
6. Claims _____ are objected to.
7. The drawings filed on _____ are acceptable are not acceptable.
8. The drawing correction request filed on _____ is: approved. disapproved.
9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119 (a)-(d). The certified copy has:
 been received. not been received. been filed in Application/Control No _____.
10. Other _____

DETAILED ACTION

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Art Unit: 3992

Inter Partes Reexamination

This action is on the claims for which a reasonable likelihood of prevailing ("RLP") has been requested and determined to exist; that is claims 1-8 of U.S. Patent 7,142,948 to Metz ("the '948 patent", hereafter).

Prior Art Submitted in the Request

- Japanese Publication S59-106311 to Nippondenso ("Nippondenso")
- Japanese Publication H1-252850 to Mitsubishi ("Mitsubishi")
- US Patent 6,286,764 to Garvey ("Garvey")

Proposed Rejections

An RLP was shown for selected proposed rejections in the Request. Proposed rejections for which no RLP was raised will not be discussed further because reexamination is limited to those proposed rejections for which a RLP has been determined to exist. See the accompanying Order.

A. Nippondenso	Claims 1-8
B. Mitsubishi	Claims 1-8
C. Garvey	Claims 1-3 and 5-8

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A. Nippondenso	Claims 1-8
B. Mitsubishi	Claims 1-8
C. Garvey	Claims 1-3 and 5-8

Art Unit: 3992

Nippondenso

A. Claims 1, 3, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Nippondenso. This rejection is ADOPTED as proposed in the Request. See Request pages 8-18, which is incorporated by reference as to these claims.

B. Claims 2-5 and 7 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nippondenso. This rejection is ADOPTED as proposed in the Request. See Request pages 8-18, which is incorporated by reference as to these claims.

C. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nippondenso in view of Mitsubishi. This rejection is ADOPTED as proposed in the Request. See Request pages 8-18, which is incorporated by reference as to these claims.

D. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nippondenso in view of Garvey. This rejection is ADOPTED as proposed in the Request. See Request pages 8-18, which is incorporated by reference as to these claims.

Art Unit: 3992

Mitsubhushi

E. Claims 1, 3-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitsubishi. This rejection is ADOPTED as proposed in the Request. See Request pages 18-28, which is incorporated by reference as to these claims.

F. Claims 2 and 7 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Mitsubishi. This rejection is ADOPTED as proposed in the Request. See Request pages 18-28, which is incorporated by reference as to these claims.

Garvey

G. Claims 1-3, 5-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Garvey. This rejection is ADOPTED as proposed in the Request. See Request pages 28-36, which is incorporated by reference as to these claims.

H. Claim 7 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Mitsubishi. This rejection is ADOPTED as proposed in the Request. See Request pages 28-36, which is incorporated by reference as to these claims.

Art Unit: 3992

Conclusion

In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office action. Submissions after the next Office action, which is intended to be an action closing prosecution (ACP), will be governed by 37 CFR 1.116, which will be strictly enforced.

Extensions of time under 37 CFR 1.136(a) will not be permitted in *inter partes* reexamination proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to the patent owner in a reexamination proceeding. Additionally, 35 U.S.C. 314(c) requires that *inter partes* reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.937). Patent owner extensions of time in *inter partes* reexamination proceedings are provided for in 37 CFR 1.956. Extensions of time are not available for third party requester comments, because a comment period of 30 days from service of patent owner's response is set by statute. 35 U.S.C. 314(b)(3).

All correspondence relating to this *inter partes* reexamination proceeding should be directed:

By Mail to: Mail Stop *Inter Partes* Reexamination

Art Unit: 3992

Attn: Central Reexamination Unit
Commissioner of Patents
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

By FAX to: (571) 273-9900

Central Reexamination Unit

By hand: Customer Service Window

Randolph Building

401 Dulany St.

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

/CHENG-YUAN TSENG/

Primary Examiner, Art Unit 3992

Conferees:

/Erik Kielin/

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