

**Applicant:** Giuseppe Dal Pra'  
**Application No.:** 11/366,984

**REMARKS**

After the foregoing Amendment, claims 9-14, 16-17, 30-42, and 44-55 are pending in this application. Claim 51 has been amended to recite that “rotation of said control lever about a first axis operates said at least one switch,” instead of “brings said lever into operating contact with said at least one switch.” The amendment to claim 51 is supported by at least col. 3, lines 43-54 and Figures 3-4 of the published U.S. Patent 6,698,567. Previously presented new claim 56 has been canceled without prejudice. No new matter has been introduced into the application by these amendments.

**Telephonic Interview**

Applicant thanks the Examiner for the courtesy extended towards Applicant’s representative during the telephone interview conducted on October 27, 2010. During the interview, the defective reissue declaration and the resulting 35 U.S.C. § 251 rejection were discussed. The Examiner indicated that the defect in the reissue declaration can be overcome by amending claim 51 to recite that rotation of the control lever about a first axis “operates” the at least one switch instead of coming into “operating contact” with the at least one switch. The Examiner further indicated that a Supplemental Declaration would be necessary to

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state that the other errors corrected in the reissue application arose without any deceptive intent on the part of the applicant.

**Oath/Declaration**

The Action found the reissue oath/declaration to be defective for failing to identify at least one error which is relied upon to support the reissue application, because previously presented claim 51 still requires the control lever to “contact” the switch, which is the error identified in the declaration. Claim 51 has been amended to eliminate this requirement, and currently recites that “rotation of said control lever about a first axis operates said at least one switch” instead of coming into “operating contact” with the at least one switch.

A Supplemental Declaration in compliance with 37 C.F.R. § 1.175 is also being submitted concurrently with this Reply. The Supplemental Declaration is executed by the Applicant and states that every error in the patent which was corrected in the present reissue application, including those corrected in the present Reply to the October 26, 2010 Office Action, and which is not covered by the prior oath(s) and/or declaration(s) submitted in this application, arose without any deceptive intent on the part of the Applicant.

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Based on the amendments and remarks presented above, Applicant respectfully requests that the objection to the reissue oath/declaration be withdrawn.

**Claim Rejections – 35 U.S.C. § 251**

Claims 9-14, 16, 17, 30-42, and 44-56 were rejected as being based upon a defective reissue declaration under 35 U.S.C. § 251. As discussed above, claim 51 has been amended to remedy the defect and a Supplemental Declaration in compliance with 37 C.F.R. § 1.175 is being submitted concurrently with this Reply. Accordingly, withdrawal of the § 251 rejection of the pending claims is respectfully requested.

**Conclusion**

If the Examiner believes that an interview will advance placement of this reissue application in condition for allowance, the Examiner is invited to contact the undersigned at the Examiner's convenience.

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In view of the foregoing amendment and remarks, Applicant respectfully submits that the present reissue application, including all of the pending claims, is in condition for allowance as a reissue patent and a notice to that effect is respectfully solicited.

Respectfully submitted,

Giuseppe Dal Pra'

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