

REMARKS

The Applicants appreciate the continued thorough examination of the subject application. Claims 2, 3, 4, 5, 8, 10, 14, 17, 25, 26, 34, 35, 36, 54 and 55 remain in the application. Continued consideration of this application under the provisions of Section 116 is respectfully requested.

The enumerated claims have been provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as unpatentable over claims 4, 10-13, 15-20 and 25 of copending Application No. 11/252.248.

The cited copending application is commonly owned with the present application and issued on February 16, 2010 as patent number 7,663,555. Thus the provisional double patenting rejection set forth in currently pending Office Action has now matured into an actual double patenting rejection.

To overcome the double patenting rejection the Applicants have filed a terminal disclaimer in the present application on even date herewith and according to the EFS filing procedure.

Since the proposed amendment/terminal disclaimer overcomes the current claim rejections, entry of the amendments and issuance of a Notice of Allowance for all pending claims is respectfully requested.

The Applicants petition for an extension of time of two months (until June 21, 2010) under 37 C.F.R. 1.136. The extension of time fee has been paid by charging to a credit card concurrent with the filing of this amendment.

If a telephone conference will assist in clarifying or expediting this Amendment, Examiner Wimer is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

/john l. deangelis/

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