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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/618,543	12/29/2006	Forwood C. Wiser	1248C	5970
24383	7590	04/17/2009	EXAMINER	
ALLAN JACOBSON INTELLECTUAL PROPERTY LAW TYLER STATE PARK 24 ONE LANE TRAIL RICHBORO, PA 18954-1738			CHIESA, RICHARD L	
			ART UNIT	PAPER NUMBER
			1797	
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			04/17/2009	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. 11/618,543	Applicant(s) WISER, FORWOOD C.
Examiner Richard L. Chiesa	Art Unit 1797

-- 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 16 May 2007 and 14 December 2007.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) 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

- 4) Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 16 May 2007 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).
- 11) 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

- 12) 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) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/14/07; 9/3/08.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Response to Amendment

1. The preliminary amendments filed on May 16, 2007 and December 14, 2007 have been entered.

Drawings

2. The replacement drawings filed on May 16, 2007 are objected to because they apparently are not labelled --Replacement Sheet-- or --New Sheet-- in the top margin. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

Art Unit: 1797

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: (A) The phrase “the fibers” on the last line of page 6 should apparently be changed to --of the fibers--. (B) Lines 5-10 on page 6 and lines 13-15 on page 7 appear to be inconsistent with the drawings. Appropriate correction is required.

Claim Objections

4. Claim 11 is objected to because the semi-colon at the end of claim 11 should apparently be changed to a period. Appropriate correction is required.

Claim Rejections - 35 USC § 102/103

5. 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 –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. 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

Art Unit: 1797

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.

7. Claims 1, 2, 5-11, and 14-18 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 U.S. Patent No. 4,750,921 to Sugita et al. Sugita et al (note Figures 2-7) show a filter with a pleated sheet 21 of filter material, conductive strap or tape members 24, and a high voltage power supply 28-30 connected to the conductive members in various different arrangements (note col. 2, line 55 to col. 4, line 15) as claimed (35 USC 102b). It would appear that Sugita et al may not explicitly refer to the conductive members as “beads”. However, Sugita et al’s conductive strap or tape members 24 appear to be identical to applicant’s conductive beads and applicant even further defines the beads as strips or tapes in dependent claims 9 and 17. Consequently, it is inherent or at least would have been readily obvious to one having ordinary skill in the art (35 USC 103a) that Sugita et al’s conductive strap or tape members are “beads”.

8. Claims 3, 4, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita et al in view of U.S. Patent No. 6,547,860 to Buchwald et al. Sugita et al, as described above in paragraph 7, disclose a filter substantially as claimed with the possible exception of an electret filter material with a blend of fibers from different portions of the triboelectric scale. However, Buchwald et al (note col. 1, lines 7-60) teach the well-known use of such materials in an air filter for the purpose of enhancing electrostatic charge. Therefore, it would have been obvious to one of ordinary skill in the art to employ electret materials with a blend of fibers from

Art Unit: 1797

different portions of the triboelectric scale in the Sugita et al filter in order to ensure proper electrostatic charge as taught by Buchwald et al.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references have been cited as art of interest to show other electrostatic filters.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard L. Chiesa whose telephone number is (571) 272-1154.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane S. Smith, can be reached at (571) 272-1166.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is (571) 272-1700.

Facsimile correspondence must be transmitted through (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).

Richard L. Chiesa
April 17, 2009

**/Richard L. Chiesa/
Primary Examiner
Art Unit 1797**