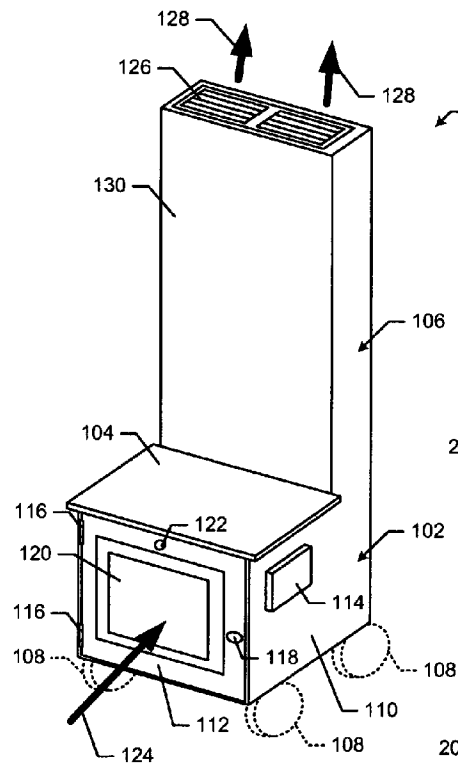


REMARKS

The action rejected the claims as obvious over a combination of US 7,459,002 to Kalous in view of US 7,455,706 to Latham.

Kalous is simply a ductwork cabinet 102 with a shelf 104 upon which a device can rest, as shown in Figure 1, below.



The air 124 passing through the ductwork (from 124-128) cabinet never passes over or through a device resting on the shelf 104, as best shown in Figure 3.

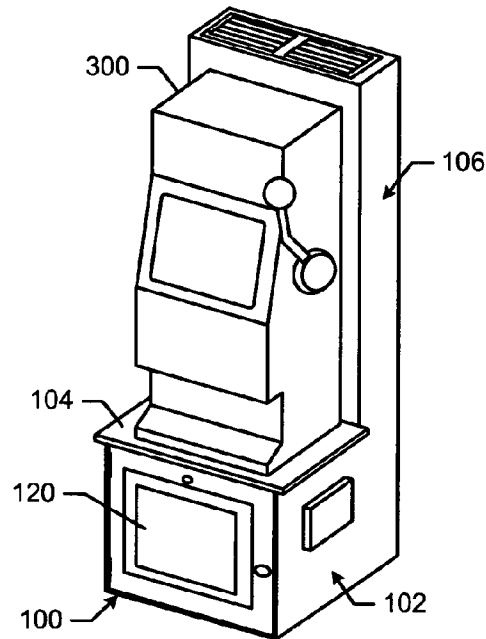


FIG. 3

In fact, Kalous's goal is to direct airflow *away* from any object such as a gaming machine 300 resting on the platform. "Specifically, processed air may flow through the plenum about, adjacent to, and/or otherwise in a non-obtrusive manner relative to the space occupied by the object [300]....The processed air may then exit the example presentation apparatus ...substantially away from the object held by the surface 104.....: Col. 5, lines 20-29. Thus, Kalous seeks to—in every way—direct airflow through its filtering apparatus and ductwork *away* from electronic components.

This is different from the other reference cited in the action: Latham. Latham creates a climate-controlled environment for an electronic device stored outside. The focus of Latham is to direct airflow to a device stored outside but more importantly, prevent moisture from making its way to the device. To accomplish this goal, Latham

uses a PTFE filter downstream from a particulate filter to trap water from the air flowing over the device.

The difference between these devices is clear: Where Kolous focuses on directing air away from an electronic device, Latham directs air towards an electronic device. These teachings are irreconcilable and thus, Kolous teaches away from Latham and the combination of these references is improper. *See United States v. Adams*, 383 U.S. 39, 52, 86 S.Ct. 708, 714, 15 L.Ed.2d 572, 148 (1966) (“known disadvantages in old devices which would naturally discourage the search for new inventions may be taken into account in determining obviousness”); *In re Spinnoble*, 405 F.2d 578, 587, 160 USPQ 237, 244 (CCPA 1969) (references taken in combination teach away since they would produce a “seemingly inoperative device”); *In re Caldwell*, 319 F.2d 254, 256, 138 USPQ 243, 245 (CCPA 1963) (reference teaches away if it leaves the impression that the product would not have the property sought by the applicant).

The references also fail to teach or suggest what is recited in the new claims for at least the following reasons.

The cited references fail to teach or suggest the polarized media air cleaner and airflow path that cools the electronic components as recited in claims 12-25. As mentioned above, Kalous does not teach any airflow over the electronic components and thus is directly the opposite of not only Latham, but the claimed solution. Further, neither reference teaches or suggests the “polarized media air cleaner” as recited in claim 17 and dependent claims 12-16 and 18-25. In fact, such a polarized air cleaner

would not be effective in a Latham filter because it would be ineffective at stopping water ingress. Conversely, Latham's PTFE filter for preventing water ingress would be a wasteful and costly solution in the claimed apparatus where water is not contemplated. So, not only does Latham not teach or suggest the polarized air cleaner, its solution would make no commercial sense.

The cited references do not teach the ductwork and polarized media air cleaner and airflow path that cools the electronic components as recited in claims 26-31. The above argument with respect to claims 12-25 is equally applicable to claims 26-31. Moreover, neither Kalous nor Latham suggest the ductwork arrangement in combination with the polarized air cleaner as recited in the claims. Latham is silent about directing airflow to multiple components/housings through ducts and Kalous does not show ducts directing airflow *to* electronic components but *away* from them.

The dependent claims are allowable for at least the reasons above.

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Neither of the cited reference teach or suggest what is recited in claims 12-31 and these claims should now be allowable.

Respectfully submitted,

Forwood Wiser

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