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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
11/618,555	12/29/2006	Forwood C. Wiser	EDG-PT1247	5989

3624 7590 06/14/2010

VOLPE AND KOENIG, P.C.
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER	
PHAM, MINH CHAU THI	
ART UNIT	**PAPER NUMBER**
1797	

MAIL DATE	DELIVERY MODE
06/14/2010	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.	Applicant(s)	
	11/618,555	WISER, FORWOOD C.	
	Examiner	Art Unit	
	MINH-CHAU PHAM	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 *03 March 2010*.

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) *12-23,25-27,29 and 30* 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4a) Of the above claim(s) _____ is/are withdrawn from consideration.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) *12-23,25-27,29 and 30* 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 _____ 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 _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 12-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (7,445,654 B2), in view of Skeist (4,248,162), and further in view of Krichtafovitch et al (7,150,780 B2).

Wong discloses a filter apparatus for electronic components (104) comprising an enclosure (104) having vents (106) open to air outside the enclosure (104) (see Fig. 6), an air cleaner comprising an inlet port (612), an outlet port (610) and at least one filter (608), electronic components located within the enclosure (104), wherein the outside air flows through the inlet port (612), through the at least one filter (608) and through the outlet port (610) to created filtered air (col. 5, lines 49-60), wherein the filtered air cools the electronic components and then exits the enclosure (104) through the vents (106) (see Fig. 6). Wong further discloses the air flow is driven by a fan (604) and the air cleaner located outside the enclosure (see Fig. 6). Wong also discloses at least one filter comprising a gaseous contaminant filter (608), at least one filter comprising a fine particle filter (see col. 5, lines 58-60), at least one filter being electrostatic filter (see col. 5, line 59), and at least one filter removing VOC's from the air stream (col. 1, lines 38-50). Claims 12-23 and 25 differ from the disclosure of Wong in that the air cleaner filter being an electrostatic filter polarized by at least two electrodes to remove sub-micron particles, tars and VOCs. Skeist discloses a table (11) with an electrostatic precipitator (15, 36) for purifying the air by collecting sub-micron particles such as tobacco smoke

(col. 1, lines 33-44, col. 2, lines 11-37). Skeist does disclose a filter being an electrostatic filter to capture the sub-micron particles such as tobacco smoke, and is silent about the electrostatic filter being polarized by at least two electrodes. However, it is well known in the art that an electrostatic air cleaning device includes an array of electrodes, such as Krichtafovitch et al showing that the electrodes include corona electrodes connected to a suitable source of high voltage so as to generate a corona discharge (see the Abstract), which is typically are supplied with a high negative or positive electric potential and is capable of simultaneously air movement and dust collection of sub-micron finer particles with diameter of 0.3 micron (see col. 1, line 64 through col. 2, line 20). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a polarized active media air cleaner as taught by Skeist and Krichtafovitch et al in the filter apparatus of Wong to produce an electrostatic filter element since it is well known in the art that electrostatic filter would effectively capture sub-micron particles such as tobacco smoke from the air stream passing through.

Claims 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (7,445,654 B2), in view of Skeist (4,248,162), and further in view of Krichtafovitch et al (7,150,780 B2), as applied supra.

Claims 26 and 29 call for a filter apparatus for providing cooled air to a plurality of electronic components. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide multiple electronic components instead of only one since it has been held that mere duplication of the essential working

parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co., 193 USPQ 8*.

Claims 25, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wong (7,445,654 B2), in view of Skeist (4,248,162), and further in view of Krichtafovitch et al (7,150,780 B2), as applied supra.

Claims 25, 27 and 30 call for the plurality of electronic components comprising gaming machines. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the plurality of electronic components of Wong as gaming machines or any other electronic devices as desired since it has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham, 2 USPQ 2d 1647 (1987)*.

Response to Amendment

Applicant's arguments filed on March 3, 2010 have been fully considered but they are not persuasive.

Applicant argues that the cited secondary reference Hurst discloses a filter collecting larger airborne particles, and not filtering finer particles, as an electrostatic filter polarized by at least two electrodes with high voltage, as amended.

The Examiner now drops the secondary reference Hurst and newly introduces Skeist (4,248,162) as the secondary reference and Krichtafovitch et al (7,150,780 B2)

as the tertiary reference in combination with the primary reference Wong (7,445,654 B2) under the 103(a) rejection of claims 12-23 and 25 to show:

Skeist discloses a table (11) with an electrostatic precipitator (15, 36) for purifying the air by collecting sub-micron particles such as tobacco smoke (col. 1, lines 33-44, col. 2, lines 11-37), as claimed. Skeist does disclose a filter being an electrostatic filter to capture the sub-micron particles such as tobacco smoke, but is silent about the electrostatic filter being polarized by at least two electrodes. However, it is well known in the art that an electrostatic air cleaning device includes an array of electrodes, such as Krichtafovitch et al showing that the electrodes include corona electrodes connected to a suitable source of high voltage so as to generate a corona discharge (see Abstract), which is typically are supplied with a high negative or positive electric potential and is capable of simultaneously air movement and dust collection of sub-micron finer particles with diameter of 0.3 micron (see col. 1, line 64 through col. 2, line 20), as claimed.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a polarized active media air cleaner as taught by Skeist and Krichtafovitch et al in the filter apparatus of Wong to produce an electrostatic filter element since it is well known in the art that electrostatic filter would effectively capture sub-micron particles such as tobacco smoke from the air stream passing through.

Applicant's arguments with respect to claims 12-23, 25-27, 29 and 30 have been thoroughly considered but are moot in view of the new ground(s) of rejection, as discussed above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-CHAU PHAM whose telephone number is (571)272-1163. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272 - 1166. The fax phone number for the organization where this application or proceeding is assigned is 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). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MINH-CHAU PHAM/
Examiner, Art Unit 1797
June 10, 2010