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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	09/26/2011	EXAMINER	
VOLPE AND KOENIG, P.C. UNITED PLAZA 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			PHAM, MINH CHAU THI	
			ART UNIT	PAPER NUMBER
			1776	
			NOTIFICATION DATE	DELIVERY MODE
			09/26/2011	ELECTRONIC

**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.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eoffice@volpe-koenig.com

<b>Office Action Summary</b>	<b>Application No.</b> 11/618,555	<b>Applicant(s)</b> WISER, FORWOOD C.	
	<b>Examiner</b> MINH-CHAU PHAM	<b>Art Unit</b> 1776	

-- 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 06 September 2011.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  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**

- 5)  Claim(s) 12-23,25-27,29 and 30 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 12-23,25-27,29 and 30 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10)  The specification is objected to by the Examiner.
- 11)  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).
- 12)  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**

- 13)  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 Draftperson'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 the Canadian Patent (CA 1, 272,453).

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 create 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 an electrostatic filter (see col. 5, line 59), and at least one filter removing chemical contaminants from the air stream (see Fig. 3, col. 1, lines 40-45). Claims 12-23 and 25 differ from the disclosure of Wong in that the air cleaner filter being an electrostatic filter polarized by two dielectric layers between two outer layers of conductive material and at least two electrodes. The Canadian reference discloses an electrostatic air filter connected to a high voltage power supply, wherein the filter cartridge consists of a conductive inner center screen

Art Unit: 1776

which is sandwiched between two layers of dielectric fibrous material (either plastic or glass), and the two dielectric layers are sandwiched between two outer screens of conductive material. The conductive inner center screen is raised to a high voltage, thereby creating an electrostatic field between the inner center screen and the two conductive outer screens that are kept at an opposite or ground potential. The high voltage electrostatic field polarizes the fibers of the two dielectric layers. (see page 1, lines 11-20, page 2, lines 14-21, page 2, lines 1-15). 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 the Canadian reference 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 the Canadian Patent (CA 1, 272,453), 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.

Art Unit: 1776

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 the Canadian Patent (CA 1, 272,453), 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 December 14, 2010 have been fully considered but they are not persuasive.

Applicant argues that the cited primary reference "Wong does not disclose a filter removing ultrafine particles such as VOCs that are far smaller than dust". The Examiner respectfully disagrees. Wong clearly 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 chemical contaminants from the air stream (see Fig. 3, col. 1, lines 40-45).

Art Unit: 1776

Applicant further argues that the secondary reference “Krichtafovich does not disclose polarized active media filter comprising two dielectric layers between two outer layers of conductive material”, as amended. The Examiner now drops both Krichtafovich and Skeist, and newly introduces the Canadian Patent (CA 1, 272,453) as the secondary reference in combination with the primary reference Wong under the 103(a) rejection of claims 12-23 and 25 to show:

The Canadian reference discloses an electrostatic air filter connected to a high voltage power supply, wherein the filter cartridge consists of a conductive inner center screen which is sandwiched between two layers of dielectric fibrous material (either plastic or glass), and the two dielectric layers are sandwiched between two outer screens of conductive material. The conductive inner center screen is raised to a high voltage, thereby creating an electrostatic field between the inner center screen and the two conductive outer screens that are kept at an opposite or ground potential. The high voltage electrostatic field polarizes the fibers of the two dielectric layers, as claimed (see page 1, lines 11-20, page 2, lines 14-21, page 2, lines 1-15).

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 the Canadian reference 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.

Art Unit: 1776

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.

The IDS's filed on 11/16/09, 11/05/09, 08/21/09, 08/10/09, 09/03/08, 11/14/07 and 10/29/07 are considered, initialized and attached in this Office Action for Applicant's record.

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.

Application/Control Number: 11/618,555  
Art Unit: 1776

Page 7

/MINH-CHAU PHAM/  
Examiner, Art Unit 1776  
September 19, 2011