

REMARKS

Claims 1-12 are pending in this application. Claims 8 and 11 have now been amended. Applicants assert that no new matter has been introduced.

Election/Restrictions

The Examiner contends that the present application contains claims directed to more than one species of the generic invention. That is, these species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Figs. 1- 2 — An edible film dispenser with horizontal dispensing.

Figs. 3-8. — An edible film dispenser with a protrusion (having vertically upward dispensing).

Figs. 9-12. — An edible film dispenser with pre-cut tape, and

Fig. 13. — An edible film dispenser without a cutter assembly.

The Examiner has required, in reply to this action, that the Applicant elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added.

Upon the allowance of a generic claim, Applicant understands that he will be entitled to consideration of claims to additional species which are written in dependent form or otherwise require all the limitations of an allowed generic claim.

Applicants herein elect Group II.

The claims encompassed by the species to be examined include claims 1-3; 6-7 and 9.

Application No. 12/301,974
Amendment dated November 2, 2011
Reply to Official Action of September 1, 2011

It is understood that upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise require all the limitations of an allowed generic claim.

Applicants' undersigned attorney has made a good faith effort to be responsive to the restriction requirement made in the Office Action dated September 1, 2011. If the Examiner would like to discuss the restriction requirement or to have Applicants provide any clarification of its terms, he is invited to contact Applicants' undersigned attorney at the phone number given below.

The Commissioner for Patents is hereby authorized to charge any deficiency or credit any overpayment of fees to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,

GI-JE RYU

By



Stephen R. Jenei
Registration No. 41,487
Attorney for Applicant(s)
FROST BROWN TODD LLC
3300 Great American Tower
301 East Fourth Street
Cincinnati, Ohio 45202
(513) 651-6839
sjenei@fbtlaw.com