

REMARKS

In the Office Action, the Examiner (1) rejected claims 5, 18, and 26 under 35 U.S.C. 112, second paragraph, as being indefinite; (2) rejected claims 1-9, 11-14, 16-23, and 25-32 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2008/0278405 (“Montgomery”); and (3) rejected claims 10, 15, and 24 under 35 U.S.C. § 103(a) as being unpatentable over Montgomery. Applicants request reconsideration and allowance of the rejected claims.

Applicant has amended claims 5 and 18 to replace the term “feed point” with “antenna port” for clarification and consistency with terminology in the independent claims on which the claims are based. Support for the amendment can be found throughout the specification, including, e.g., paragraphs 00142, 00167, and 00207. Accordingly, no new matter has been added.

The Examiner also rejected claim 26 stating that the term “spoke-like” rendered the claim indefinite. Applicant disagrees. The term spoke-like as used in the specification (e.g., paragraphs 00212, 00221, and 00222) and shown in the drawings (e.g., FIGS. 33A and 36A) would be clearly understood to refer to a shape having portions radiating outward from a given point.

The rejections of claims 5, 18, and 26 under 35 U.S.C. 112, second paragraph, as being indefinite should therefore be withdrawn.

The Examiner also rejected each of the claims as being anticipated by or obvious over the Montgomery reference. These rejections should be withdrawn because the Montgomery reference is the parent to the present application. The particular portions of the Montgomery reference to which the Examiner refers in rejecting the claims are also included in the present application (with the same corresponding figure numbers). The present application is a continuation-in-part of and claims priority to the Montgomery reference. Accordingly, the

Application No. 12/727,531
Amendment dated December 20, 2012
Reply to Office Action issued June 26, 2012

Montgomery reference does not constitute prior art with respect to the present application.
The claim rejections based on Montgomery should therefore be withdrawn.

As each of the claims in the application is believed to be in condition for allowance, issuance of a Notice of Allowance is requested.

CONCLUSION

Any changes to the claims in this amendment that have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Commissioner is hereby authorized to charge any fee deficiency associated with this submission, or credit any overpayment to Deposit Account No. 06-1448.

In the event that an extension of time is required, or that may be required in addition to that requested in any petition for an extension of time, a petition for extension is hereby made to make this response timely, and the Commissioner is authorized to charge any fee for such to deposit account number 06-1448. If a telephone conversation with Applicants' Attorney would expedite the prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 832-1268.

Respectfully submitted,

FOLEY HOAG LLP

Dated: December 20, 2012
FOLEY HOAG LLP
155 Seaport Blvd.
Boston, MA 02210
(617) 832-1268

By /RAJESH VALLABH/
Rajesh Vallabh
Reg. No. 35,761
Attorney for Applicants