

Amendments to Drawings:

The attached sheet of drawings includes changes to Fig. 3. This sheet, which includes Fig. 3, replaces the original sheet including Fig. 3. Fig. 3 has been corrected to introduce reference numerals '6' and '7', which were missing from the original drawings as filed.

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1-4, 7-15 and 17-18 are currently pending in this application. Claims 5-6 were canceled in a preliminary amendment. Claim 16 is hereby canceled without prejudice. Claims 1, 2, 9, 10, 12, 13, and 15 are presently amended. New claims 17 and 18 have been added to more distinctly claim subject matter which the Applicant regards as the invention.

In the drawings, Fig. 3 has been amended to include reference numerals '6' and '7'.

No new matter has been introduced by way of the claim amendments. Support can be found in the specification and claims as originally filed, for example at paragraph [0027] and original claims 1 and 12.

Objections to the Drawings

The Examiner objected to the drawings because Figure 3 failed to show the start-up and run-down bearings as described in the specification. Replacement sheet 3/10 including Figure 3, which has been revised to include reference numeral 7, is submitted herewith. Applicant also noted that reference numeral 6, identifying the accumulator, was inadvertently omitted from Figure 3. The present replacement sheet also includes numeral 6 for clarity.

Accordingly, withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections - 35 USC § 112

Claims 1, 2, 12, and 16 stand rejected under 35 USC § 112(b) of pre-AIA 35 USC § 112, second paragraph for indefiniteness. In particular, the Examiner asserts that the phrase “such as” in claims 1, 12, and 16 renders the claims indefinite and the term “same principle” in claim 2 is not defined.

In response, as indicated in the listing of the claims above, claims 1, 2, and 12 are presently amended in order to address the issues noted. Additional amendments were also made to the claims to address potential antecedent basis issues. Claim 16 has been canceled, making moot the rejection of claim 16.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 112 rejections in the present application.

Claim Rejections - 35 USC § 102

Claims 1-13 and 15-16 stand rejected under 35 USC § 102(b) as being anticipated by US Patent No. 5,310,265 to Stangeland (“*Stangeland*”).

Initially, Applicant notes that claims 5 and 6 were previously canceled and are no longer pending. Accordingly, the claims rejected under § 102 should be 1-4, 7-13, and 15-16.

Independent claim 1 recites elements not taught by Stangeland. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." (*Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983))). Here, *Stangeland* fails to disclose each of the claimed elements as arranged in the claims so as to establish a *prima facie* case of anticipation.

Presently amended claim 1 recites, *inter alia*, a bearing system for a rotor in rotating machines, the rotor being provided with at least two bearings and associated seals, wherein each bearing and sealing point...is formed of a stator...wherein the stator is provided with means adapted for damping of gas rotation in the annular clearance, wherein the rotating damping means includes at least one of an axial rib, a brush, or guide blades.

On page 4 of the Office Action, the Examiner asserts that *Stangeland* discloses a rotating damping means include[ing] an inclined hole pattern, citing to Figs. 3-6 and column 2, lines 10-25 and 45-58. However, claim 1 as presently

amended recites the rotating damping means includes at least one of an axial rib, a brush, or guide blades and does not include an inclined hole pattern. Applicant submits that the cited portion of the reference fails to disclose at least one of an axial rib, a brush, or guide blades.

Therefore, a *prima facie* case of anticipation has not been established with respect to claim 1 because *Stangeland* fails to teach all of the elements recited in the claims.

Claims 2-4, 7-13, 15, and 17-18 are dependent upon claim 1, and are allowable over the cited references of record for the same reasons provided above.

Based on the arguments presented above, withdrawal of the §102 rejection of claims 1-4, 7-13, 15, and 17-18 is respectfully requested.

Claim Rejections - 35 USC § 103

Claim 14 stands rejected under 35 USC 103(a) as being unpatentable over *Stangeland* in view of US Patent No. 6,210,103 to Ramsay ("*Ramsay*"). Applicant respectfully disagrees for at least the following reasons.

Independent claim 1, from which claim 14 depends, recites features not yielded by any combination of the cited references. The teachings of *Stangeland* and the patentability of claim 1 thereover is discussed above. The Examiner cites *Ramsay* merely to allege a teaching of the features expressly recited in claim 6.

However, *Ramsay* fails to teach, suggest, or otherwise yield a modification to *Stangeland* that would yield the features recited in claim 1. Therefore, a *prima facie* case of obviousness has not been established as the combination of the cited references fails to yield the features recited in the claims.

Thus, claim 14 is patentable over *Stangeland* in view of *Ramsay*. Accordingly, Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicant respectfully submits that the present application, including claims 1-4, 7-15 and 17-18, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosure – Replacement Sheet 3/10