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3624	7590	03/24/2014	EXAMINER	
VOLPE AND KOENIG, P.C. UNITED PLAZA 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			VERDIER, CHRISTOPHER M	
			ART UNIT	PAPER NUMBER
			3745	
			NOTIFICATION DATE	DELIVERY MODE
			03/24/2014	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

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The present application is being examined under the pre-AIA first to invent provisions.

Applicant's Amendment dated December 11, 2013 has been carefully considered. The Replacement Sheet of Drawings dated December 11, 2013 overcome the drawing objection set forth in the previous Office Action. The claims have been amended to overcome the rejections under 35 USC 112, second paragraph set forth in the previous Office Action. Correction of these matters is noted with appreciation.

Applicant's argument that amended independent claim 1 defines over Stangeland 5,310,265 has been carefully considered and is persuasive.

Specification

Applicant's Substitute Specification dated July 26, 2010 has been entered.

The disclosure is objected to because of the following informalities: Appropriate correction is required.

In paragraph 1, the reference to patent claim 1 is objectionable and should be deleted.

In paragraph 6, line 2, "hi" should be changed to -- in --.

In paragraph 11, the reference to patent claim 1 is objectionable and should be deleted.

In paragraph 16, line 2, -- a -- should be inserted after "having".

In paragraph 35, line 2, "in stead" should be changed to -- instead --.

Paragraph 39, lines 1-2 are non-idiomatic and an incomplete phrase.

In paragraph 40, line 3, "f" should be changed to -- of --.

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The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claim 1, the last two lines, which recite that the rotating damping means includes at least one of an axial rib, a brush, or guide blades, have no antecedent basis in the specification for the underlined limitations.

Claim 7, which recites that the bore is formed having an uneven structure, has no antecedent basis in the specification.

It is suggested that the specification be amended to state these features, in order to overcome the objection to the specification as failing to provide proper antecedent basis for the claimed subject matter.

Drawings

Figures 1A and 1B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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The drawings are objected to because figures 1A and 1B should not include the global label "Fig. 1". The drawings are objected to under 37 CFR 1.84(l) because in figure 7A, every line, number, and letter must be durable, clean, sufficiently dense and dark, and uniformly thick and well-defined. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the passive permanent magnetic bearing arranged integrated in the bearing and seal combination or separately adjacent thereto (claim 14) must be shown or the feature(s) canceled from the claim(s). No new matter should be

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entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-4, 7-15, and 17-18 are objected to because of the following informalities:

Appropriate correction is required.

In claim 1, line 4, “point” should be changed to -- points --.

In claim 1, line 4, “is” should be changed to -- are --.

In claim 1, the second to last line, “rotating” should be changed to -- rotation --.

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Claim Rejections - 35 USC § 112

The following is a quotation of 35 U.S.C. 112(b):

(b) CONCLUSION.—The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the inventor or a joint inventor regards as the invention.

The following is a quotation of 35 U.S.C. 112 (pre-AIA), second paragraph:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-4 and 13 are rejected under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor, or for pre-AIA the applicant regards as the invention. In claim 3, lines 1-2, “the axial bearing” lacks antecedent basis. In claim 4, line 2, “the radial bearing” lacks antecedent basis. In claim 4, the last line, “the bearing surface” is unclear as to which element this refers to. In claim 13, line 2, “the same housing” is unclear as to if this refers to the machine housing in claim 1, or to another housing.

Allowable Subject Matter

Claims 1-2, 7-12, 14-15, and 17-18 contain allowable subject matter; the informalities should be corrected therein.

Claims 3-4 and 13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112(b) or 35 U.S.C. 112 (pre-AIA), 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571)272-4824.

The examiner can normally be reached on Monday-Friday from 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. 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.

/Christopher Verdier/
Primary Examiner, Art Unit 3745

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Primary Examiner
Art Unit 3745