



Paper No. 7

ERWIN J. BASINSKI
MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO CA 94105-2482

COPY MAILED

SEP 1 1 2003

OFFICE OF PETITIONS

In re Application of :
Butler et al. : CORRECTED
Application No. 10/422,257 : DECISION DISMISSING
Filed: 23 April, 2003 : PETITION
Attorney's Docket No. 426882004600 :

This is a corrected decision on the petition filed on 2 July, 2003 (certificate of mailing date 23 April, 2003), under 37 CFR 1.183, which is being treated as (1) a petition under 37 CFR 1.48(a) to amend the inventive entity by the deletion of Bruce Parent (Parent) as a joint inventor, and (2) a petition under 37 CFR 1.183, requesting waiver of 37 CFR 1.63 and 1.67, which require that a named inventor execute a supplemental declaration.

The petition is dismissed.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of the decision mailed on **4 September, 2003**. Extensions of time under 37 CFR 1.136(a) are permitted. FAILURE TO TIMELY RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION. The reconsideration request should include a cover letter entitled "Renewed Petitions Under 37 CFR 1.48, and 1.183."

The above-identified application was filed on 23 April, 2003, with a declaration naming Scott T. Butler, Dennis B. Karbach, Michael J. Wilson, Mark Boudreau, Paul M. Brown, John Fotheringham, Richard W. Steinke, Alden Cuddihey, Bruce A. Parent, Ramneek Mahal, Sinisa Aleksa, Jane R. Schanz, and Ann K. English as joint inventors and signed by all inventors except joint inventor Parent. Accordingly, on 23 June, 2003, Initial Patent Examination Division mailed a Notice to File Missing Parts of Nonprovisional Application, requiring an oath or declaration signed by the ninth named inventor (Parent) and a surcharge of \$130.00 for its late filing.

In response, on 2 July, 2003 (certificate of mailing 23 April, 2003), petitioners filed the present petition. Petitioners request that Parent be deleted as an inventor, and that 37 CFR 1.63 and 1.67 be waived in that the remaining inventors must execute an oath or declaration naming the actual inventors.

Notice of Defective Fee Authorization

Upon review of Office records, the individual who signed the present petition, registered patent attorney Erwin J. Basinski, is not an authorized user of the deposit account provided, No. 03-1952. As such, the Office cannot charge the required petition fee of \$260.00 for the late filing fee or declaration surcharge and the petition fee. Payment of the petition fee is a prerequisite for consideration of the petition. As such, any renewed petition must include payment of the fee indicated above.

Petition Under 37 CFR 1.48(a).

37 CFR 1.48(a) requires that an amendment to the named inventive entity be accompanied by:

(1) a petition including a statement from each person being added and from each person being deleted as an inventor that the error occurred without deceptive intention on his or her part;

(2) an oath or declaration by each actual inventor or inventors as required by 37 CFR 1.63 or as permitted by 37 CFR 1.42, 1.43, or 1.47;

(3) the fee set forth in 37 CFR 1.17(I); and

(4) the written consent of any assignee, if any of the originally named inventors has executed an assignment.

The petition lacks items (1), (2), (3) and (4).

In response to item (1), the petition lacks a statement of lack of deceptive intention on the part of Parent, the inventor being deleted. Although joint inventor Parent has executed an affidavit stating that he "had no part" in the invention, the affidavit lacks the statement of lack of deceptive intention required by 37 CFR 1.48(a)(1). Any renewed petition should be accompanied by the required statement made by joint inventor Parent.

In response to item (2), an oath or declaration by each of the actual inventors is required by 37 CFR 1.63 and 1.67. As petitioners have requested waiver of this provision under 37 CFR 1.183, the petition for waiver is discussed *infra*.

In response to item (3), a review of Office records indicates the attorney who signed the present petition, Erwin J. Basinski, is not authorized to utilize Deposit Account No. 03-1952. Therefore, the Office cannot charge the required petition fee. Any renewed petition must include authorization to charge a deposit account and be signed by an individual authorized for that deposit account or otherwise include the proper payment.

In response to item (4), petitioners must provide the written consent of any assignee to the change in inventorship. If the application has not been assigned, petitioners should so state in any renewed petition.

Petition Under 37 CFR 1.183 to Waive 37 CFR 1.63

37 CFR 1.183 provides that in an extraordinary situation, when justice requires, any requirement of the regulations in this part which is not a requirement of the statutes may be suspended or waived by the Commissioner or the Commissioner's designee, *sua sponte*, or on petition of the interested party, subject to such other requirements as may be imposed.¹

Petitioners must show that the inability to obtain the statement from the inventors is, notwithstanding the exercise of reasonable care and diligence, due to circumstances beyond their control. Under the circumstances of this case, petitioners should proceed as noted in more detail *infra* to make their showing in support of their request for waiver.

The petition is deficient in that it does not adequately show or provide proof (a) that a copy of the application (specification, claims, drawings, and the new oath or declaration listing the actual inventors) was sent or given to each signing inventor, and (b) that any of the signing inventors refused to sign the new declaration after receipt thereof. The showing of record is merely that the petitioners believe it may be difficult or inconvenient to obtain the signatures of the actual inventors on a new declaration. Such does not constitute extraordinary

¹MPEP 201.03(B).

circumstances where justice requires waiver of the rules. Petitioners must attempt to obtain the signature of each inventor, and a waiver will only be granted as to those inventor(s), if any, who refuse to sign the new declaration or cannot be located after having been sent or given a copy of the application papers and the new declaration naming the actual inventors.

Petitioners should send a copy of the application papers (specification, including the claims, drawings, if any, and the new declaration) to each inventor with a request that the inventor sign and return the declaration. If any inventors refuse to sign the declaration, petitioners may show that the application was sent or given by providing a copy of the cover letter transmitting the application papers and new declaration to the non-signing inventor or details given in an affidavit or declaration of facts by a person having first-hand knowledge of the details. If there is a written refusal, petitioners should submit a copy of that written refusal with any renewed petition. If the refusal was made orally to a person, then that person must provide details of the refusal in an affidavit or declaration of facts.

It is also noted that the declaration filed with the application papers is defective in that it contains non initialed and/or non-dated alterations.² A new oath or declaration in compliance with 37 CFR 1.63 and 1.67, signed by the inventor to whom the error or deficiency relates is required.³

Additionally, as stated above, the USPTO is unable to charge the petition fee to counsel's deposit account because the petition was not signed by an individual authorized as a user of said deposit account. Any renewed petition must include a proper fee authorization or payment.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

²See 37 CFR 1.52(c).

³37 CFR 1.67(a)(2).

Application No. 10/422,257

5

By FAX: (703) 308-6916
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23
2201 S. Clark Place
Arlington, VA

Telephone inquiries concerning this matter may be directed to Senior Petitions Attorney Douglas I. Wood, at (703)308-6918.



Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions



Paper No. 6

ERWIN J. BASINSKI
MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO CA 94105-2482

COPY MAILED

SEP 04 2003

OFFICE OF PETITIONS

In re Application of :
Butler et al. :
Application No. 10/422,257 : DECISION DISMISSING
Filed: 23 April, 2003 : PETITION
Attorney's Docket No. 426882004600 :

This is a decision on the petition filed on 2 July, 2003 (certificate of mailing date 23 April, 2003), under 37 CFR 1.183, which is being treated as (1) a petition under 37 CFR 1.48(a) to amend the inventive entity by the deletion of Bruce Parent (Parent) as a joint inventor, and (2) a petition under 37 CFR 1.183, requesting waiver of 37 CFR 1.63 and 1.67, which require that a named inventor execute a supplemental declaration.

The petition is dismissed.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. FAILURE TO TIMELY RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION. The reconsideration request should include a cover letter entitled "Renewed Petitions Under 37 CFR 1.48, and 1.183."

The above-identified application was filed on 23 April, 2003, with a declaration naming Scott T. Butler, Dennis B. Karbach, Michael J. Wilson, Mark Boudreau, Paul M. Brown, John Fotheringham, Richard W. Steinke, Alden Cuddihey, Bruce A. Parent, Ramneek Mahal, Sinisa Aleksa, Jane R. Schanz, and Ann K. English as joint inventors and signed by all inventors except joint inventor Parent. Accordingly, on 23 June, 2003, Initial Patent Examination Division mailed a Notice to File Missing Parts of Nonprovisional Application, requiring an oath or declaration signed by the ninth named inventor (Parent) and a surcharge of \$130.00 for its late filing.

In response, on 2 July, 2003 (certificate of mailing 23 April, 2003), petitioners filed the present petition. Petitioners request that Parent be deleted as an inventor, and that 37 CFR 1.63 and 1.67 be waived in that the remaining inventors must execute an oath or declaration naming the actual inventors.

Petition Under 37 CFR 1.48(a).

37 CFR 1.48(a) requires that an amendment to the named inventive entity be accompanied by:

(1) a petition including a statement from each person being added and from each person being deleted as an inventor that the error occurred without deceptive intention on his or her part;

(2) an oath or declaration by each actual inventor or inventors as required by 37 CFR 1.63 or as permitted by 37 CFR 1.42, 1.43, or 1.47;

(3) the fee set forth in 37 CFR 1.17(i); and

(4) the written consent of any assignee, if any of the originally named inventors has executed an assignment.

The petition lacks items (1), (2), and (4).

In response to item (1), the petition lacks a statement of lack of deceptive intention on the part of Parent, the inventor being deleted. Although joint inventor Parent has executed an affidavit stating that he "had no part" in the invention, the affidavit lacks the statement of lack of deceptive intention required by 37 CFR 1.48(a)(1). Any renewed petition should be accompanied by the required statement made by joint inventor Parent.

In response to item (2), an oath or declaration by each of the actual inventors is required by 37 CFR 1.63 and 1.67. As petitioners have requested waiver of this provision under 37 CFR 1.183, the petition for waiver is discussed *infra*.

In response to item (4), petitioners must provide the written consent of any assignee to the change in inventorship. If the application has not been assigned, petitioners should so state in any renewed petition.

Petition Under 37 CFR 1.183 to Waive 37 CFR 1.63

37 CFR 1.183 provides that in an extraordinary situation, when justice requires, any requirement of the regulations in this part which is not a requirement of the statutes may be suspended or waived by the Commissioner or the Commissioner's designee, *sua sponte*, or on petition of the interested party, subject to such other requirements as may be imposed.¹

Petitioners must show that the inability to obtain the statement from the inventors is, notwithstanding the exercise of reasonable care and diligence, due to circumstances beyond their control. Under the circumstances of this case, petitioners should proceed as noted in more detail *infra* to make their showing in support of their request for waiver.

The petition is deficient in that it does not adequately show or provide proof (a) that a copy of the application (specification, claims, drawings, and the new oath or declaration listing the actual inventors) was sent or given to each signing inventor, and (b) that any of the signing inventors refused to sign the new declaration after receipt thereof. The showing of record is merely that the petitioners believe it may be difficult or inconvenient to obtain the signatures of the actual inventors on a new declaration. Such does not constitute extraordinary circumstances where justice requires waiver of the rules. Petitioners must attempt to obtain the signature of each inventor, and a waiver will only be granted as to those inventor(s), if any, who refuse to sign the new declaration or cannot be located after having been sent or given a copy of the application papers and the new declaration naming the actual inventors.

Petitioners should send a copy of the application papers (specification, including the claims, drawings, if any, and the new declaration) to each inventor with a request that the inventor sign and return the declaration. If any inventors refuse to sign the declaration, petitioners may show that the application was sent or given by providing a copy of the cover letter transmitting the application papers and new declaration to the non-signing inventor or details given in an affidavit or declaration of facts by a person having first-hand knowledge of the details. If there is a written refusal, petitioners should

¹MPEP 201.03(B).

submit a copy of that written refusal with any renewed petition. If the refusal was made orally to a person, then that person must provide details of the refusal in an affidavit or declaration of facts.

It is also noted that the declaration filed with the application papers is defective in that it contains non initialed and/or non-dated alterations.² A new oath or declaration in compliance with 37 CFR 1.63 and 1.67, signed by the inventor to whom the error or deficiency relates is required.³

Counsel's deposit account, 03-1952, will be charged the late filing fee or oath or declaration surcharge of \$130.00 as authorized in the present petition. Counsel's deposit account will also be charged \$130.00 for the petition under 37 CFR 1.48(a), for a total of \$260.00.

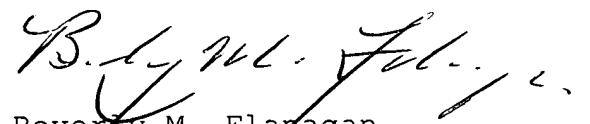
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX: (703) 308-6916
 Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23
 2201 S. Clark Place
 Arlington, VA

Telephone inquiries concerning this matter may be directed to Senior Petitions Attorney Douglas I. Wood, at (703)308-6918.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions

²See 37 CFR 1.52(c).

³37 CFR 1.67(a)(2).


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/422,257	04/23/2003	Scott T. Butler	426882004600

Erwin J. Basinski
 Morrison & Foerster LLP
 425 Market Street
 San Francisco, CA 94105-2482

CONFIRMATION NO. 6582


OC000000010483457

Date Mailed: 07/14/2003

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 06/24/2003.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

ELISHA M. EVANS
 OIPE (703) 306-3493

OFFICE COPY

MORRISON & FOERSTER LLP

Attorneys at Law
425 Market Street
San Francisco, California 94105-2482
Telephone: (415) 268-7000
Facsimile: (415) 268-7522

FAX RECEIVED

JUL 02 2003

PETITIONS OFFICE

To: Office of Petitions
U.S. Patent and Trademark Office

Facsimile: 1-703-308-6916

From: Stephen C. Durant, Reg. No. 31,506

Date: July 2, 2003

We are transmitting a total of **14** pages (including this page).
Original or hard copy to follow if this box is checked .

If you do not receive all pages, please call (415) 268-7000 or 6982 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 4934/SCD2

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

ATTORNEY DOCKET: 426882004600
GROUP ART UNIT: 2088
EXAMINER: To Be Assigned
SERIAL NO.: 10/422,257
FILING DATE: April 23, 2003
INVENTOR(S): Scott T. Butler, et al.
TITLE: ENTITLEMENTS ADMINISTRATION

Please find attached a copy of a "Petition PURSUANT TO 37 C.F.R. § 1.183, To Accept Oath & Declaration Signed By Coinventors Wherein An Additional Party, Not A Coinventor, Is Named In Error, And Waiving The Requirement For A New Oath & Declaration", as filed on April 23, 2003 with the above-referenced new patent application.

Also enclosed is a recently received "Notice to File Missing Parts of Non-Provisional Application" which states the signature of Inventor No. 9, Bruce A. Parent, is missing from the Oath & Declaration.

My assistant spoke with the Office of Petitions today and was informed that the above-mentioned Petition filed with the application has not yet been received by the Office of Petitions. They requested we fax a copy of the Petition directly to them, with the Notice to File Missing Parts and the Filing Receipt. Therefore, we attach all three documents to this fax.

In consideration of these documents, we respectfully request the Notice to File Missing Parts be withdrawn and a corrected Filing Receipt be issued without the name of Bruce A. Parent as an Applicant.

Thank you for your assistance in this matter and if you have any questions, please do not hesitate to contact me.

PATENT
Docket No. 426882004600

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EV191069017US

Date of Deposit: April 23, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Christine Jumoc
Christine Jumoc

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE FAX RECEIVED

JUL 02 2003

In the application of:

Scott T. BUTLER et al.

Serial No.: To Be Assigned

Filing Date: Herewith

For: ENTITLEMENTS ADMINISTRATION

Examiner: To Be Assigned PETITIONS OFFICE

Group Art Unit: To Be Assigned

COPY

PETITION PURSUANT TO 37 C.F.R. § 1.183, TO ACCEPT OATH & DECLARATION SIGNED BY COINVENTORS WHEREIN AN ADDITIONAL PARTY, NOT A COINVENTOR, IS NAMED IN ERROR, AND WAIVING THE REQUIREMENT FOR A NEW OATH & DECLARATION.

Box PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Petition under 37 CFR § 1.183 requests waiver of the requirement under 37 CFR § 1.64 and MPEP 602.01 that all of the previously identified coinventors execute a new oath or declaration whenever the wording in the oath or declaration submitted contains an error.

This Petition is being submitted along with the filing of a US nonprovisional application which claims priority from an application serial number 2,384,364 first filed in Canada on May 1, 2002. When the parent Canadian application was filed on May 1, 2002, it was believed that there were thirteen (13) coinventors and, indeed, the Canadian application was filed in the

name of the thirteen. Upon attempting to get oath & declaration documents signed by these coinventors in preparation for the US counterpart application filing, it was determined that one of the named coinventors, Mr. Bruce A. Parent, was, in fact, not a coinventor under the law and was named in error. These circumstances are explained in the attached affidavit of Colin Climie of the Canadian law firm of Smart & Biggar, who filed the parent Canadian application (2,384,364 filed May 1, 2002). Attached to Mr. Climie's affidavit is a copy of the submission to the Canadian Patent Office dated March 24, 2003 requesting that Mr. Parent be removed as an inventor in the Canadian application, and further including an affidavit of Mr. Bruce Parent indicating that in his belief, he is not a coinventor of this application.

Since the task of obtaining the signatures of the coinventors on the oath and declaration submitted hereunder was begun and basically completed before it was discovered that Mr. Parent is not a coinventor, Mr. Parent's name appears in error on the oath & declaration. Some of the remaining twelve coinventors who have signed this oath & declaration are no longer employed by Accenture Inc., and it would be administratively difficult to have the remaining twelve coinventors execute a new declaration.

Accordingly, it is hereby requested that this petition be approved and that the oath and declaration submitted herewith be accepted and the rule requiring a new oath or declaration be signed under 37 CFR § 1.64 and MPEP 602.01 be waived.. Enclosed are the following in support of this petition:

1. Affidavit of Colin Climie and its attachments; and
2. The fee set forth in 37 CFR § 1.17 (h) of \$130.00. Form PTO/SB/17 (09-00) is being submitted in duplicate to cover this fee.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 426882004600. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: April 23, 2003

By:



Erwin J. Basinski
Registration No. 34,773

Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: 415-268-7144
Facsimile: (415) 268-7522

SMART & BIGGAR*Intellectual Property & Technology Law*

438 University Avenue
Suite 1500, Box 111
Toronto, Ontario Canada M5G 2K8
Tel. (416) 593-5514 Fax (416) 591-1690
www.smart-biggarr.ca

Ronald D. Faggetter
rdfaggetter@smart-biggarr.ca

Our Ref: 92890-3

March 24, 2003

The Commissioner of Patents
Ottawa-Hull, Canada
K1A 0C9

Dear Sir:

Re: Canadian Patent Application No. 2,384,364
Applicant: Accenture Inc.
Title: ENTITLEMENTS ADMINISTRATION

We hereby request correction of the inventorship for this application, as follows.

Please remove Bruce Parent as an inventor in this application.

We enclose an affidavit from Mr. Parent in support of this request.

We also enclose a revised Petition reflecting the change in inventorship and an assignment from the remaining inventors in favour of the applicant for recordal against this application. Please charge our deposit account number 6098 with the requisite fee of \$100. We look forward to receiving assignment recordal particulars.

It is believed that this application is in good standing. If, however, this application is abandoned, then by this letter we request reinstatement of this application. All fees required to effect reinstatement should be withdrawn from our deposit account. If reinstatement is required, please advise us when this has been completed.

Yours very truly,

SMART & BIGGAR


Ronald D. Faggetter

RDF:bw
Encls.

FORM 3 CANADA

92890-3

PETITION FOR GRANT OF A PATENT

1. The applicant, **ACCENTURE INC.**, whose complete address is **40 King Street West, Suite 4800, Toronto, Ontario M5H 3Y2 (CA)**, requests the grant of a patent for an invention, entitled **ENTITLEMENTS ADMINISTRATION**, which is described and claimed in the accompanying specification.

2. The inventors are **BUTLER, Scott T.; CUDDIHEY, Alden; WILSON, Michael J.; STEINKE, Richard W.; MAHAL, Ramneek; KARBACH, Dennis B.; ALEKSA, Sinisa; SHANTZ, Jane R.; BOUDREAU, Mark; ENGLISH, Ann K.; BROWN, Paul M;** and **FOTHERINGHAM, John**; whose complete addresses are **1182 Rosethorne Rd., Oakville ON L6M 1H6 (CA); 51 Beamish Cres., Kanata, ON K2K 2R7 (CA); 34 Latimer Avenue, Toronto, ON M5N 2L8 (CA); 3 Fern Ave., Toronto ON M6R 1J9 (CA); 106 Valleywood Blvd., Caledon, ON L7C 1B4 (CA); 411 Brazos #211, Austin, TX 78701 (US); 55 Ready Court, Brampton, ON L6Y 4T4 (CA); Suite 610, 155 Dalhousie Street, Toronto, ON M5B 2P7 (CA); 222 ½ Albany Ave., Toronto, ON M5R 3C6 (CA); 127 Beechwood Crescent, Fredericton, NB E3B 2S9 (CA); 1110 Walden Cricle, #704, Mississauga, ON L5J 4R3 (CA); 271 Grandview Rd., Nepean, ON K2H 8E9 (CA)**, respectively, and the applicant owns in Canada the whole interest in the invention.

3. The applicant appoints **SMART & BIGGAR**, whose complete address in Canada is **438 University Avenue, Suite 1500, Box 111, Toronto, Ontario, M5G 2K8, Tel. (416) 593-5514, Fax. (416) 591-1690, Canada**, as the applicant's representative in Canada, pursuant to section 29 of the *Patent Act*.

4. The applicant appoints **SMART & BIGGAR**, whose complete address is **438 University Avenue, Suite 1500, Box 111, Toronto, Ontario, M5G 2K8, Tel. (416) 593-5514, Fax. (416) 591-1690, Canada**, as the applicant's patent agent.

5. The applicant requests that **Figure No. 1** of the drawings accompany the abstract when it is open to public inspection under section 10 of the *Patent Act* or published.

RDF/bw

AFFIDAVIT

I, Colin Climie, of the City of Toronto, in the Province of Ontario, MAKE OATH AND SAY:

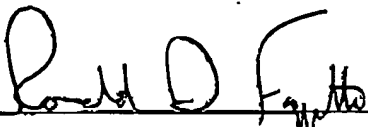
1. I am a technical consultant with the law firm of Smart & Biggar, with offices at 438 University Avenue, Suite 1500, Box 111, Toronto, Ontario, Canada M5G 2K8. I have knowledge of the matters attested to herein.
2. Under the direction of Mr. Ronald D. Faggetter, Partner with Smart & Biggar, I prepared a patent application for an invention entitled ENTITLEMENTS ADMINISTRATION, which was filed in the Canadian Patent Office on May 1, 2002, Serial Number 2,384,364. At the time this application was filed in the Canadian Patent Office the name of Mr. Bruce Parent was inadvertently listed as a co-inventor, along with twelve other co-inventors. On March 24, 2003, we requested that Mr. Parent be removed as an inventor in the Canadian application. A copy of the submission to the Canadian Intellectual Property Office in this regard (absent the assignment) is attached as Exhibit "A" hereto.
3. Before discovering that Mr. Parent was not an inventor, I prepared the formal papers required for filing in the U. S. Patent office including Mr. Parent's name therein. I provided the named inventors with Assignment and Declaration/Power of Attorney forms which includes space for signatures of the thirteen co-inventors including Mr. Parent's name, in preparation for filing a United States Patent Application.
4. On 18 December 2002, I had a telephone conversation with one of the named inventors, Bruce Parent. Bruce Parent asked me for an explanation of the forms and a description of how one qualifies as an inventor.
5. Bruce Parent then informed me that, given the nature of his association with the claimed invention, he should not have been named as an inventor. The afore-referenced Exhibit "A" includes an affidavit from Mr. Parent attesting to the fact that he should not have been named as an inventor.

6. On 20 December 2002, I had a telephone conversation with another one of the named inventors, Scott Butler. Scott Butler confirmed that Bruce Parent should not have been named as an inventor.

7. Because of the difficulty of getting the formal papers changed and re-signed by the remaining twelve co-inventors, some of whom are no longer employed by the applicant, these formal papers have simply been corrected by pen and ink deletion of Mr. Parent's name and by the crossing out of the space originally allowed for Mr. Parent's signature.

SWORN BEFORE ME at the)
City of Toronto, in the)
Province of Ontario, this)
26th day of March, 2003.)


COLIN CLIMIE


A Notary Public

IN THE CANADIAN INTELLECTUAL PROPERTY OFFICE

IN THE MATTER OF Canadian Patent Application
Serial No. 2,384,364 filed May 1, 2002,
in the name of Accenture Inc., and
entitled Entitlements Administration

FAX RECEIVED
JUL 02 2003
PETITIONS OFFICE


AFFIDAVIT OF BRUCE PARENT


I, BRUCE PARENT, of the City of Mississauga , in the Province of

Ontario, Canada, HEREBY MAKE OATH AND SAY AS FOLLOWS:

1. I have reviewed the Specification for Canadian Patent Application Serial No. 2,384,364, a copy of which is attached as Exhibit "A" hereto. While I was involved in measuring the financial impact to entitlements resulting from use of the concepts described in the specification, I did not contribute to the development of any of these concepts. Therefore, I had no part in any invention described in the Specification and therefore should not be listed as a co-inventor on Canadian Patent Application Serial No. 2,384,364.

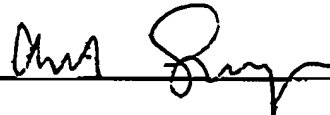
SWORN BEFORE me in the City)
of Toronto , in the Province)
of Ontario , Canada, this)
19th day of March , 2003.)


A Commissioner for Taking Affidavits
Alistair G. Simpson



BRUCE PARENT

THIS IS EXHIBIT "A" REFERRED TO IN THE
AFFIDAVIT OF BRUCE PARENT
SWORN BEFORE ME THIS 19th DAY,
OF March, 2003.



Alistair Simpson
A Commissioner of Deeds



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/422,257	04/23/2003	Scott T. Butler	426882004600

Erwin J. Basinski
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105-2482

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JUN 25 2003

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CONFIRMATION NO. 6582

FORMALITIES LETTER



0C000000010323663

Date Mailed: 06/23/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

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JUL 02 2003

PETITIONS OFFICE

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Inventor No. 9.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

A copy of this notice **MUST** be returned with the reply.

R. A. SANDS

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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Miss Parts Due - 8/25/0.
Miss Parts D.L. - 1/23/04



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/422,257	04/23/2003	2171	2088	426982004600	5	43	14

CONFIRMATION NO. 6582

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FILING RECEIPT



0000000010323662

Date Mailed: 06/23/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

- Scott T. Butler, Oakville, CANADA;
- Dennis B. Karbach, Austin, TX;
- Michael J. Wilson, Toronto, CANADA;
- Mark Boudreau, Toronto, CANADA;
- Paul M. Brown, Mississauga, CANADA;
- John Fotheringham, Nepean, CANADA;
- Richard W. Steinke, Toronto, CANADA;
- Alden Cuddihey, Kanata, CANADA;
- Bruce A. Parent, Mississauga, CANADA;
- Ramneek Mahal, Caledon, CANADA;
- Sinisa Aleksa, Brampton, CANADA;
- Jane R. Shantz, Toronto, CANADA;
- Anh K. English, Fredericton, CANADA;

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JUL 0 2 2003

PETITIONS OFFICE

Domestic Priority data as claimed by applicant

Foreign Applications

CANADA 2,384,364 05/01/2002

If Required, Foreign Filing License Granted: 06/20/2003

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

DOCKETED 9

Early Publication Request: No

Title

Entitlements administration

Preliminary Class

707

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

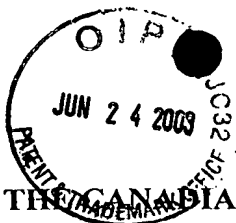
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NOT GRANTED

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IN THE CANADIAN INTELLECTUAL PROPERTY OFFICE

IN THE MATTER OF Canadian Patent Application
Serial No. 2,384,364 filed May 1, 2002,
in the name of Accenture Inc., and
entitled Entitlements Administration

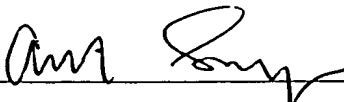
COPY

AFFIDAVIT OF BRUCE PARENT


I, BRUCE PARENT, of the City of Mississauga , in the Province of Ontario, Canada, HEREBY MAKE OATH AND SAY AS FOLLOWS:

1. I have reviewed the Specification for Canadian Patent Application Serial No. 2,384,364, a copy of which is attached as Exhibit "A" hereto. While I was involved in measuring the financial impact to entitlements resulting from use of the concepts described in the specification, I did not contribute to the development of any of these concepts. Therefore, I had no part in any invention described in the Specification and therefore should not be listed as a co-inventor on Canadian Patent Application Serial No. 2,384,364.

SWORN BEFORE me in the City)
of Toronto, in the Province)
of Ontario, Canada, this)
19th day of March, 2003.)

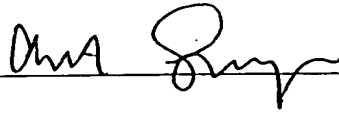

A Commissioner for Taking Affidavits

Alistair G. Simpson


BRUCE PARENT



THIS IS EXHIBIT "A" REFERRED TO IN THE
AFFIDAVIT OF BRUCE PARENT
SWORN BEFORE ME THIS 19th DAY,
OF March, 2003.



Alistair Simpson

A Commissioner of Oaths