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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/219,920	08/29/2011	Vall A. Iliev	IL-2633	1852

33055 7590 05/27/2015  
Law Offices of John D. Gugliotta, P.E. Esq., LPA  
P.O. Box 506  
Richfield, OH 44286

EXAMINER
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O'HERN, BRENT T

ART UNIT	PAPER NUMBER
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1781

MAIL DATE	DELIVERY MODE
-----------	---------------

05/27/2015

PAPER

**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.



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Commissioner for Patents  
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Alexandria, VA 22313-1450  
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In re Application of :  
Vall A. Iliev :  
Application No. 13/219,920 : DECISION ON PETITION  
Filed: August 29, 2011 :  
Attorney Docket No. IL-2633 :

This is a decision on the renewed petition filed April 27, 2015, which is being treated under the unintentional provisions of 37 CFR 1.137(a), to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement Office action mailed on November 21, 2013. A Notice of Abandonment was mailed on June 23, 2014.

The petition satisfies the requirements of 37 CFR 1.137(a) in that petitioner has supplied (1) the reply in the form of an election, (2) the petition fee of \$850.00, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3208.

This application is being referred to Technology Center AU 1781 for appropriate action in the normal course of business on the reply received March 25, 2015.

/koc/  
Karen Creasy  
Paralegal Specialist  
Office of Petitions

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

13219920



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

KAREN CREASY

Count (1) - Palm Credit

13/219,920

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 502 - 37 CFR 1.137(b) - REVIVAL BASED ON UNINTENTIC



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

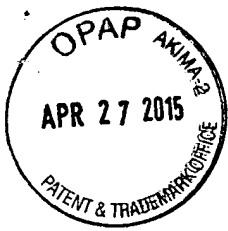
Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 5/26/2015



*1/fin*  
*DAC*

**Utility Patent**  
**Ser. No. 13/219,920**

**BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Vall A. Iliev )	Date: April 23, 2015
Serial No.: 13/219,920 )	Group Art Unit: 1781
Filed: 08/29/2011 )	Examiner: Brent T. O'Hern
Title: System, Method and Article of )	Docket No.: IL-2633
Manufacture for Ballistic Shielding )	Confirmation No.: 1852

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Assistant Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on 4.23.15 (date).

Typed or printed name of person signing this certificate

JOHN D GUGLIOTTA

Signature

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Signature \_\_\_\_\_

**RENEWED PETITION UNDER 37 CFR 1.137(a)**

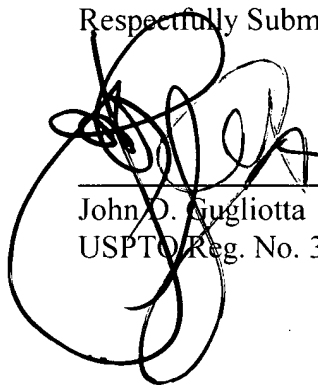
Mail Stop: Petition  
Office of the Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Petitions Attorney:

In response to the Decision on Petition dated 10/21/2014 and pursuant to 37 CFR 1.137(a), Applicant hereby petitions to revive the above application. The entire delay in reply by

the applicant was unintentional. The prior petition to the renewed petition was accompanied by a reply required to the outstanding Office Action and the petition fee set forth in 37 CFR § 1.17(l). Applicant respectfully submits that the above application is in condition for revival of abandonment.

Respectfully Submitted,



---

John D. Gugliotta  
USPTO Reg. No. 36,538

55 S. Miller Road  
Suite 203  
Akron, OH 44333  
Ph: (330) 253-2225  
Fax: (330) 253-6658  
johng@inventorshelp.com



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/219,920	08/29/2011	Vall A. Iliev	IL-2633	1852
33055	7590	04/15/2015	EXAMINER	
Law Offices of John D. Gugliotta, P.E. Esq., LPA P.O. Box 506 Richfield, OH 44286			O'HERN, BRENT T	
			ART UNIT	PAPER NUMBER
			1781	
			MAIL DATE	DELIVERY MODE
			04/15/2015	PAPER

**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.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
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P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

In re Application of :  
Vall A. Iliev :  
Application No. 13/219,920 : ON PETITION  
Filed: August 29, 2011 :  
Attorney Docket No. IL-2633 :

This is a decision on the petition filed March 25, 2015, which is being treated under the unintentional provisions of 37 CFR 1.137(a), to revive the above-identified application.

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. The reconsideration request should include a cover letter entitled “Renewed Petition under 37 CFR 1.137(a).” This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to file a timely and proper reply to the Restriction Requirement Office action mailed on November 21, 2013. A Notice of abandonment was mailed on June 23, 2014.

A grantable petition under 37 CFR 1.137(a) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(II)(C) and (D). The instant petition lacks item (3) above.

As to item (3), the delay statement presented in the petition is not proper as petitioner states that the delay was unavoidable. Applicant is reminded that the unavoidable standards under 37 CFR 1.137(a) was eliminated on December 18<sup>th</sup> 2013. Note Federal Register Vol. 78 No. 203, October 21, 2013.

Art Unit: OPET

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail:                   Mail Stop PETITIONS  
                              Commissioner for Patents  
                              Post Office Box 1450  
                              Alexandria, VA 22313-1450

By hand:                   Customer Service Window  
                              Mail Stop Petitions  
                              Randolph Building  
                              401 Dulany Street  
                              Alexandria, VA 22314

By fax:                    (571) 273-8300  
                              ATTN: Office of Petitions

By internet:               EFS-Web<sup>1</sup>

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/  
Karen Creasy  
Paralegal Specialist  
Office of Petitions

---

<sup>1</sup> [www.uspto.gov/ebc/efs\\_help.html](http://www.uspto.gov/ebc/efs_help.html) (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)



Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

13219920



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

KAREN CREASY

Count (1) - Palm Credit

13/219,920

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 502 - 37 CFR 1.137(b) - REVIVAL BASED ON UNINTENTIC



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Initials of Approving Official (if required)

If more than 3 decisions, attach 2nd count sheet & mark this box



Printed on: 4/15/2015

## Office of Petitions: Routing Sheet



**Application No. 13/219,920**

**This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application, as indicated below. For details of this decision, please see the document PET.OP.DEC filed on the same date as this document.**

**GRANTED**

**DISMISSED**

**DENIED**

ITW  
DAC



Utility Patent  
Ser. No. 13/219,920

**BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Vall A. Iliev )	Date: March 21, 2015
Serial No.: 13/219,920 )	Group Art Unit: 1781
Filed: 08/29/2011 )	Examiner: Brent T. O'Hern
Title: System, Method and Article of )	Docket No.: IL-2633
Manufacture for Ballistic Shielding )	Confirmation No.: 1852

**Certificate of Mailing**

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Typed or printed name of person signing this certificate

JOHN D GUBLOWE

Signature

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Signature \_\_\_\_\_

**PETITION TO REVIVE APPLICATION UNDER 37 CFR 1.137**

Mail Stop: Petition  
Office of the Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Petitions Attorney:

In response to the Decision on Petition dated 10/21/2014 and pursuant to 37 CFR 1.137(a), Applicant hereby petitions to revive the above application. The delay in reply by the applicant was unavoidable. The present petition is accompanied by a reply required to the

outstanding Office Action and the petition fee set forth in 37 CFR § 1.17(l). Applicant respectfully submits that the above application is in condition for revival of abandonment.

Respectfully Submitted,



---

John D. Gugliotta  
USPTO Reg. No. 36,538

55 S. Miller Road  
Suite 203  
Akron, OH 44333  
Ph: (330) 253-2225  
Fax: (330) 253-6658  
johng@inventorshelp.com

Enclosures: Election Restriction  
Notice of abandonment  
Fee



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

In re Application of  
Vall A. Iliev  
Application No. 13/219,920  
Filed: August 29, 2011  
Attorney Docket No. IL-2633

DECISION ON PETITION

This is a decision on the petition filed in the above-identified application on July 7, 2014.

The petition is dismissed.

The rules and statutory provisions governing the operations of the U.S. Patent and Trademark Office require payment of a fee on filing each petition to revive an abandoned application for patent based on unintentional delay or to accept an unintentionally delayed payment of a fee for issuing a patent. In this instance, the fee required by law is \$850.00 (small entity status).

The petition in the above-identified application was not accompanied by payment of the required fee. No consideration on the merits can be given to the petition until the required fee is received.

Further correspondence with respect to this matter should be delivered through one of the following mediums:

By mail: Mail Stop PETITIONS  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

By hand: Customer Service Window  
Mail Stop Petitions  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By fax: (571) 273-8300  
ATTN: Office of Petitions

By internet: EFS-Web<sup>1</sup>

<sup>1</sup> [www.uspto.gov/ebc/efs\\_help.html](http://www.uspto.gov/ebc/efs_help.html) (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

Application/Control Number: 13/219,920  
Art Unit: OPET

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/  
Karen Creasy  
Paralegal Specialist  
Office of Petitions

---



Design Patent  
Ser. No. 13/219,920

BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vall A. Iliev )  
Serial No.: 13/219,920 )  
Filed: 08/29/2011 )  
Title: System, Method and Article of )  
Manufacture for Ballistic Shielding )

Date: March 21, 2015  
Group Art Unit: 1781  
Examiner: Brent T. O'Hern  
Docket No.: IL-2633  
Confirmation No.: 1852

Certificate of Mailing

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Typed or printed name of person signing this certificate

JOHN D GUBIOTA

Printed name of person signing this certificate

Signature

Signature

Hon. Commissioner of Patents and Trademarks  
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication from the Examiner dated 11/21/2013, please amend the application identified above as follows:

Pursuant to the requirement for restriction, the applicants elect for further examination the invention construed by the Examiner to be set forth in Group I, claims 1-6 of the application.

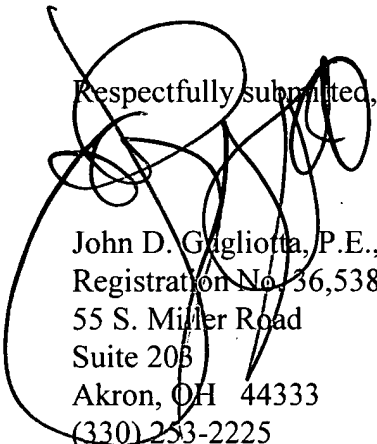
**REMARKS**

Reconsideration of the application as amended is respectfully requested.

The examiner requests restriction of the claims and election of a species. Applicant suggests that the examiner has failed to make a prima facie case requiring such restriction, or that the species are “unconnected in design, operation, or effect”. M.P.E.P. 808.01 The examiner has failed to provide an explanation as to whether the species claimed herein are in separate classifications, hold separate status in the art, or represent a different field of search. M.P.E.P. 808.02.

Applicant suggests that each embodiment shown, described, and claimed represent solutions to common motivation, and therefore all incorporate species that have a close relationship to one another in design, operation, and effect. M.P.E.P. 802.01.

Respectfully submitted,



John D. Gagliotta, P.E., Esq.  
Registration No. 36,538  
55 S. Miller Road  
Suite 203  
Akron, OH 44333  
(330) 253-2225  
Facsimile (330) 253-6658





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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
13/219,920	08/29/2011	Vall A. Iliev	IL-2633	1852

33055 7590 10/21/2014  
Law Offices of John D. Gugliotta, P.E. Esq., LPA  
P.O. Box 506  
Richfield, OH 44286

EXAMINER
----------

O'HERN, BRENT T

ART UNIT	PAPER NUMBER
1781	

MAIL DATE	DELIVERY MODE
10/21/2014	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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Commissioner for Patents  
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In re Application of :  
Vall A. Iliev :  
Application No. 13/219,920 : DECISION ON PETITION  
Filed: August 29, 2011 :  
Attorney Docket No. IL-2633 :

This is a decision on the petition filed in the above-identified application on July 7, 2014.

The petition is dismissed.

The rules and statutory provisions governing the operations of the U.S. Patent and Trademark Office require payment of a fee on filing each petition to revive an abandoned application for patent based on unintentional delay or to accept an unintentionally delayed payment of a fee for issuing a patent. In this instance, the fee required by law is \$850.00 (small entity status).

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401 Dulany Street  
Alexandria, VA 22314

By fax: (571) 273-8300  
ATTN: Office of Petitions

By internet: EFS-Web<sup>1</sup>

<sup>1</sup> [www.uspto.gov/ebc/efs\\_help.html](http://www.uspto.gov/ebc/efs_help.html) (for help using EFS-Web call the Patent Electronic Business Center at (866) 217-9197)

Application/Control Number: 13/219,920

Page 2

Art Unit: OPET

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/

Karen Creasy  
Paralegal Specialist  
Office of Petitions



## Office of Petitions: Routing Sheet



**Application No. 13/219,920**

**This application is being forwarded to your office for further processing. A decision has been rendered on a petition filed in this application.**

**GRANTED**

**DISMISSED**

**DENIED**

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

13219920



For US serial numbers: enter number only, no slashes or commas. Ex: 10123456

For PCT: enter "51+single digit of year of filing+last 5 numbers", Ex. for PCT/US05/12345, enter 51512345

Deciding Official:

KAREN CREASY

Count (1) - Palm Credit

13/219,920

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 502 - 37 CFR 1.137(b) - REVIVAL BASED ON UNINTENTIC



Notes:

Count (2)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

Count (3)

Decision: n/a

FINANCE WORK NEEDED

Select Check Box for YES

Decision Type: NONE

Notes:

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If more than 3 decisions, attach 2nd count sheet & mark this box

Printed on: 10/20/2014



*DFU*  
*DAU*

Utility Patent  
Ser. No. 13/219,920

**BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Vall A. Iliev	)	Date:	June 27, 2014
	)		
Serial No.: 13/219,920	)	Group Art Unit:	1781
	)		
Filed: 08/29/2011	)	Examiner:	Brent T. O'Hern
	)		
Title: System, Method and Article of Manufacture for Ballistic Shielding	)	Docket No.:	IL-2633
	)		
	)	Confirmation No.:	1852

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Typed or printed name of person signing this certificate

*JOHN D GUGLIOTTA*

Signature

**Certificate of Transmission**

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Printed name of person signing this certificate

Signature

**PETITION TO REVIVE APPLICATION UNDER 37 CFR 1.137**

Mail Stop: Petition  
Office of the Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Petitions Attorney:

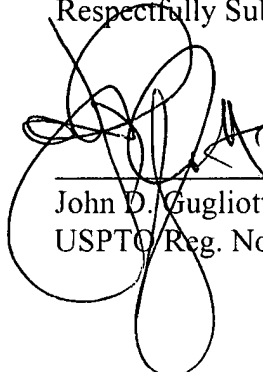
Applicant requests that the abandoned application is revived on the grounds that the response to the Request for Election/Restriction of 11/21/2013 was submitted on 01/08/2014.

Applicant timely prepared a response, a copy of which is included with this petition. An

executed Certificate of Mailing is included indicating that the correspondence was deposited in the United States Postal Service with sufficient postage on 01/08/2014.

Applicant wishes this petition be granted, the abandonment be rescinded, and the response submitted 01/08/14 entered. Should additional input be required, please telephone the counsel of record listed below.

Respectfully Submitted,



John D. Gugliotta  
USPTO Reg. No. 36,538

McCarthy, Lebit, Crystal & Liffman Co., LPA  
101 W. Prospect Ave.  
Suite 1800  
Cleveland, OH 44115  
Ph: (330) 253-2225  
Fax: (330) 253-6658  
johng@inventorshelp.com

Enclosures: Response of 01/08/2014  
Notice of abandonment



**Notice of Abandonment**

<b>Application No.</b>	<b>Applicant(s)</b>
13/219,920	ILIEV, VALL A.
<b>Examiner</b>	<b>Art Unit</b>
BRENT O'HERN	1781

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 21 November 2013.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record or other party authorized under 37 CFR 1.33(b). See 37 CFR 1.138(b).
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

Applicant was called to confirm abandonment.

/BRENT O'HERN/  
Primary Examiner, Art Unit 1781

Petitions to revive under 37 CFR 1.137, or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.





Design Patent  
Ser. No. 13/219,920

**BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Vall A. Iliev	)	Date:	January 8, 2014
	)		
Serial No.: 13/219,920	)	Group Art Unit:	1781
	)		
Filed: 08/29/2011	)	Examiner:	Brent T. O'Hern
	)		
Title: System, Method and Article of Manufacture for Ballistic Shielding	)	Docket No.:	IL-2633
	)		
	)	Confirmation No.:	1852

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Hon. Commissioner of Patents and Trademarks  
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication from the Examiner dated 11/21/2013, please amend the application identified above as follows:

Pursuant to the requirement for restriction, the applicants elect for further examination the invention construed by the Examiner to be set forth in Group I, claims 1-6 of the application.

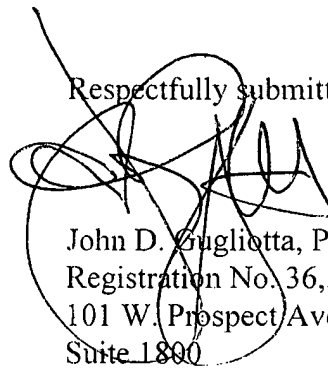
REMARKS

Reconsideration of the application as amended is respectfully requested.

The examiner requests restriction of the claims and election of a species. Applicant suggests that the examiner has failed to make a prima facie case requiring such restriction, or that the species are "unconnected in design, operation, or effect". M.P.E.P. 808.01 The examiner has failed to provide an explanation as to whether the species claimed herein are in separate classifications, hold separate status in the art, or represent a different field of search. M.P.E.P. 808.02.

Applicant suggests that each embodiment shown, described, and claimed represent solutions to common motivation, and therefore all incorporate species that have a close relationship to one another in design, operation, and effect. M.P.E.P. 802.01.

Respectfully submitted,



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