

Office of Petitions: Routing Sheet



Application No.: 14/272,866

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.

14272866



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:

BRINKLEY, SHERRY

Count (1) - Palm Credit

14/272,866

Decision: GRANT

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 652 - Petition to make special-PPH



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: 10/30/2014



UNITED STATES PATENT AND TRADEMARK OFFICE

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

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/272,866	05/08/2014	Artur HOEGELE	0902-046	8559
113648	7590	09/16/2014	EXAMINER	
Patent Portfolio Builders, PLLC P.O. Box 7999 Fredericksburg, VA 22404-7999			ART UNIT	PAPER NUMBER
			2486	
			NOTIFICATION DATE	DELIVERY MODE
			09/16/2014	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):

Emily@ppblaw.com
Tina@ppblaw.com



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 : DECISION ON REQUEST TO
Artur Hoegel : PARTICIPATE IN THE PATENT
Application No.: 14/272,866 : PROSECUTION HIGHWAY
Filed: 08 May 2014 : PROGRAM AND PETITION
Attorney Docket No.: 0902-046 : TO MAKE SPECIAL UNDER
For: SURGICAL MICROSCOPE WITH : 37 CFR 1.102(a)
ENLARGED WORKING DISTANCE

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(a), filed 23 June 2014, to make the above-identified application special.

The request and petition are **DISMISSED**.

DISCUSSION

A grantable request to participate in the PPH pilot program and petition to make special require:

1. The U.S. application and the corresponding application filed in the PPH 2.0 participating office (with the allowable/patentable claim(s)) must have the same priority/filing date. In particular, the U.S. application (including national stage entry of a PCT application and a so-called bypass application filed under 35 U.S.C. 111 which validly claims benefit under 35 U.S.C. 120 to a PCT application):
 - a. is an application that validly claims priority under 35 U.S.C. § 119(a) and 37 CFR 1.55 to one or more applications filed with the PPH 2.0 participating office, or
 - b. is an application which is the basis of a valid priority claim under the Paris Convention for the application filed in the PPH 2.0 participating office, or
 - c. is an application which shares a common priority document with the application filed in the PPH 2.0 participating office, or
 - d. the application filed in the PPH 2.0 participating office are derived from/related to a PCT application having no priority claim.
2. Applicant must:
 - a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the PPH 2.0 participating office application(s) and
 - b. Submit a claims correspondence table in English;
3. Examination of the U.S. application has not begun;
4. Applicant must submit:
 - a. Documentation of prior office action:

Art Unit: OPET

- i. a copy of the office action(s) just prior to the “Decision to Grant a Patent” from each of the PPH 2.0 participating office application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a “Notification of Reasons for Refusal” then the Notification of Reasons for Refusal or
 - iii. if the PPH 2.0 participating office application is a first action allowance then no office action from the PPH 2.0 participating office is necessary should be indicated on the request/petition form;
 - b. An English language translation of the PPH 2.0 participating office action from (4)(a)(i)-(ii) above
5. Applicant must submit:
 - a. An IDS listing the documents cited by the PPH 2.0 participating office examiner in the PPH 2.0 participating office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);

The request to participate in the PPH pilot program and petition fails meet condition 5.

In this regard, an IDS listing all the documents cited by the PPH 2.0 participating office examiner in the PPH 2.0 participating office action, including copies thereof, have not been submitted.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected within the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) using the document description: Petition to make special under Patent Pros Hwy. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-3204. All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

/SDB/

Sherry D. Brinkley
Paralegal Specialist
Office of Petitions

Office of Petitions: Decision Count Sheet

Mailing Month

Application No.

14272866



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:

BRINKLEY, SHERRY

Count (1) - Palm Credit

14/272,866

Decision: DISMISSED

FINANCE WORK NEEDED

Select Check Box for YES



Decision Type: 652 - Petition to make special-PPH



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: 9/12/2014