



Paper No. 9

BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA VA 22313-1404

**COPY MAILED**

**NOV 18 2003**

In re Application of  
Chow, et al.  
Application No. 29/142,503  
Filed: May 24, 2001  
Attorney Docket No. 007198-406  
For: CD RACK

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:  
**OFFICE OF PETITIONS**  
**DECISION**  
**ON PETITION**

This is a decision on the reconsideration petition under 37 CFR 1.137(b), filed May 13, 2003, to revive the above-identified application. The petition will also be treated as a petition under 37 CFR 1.183 to waive 37 CFR 1.137(d), insofar as it requires the terminal disclaimer period to be the entire period of abandonment.

This application became abandoned for failure to timely reply to the Notice to File Missing Parts of Nonprovisional Application mailed June 13, 2001, which set a two month shortened statutory period for reply. No extensions of time having been obtained pursuant to 37 CFR 1.136(a), this application became abandoned on August 14, 2001 for failing to submit an executed declaration and surcharge. A Notice of Abandonment was mailed on July 30, 2002.

Petitioners have submitted a reply in the form of the surcharge and a declaration, an acceptable statement of the unintentional nature of the delay in responding to the June 13, 2001 Notice, an acceptable terminal disclaimer and fee, and the petition fee.

The petition under 37 CFR 1.137(b) is **GRANTED**.

Petitioners request that the length of the period disclaimed be adjusted to take into consideration the delay in addressing the first petition to revive, filed June 26, 2002. While it was petitioners' responsibility to file a complete petition to revive, including a terminal disclaimer, on June 26, 2002, the Office delayed dismissing the petition until April 8, 2003. The Office should have mailed a dismissal within three months of receiving the original petition, instead of mailing a dismissal 10 months after receiving the original petition. It is noted that petitioners promptly filed a grantable petition on May 13, 2003 after receiving the April 8, 2003 dismissal.

In the interests of justice, a portion of the total period of abandonment has been rescinded due to Patent and Trademark Office delay. The period disclaimed will be the period from the initial abandonment, August 14, 2001, through the date the grantable petition was filed, May 13, 2003 minus 7 months ( which is the 10 months the Office took to mail the April 8, 2003 dismissal minus the three months it should have taken). In other words, the total period disclaimed is 14 months.

The petition under 37 CFR 1.183 to partially waive 37 CFR 1.137(d) is **GRANTED**.

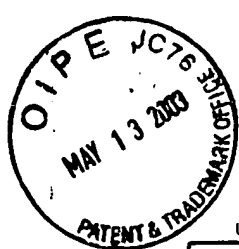
Regarding finances, pursuant to petitioners' authorization, deposit account no. 02-4800 will be charged a \$130 fee for the petition under 37 CFR 1.183.

After the mailing of this decision the application will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-6712.



E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions



#8

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO ACCOMPANY PETITION**

Docket Number (Optional)  
007198-406

In re Application of:

Name: Tat-Chi CHOW et al

Application Number: 29/142,503

Filed: May 24, 2001

For: CD RACK

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MAY 21 2003

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The owner\*, Sunhing Millennium Ltd. of 100 percent interest in the above-identified application hereby disclaims a terminal part of the term of any patent granted the above-identified application equivalent to: (1) if the above-identified application is a design application, the period of abandonment of the above-identified application, and (2) if the above-identified application is a utility or plant application, the lesser of: (a) the period of abandonment of the application; or (b) the period extending beyond twenty years from the date on which the above-identified application was filed in the United States or, if the application contains a specific reference to an earlier filed application(s) under 35 U.S.C. 120, 121, or 365(c), from the date on which the earliest such application was filed. This disclaimer also applies to any patent granted on a utility or plant application filed before June 8, 1995, or a design application, that contains a specific reference under 35 U.S.C. 120, 121, or 365(c) to the above-identified application. This disclaimer is binding upon the grantee, and its successors or assigns.

Check either box 1 or 2 below, if appropriate.

- 1.  For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.
- 2.  The undersigned is an attorney or agent of record.

James A. LaBarre  
Signature

5/9/03  
Date

James A. LaBarre, Reg. No. 28,632

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

05/14/2003 SLUANG1 00000016 29142503

01 FC:1814

110.00 OP

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MAY 16 2003

OFFICE OF PETITIONS



#7 DAC#

Patent Attorney's Docket No. 007198-406

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
 Tat-Chi CHOW et al ) Group Art Unit: 2900  
 Application No.: 29/142,503 ) Examiner: Unassigned  
 Filed: May 24, 2001 ) Confirmation No.: 4915  
 For: CD RACK )

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MAY 21 2003

TECH CENTER 1600/2900

SUPPLEMENT TO PETITION TO REVIVE

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

Sir:

In response to the Decision on Petition dated April 8, 2003, attached please find an executed Terminal Disclaimer in connection with the application identified above.

A check for  \$55.00 (2814)  \$110.00 (1814) to cover the requisite Government fee is also attached. The Director is authorized to charge any other fees that may be required by this paper, and to credit any overpayment, to Deposit Account 02-4800. This paper is submitted in duplicate.


Applicants respectfully submit that the "period of abandonment", for which the terminal part of the patent is disclaimed, should not include the period from June 26, 2002, when the petition was originally filed, until March 4, 2003, when a duplicate copy of the petition was submitted, since Applicants were diligent during this time in their efforts to revive the application and the delay occurred through no fault of their own. Favorable consideration of the Petition and this request is respectfully solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

11/18/2003 AKELLEY 00000019 024800 29142503  
 01 FC:1460 130.00 DA

Date: May 13, 2003

By:   
 James A. LaBarre  
 Registration No. 28,632

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MAY 16 2003

OFFICE OF PETITIONS

P.O. Box 1404  
 Alexandria, Virginia 22313-1404  
 (703) 836-6620



Paper No. 6

BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA VA 22313-1404

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APR 08 2003

In re Application of  
Chow, et al.  
Application No. 29/142,503  
Filed: May 24, 2001  
Attorney Docket No. 007198-406  
For: CD RACK

DECISION **OFFICE OF PETITIONS**  
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 26, 2002, 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(b)." Petitioners are advised that this is not a final agency decision.

This application became abandoned for failure to timely reply to the Notice to File Missing Parts of Nonprovisional Application mailed June 13, 2001, which set a two month shortened statutory period for reply. No extensions of time having been obtained pursuant to 37 CFR 1.136(a), this application became abandoned on August 14, 2001 for failing to submit an executed declaration and surcharge. A Notice of Abandonment was mailed on July 30, 2002.

A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof;
- (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(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

- (4) any terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

The instant petition does not satisfy requirement (4) above.

37 CFR 1.137(d) requires that a petition under 37 CFR 1.137(b) be accompanied by a terminal disclaimer and fee regardless of the period of abandonment in a design application. This application is a design application. Thus, petitioners are required to submit a terminal disclaimer. A blank terminal disclaimer form is enclosed for petitioners' convenience.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-6712.

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

By mail until 05/01/03: Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

By mail on or after 05/01/03: Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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

By hand: Office of Petitions  
2201 South Clark Place  
Crystal Plaza 4, Suite 3C23  
Arlington, VA 22202



E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions

enclosures: blank Terminal Disclaimer to Accompany Petition -- PTO/SB/63  
Privacy Act Statement

#7

**BURNS DOANE**

BURNS DOANE SWECKER & MATHIS LLP  
ATTORNEYS AT LAW

ALEXANDRIA, VIRGINIA  
REDWOOD SHORES, CALIFORNIA  
DURHAM, NORTH CAROLINA

REPLY To:  
P.O. Box 1404  
Alexandria, Virginia 22314-1404

TELEPHONE: +1.703.836.6620

FACSIMILE: +1.703.836.2021 (Group 1)  
+1.703.836.0028 (Group 4)

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MAR 07 2003  
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DATE: March 4, 2003

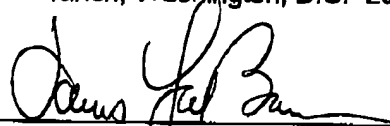
RECIPIENT INFORMATION	SENDER INFORMATION
To: <b>Petitions Branch</b>	From: <b>James A. LaBarre</b>
Voice Tel. No.:	Voice Tel. No.: <b>703 836 6620</b>
Fax Tel. No.: <b>703-308-6916</b>	Sent By: <b>Rosemary</b>
Your Ref.: <b>USSN 29/142,503</b>	Our Ref.: <b>007198-406</b>
	Total Pages (Incl. Cover Page): <b>Eleven (11)</b>

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APR 09 2003  
TECH CENTER 1600/2900

RE:

**MESSAGE:**

I hereby certify that this correspondence is being sent by Facsimile Transmission to Commissioner of Patents and Trademarks, Petitions Branch, Washington, D.C. 20231 on March 4, 2003.

  
JAMES A. LABARRE

FAX RECEIVED  
MAR 04 2003  
PETITIONS OFFICE

**NOTE:** The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the person(s) named above and others expressly authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is prohibited and you are asked to notify us immediately by telephone and to return this message to us by mail without copying it.

Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

# 1

Patent  
Attorney's Docket No. 007198-406

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

In re Patent Application of	)	
	)	
Tat-Chi CHOW et al	)	Group Art Unit: 2900
	)	
Application No.: 29/142,503	)	Examiner: Unassigned
	)	
Filed: May 24, 2001	)	Confirmation No.: 4915
	)	
For: CD RACK	)	

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APR 09 2003  
TECH CENTER 1600/2900

**RESUBMISSION OF PETITION TO REVIVE**

**BOX DAC**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**FAX RECEIVED**  
MAR 04 2003  
PETITIONS OFFICE

Sir:

On June 26, 2002, a Petition to Revive (Unintentional) was filed in the above-identified application, along with a reply to the Notice to File Missing Parts and the requisite fees. No response had been received four months latter, and so a first Status Inquiry was filed on October 31, 2002. Again no response was received, and a Second Status Inquiry was filed on January 30, 2003.

A check of the PTO PAIR system indicates that none of the above-noted papers filed by Applicants have been associated with the file, and it is presumed that they have been misplaced. Accordingly, the following papers are being submitted herewith:

1. A copy of the Petition to Revive filed June 26, 2002;
2. Copies of the Transmittal Letter for Missing Parts of Application, and accompanying signed Declaration;
3. Post-card receipt for the papers filed June 26, 2002; and
4. Copy of the cancelled check submitted with the Petition.



Application No. 29/142,503  
Attorney's Docket No. 007198-406  
Page 2

Applicants respectfully request prompt consideration of the Petition to revive and restoration of the pending status of the application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:



James A. LaBarre  
Registration No. 28,632

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: March 4, 2003

Patent  
Attorney's Docket No. 007198-406

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

In re Patent Application of	)
Tat-Chi CHOW et al	)
Application No.: 29/142,503	) Group Art Unit: 2900
Filed: May 24, 2001	) Examiner: Unassigned
For: CD RACK	) Confirmation No.: 4915

**RECEIVED**  
APR 09 2003  
TECH CENTER 1600/2900

**PETITION TO REVIVE  
(UNINTENTIONAL)**

**FAX RECEIVED**  
**MAR 04 2003**  
**PETITIONS OFFICE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

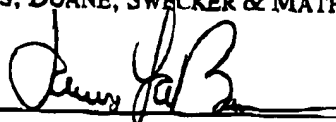
Although a Notice of Abandonment has not been received, Applicants believe the application is in an abandoned status due to a failure to timely file a response to the recently discovered Notice to File Missing Parts dated June 13, 2001. Applicants hereby petition for revival of the application. Pursuant to the requirements of 37 C.F.R. §1.137(b), this petition is accompanied by:

- 1) A reply to the Notice to File Missing Parts dated June 13, 2001, including a Declaration signed by the inventors and the requisite fee of \$65.00;
- 2) The petition fee set forth in 37 C.F.R. §1.17(m).

The entire delay in the filing of the reply to the Notice to File Missing Parts from the due date for the reply until the granting of this petition was unintentional.

Revival of the application from its abandoned status is respectfully solicited.

Respectfully submitted,  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
James A. LaBarre  
Registration No. 28,632

DOCKETED - PATENT  
Filed 6/26/03  
1600/2900

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: June 26, 2003

Patent  
Attorney's Docket No. 007198-406

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

In re Patent Application of	)	
Tat-Chi CHOW et al	)	Group Art Unit: 2900
Application No.: 29/142,503	)	Examiner: Unassigned
Filed: May 24, 2001	)	Confirmation No.: 4915
For: CD RACK	)	
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 APR 09 2003  
 TECH CENTER 1600/2900

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**FAX RECEIVED**  
**MAR 04 2003**  
**PETITIONS OFFICE**

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(b) dated June 13, 2001, enclosed please find:

- a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of  \$65.00 (205) [ ] \$130.00 (105) as set forth in 37 C.F.R. § 1.16(e);
- [ ] Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different from those listed on the application filing papers.
- [ ] a Request for Refund;
- [ ] a Petition for Extension of Time;
- [ ] a verified English translation of the Application, and the \$130.00 (139) fee as set forth in 37 C.F.R. § 1.17(k);
- [ ] an Assignment document and a separate check for the \$40.00 (581) Assignment recordation fee;
- [ ] drawings for publication;
- other Petition to Revive (Unintentional) \_\_\_\_\_;
- a check in the amount of \$ 65.00 for the fee due for missing parts; and

Transmittal Letter for Missing Parts of Application  
Attorney's Docket No. 007198-406  
Application No. 29/142,503  
Page 2

charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By: James A. LaBarre  
James A. LaBarre  
Registration No. 28,632

Date: June 26, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
29/142,503	05/24/2001	Tat-Chi Chow	007198-406

21839  
BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

CONFIRMATION NO. 4915  
FORMALITIES LETTER  
\*OC00000006175857\*

Date Mailed: 06/13/2003

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APR 09 2003

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NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

FAX RECEIVED

Filing Date Granted

MAR 04 2003

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 oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

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

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

PART 2 - COPY TO BE RETURNED WITH RESPONSE

FAX RECEIVED

MAR 04 2003

PETITIONS OFFICE

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR DESIGN PATENT APPLICATION**

Attorney's Docket No.

007198-

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APR 09 2003

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As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

**I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:**

CD Rack

the specification of which

(check one)

is attached hereto;

was filed on \_\_\_\_\_ as

Application No. \_\_\_\_\_

and was amended on \_\_\_\_\_  
: (if applicable)

**I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIM, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;**

**I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);**

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and Sec. 172 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

**COMBINED DECLARATION AND POWER OF ATTORNEY**

Attorney's Docket No.  
007198-

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES_ NO_
			YES_ NO_

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Ralph L. Friesland, Jr.	16,110	William C. Rowland	30,888
Peter H. Swolka	15,913	Robert G. Mukai	28,531	T. Gene Dillahunty	25,423
Robert S. Swecker	19,885	George A. Hovanec, Jr.	28,223	Anthony W. Shaw	30,104
Platon N. Mandros	22,124	James A. LaBarre	28,632	Patrick C. Keane	32,858
Beriton S. Duffin, Jr.	22,030	E. Joseph Goss	28,510	Bruce J. Boggs, Jr.	32,344
Joseph R. Magnone	24,239	R. Danny Hunsigson	27,903	William H. Benz	25,952
Norman H. Stepano	22,716	Eric H. Weisblatt	30,505	Peter K. Skiff	31,917
Ronald L. Grudziecki	24,970	James W. Peterson	25,057	Richard J. McGrath	29,195
Frederick G. Michaud, Jr.	26,003	Teresa Stanek Rea	30,427	Matthew L. Schneider	32,814
Alan E. Kopecki	25,813	Robert E. Krebs	25,885	Michael G. Savage	32,596
Regis E. Sluiter	26,999	Robert M. Schulman	31,196	Gerald F. Swiss	30,113
Samuel C. Miller, III	27,360				

and:

Address all correspondence to: **James A. LaBarre**  
**BURNS, DOANE, SWECKER & MATHIS, L.L.P.**  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404

Address all telephone calls to: James A. LaBarre at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR		SIGNATURE	DATE
Tat-Chi CHOW			28 MAY 2001
RESIDENCE	CITIZENSHIP		
G, Tahoe, Villa, 3 Pik Sha Road, Clearwater Bay, Hong Kong	Hong Kong		
POST OFFICE ADDRESS			
G, Tahoe, Villa, 3 Pik Sha Road, Clearwater Bay, Hong Kong			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY		SIGNATURE	DATE
Jason Bennett			28 MAY 2001
RESIDENCE	CITIZENSHIP		
1/F., 48 Staunton Street, Central, Hong Kong	Australian		
POST OFFICE ADDRESS			
1/F., 48 Staunton Street, Central, Hong Kong			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY		SIGNATURE	DATE
RESIDENCE	CITIZENSHIP		
POST OFFICE ADDRESS			

RECEIVED

APR 09 2003

TECH CENTER 1600/2900

FAX RECEIVED  
MAR 04 2003  
PETITIONS OFFICE

Inventor: Tai-Chi CHOW et al

Docket No.: 007198-406

Appln. No.: 29/142,503

Filing Date: May 24, 2001

Work Atty.: JALaBarre/rf

Date: June 16, 2002

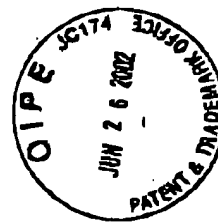
CL

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- Amendment or Response
- Preliminary Amendment
- Reply Transmittal Letter
- Petition to Revive (Unintentional)
- Submission of Formal Drawings w/ sheet(s) of drawings (Fig(s). 1- )
- Request for Approval of Drawing Changes w/ sheet(s) of red ink drawings
- Notice of Appeal
- Brief for Appellant
- Request for Oral Hearing
- Reply Brief
- Response to Restriction Requirement or Election of Species
- Terminal Disclaimer  Certificate Under 37 C.F.R. § 3.73(b)
- Transmittal Letter for Missing Parts of Application
- Executed Declaration/Power of Attorney
- Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)
- Claim for Convention Priority w/ certified copy(s)
- Information Disclosure Statement w/ document(s)
- Information Disclosure Citation (PTO-1449)
- Information Disclosure Statement Transmittal Letter
- Request for Corrected Notice of Recordation of Assignment w/copy of Notice
- Request for Continued Examination
- Check for \$705.00 is enclosed
- Check for \$ is enclosed
- Charge \$ to Deposit Account

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(10/00)

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P.11/11

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TO THE ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

*Carol Dodd*  
*Alma J. Newman*

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BURNS DOANE

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## UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
29/142,503	05/24/2001	Tat-Chi Chow	007198-406

 21839  
 BURNS DOANE SWECKER & MATHIS L L P  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

**CONFIRMATION NO. 4915**  
**ABANDONMENT/TERMINATION**  
**LETTER**


\*OC00000008538645\*

Date Mailed: 07/30/2002

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/13/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

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

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

PART 3 - OFFICE COPY



241/205

#4 DDC MP/2900 Patent \$

Attorney's Docket No. 007198-406

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of )

Tat-Chi CHOW et al )

Application No.: 29/142,503 )

Filed: May 24, 2001 )

For: CD RACK )

Group Art Unit: 2900

Examiner: Unassigned

Confirmation No.: 4915

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PETITION TO REVIVE (UNINTENTIONAL)

Assistant Commissioner for Patents Washington, D.C. 20231

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OFFICE OF PETITIONS

Sir:

Although a Notice of Abandonment has not been received, Applicants believe the application is in an abandoned status due to a failure to timely file a response to the recently discovered Notice to File Missing Parts dated June 13, 2001. Applicants hereby petition for revival of the application. Pursuant to the requirements of 37 C.F.R. §1.137(b), this petition is accompanied by:

- 1) A reply to the Notice to File Missing Parts dated June 13, 2001, including a Declaration signed by the inventors and the requisite fee of \$65.00;
2) The petition fee set forth in 37 C.F.R. §1.17(m).

The entire delay in the filing of the reply to the Notice to File Missing Parts from the due date for the reply until the granting of this petition was unintentional.

Revival of the application from its abandoned status is respectfully solicited.

07/02/2002 AWONDAF1 00000028 29142503 01 FC:241 640.00 OP

Respectfully submitted, BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620

By: [Signature] James A. LaBarre Registration No. 28,632

Date: June 26, 2002