



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.
10/469,063	08/13/2003	Lin Zhen-Man		1357
7590	09/21/2006		EXAMINER	
Lin Zhen Man Ava Tower 19 07 10 Ava Road Singapore, 329949 SINGAPORE			PAK, JOHN D	
			ART UNIT	PAPER NUMBER
			1616	

DATE MAILED: 09/21/2006

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

Notice of Abandonment

Application No.

10/469,063

Examiner

JOHN PAK

Applicant(s)

ZHEN-MAN, LIN

Art Unit

1616

-- 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 30 September 2005.
 - (a) ☒ A reply was received on 1/10/06 and 3/22/06 (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 30 December 2005.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) 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, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) 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:

See Continuation Sheet


JOHN PAK
PRIMARY EXAMINER
GROUP 1600

Petitions to revive under 37 CFR 1.137(a) or (b), 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.

Item 7 - Other reasons for holding abandonment:

The First action on the merits was mailed on 9/30/05.

Applicant's reply to the 9/30/05 Office action was received by the USPTO on 1/10/06. The reply was therefore late and required a petition for extension of time. On 2/10/06, the USPTO mailed to applicant a Notice of Extension of Time Fee, with a subheading, "No New Time Period is Provided." Applicant was notified that the time period for reply "continues to run" and no new time period is provided. The clear and unequivocal message was that the clock was ticking on the period for reply and applicant's extension of time fee must be sufficient **AS OF THE RECEIPT DATE** of applicant's petition for extension of time and paying of the extension of time fee.

On 3/22/06, applicant's authorization for payment of \$110 was received. The amount was insufficient as of 3/22/06, because by that time, a 3 month extension of time was required. This is what is meant by "continues to run" and "No New Time Period is Provided." \$110 was therefore insufficient to pay for 3 months extension of time. Consequently, none of applicant's responses (which responds to the Office action of 9/30/05) could be entered. With no such reply having been entered, this application must be deemed abandoned because the maximum statutory period of 6 months expired on 3/30/06.