

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1616
Examiner: PAK, JOHN D

In re PATENT APPLICATION of:

Applicant(s) : Lin ZHEN-MAN) About the
Application No. : 10/469,063) <u>Advisory Action</u>
Filed : Aug. 13, 2003) Before the Filing
For : Surface Treatment of SARS-Infected Lungs) Respond for
) of an Appeal Brief

Commissioner of Patents
Alexandria, VA 22313-1450
Examiner,
PAK, JOHN D

By Fax: 001 1 (571) 273-8300

Dear Sir,

I received your Advisory Action titled "Before the Filing of an Appeal Brief" on 24 June 2009.

On the above brief form, the official received date of my Respond for Examination Report is 21 May 2009 and this date was to regard as the period for reply expires on the stipulation.

This is a shocking wrong news as the 12 pages of second examination report have a clear explanation of "A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action." and the PTOL-90A (Rev. 04/07) sheet which a clear mailing date was to shown on 04/01/2009 (April 01, 2009), so, this final action was set to expire on July 01, 2009.

Obviously, why did the Examiner Mr. PAK, JOHN not observe the deadline of response? This is an extremely unusual case as applicant does not conjectures the health of Examiner whether have gone wrong. Therefore, examiner PAK, JOHN you have to admit and amend this misunderstanding.

Further under the continuation of 3. Note, Mr. PAK, JOHN you have too many points of view below:

1. In the first paragraph of the continuation of 3. Note, the claim amendments of 5/21/2009 are again non-compliant with respect to 37 CFR 1.121 (Rule 121) was a wrongly commentary..., below:
 - a. The Preliminary amendment of 2/9/2004 is not in compliance with the 37 CFR 1.121(c) and (c)(2) that was normal. Therefore it must be amended and disputation again, the status of filed it cannot for this reason to cancel, therefore, that the amendment of 5/21/2009 to use this Preliminary amendment of 2/9/2004 as the basis which to show amendment markings is rightly.
 - b. It let alone that the Examiner in the last Office action was to be in agreement that a copy of parts of Rule 121 to amend the claims in accordance with said Rule. Therefore, Examiner you should not to haggle over the style.
2. In the second paragraph of the continuation of 3. Note, the responses are below:
 - a. In claim 1, "In the lungs infected disease field" is the amendment which substitute for "In the field of treating infectious lung disease" it could be find in new amendment;
 - b. The amendment of claim 2 raises indefiniteness issues that was wrong, the nucleus value of Fluoro Chemicals (PFCs) mixed with ozone was constant and to

guard this application of invent was appropriate and inalienable.

- c. Regarding the issue of claim 5 , "all liquids of fluorine element." It absolutely not is "new matter", because the Fluoro Chemicals (PFC) itself quite right to stand for "all liquids of fluorine element.", on the side, it to originate in the claim of guard this application of invent was appropriate and inalienable.
 - d. Regarding the "states that" and "mentioned includes" of claim 5. & 6 which grammatically confusing and indefinite within the claim sentence context that was a storm in a teacup, applicant's requests to have nothing to do with anyone, thank you for Examiner.
3. In the third paragraph of the continuation of 3. Note, under Examiner offers guidance, applicant have a NEW claims of no markings under 37 CFR 1.121.
 4. In the fourth paragraph of the continuation of 3. Note, besides the wording amend of foregoing 2.a, the NEW claims of no markings same all the amendment of 5/21/2009.
 5. In the fifth paragraph of the continuation of 11. Note, the responses are below:
 - a. The first and second paragraph of amendment responds of 5/21/2009 which fact to shown a case of critical international in the process of ferment, conceal my this medical invent is the evil axis... After when Sweden's prosecutor announced a fact pointed out China Government many times to bribe appraisal meeting of Nobel since 2006 on December 18, 2008, Nobel already to confess for the history, *Obama* also to win honor for American.
 - b. Above fact was to surround my this application of invent, so this application was received discriminate against also is fact.
 - c. Because "washing-lung" treatment of this application in the field of treating infectious lung disease is a last invent in mankind society, any reason for conceal this application of invent can not to endure and this is a crime of turn over mankind, it to be unconcerned with the arguments can be found persuasive and it should be to requests examiner don't to accept handle by any superior.
 - d. Just as respond at above 2., no any "new matter" in any document of this application.
 6. In the sixth paragraph of the continuation of 3. Note, the Examiner requested the applicant to pardon it may be rejection by him, it seems, the force of axis of evil still not yet to eliminate.

It is thus clear that foregoing fact, office received date of my Respond for Examination Report is May. 21, 2009, the designate by second examination report, the final action was set to expire on July 01, 2009. Examiner must afresh to Examination the claims amendments of 5/21/2009.

Regarding the Note of continuation of 3. and 11., no "new matter" in any document of this application, except, no any rule could be to rejection claim 1-8 of this application.

Respectfully submitted,



applicant: Lin Zhen-Man

Telephone: 65-63533647

Telefax: 65-62585636

Email: lzmyc@singnet.com.sg

Date: June 30, 2009

Pm 11.45

(SUBSTITUTE CLAIMS)**Surface Treatment of SARS-Infected Lungs****(Amendment on June 30, 2009)****Claims of 10/469,063**

1. In the field of treating infectious lung disease, the main characteristic treatment of formulation for the “Surface Treatment of SARS–Infected Lungs” is to inject sterilizing liquid into the lung lobes.
2. The “Surface Treatment of SARS–Infected Lungs” in claim1, the medicine of constituents sterilizing liquid of formulation is Fluoro Chemicals (PFCs) mixed with ozone, which substantially as herein described and illustrated with reference to the accompanying examples and figures.
3. The “Surface Treatment of SARS–Infected Lungs” in claim1, includes any other lung diseases and SARS inflammation.
4. The “Surface Treatment of SARS–Infected Lungs” in claim 2, mentioned to add the substitutes such the antibiotics or other bactericide into the sterilizing liquid to suppress or to kill the virus.
5. In the claim 2., states that the liquid includes all liquids of fluorine element.
6. In the claim 2., mentioned includes any substitute liquid to mixing with ozone or the single atom of oxygen is decompose by other element.
7. The “Surface Treatment of SARS–Infected Lungs” in claim 7., include a brand-new medical theory that is “The handling effect of difference in temperature” for cure cancer.
8. In the claim 7., mentioned to include a brand-new methods of medical treatment of “Frozen-Therapy” for kill dead the cancer-cell.

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