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EXAMINER	
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ART UNIT	PAPER NUMBER
3992	

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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.

OFFICE ACTION IN* INTER PARTES *REEXAMINATION	**Control No.**	**Patent Under Reexamination**
	95/002,308	7428573
	Examiner	**Art Unit**
	Christopher E. Lee	3992

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

Responsive to the communication(s) filed by:
Patent Owner on _____
Third Party(ies) on _____

RESPONSE TIMES ARE SET TO EXPIRE AS FOLLOWS:

For Patent Owner's Response:
2 MONTH(S) from the mailing date of this action. 37 CFR 1.945. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.956.
For Third Party Requester's Comments on the Patent Owner Response:
30 DAYS from the date of service of any patent owner's response. 37 CFR 1.947. NO EXTENSIONS OF TIME ARE PERMITTED. 35 U.S.C. 314(b)(2).

All correspondence relating to this inter partes reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

This action is not an Action Closing Prosecution under 37 CFR 1.949, nor is it a Right of Appeal Notice under 37 CFR 1.953.

PART I. THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892
2. ☐ Information Disclosure Citation, PTO/SB/08
3. ☐ _____

PART II. SUMMARY OF ACTION:

1a. ☒ Claims 1,27 and 35 are subject to reexamination.
1b. ☒ Claims 2-26,28-34 and 36-61 are not subject to reexamination.
2. ☐ Claims _____ have been canceled.
3. ☐ Claims _____ are confirmed. [Unamended patent claims]
4. ☐ Claims _____ are patentable. [Amended or new claims]
5. ☒ Claims 1,27 and 35 are rejected.
6. ☐ Claims _____ are objected to.
7. ☐ The drawings filed on _____ ☐ are acceptable ☐ are not acceptable.
8. ☐ The drawing correction request filed on _____ is: ☐ approved. ☐ disapproved.
9. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119 (a)-(d). The certified copy has: ☐ been received. ☐ not been received. ☐ been filed in Application/Control No _____.
10. ☐ Other _____

DETAILED ACTION

Inter Partes Reexamination

1. This first Office Action on the merits is being mailed together with the Order granting *inter partes* reexamination of United States Patent Number US 7,428,573 B2, which issued to McCanne et al. [hereinafter "the '573 Patent"]. Currently, the claims 1, 27, and 35 are subject to reexamination in this *inter partes* reexamination proceedings.

Reexamination Procedures

2. In order to ensure full consideration of any amendments, affidavits or declarations, or other documents as evidence of patentability, such documents must be submitted in response to this Office Action. Submissions after the next Office Action, which is intended to be an Action Closing Prosecution (ACP), will be governed by 37 CFR § 1.116(b) and (d), which will be strictly enforced.

Statutory Basis for Grounds of Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This patent under reexamination currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103(a), the Examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Patent Owner is advised of the obligation under 37 CFR § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Examiner to consider the applicability of 35 U.S.C. § 103(c) and potential 35 U.S.C. § 102(e), (f) or (g) prior art under 35 U.S.C. § 103(a).

References cited in the Claim Rejections

4. In the Request, the Third Party requester alleges that the following references, in certain combinations, have been asserted as providing teachings relevant to the claims 1, 27, and 35 of the '573 Patent:

1) Singh [US 6,856,651 B2] "System and method for incremental and continuous data compression"
2) Border, J. et al. ["Performance Enhancing Proxies Intended to Mitigate Link-Related Degradations," Request For Comments 3135, published June 2001,41 pages; hereinafter "RFC 3135"]
3) Patentee's Admitted Prior Art [hereinafter "APA"]

Third Party requester's Ground of Rejection

Ground of Rejection

Claims 1, 27, and 35 over the combination of Singh, RFC 3135, and APA

Analysis of Proposed Third Party Requester's Rejections

5. Claims 1, 27, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Singh [US 6,856,651 B2] in view of RFC 3135 and APA.

Referring to claim 1, Singh discloses, in a network (i.e., Network 104 of Fig. 1; See col. 8, lines 56-58) wherein clients (e.g., System 1 102A of Fig. 1) initiate transactions (i.e., network traffic) with servers (e.g., System 2 102B of Fig. 1; i.e., users request and receive world wide web traffic from a content provider server) and the network carries transactions (i.e., Internet traffic), a method of transactions with improved bandwidth (i.e., improving bandwidth utilization by compressing data; See col. 21, lines 13-24 and 32-38) comprising:

- segmenting a payload (i.e., identifying any repeated phrases/terms in an input data stream) into at least one segment (i.e., a repeated phrase/term) according to a segmentation process (i.e., a compression algorithm; See col. 8, lines 51-67 and col. 9, lines 5-8 and 16-32) that is based on content of the payload (See col. 19, lines 40-56 and col. 20, lines 33-35, wherein Singh states "… They can be optimized to best the suit the type of data being compressed. … The algorithm is … and learns new dictionary phrases to adapt to changes in the input data. …");
- for each of the at least one segments (i.e., said repeated phrase/term), determining whether to send the segment data in the payload (i.e., in said input data stream) as an unreferenced segment (i.e., un-modified phrase/term) or as a referenced segment (i.e., a dictionary phrase number; See Fig. 5 and col. 12, lines 36-65);
- for each of the referenced segments (i.e., said repeated phrase/term), replacing at least some of the segment data (i.e., a given phrase/term) with a reference to the replaced

data (i.e., a dictionary phrase number; See col. 9, lines 17-29 and col. 10, lines 36-46; and the detail of compression algorithm is described at col. 2, lines 34-39, col. 3, lines 59-62, and col. 4, lines 26-32) and storing the replaced reference data (i.e., the repeated phrase/term) associated with its reference (i.e., the dictionary phrase number; See col. 9, lines 50-67, wherein Singh states "… using a hash table (e.g., library) to record all unique pairs of symbols that have been observed by the detection component. …then the hash table entry for the pair of symbols will point to the corresponding dictionary phrase. …");

- sending the payload (i.e., the compressed input data stream) from the sender (i.e., a sending communication node) to the receiver (i.e., a receiving communication node) as a compressed payload (i.e., compressed data; See col. 21, lines 13-24) comprising at least one of a segment reference (i.e., a dictionary phrase number) and symbols corresponding to an unreferenced segment (i.e., an un-modified phrase/term; See col. 12, lines 36-65 and col. 13, lines 8-21);
- receiving the compressed payload (i.e., the compressed input data stream; See col. 13, lines 7-15, wherein it states "each compressed symbols is received.") over the network (i.e., physical or logical network link; See col. 8, lines 45-58 and col. 21, lines 13-24);
- identifying segment references (i.e., dictionary phrase numbers), if any, in the compressed payload (i.e., in said compressed input data stream; See Fig. 6 and col. 12, line 66 through col. 13, line 22);
- replacing the segment references (i.e., said dictionary phrase numbers) in the compressed payload (i.e., said compressed input data stream) with segment data available to the receiver (i.e., a dictionary of repeated phrases/terms), to form a reconstructed payload (i.e., the decompressed original input stream; See col. 12, line 66 through col. 13, line 30); and
- providing the reconstructed payload (i.e., said decompressed original input stream) to the receiver (i.e., the receiving communication node) as the transported payload (i.e., transported data; See col. 21, lines 16-38).

Singh does not expressly teach that said transactions with the compressed payloads are accelerated transactions with accelerated payloads in the network.

RFC 3135 discloses a method of split connection in the field of accelerating transactions between networked devices (See page 1, Abstract), wherein

- a client-side proxy (i.e., a first PEP for TCP local node as a client-side accelerator) receives a payload (i.e., TCP data segments) from a client (i.e., said TCP local node; See page 9, 3.1.2 Local TCP Acknowledgements, RFC 3135 states "[i]n some PEP implementations, TCP data segments received by the PEP are locally acknowledged by the PEP. … Local acknowledgments are automatically employed with split connection TCP implementations, …"); and
- a server-side proxy (i.e., a second PEP for a TCP local node at the other end system as a server-side accelerator) sends an accelerated payload to the client (i.e., said TCP local node; See page 27, RFC 3135 discloses that a response may be received from a server-side proxy, e.g., a round trip response from the server-side proxy in application-specific proxy pair).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have integrated said split connection with accelerating proxies (i.e., PEPs; See page 5, 2.2 Distribution), as disclosed by RFC 3135, into the networked system (See Fig. 1), as disclosed by Singh, for the advantage of improving the performance of the Internet protocols on network paths where native performance suffers due to characteristics of a link or subnetwork on the path (See RFC 3135, page 2, and further pages 10-11).

Singh, as modified by RFC 3135, does not expressly teach that the transactions include a request from a client to a server and a response to the request from the server to the client.

APA discloses a network transaction (i.e., client-server transactions), wherein

- in a network (i.e., packet network) wherein clients (i.e., Clients) initiate transactions (i.e., a request-response cycle) with servers (i.e., Servers) and the network (i.e., said packet network) carries transactions (i.e., client-server transactions) including a request from a client to a server and a response from the server to the client (See col. 2, lines 28-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have carried said transaction (i.e., client-server transactions), as disclosed by APA, on the networked system (See Singh, Fig. 1), as disclosed by Singh, as modified by RFC 3135, for the advantage of providing a client-server transactions, which was well known in the art of database querying (See APA, col. 2, lines 28-47).

Referring to claim 27, Singh discloses, in a network (i.e., Network 104 of Fig. 1) wherein nodes (i.e., a first communicating node; e.g., System 1 102A of Fig. 1; See col. 8, lines 56-58) initiate transactions (i.e., network traffic) with other nodes (i.e., a second communicating node;

e.g., System 2 102B of Fig. 1) and the network carries transactions (See col. 21, lines 17-24), a method (i.e., a method for incremental and continuous data compression; See Abstract) comprising:

- receiving a payload (i.e., packets or datagrams in an input data stream) from a first node (i.e., a first communication node in a network; See col. 9, lines 16-32);
- segmenting the payload (i.e., identifying and replacing repeated phrases/terms in an input data stream) into one or more segments (i.e., repeated phrases/terms; See col. 8, lines 51-67; and col. 9, lines 5-8 and 16-32) based on the content of the payload (See col. 19, lines 40-56 and col. 20, lines 33-35, wherein Singh states "… They can be optimized to best the suit the type of data being compressed. … The algorithm is … and learns new dictionary phrases to adapt to changes in the input data. …");
- replacing at least one segment of the one or more segments (i.e., said repeated phrases/terms) with a segment reference (i.e., a dictionary phrase number) to a matching data pattern (i.e., a dictionary entry; See col. 9, lines 17-29 and col. 10, lines 36-46) that is stored in a first-node auxiliary data store (i.e., hash table / library of said first communication node; See col. 9, lines 25-28 and 50-67), to form a modified payload (i.e., compressed input stream; See col. 2, lines 34-39; col. 3, lines 59-62; and col. 4, lines 26-32);
- sending the modified payload (i.e., said compressed input stream) from the first node to a second node (i.e., the network connection via which the "data being sent to the different users" travels before being decompressed; See col. 21, lines 16-29);
- receiving the modified payload (i.e., said compressed input stream) at a second-node proxy (i.e., a site closer to the end users; See col. 21, lines 16-29, it states "picking up the compressed stream at said site closer to the end users via the network connection.");
- replacing the segment reference (i.e., a dictionary phrase number) in the modified payload (i.e., said compressed input data stream) with a matching data pattern (i.e., a phrase/term) retrieved from a second-node auxiliary data store (i.e., a dictionary of repeated phrases/terms associated with a second communication node; See col. 12, line 66 through col. 13, line 7), to form a reconstructed payload (i.e., decompressed original input stream; See col. 13, lines 8-15; and col. 18, lines 47-51); and
- sending the reconstructed payload (i.e., decompressed original input stream) from the second-node proxy (i.e., a site closer to the end users) to user (See col. 21, lines 16-29).

Singh does not expressly teach that terminating a transport connection for traffic between the first node and the second node at a first-node proxy and at the second-node proxy; the first-node proxy receives the payload; and the second-node proxy sends the payload to the second node of the user.

RFC 3135 discloses a method of split connection in the field of accelerating transactions between networked devices (See page 1, Abstract), wherein

- terminating a transport connection (i.e., transport layer Performance Enhancing Proxies) for traffic between a first node and a second node at a first-node proxy and at a second-node proxy (See pages 4-5, 2.1.1 Transport Layer PEPs; and further, at page 6, RFC 3135 describes "[a] split connection TCP implementation *terminates* the TCP connection received from an end system and establishes a corresponding TCP connection to the other end system.");
- a first-node proxy (e.g., a first PEP for TCP local node) receives a payload (i.e., TCP data segments) from a first node (i.e., said TCP local node; See page 9, 3.1.2 Local TCP Acknowledgements, RFC 3135 describes "[i]n some PEP implementations, TCP data segments received by the PEP are locally acknowledged by the PEP. … Local acknowledgments are automatically employed with split connection TCP implementations, …");
- a second-node proxy (i.e., a second PEP for the TCP local node at the other end of an encapsulated tunnel between two PEPs; See page 6, RFC 3135 describes "[i]n a distributed PEP implementation, this is typically done to allow the use of *a third connection* between two PEPs optimized for the link") sends the payload to the second node (i.e., said TCP local node at the other end of receiving system; See page 6, 2.4 Split Connection, RFC 3135 describes "the distributed implementation might use a separate connection between the proxies for each TCP connection or it might multiplex the data from multiple TCP connections across a single connection between the PEPs," and at page 9, 3.2 Tunneling, RFC 3135 describes "[a] PEP at the other end of the encapsulation tunnel removes the tunnel wrappers before final delivery to the receiving end system.").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have integrated said split connection with proxies (i.e., PEPs; See page 5, 2.2 Distribution), as disclosed by RFC 3135, into the networked system (See Fig. 1), as disclosed

by Singh, for the advantage of improving the performance of the Internet protocols on network paths where native performance suffers due to characteristics of a link or subnetwork on the path (See RFC 3135, page 2).

Singh, as modified by RFC 3135, does not expressly teach that the transactions include a request message from a first node to a second node and a response message from the second node to the first node.

APA discloses a network transaction (i.e., client-server transactions), wherein

- in a network (i.e., packet network) wherein nodes (i.e., clients) initiate transactions (i.e., a request-response cycle) with other nodes (i.e., servers) and the network (i.e., said packet network) carries transactions (i.e., client-server transactions) including a request message from a first node (i.e., client) to a second node (i.e., server) and a response message from the second node (i.e., said server) to the first node (i.e., said client; See col. 2, lines 28-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have carried said transaction (i.e., client-server transactions), as disclosed by APA, on the networked system (See Singh, Fig. 1), as disclosed by Singh, as modified by RFC 3135, for the advantage of providing a client-server transactions, which was well known in the art of database querying (See APA, col. 2, lines 28-47).

Referring to claim 35, Singh discloses, in a network (i.e., Network 104 of Fig. 1) wherein nodes (i.e., a first communicating node; e.g., System 1 102A of Fig. 1; See col. 8, lines 56-58) initiate transactions (i.e., network traffic) with other nodes (i.e., a second communicating node; e.g., System 2 102B of Fig. 1) and the network carries transactions (See col. 21, lines 17-24), a transaction processor with improved bandwidth (i.e., improving bandwidth utilization by compressing data; See col. 21, lines 13-24 and 32-38) comprising:

- a first-node auxiliary data store (i.e., a hash table/library of a detector component of a first communication node; See col. 9, lines 17-29 and col. 19, lines 6-9) associated with a first node (i.e., a fist communication node; See col. 9, lines 25-28) that stores segment data (i.e., a repeated phrase/term) and segment references (i.e., a dictionary phrase umber) for referenced segments (i.e., repeating phrases/terms in the input data stream; See col. 9, lines 50-67);

- a transaction transformer (i.e., Encoding and Encapsulation "EE" 106 in Fig. 2; See col. 8, line 66 through col. 9, line 11) for transforming a payload of a message to be sent (i.e., transforming an input data stream; See col. 9, lines 12-16), comprising:
  - a) a segmenter (i.e., the repeated phrase identification aspect of detector component 202 of Fig. 2) for segmenting the payload (i.e., identifying repeated phrases/terms in an input data stream) into one or more segments (i.e., repeated phrases/terms; See col. 8, lines 51-67; and col. 9, lines 5-8 and 16-32) based on the content of the payload (See col. 19, lines 40-56 and col. 20, lines 33-35, wherein Singh states "… They can be optimized to best the suit the type of data being compressed. … The algorithm is … and learns new dictionary phrases to adapt to changes in the input data. …"); and
  - b) a replacer (i.e., the repeated phrase replacing aspect of detector component 202 of Fig. 2) for replacing at least one segment of the one or more segments (i.e., said repeated phrases/terms) with a segment reference (i.e., a dictionary phrase number) to a matching data pattern (i.e., a dictionary entry; See col. 9, lines 17-29 and col. 10, lines 36-46) that is stored in a first-node auxiliary data store (i.e., hash table / library of said first communication node; See col. 9, lines 25-28 and 50-67), to form a modified payload (i.e., compressed input stream; See col. 2, lines 34-39; col. 3, lines 59-62; and col. 4, lines 26-32);
- a second-node auxiliary data store associated with the second node (i.e., a dictionary of repeated phrases/terms associated with the second communication node; See col. 9, lines 17-29 and col. 19, lines 6-9) that stores segment data (i.e., phrases/terms) and segment references (i.e., dictionary phrase numbers) for referenced segments (See col. 13, lines 22-30 and col. 14, lines 13-16)); and
- an inverse transaction transformer (i.e., Decoding and Decapsulation "DD" 108 in Fig. 2) for untransforming (i.e., decompressing) an compressed payload (i.e., a compressed input data stream) from a transaction transformer of a remote transaction processor (e.g., Encoding and Encapsulation "EE" 106B of System 2 102B in Fig. 1) and sending the untransformed payload (i.e., decompressed data stream) to the second node (i.e., the second communication node), comprising:
  - a) a tokenizer (i.e., Step 604 in Fig. 6 implemented in the decompression unit 208 of Fig. 2) that determines where segment references (i.e., a dictionary phrase number)

appear in the compressed payload (i.e., the compressed input data stream; See col. 12, line 66 through col. 13, line 7; and col. 13, lines 8-10); and

- b) a dereferencer (i.e., Steps 606 and 608 in Fig. 6 implemented in the decompression unit 208 in Fig. 2) for substituting segment data (i.e., phrase/terms) from the second-node auxiliary data store (i.e., a dictionary of repeated phrases/terms associated with the second communication node) for each segment reference (i.e., dictionary phrase number) detected by the tokenizer (See col. 12, line 66 through col. 13, line 7; and col. 13, lines 10-16).

Singh does not expressly teach that said transaction processor for the compressed payloads is a transaction accelerator for accelerated payloads in the network.

RFC 3135 discloses a split connection in the field of accelerating transactions between networked devices (See page 1, Abstract), wherein

- a first node-side proxy (i.e., a first PEP for TCP local node as a client-side accelerator) receives a payload (i.e., TCP data segments) from a first node (i.e., said TCP local node; See page 9, 3.1.2 Local TCP Acknowledgements, RFC 3135 states "[i]n some PEP implementations, TCP data segments received by the PEP are locally acknowledged by the PEP. … Local acknowledgments are automatically employed with split connection TCP implementations, …"); and
- a second node-side proxy (i.e., a second PEP for a TCP local node at the other end system as a server-side accelerator) sends an accelerated payload to the second node (i.e., said TCP local node; See page 27, RFC 3135 discloses that a response may be received from a server-side proxy, e.g., a round trip response from the server-side proxy in application-specific proxy pair).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have integrated said split connection with accelerating proxies (i.e., PEPs; See page 5, 2.2 Distribution), as disclosed by RFC 3135, into the networked system (See Fig. 1), as disclosed by Singh, for the advantage of improving the performance of the Internet protocols on network paths where native performance suffers due to characteristics of a link or subnetwork on the path (See RFC 3135, page 2, and further pages 10-11).

Singh, as modified by RFC 3135, does not expressly teach that the transactions include a request from the first node to the second node and a response to the request from the second node to the first node.

APA discloses a network transaction (i.e., client-server transactions), wherein

- in a network (i.e., packet network) wherein first nodes (i.e., Clients) initiate transactions (i.e., a request-response cycle) with second nodes (i.e., Servers) and the network (i.e., said packet network) carries transactions (i.e., client-server transactions) including a request from the first node to the second n ode and a response from the second node to the first node (See col. 2, lines 28-47).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have carried said transaction (i.e., client-server transactions), as disclosed by APA, on the networked system (See Singh, Fig. 1), as disclosed by Singh, as modified by RFC 3135, for the advantage of providing a client-server transactions (i.e., node-to-node transactions with the request-response cycle), which was well known in the art of database querying (See APA, col. 2, lines 28-47).

*These rejections were proposed by the Third Party requester in the request for reexamination at pages 15-51 "the Claim Chart Exhibit A", and they are being **adopted** essentially as proposed in the request for reexamination.*

Conclusion

6. Any paper filed with the USPTO, i.e., any submission made, by either the Patent Owner or the Third Party requester must be served on every other party in the reexamination proceeding, including any other Third Party requester that is part of the proceeding due to merger of the reexamination proceedings. As proof of service, the party submitting the paper to the Office must attach a Certificate of Service to the paper, which sets forth the name and address of the party served and the method of service. Papers filed without the required Certificate of Service may be denied consideration. 37 CFR § 1.903; MPEP § 2666.06.

Extensions of time under 37 CFR § 1.136(a) will not be permitted in *inter partes* reexamination proceedings because the provisions of 37 CFR § 1.136 apply only to "an applicant" and not to the patent owner in a reexamination proceeding. Additionally, 35 U.S.C. § 314(c) requires that *inter partes* reexamination proceedings "will be conducted with special dispatch" (37 CFR § 1.937). Patent owner extensions of time in *inter partes* reexamination proceedings are provided for in 37 CFR § 1.956. Extensions of time are not available for third party requester comments, because a comment period of 30 days from service of patent owner's response is set by statute. 35 U.S.C. § 314(b)(3).

The Patent Owner is reminded that any proposed amendment to the specification and/or claims in this reexamination proceeding must comply with 37 CFR § 1.530(d)-(j), must be formally presented pursuant to 37 CFR § 1.52(a) and (b), and must contain any fees required by 37 CFR § 1.20(c).

Amendments in an *inter partes* reexamination proceeding are made in the same manner that amendments in an *ex parte* reexamination are made. MPEP § 2666.01. See § MPEP 2250 for guidance as to the manner of making amendments in a reexamination proceeding.

The Patent Owner is reminded that any proposed amendment to the specification and/or claims in this reexamination proceeding must comply with 37 CFR § 1.530(d)-(j). And, the Patent Owner is reminded of the continuing responsibility under 37 CFR § 1.985(a), to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving the instant Patent Under Reexamination or any related patent throughout the course of this reexamination proceeding. The Third Party requester is also reminded of the ability to similarly inform the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2686 and 2286.04.

All correspondence relating to this *inter partes* reexamination proceeding should be directed:

By EFS: Registered users may submit via the electronic filing system EFS-Web, at http://sportal.uspto.gov/authenticate/authenticateuserlocalepf.html

By Mail to: Mail Stop *Inter Partes* Reexam
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Alexandria, VA 22313-1450

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Central Reexamination Unit

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Alexandria, VA 22314

For EFS-Web transmissions, 37 CFR § 1.8(a)(1)(i) (C) and (ii) states that correspondence (except for a request for reexamination and a corrected or replacement request

for reexamination) will be considered timely filed if (a) it is transmitted via the Office's electronic filing system in accordance with 37 CFR § 1.6(a)(4), and (b) includes a certificate of transmission for each piece of correspondence stating the date of transmission, which is prior to the expiration of the set period of time in the Office action.

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding, should be directed to the Central Reexamination Unit at telephone number (571) 272-7705.

Signed:

/Christopher E. Lee/
Christopher E. Lee / Primary Patent Examiner
Patent Reexamination Specialist / Art Unit 3992
Central Reexamination Unit

Conferees:

/wch/

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3992