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In re Patent No.: 9,943,096 :
Issue Date: 17 April 2018 : REQUEST FOR INFORMATION
Application No.: 15/398,479 :
Filing Date: 04 January 2017 :
Attorney Docket No. 38767-0015002 :

This is a request for clarifying information regarding the petition requesting the acceptance of an unintentional delayed priority claim, filed under 37 CFR §§ 1.182 and 1.78 filed 30 May 2023.

On 02 August 2002 and 12 September 2022, paper(s) was/were filed indicating that there is a district court proceeding which involves the above-identified patent.

Petitioner and the assignee of this patent are required under 37 CFR 1.105 to provide the following information that the Office has determined is reasonably necessary to properly treat the petition filed on 30 May 2023:

- (1) the current status of the district court proceeding noted above;
- (2) an identification of any other ongoing court proceeding(s) which involve this patent as well as the status of such proceeding(s);
- (3) for any ongoing court proceeding identified in this requirement or in the response to this requirement, petitioner is required to additionally disclose whether:
 - (a) a court(s) requested, required, or approved seeking the relief requested in the above-referenced petition; or
 - (b) (1) the court(s) has/have been informed that the above-referenced petition was filed or that petitioner planned to file the petition; and
 - (2) if informed of the petition whether the court(s) objected to the USPTO issuing a decision on the above-referenced petition; and
- (4) any other information including any documents or other evidence from the proceeding(s) that may reasonably be deemed material to the decision on the above-referenced petition.

The requested information is reasonably necessary to ensure that a decision for the above-referenced petition does not conflict with matters that are being litigated in the court proceeding(s).

Petitioner is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where petitioner does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained may be accepted as a complete reply to the requirement for that item. *See* 37 CFR 1.105(a)(3).

Telephone inquiries concerning this requirement may be directed to Jason Olson at (571) 272-7560.

For the reasons above, the petition under 37 CFR 1.182 is **DISMISSED** as MOOT.

For the reasons above, the petition under 37 CFR 1.78 is **DISMISSED** as MOOT.

/Rafael Bacares/
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